



THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

**Testimony of Senator Jill P. Carter In Favor of SB1029 - Public
Information Act – Personnel and Investigatory Records – Complaints
Against Law Enforcement Officers Before the Judicial Proceedings
Committee
on March 3, 2020**

Mr. Chair, Mr. Vice Chair, members of the Committee,

I am pleased to present SB 1029. This bill is a long-overdue reform to allow our communities to have basic transparency over police misconduct.

Under current law, if you file a complaint of police misconduct, you cannot find out how the department investigates your complaint. All you can find out is the outcome and the discipline; you cannot find out whether the department conducted a thorough or lackluster investigation of your complaint. This is because the complaint file is considered a ‘personnel record’ under Maryland’s Public Information Act (PIA) and personnel records may never be disclosed.

Your file includes an interlineated copy of the bill with my sponsor amendments.

As amended, SB 1029 removes certain disciplinary files from the personnel record category, thereby allowing (though not mandating) police departments to disclose information to our communities. As

amended, SB 1029 would allow (not mandate) disclosure of disciplinary records related to:

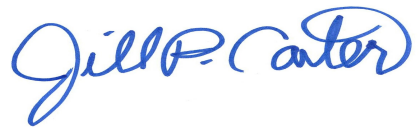
- 1. Use or attempted use of force;**
- 2. Sexual assault;**
- 3. Dishonesty, perjury, false statements, false reports, destruction, creation, falsification or concealing evidence, directly related to the reporting, charging, investigation, or prosecution of unlawful conduct;**
- 4. Discrimination or bias;**
- 5. Misconduct alleged by a member of the public, or involving an interaction with a member of the public, that is directly related to the reporting, charging, investigation, or prosecution of unlawful conduct; and**
- 6. Criminal activity by a law enforcement officer**

SB 1029 would also require police departments to report statistics regarding the number of complaints they receive and how they are handled.

Transparency is necessary to begin rebuilding trust, which is essential for effective policing and public safety.

As such, I urge this committee to give a favorable report on SB1029. Thank you.

Very Truly Yours,

A handwritten signature in blue ink that reads "Jill P. Carter". The signature is written in a cursive style with a large, looping initial "J" and a distinct "P" and "C".

Jill P. Carter