

**Testimony for the Senate Judicial Proceedings Committee  
February 3, 2021**

**SB 627– Law Enforcement Officers’ Bill of Rights – Repeal and Procedures for Discipline**

**FAVORABLE**

To Chairman Smith, Vice Chair Waldstreicher, and members of the Committee,

My name is **Eugene Sheppard** and I live in **Frederick**, Maryland. I am testifying in support of SB 627 to repeal the Law Enforcement Officers’ Bill of Rights (“LEOBR”) and create a streamlined system without the procedural barriers that prevent discipline. This bill is about racial justice and holding officers accountable for the violence, abuse, and trauma they inflict on the community, mostly Black and Brown residents.

When asked to speak on my experience my dilemma was deciding which instance of police brutality/misconduct I should write about? Should I: -write about the time I was beaten while handcuffed? I asked the officer while getting punched and hit with batons, “Why are you doing this to me?” His response was, “Because I hate you!”- do I write about the time I was detained while working security because a woman was robbed and I fit the description? It didn't matter that my parking lot guardhouse was 10 feet away and I was playing with a tennis ball while on the phone. I was only released when my supervisor vouched for me. I was told they will let me slide, but I need to have more respect for the police. - do I write about the time I was pulled over for eating an orange? My brother who was driving asked the officer why we got pulled over. The officer motioned towards me and explained that he saw me rolling up (he imitates rolling marijuana with his hands). Confused for a moment, I then realized that I just peeled an orange. He argued that he saw what he saw but cautiously let us go with a warning and stern advice to respect the police. - do I write about the time I was accused at Whole Foods of stealing a quesadilla and an Honest green tea. \$5 worth of food. I asked the officer for assistance as the Whole Food security had taken my food. I gave him my receipt, he then proceeded to issue me a restraining order and arrested me. He tightened the cuffs to the point that it caused nerve damage. He then refused to return my receipt, but he was unaware that I already had taken a photo of it. He didn't appear at the trial.

In all of these instances of harassment and assault, no one was held accountable and all that I got was the burden of proving my innocence and PTSD.

As you know, Maryland was the first state to create this type of law, and Maryland’s LEOBR is considered to be the most extreme in the country. LEOBR protects officers from accountability by giving them special due process rights that go beyond what is required under the Constitution. For instance, there is no reason why complaints need to go through a hearing board process before officers can be disciplined. As a result of LEOBR’s extra rights, only a few officers receive any discipline at all. In the vast majority of incidents of violence and misconduct, the officer receives no discipline and is not held accountable. LEOBR also allows police chiefs to escape accountability because they can say that it was the hearing board that made the decision, not them so their “hands are tied”. This is why it is so important to have a transparent and streamlined discipline process that allows for us to know exactly who is responsible for holding officers accountable.

I believe that officers should have the same rights and not be treated differently than any other state or local employee, especially since officers have so much power in the community – literally making life or death decisions. They should not be given extra rights.

Maryland must also ensure that when LEOBR is repealed, local jurisdictions cannot just recreate LEOBR at the local level. That is why it is important that this bill prohibits local laws and collective bargaining agreements that conflict with the due process rights and procedures laid out in the bill.

SB 627 is a necessary bill so that Maryland finally stops shielding officers from accountability. Now is the time for a full repeal of LEOBR. I urge a favorable vote on SB 627.

Accountability strengthens communities and strong communities are safer places to live. And that's all we want to do. Live.

Sincerely,  
**Eugene Sheppard**