



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 588

Law Enforcement Officers - Creditability of Witnesses and Misconduct Database
(Maryland Police Accountability Act of 2021)

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 588 (SB588).

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 SB588 will send a clear message to the people that our law makers believe in processes that hold our police officials accountable and that the rights of police officers are on par with the rights of citizens.

Police officers have great power and authority in our neighborhoods. Unfortunately, we see over and over again what can happen when rogue police officers go unchecked and untracked (GTTF). We are also beginning to see that problematic police officers tend to have history of misconduct, only coming to public attention when they are recorded doing something egregious, like the inappropriate and illegal use of deadly force.

Aside from treating every citizen with dignity and respect, a police officer's integrity and credibility is most important; it is an essential job function. Police officers have the ultimate authority to revoke what is most precious under the Constitution of the United States, liberty. Once a police officer revokes your liberty, they must justify their reason for doing so within sworn affidavits and eventually in a court of law before a judge and or jury; therefore, a police officer's truthfulness must be unquestionable, above reproach.

LawEnforcementActionPartnership.org

Formerly known as Law Enforcement Against Prohibition

Unfortunately, time and time again police officers are caught lying on official reports, sworn affidavits and in our courts of law. And just as bad if not worse, they are seldom held accountable and hardly ever terminated, or criminally charged for perjury.


When it comes down to the credibility of a police officer vs. a witness or the person charged with a crime, there can be no question regarding the officer's integrity and truthfulness. Once credibility is lost, a police officer should be terminated and permanently decertified by the Maryland Police Training Commission. To accomplish this, we need a functional transparent tracking system.

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, commanded training divisions for both MSP and BPD, I oversaw the BPD's Human Resources Division, which involved employee discipline and hearing boards, and I managed Internal Affairs for Maryland Transit. During the police hiring process, we eliminated any applicant who was untruthful at any time during the process. While in training, we terminated any and every trainee for integrity deficiencies, such as cheating or lying. And when any of these applicants, or trainees, attempted to get hired by another Maryland police agency, their record of deceit followed them. Why should we not maintain this same standard throughout their entire careers? SB588 will ensure that we do.

In closing, this legislation is extremely important for establishing a culture of transparency, critical to maintaining community trust, which is critical in reducing violent crime. Understand that this database will not be open to public inspection. It would only be accessible to the person in interest, an official who supervises the work of the individual, or an employee organization described in Title 6 of the Education Article of the portion of the personnel record that contains the individual's home address and personal telephone numbers. This is a small requirement with potentially large impact in protecting the liberty of the people we have taken an oath to serve.

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 SB588 and ask that you, the members of this committee, give SB588 a favorable report.

Sincerely,


Major Neil Franklin, Ret.
Treasurer

*Formerly with the Maryland State Police and Baltimore Police Departments