



NAACP

Maryland
STATE CONFERENCE

TESTIMONY IN SUPPORT OF SENATE 400

COURT- IMPROPERLY SUMMING A POLICE OFFICER - CIVIL LIABILITY

JUDICIAL PROCEEDINGS - CHAIRMAN WILLIAM SMITH

FEBRUARY 11, 2021

THE NAACP MARYLAND STATE CONFERENCE OFFERS A FAVORABLE REPORT ON SENATE 400. THE INTENT OF THE BILL IS TO MITIGATE FALSE 911 CALLS THAT ARE TRIGGERED BY OVERZEALOUS CALLERS WHO IN MOST CASES ARE BASED ON RACIAL FEAR. THESE CALLS CREATE FRICTION IN COMMUNITIES AND ALSO HAVE THE EFFECT OF HEAPING FALSE CHARGES ON RESIDENTS WHO ARE JUST TRYING TO LIVE. THE CALLS ARE AN UNNECESSARY USE OF TIME BY POLICE, SECURITY AND OTHER LAW ENFORCEMENT AGENCIES.

THERE ARE MANY EXAMPLES OF THIS BUT RECENT NATIONAL FALSE CALLS HAVE SHOWN HOW WHITE PEOPLE KNOWINGLY WEAPONIZE THE POLICE AND PROFILE AFRICAN AMERICANS. WE KNOW THAT BECAUSE MANY OF THE CALLERS EMPHASIZE RACE.

THIS TRIGGERS CONCERNS ABOUT THE HISTORY OF RACE-BASED PROFILING THAT ARE THE CENTER OF MUCH OF THE RACIAL CONFLICT THAT WE SEE BECAUSE THEY ARE ALL BASED ON LIES. THE STORY OF EMMETT TILL IS AN EXAMPLE WHERE A YOUNG MAN'S LIFE WAS TAKEN BY LIES AND THERE ARE COUNTLESS OTHERS THAT SHOWCASE RACIAL STEREOTYPING & FEAR BEING AT THE CENTER OF THE ALL FALSE CALLS WITH NO RETRIBUTION OR EDUCATION TO THE PERSON WHO TRIGGERED THE CALL.

AS RECENTLY AS NOVEMBER OF LAST YEAR A FALSE 911 CALL WAS MADE AT A POLLING PLACE ON AN EARLY VOTE DAY. THE FRAGILE CALLER WAS UPSET ABOUT QUESTION ABOUT THE SUPPORT OF A CANDIDATE. NOT A DISPUTE BUT A CONVERSATION. THIS LED TO ANOTHER CONVERSATION, NOT A PHYSICAL ALTERCATION BUT A CONVERSATION THAT CAUSED THE FRAGILE CALLER TO CALL THE POLICE, GET A PEACE ORDER AND FILE CRIMINAL CHARGES. THE CALLER DID NOT SHOW UP FOR THE PEACE ORDER HEARING AND THE CHARGES WERE EVENTUALLY DROPPED.

THE CALLER, WHILE FRAGILE ADMITTED TO GOING OVERBOARD BUT THE DAMAGE WAS DONE. ALTHOUGH THE CHARGES WERE DROPPED THE ACCUSED PERSON HAS HAD TO DEAL WITH ATTORNEY'S FEES FOR DEFENSE, CONCERNS ABOUT REPUTATION, UNNECESSARY STRESS, THE TIME CONSUMING PRACTICE OF GOING TO COURT AND RECORD

EXPUNGEMENT. I KNOW ABOUT THESE DETAILS BECAUSE I WAS THE TARGETED PERSON ON THE RECEIVING END OF THAT CALL.

THE ONLY THING I WOULD ADD WOULD BE AUTOMATIC EXPUNGEMENT FOR THE PERSON ACCUSED OF THE LIE AND FOR THEM TO BE REIMBURSED FOR THEIR TIME AND MONEY.

THERE SHOULD ALSO BE LARGER LEVEL OF CONCERN ABOUT THE ROLE OF COMMUNITY POLICING TO MITIGATE THESE CRISIS SITUATIONS THAT SHOULD NEVER HAPPEN.

FOR NOW, SENATE BILL 400 IS A STEP IN THE RIGHT DIRECTION TO REDUCE THESE TYPES OF INCIDENTS AND WILL BE HELPFUL TO THE COMMUNITY AND LAW ENFORCEMENT.

