

Testimony for the House Judiciary Committee

February 9, 2021

HB 151–Law Enforcement Officers’ Bill of Rights – Repeal

FAVORABLE

To Chairman Clippinger, Vice Chair Atterbeary, and Committee members,

My name is Greta Willis, mother of Kevin L. Cooper. I am also a volunteer with Moms Demand Action for Gun Sense in America and the co-founder of the Kevin L. Cooper Foundation created in my son's name. I live in Baltimore, Maryland. I am testifying in support of HB 151 to repeal the Law Enforcement Officers’ Bill of Rights (“LEOBR”) and create a streamlined system without the procedural barriers that prevent discipline. This bill is about racial justice and holding officers accountable for the violence, abuse, and trauma they inflict on the community of mostly Black and Brown residents.

On Saturday, August 12th, 2006, my 15-year-old son was shot and killed by an inexperienced Baltimore City police officer with one year on the force. My son was experiencing a mental health crisis. I called the police seeking help for Kevin. Instead of receiving help, Kevin, while holding a plastic dustpan, was maced and shot in my home, in front of me, as I was holding my 10-month-old granddaughter. Two officers initially responded but one officer left stating “the call was abated”, meaning it was over. The other officer stayed and antagonized Kevin, then shot and killed him. I ask you, if the officer was in danger, why would his partner leave him, a rookie, on the scene alone? That one officer became the judge, the jury, and executioner of Kevin's life. The officer was not brought up on any charges.

During the hearing, my family was offered \$10,000 to settle the case but we refused. There is no police accountability in the Baltimore City Police Department. The department should have investigated our case further instead of covering it up and declaring it a justifiable homicide on the same day the shooting took place. Please explain to me: How can you justify a homicide that just occurred at 9:30 a.m. that same day? Impossible. Why? Where is the investigation? Where is the transparency? And, where is accountability?

As you know, Maryland was the first state to create this type of law, and Maryland’s LEOBR is considered to be the most extreme in the country. LEOBR protects officers from accountability by giving them special due process rights that go beyond what is required under the Constitution. For instance, there is no reason why complaints need to go through a hearing board process before officers can be disciplined. As a result of LEOBR’s extra rights, only a few officers receive any discipline at all. In the vast majority of incidents of violence and misconduct, the officer receives no discipline and is not held accountable. LEOBR also allows police chiefs to escape accountability because they can say that it was the hearing board that made the decision, not them so their “hands are tied”. This is why it is so important to have a transparent and streamlined discipline process that allows for us to know exactly who is responsible for holding officers accountable.

I believe that officers should have the same rights and not be treated differently than any other state or local employee, especially since officers have so much power in the community –literally making life or death decisions. They should not be given extra rights.

Maryland must also ensure that when LEOBR is repealed, local jurisdictions cannot just recreate LEOBR at the local level. That is why it is important that this bill prohibits local laws and collective bargaining agreements that conflict with the due process rights and procedures laid out in the bill. HB 151 is a necessary bill so that Maryland finally stops shielding officers from accountability. Now is the time for a full repeal of LEOBR. I urge a favorable vote on HB 151.

I urge you all to make police accountability your number one priority to save the lives of our children. Police violence is gun violence, and we cannot end gun violence without addressing the crisis.

Sincerely,
Greta Willis