



BERNARD C. "JACK" YOUNG
MAYOR

*Office of Government Relations
88 State Circle
Annapolis, Maryland 21401*

HB 1221

March 3, 2020

TO: Members of the House Judiciary Committee

FROM: Nicholas Blendy, Deputy Director of Government Relations

RE: House Bill 1221 - Public Information Act – Personnel and Investigatory Records
– Complaints Against Law Enforcement Officers

POSITION: SUPPORT

Chair Clippinger, Vice Chair Atterbeary, and Members of the Committee, please be advised that the Baltimore City Administration (BCA) **supports** House Bill (HB) 1221.

HB 1221 would allow a formal complaint of job-related misconduct made against a law enforcement officer, including an investigation record, a hearing record, or a disciplinary decision, to be defined as **not** a personnel record for purposes of denying inspection under the Maryland's Public Information Act (PIA). Accordingly, if enacted, HB 1221 would allow complaints involving the discharge of a firearm, use of force resulting in serious bodily injury, and sustained investigatory findings of complaints involving an officer's integrity to be accessible to certain members of the public under certain circumstances.

Currently, all public employees' personnel files and investigative records are not open for public view under PIA. HB 1221 would create more transparency for the categories of police incidents and situations involving the most public scrutiny and concern. For example, situations where there was the discharge of a firearm and use of force resulting in death or serious bodily injury, information pertaining to both sustained and unsustained complaints will be released. In other situations where an officer's integrity is in question, those records will only be released if complaints are sustained. While there may be no perfect way to draft any legislation on these types of record, the BCA believes the balance intended by HB 1221 is sensible.

Baltimore’s Mayor Bernard C. “Jack” Young has long been a proponent of measures that increase transparency in government—especially in the sensitive area of police and community trust.¹ The BCA believes HB 1221 is consistent with this effort.

We respectfully request a **favorable** report on House Bill 1221.

¹ See Robinson, Lisa, “Baltimore bill addresses police body cameras.” Sep. 23, 2014, available at <https://www.wbaltv.com/article/baltimore-bill-addresses-police-body-cameras/7089384#> (last accessed Mar 2, 2020); see also Richman, Talia, “Baltimore Mayor Young makes civil rights office independent to reduce conflicts in investigations of police” May 28, 2019 <https://www.baltimoresun.com/news/crime/bs-md-ci-civil-rights-office-relocated-20190528-story.html> (last accessed Mar 2, 2020).