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TESTIMONY IN SUPPORT OF SB627

Law Enforcement Officers' Bill of Rights - Repeal and Procedures for Discipline

TO: Chair Smith, Vice Chair Waldstreicher, and members of the Judicial Proceedings Committee

FROM: Jordan Harburger

My name is Jordan S. Harburger. I live in Owings Mills in District 11. This testimony is in support of SB627, Law Enforcement Officers' Bill of Rights - Repeal and Procedures for Discipline.

I know that police are given extraordinary authority under our laws: the power to stop members of the public, to search them, to arrest them and charge them with crimes, use force and even kill them. These extraordinary powers must be accompanied by extraordinary accountability to the public they serve to assure that these powers are only exercised within the limits of the law. When police abuse their authority they can, and do, cause harm. I have seen this power abused with impunity in our communities and it makes me and my neighbors fear and doubt whether we can trust our police to assure equal justice in our communities.

The Law Enforcement Officers' Bill of Rights (LEOBR) in the State of Maryland must be repealed. A new system of accountability to the public must be instituted in order to reassure the public that police in this state will be held accountable for complaints regarding their actions in a timely, equal, transparent and democratic process. The new process must include non-law enforcement citizenry in the review and evaluation of accusations of abuse of authority and violation of law and policy.

The Law Enforcement Officers' Bill of Rights effectively excludes the public for any oversight role, allows the overwhelming majority of complaints against officer conduct to be considered only internally by law enforcement personnel, with no permanent record or transparency as to who are the officers who have repeated accusations of abuse of their authority. Officers dismissed or who voluntarily leave one jurisdiction following complaints can be hired in another jurisdiction and their complaint history is unavailable to the next hiring jurisdiction or the public. None of these provisions serve the public interest. The Maryland Law Enforcement Officers' Bill of Rights operates as a systematic barrier to oversight of policing by residents and to effective discipline in Maryland police organizations.

Therefore, I respectfully urge a favorable report on SB627 to fully repeal the LEOBR and establish a system for effective accountability and transparency.