

Bill Number: SB 166
Scott D. Shellenberger, State's Attorney for Baltimore County
Opposed Requesting Amendments

WRITTEN TESTIMONY OF SCOTT D. SHELLENBERGER,
STATE'S ATTORNEY FOR BALTIMORE COUNTY,
OPPOSED REQUESTING AMENDMENTS OF SB 166
CRIMINAL PROCEDURE – POLICE OFFICERS – DUTY TO REPORT
MISCONDUCT (MARYLAND POLICE ACCOUNTABILITY ACT OF 2021)

I write in support of the majority of Senate Bill 166.

Senate Bill 166 creates a new crime that only applies to police officers. It would require one officer who has actual knowledge of another officer having committed an enumerated crime to report that officer to supervisors.

I accept the majority of this bill with one exception. Six of the enumerated crimes are well known, delineated in the statute, with a long history of what each crime stands for. I accept that part since the parameters of what an officer must do are well delineated.

However, including excessive force as a crime to report is wrong and unworkable. Excessive force is not an enumerated crime like the rest in this list. Excessive force should be a disciplinary matter and not a crime. Excessive force is a standard not a standalone crime.

I ask that you amend (B)(2) to exclude excessive force.

Other than that amendment, I can support this bill.