

JOTF JOB OPPORTUNITIES TASK FORCE

Advocating better skills, jobs, and incomes

TESTIMONY IN SUPPORT OF HOUSE BILL 1115 :

Improperly Summoning a Police Officer - Civil Liability

TO: Chairman. Luke Clippinger, and members of the House Judiciary Committee

FROM: Derrell Frazier, Policy Advocate

DATE: March 5, 2020

The Job Opportunities Task Force (JOTF) is an independent, nonprofit organization that develops and advocates policies and programs to increase the skills, job opportunities, and incomes of low-skill, low-wage workers and job seekers in Maryland. We support House Bill 1115 as a means to eliminate unnecessarily hostile or prejudicial run-ins with law enforcement.

In 2018, JOTF released its groundbreaking report “The criminalization of poverty: How to break the cycle through policy reform in Maryland” that examines state laws and policies that criminalize and penalize poor communities of color. The goal of the report was to identify key laws, policies and practices in the state of Maryland that are either unnecessarily penalizing the poor or leading the poor to be arrested. After arrest, certain groups, specifically poor communities of color, face disparate treatment and outcomes as compared to other groups in the community. These groups are also more likely to be impacted by and unable to afford the accompanying debt, fees, and fines of the civil and criminal courts.

In 2018, there were endless streams of stories involving erroneous calls to police about people of color: A black child who mowed part of the wrong yard, a black family eating at Subway, an 8-year-old girl selling bottled water, a woman using the private pool in her gated community, a trio of filmmakers staying in an Airbnb, and a group of black women on a golf course. These are just some examples of a person or group being forced to defend their presence. These stories and others have been published so frequently that they have formed a new news genre: “Living While Black,” a phrase that encompasses the myriad ways black people are viewed with suspicion, profiled, and threatened with responses from police for minor infractions, or less.

House Bill 1115 seeks to address this by creating a civil case for damages against a person who knowingly causes a police officer to infringe on an individual’s constitutional rights, unlawfully discriminate against the person, cause humiliation or impacts the person’s economic interest. The person entitled to bring civil action may recover economic or non-economic damages, including statutory damages of \$10,000 against each defendant found liable.

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Additionally, given the history of the criminal justice system in the United States race, poverty, and criminalization are often inseparable. For those reasons, we urge a **favorable** vote on HB 1115.