

I am submitting this testimony to urge you to SUPPORT HB0151, Law Enforcement Officers' Bill of Rights - Repeal.

Members of the Baltimore Police Department routinely harass, abuse, defraud, frame, and assault ordinary people, up to and including murdering them. Mostly people don't even bother to seek justice, because it's so incredibly rare. This wretched state of affairs doesn't just harm victims and their families, the ripples of the resultant trauma, distrust and fear affect everyone. Millions of our tax dollars go to papering over a few of the most obvious offenses, while the cops who did the crimes stay on the street to menace more people. The actions of corrupt and violent officers can't be reviewed and responded to in an effective manner because the Law Enforcement Officers' Bill of Rights (LEOBR) mandates a system that is intentionally opaque, tilted heavily in officers' favor, and designed to frustrate attempts at any sort of reckoning. Even when we put additional mechanisms for accountability in place, they are meaningless thanks to the restrictions of LEOBR.

Take the incident in 2015 when four officers of the Baltimore Police Department shot at Keith Davis, Jr. dozens of times, striking him in the neck and nearly ending his life after mistaking him for a robber and chasing him into a dark garage. The Civilian Review Board of Baltimore City sustained allegations of excessive force, citing in their findings "officers' inconsistent testimonies," "serious discrepancies between the officers' testimonies in court and the officers' testimonies in the IAD [Internal Affairs Department] report," and "a lack of credibility in their testimonies." In other words, the Board could see, and crucially was willing to acknowledge, the obvious – officers had shot a man who posed them no threat and then lied about what happened – and thought the lying was so egregious that they had to call it out multiple times. The Board recommended that two of the officers, Lane Eskins and Alfredo Santiago, be fired (the least that should have happened), but the Board is denied enforcement power under LEOBR. Both of these dangerous liars with guns and badges remain on the force today.

Another one of the (many, many) cops with a documented history of brutality who has been able to evade accountability for years is Jorge Bernardez-Ruiz, one of the Baltimore City police officers who participated in the murder of Tyrone West in 2013. I encourage you to view this short video, which documents that case and five other cases in which Bernardez-Ruiz was publicly caught engaged in racial profiling, home invasions, and assault: <https://youtu.be/X3pFb4F5ews>. Yet he remains on the force and has been promoted! This is how little accountability exists in Baltimore City under LEOBR, that regular people must do their own research to try to at least warn others about threats to our lives and well-being, because the current system keeps anything from being done. For more on the tragedy of Tyrone West's unnecessary death: <https://youtu.be/FnjU6tQRFok>

The heart of the injustice inherent in LEOBR is this – who watches the watchmen? When the forces of the law in our society are given special privileges in terms of how they can be questioned and disciplined (no one else gets five days to get their story straight before they can be questioned, no one else gets to view all the allegations against them before they have to speak, no one else can only be questioned by one person at a time), when cases against them

are shielded from scrutiny and regularly allowed to expire, when the people allowed to address their misdeeds are mostly or entirely their comrades in arms, the predictable result occurs; the system protects itself. Tweaks to LEOBR have failed to resolve the situation. A full repeal is necessary, and that is why hundreds of organizations and individuals are demanding that you pass it this year. We are watching, and we NEED you to act.

P.S. I also strongly encourage you to read this paper that provides quantitative evidence of how LEOBR hinders police transparency and accountability written by Richard DeShay Elliot, Johns Hopkins University- Department of Political Science; University of Maryland, Baltimore County (UMBC) - Department of Political Science:

https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3690641 (Impact of the Law Enforcement Officers' Bill of Rights on Police Transparency & Accountability).