



TESTIMONY FOR SB0627

MARYLAND POLICE ACCOUNTABILITY ACT OF 2021 - LAW ENFORCEMENT OFFICERS' BILL OF RIGHTS - REPEAL AND PROCEDURES FOR DISCIPLINE

Bill Sponsor: Senator Carter

Committee: Judiciary

Organization Submitting: Maryland Legislative Coalition

Person Submitting: Cecilia Plante, co-chair

Position: FAVORABLE

I am submitting this testimony in favor of SB0627 on behalf of the Maryland Legislative Coalition. The Maryland Legislative Coalition is an association of activists - individuals and grassroots groups in every district in the state. We are unpaid citizen lobbyists and our Coalition supports well over 30,000 members.

Maryland was the first state to extend protections to law enforcement officers that no other public servants or county residents had. In 1974, the Law Enforcement Officer's Bill of Rights (LEOBR), which was intended to protect law enforcement personnel from investigation and prosecution arising from their conduct during the official performance of their duties, was passed. It provided them with privileges such as –

- giving them five days to mount a defense before any investigation could be made
- closing an investigation to the public
- signing off on information about an investigation that would go into their file
- removing any records of an investigation in which they were not found guilty from their file

It is important to recognize that this legislation would not exist but for the abuse that we have seen over the decades since the LEOBR was enacted. There are many families in this state who have lost loved ones and seen no justice because of the lack of transparency that comes out of these protections. We must look to their suffering when we evaluate this legislation.

Our Coalition members support law enforcement. However, we cannot subordinate the right of the public to hold law enforcement to account to the rights of the officers themselves. This is especially true when law enforcement officers have abused the rights of the very citizens they swore to protect. They have lost the right to shield themselves when their actions have caused such harm and such injustice.

We support this bill as it makes an effort to address the issues with the Law Enforcement Officer's Bill of Rights but would like to see a full repeal of the LEOBR. Anything less does not do justice to the magnitude of the problem we have caused. Maryland started this, and we have all seen where it has led. It is time for Maryland to end this.

Law enforcement was able to do its job before this law was enacted and it will be able to do its job once it is gone. There is no good argument to keep this law on the books and plenty of arguments to repeal it.

We support this bill and recommend a **FAVORABLE WITH AMENDMENTS** report in committee.