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SB 747 Public Information Act – Personnel Records – Police Officers

Hearing before the Judicial Proceedings Committee, March 1, 2023

Position: UNFAVORABLE

The Public Justice Center (PJC) is a nonprofit civil rights and anti-poverty legal services organization that seeks to advance social justice, economic and racial equity, and fundamental human rights in Maryland. The Public Justice Center envisions a just society where Black, Latine, Indigenous, Asian, and other historically exploited people are free from systems of oppression, exploitation, and all expressions of discrimination. Central to this mission is transparency and accountability in policing in Maryland, which is critical to creating trust between police and members of the communities in which they work.

SB 747 would roll back most of Anton’s Law, passed in 2021, before it has even been implemented and tested. There is no justification for such a reversal of the course set by the General Assembly in its package of police reform legislation in the wake of the national Uprising of 2020.

The bill would limit the reach of the Public Information Act in police disciplinary records to complaints of race discrimination and excessive force. While these are important complaints, there are many others that strike at the heart of a productive and trusting relationship between police and community: discrimination against LGBTQ+ individuals, individuals with disabilities, and others; improper interactions with observers of arrests; illegal searches and seizures; sexual misconduct; planting of evidence and other corruption; unlawful arrests; verbal abuse; harassment; to name just a few. It is impossible to isolate one or two types of misconduct from all the rest while claiming to provide transparency and accountability in policing.

It is well documented in Maryland and across the country that the police cannot police themselves through internal processes shielded from the light of day. Maryland must not turn away from our collective responsibility to reimagine the role of police and build trust so that communities currently policed and oppressed are instead protected and served as they should be.

The Public Justice Center urges an UNFAVORABLE report on SB 747. For further information, please contact Debra Gardner, at 410-625-9409 ext. 228 or gardnerd@publicjustice.org.