



POSITION ON PROPOSED LEGISLATION

BILL: SB 42, Public Safety – Police Officers – Screening for Violent Behavior, Aggressive Behavior, and Bias (Senator Young)

POSITION: No Position

DATE: January 19, 2021

The Maryland Office of the Public Defender provides the below information and commentary on Senate Bill 42.

Violent, aggressive, and biased police officers undoubtedly threaten public safety. As a public defender, I witness citizen-police interactions all of the time, from non-violent citations to the beatings of unarmed black and brown people. This legislation lays out a promising framework for identifying violent, aggressive, and biased police officers. Still, we must remember that the vast majority of police-citizen interactions occur at the city and county level. This legislation must encourage local officials to comply with its vision.

For example, on several occasions, I've witnessed police officers forcibly remove men and women from their cars by their hair because they did not comply quickly enough with orders. Additionally, I've seen officers grab clients by their arms and throw them to the ground. In every instance, the community posed no threat and was not engaging physically with law enforcement. The problem was the police.

Unfortunately, there is limited corrective action at the county level. Complaints go unanswered, and if lodged, police harassment ensues. County and city police departments answer solely to their local governments. They receive the bulk of their funding from municipalities, and local administrators select their police chiefs.

In furthering legislative policing reforms, it is vital for collaborative legislative efforts. They must serve as building blocks to repealing LEOBOR and be immune from collective bargaining. They must carve out an exception in the MPIA and make screenings subject to discovery. They must encourage compliance at the local level through incentives (or similar), it must promote annual screenings, and terminate any officer convicted of a crime involving violence, aggression, or bias. Moreover, such legislation must guide the Maryland Police Training Commission in creating quality training, encourage peer-reviewed de-escalation tactics, and audit county and city police departments.

We must get this right. The safety of our communities depends on it. For these reasons, the Maryland Office of the Public Defender continues to prioritize legislation in furtherance of

policing reforms for disclosure and accountability and is encouraged by this Committee's steadfast progression in this area.

Respectfully submitted,

/s/ Roberto Martinez

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