



LAW ENFORCEMENT ACTION PARTNERSHIP

ADVANCING JUSTICE AND PUBLIC SAFETY SOLUTIONS

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To: Senator William C. Smith, Chair
Senator Jeff Waldstreicher, Vice Chair, and
Judicial Proceedings Committee Members

From: Major Neill Franklin, Ret., on behalf of the
Law Enforcement Action Partnership (LEAP)

Favorable - Senate Bill 589

Criminal Procedure – Police Officers – Stop Procedures (Know Your Rights Act)

Hearing: Wednesday, February 17, 2021, 1:00 p.m.

Distinguished members of the Committee, thank you very much for the opportunity to present the views of the Law Enforcement Action Partnership (LEAP) in support of Senate Bill 589 (SB589).

The Law Enforcement Action Partnership's mission is to unite and mobilize the voice of law enforcement in support of drug policy and criminal justice reforms that will make communities safer by focusing law enforcement resources on the greatest threats to public safety, promoting alternatives to arrest and incarceration, addressing the root causes of crime, and working toward healing police-community relations.

Police reform is a very important part of our mission, which includes ensuring that there are processes of transparency and accountability within our police organizations. Passing SB589 will send a clear message to the people that our law makers believe in processes that hold our police officials accountable and that we have a duty to protect citizens' rights. It is one of the most sensible pieces of legislation I have seen introduced in my thirty-four years of policing.

Many police agencies, such as the Baltimore Police Department, have policies in requiring their police officers, when engaged in citizen contact, to first identify themselves and to communicate the reason for the encounter ([*BPD Policy 1112 – Field Interviews, Investigative Stops, Weapons Pat-Downs & Searches*](#)). And as for advising people of their rights, we swear an oath to uphold the Constitution of these United States, protecting the Constitutional rights of the people.

I served more than three decades in policing with the Maryland State Police (MSP), Baltimore Police Department (BPD) and the Maryland Transit Administration Police Force. During the latter years of my career I commanded Planning and Research writing police policy, and I commanded training divisions for both MSP and BPD. In line with police training, this is one of the first things we teach police officers to do during training for conducting traffic stops. First, identify yourself and your agency, communicate the reason for the stop, then request the necessary documents and ask other pertinent questions.

LawEnforcementActionPartnership.org

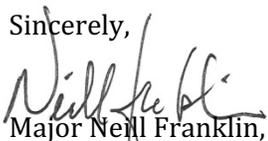
Formerly known as Law Enforcement Against Prohibition

The above being the case, then why do we need legislation? You only need to look as far as the abundance of [online video](#) showcasing one account after another of police officers failing to follow these basic policies and training. And in failing to do so, you see how upset the citizen becomes because the police officer dramatically fails at a proper and respectful introduction. Simply put, failing to do so is disrespectful. A proper introduction coupled with advising the citizen of the reason for the encounter generally places the citizen at ease, becoming the important first step in de-escalation.

In closing, this legislation will ensure state-wide consistency. This legislation is extremely important for sending a clear undeniable message regarding the importance of de-escalation and the value we place upon the Constitutional rights of the people. It's passing will reenforce training and policy, and greatly assist with closing the divide between police and community, which will ultimately result in improved public safety. When the people feel that they can trust the police, they become more cooperative and involved in criminal investigations.

The Law Enforcement Action Partnership is set on improving the policing profession, which will have a dramatic impact upon reducing violent crime. It is for this reason and those stated above that we support SB589 and ask that you, the members of this committee, give SB589 a favorable report.

Sincerely,



Major Neil Franklin, Ret.
Treasurer

*Formerly with the Maryland State Police and Baltimore Police Departments