

Testimony in Support of HB1248.pdf

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THE MARYLAND HOUSE OF DELEGATES
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**Testimony in Support of HB1248:
Public Safety – Law Enforcement Officer – Data Collection and Reporting**

HB1248 is a bill that will directly increase the level of transparency coming from police departments across the State of Maryland. This bill requires all departments to report details about any incidents that result in a settlement or judgment against the agency, including:

- The age, gender, ethnicity, and race, of everyone involved in the incident (including the law enforcement officers involved);
- A description of the incident including date, time, location, and what happened;
- The dates that civil action was filed and resolved; and
- The amount of the settlement or judgement awarded to the plaintiff.

Every year, this information will be reported to the General Assembly and posted online publicly by the Governor's Office of Crime Prevention, Youth, and Victim Services.

This bill is a crucial step in holding law enforcement agencies accountable, because it provides transparency to the public about how much of their taxpayer dollars are being used to settle incidents of misconduct. Maryland taxpayers deserve a clear understanding of why they are paying their taxes and where those taxes are going, especially when it is being used to bail out the financial penalty of an individual officer or department's misconduct.

This kind of misconduct is not uncommon in Maryland. Last September, Prince George's County police settled with the family of William Green, a man shot 6 times and murdered by police officers while he was handcuffed in the back of a patrol car in January, for 20 million dollars—nearly 0.5% of Prince George's County's annual budget.

Last August, Baltimore's spending panel approved over 1 million dollars in settlements, over half of which went to victims of members of its Gun Trace Task Force who were accused of planting weapons on innocent civilians. One report found that the city spent more than 12.8 million dollars of taxpayer money on police misconduct settlements since 2014, and that nearly 25% of those settlements were due to civil rights infringements and over 15% were due to excessive force. Because of the city's use of nondisclosure agreements attached to the settlements, many of them were kept silent until a U.S. Appeals Court ruled it unconstitutional.

A few years ago in Wicomico County, four students alleged they were victims of police brutality, excessive force, illegal seizure, detention, and arrest. The city settled with them in 2016, but withheld details of the settlement under the claim that those details were confidential. The ACLU challenged this claim in 2017 and the Wicomico County Circuit Court ruled in 2018

that “secrecy has no place in the process of spending public dollars with regards to police settlements.” It should not have taken two years for details of the settlement to be public.

Similar court rulings to release such documents have occurred across our State. Taxpayers should not have to wait for individual cases to be heard by higher courts in order to know where their tax dollars are going. This is a question of transparency and accountability for our law enforcement.

For these reasons, I urge a favorable report on HB1248.