



Olivia Bartlett, Co-Lead, DoTheMostGood Maryland Team

Committee: Judiciary

Testimony on: HB0120 - Public Information Act - Personnel Records - Investigations of Law Enforcement Officers (Anton's Law)

Position: Favorable

Hearing Date: February 9, 2021

Bill Contact: Delegates Acevero and Barron

DoTheMostGood (DTMG) is a progressive grass-roots organization with more than 2500 members who live in a wide range of communities in Montgomery and Frederick Counties, from Bethesda near the DC line north to Frederick and from Poolesville east to Silver Spring and Olney. DTMG supports legislation and activities that keep all members of our communities health and safe and that promote positive and trusting relationships between communities and law enforcement as well as fair and equal policing for all communities.

DTMG strongly supports HB0120 because we believe increased transparency and accountability are important steps toward improving relationships between law enforcement and communities, especially communities of color.

The tragic death of Anton Black is one on a long and growing list where transparency and accountability could have prevented a police officer with a violent history from being on duty. Officer Thomas Webster IV had 29 “use of force” reports and 7 early warning reports, which signal when an officer may be having trouble on the job, in his record during his 10-year career as an officer in Dover, DE, prior to being hired by the Greensboro Police Department. He was the lead officer involved in actions that led to the death of Anton Black.

Webster’s application for certification with the Maryland Police and Correctional Training Commission (MPCTC) included his acquittal from charges of an assault on an unarmed black man during an attempted arrest while working for Dover police. But, according to the Commission, his application did not include potentially disqualifying information of the 29 “use of force” reports. Had Webster’s full record been shared with the MPCTC, perhaps he would not have been certified to be an officer in the Greensboro Police Department and Anton Black would be alive today. No one can know for sure. But what is known is that, when unchecked or disciplined, violent and abusive police behavior terrorizes communities and undermines public trust.

The deaths of community members, especially Black and Brown persons, while in police custody or as a result of violent, abusive acts by police officers, stain the reputations of those that wear the uniform with a genuine desire to meet a standard of integrity and to honor the law and community.

Allowing access to records relating to an administrative or criminal investigation of misconduct by a law enforcement officer and to how complaints are investigated by police departments will start to bridge the gap of trust between law enforcement and communities. Transparency in how complaints are investigated will allow for independent oversight, helping to ensure that cases are handled thoroughly, with integrity, and in a timely manner.

As long as police disciplinary records are considered confidential and withheld from public view, problem individuals can work as police officers, and endless instances of police abuse and violence will continue unabated.

Reforming Maryland's Public Information Act with passage and implementation of HB0120 and the Senate companion bill, SB0178, can end police disciplinary secrecy. It is one of several steps forward that are needed to rein in police misconduct and abuse. When authority is held accountable, seeds of trust have a better chance of growing.

For all of the reasons mentioned above, DTMG strongly supports HB0120 and urges a **FAVORABLE** report on this bill.

Respectfully submitted,

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