



MARYLAND COALITION FOR JUSTICE & POLICE ACCOUNTABILITY

## **Testimony in SUPPORT of HB 151**

Law Enforcement Officers' Bill of Rights - Repeal and Procedures for Discipline

Maryland Coalition for Justice and Police Accountability

February 9, 2021

Dear Honorable Chairman Clippinger, Vice Chair Atterbeary and Members of the House Judiciary Committee:

The Maryland Coalition for Justice and Police Accountability (MCJPA) is pleased to provide favorable testimony in support of **HB 151- Law Enforcement Officers' Bill of Rights-Repeal**. MCJPA is a statewide coalition of over 90 organizations united to achieve meaningful police reform in Maryland - and includes individuals and family members who have been impacted by police violence, civil rights activists, religious leaders, legal experts, advocacy groups, and more.

Since the Law Enforcement Officers' Bill of Rights (LEOBR) was enacted in 1974, it has allowed police abuse to go unpunished with a majority of officers with complaints going without any discipline at all. LEOBR protects officers from accountability by giving them special due process rights that go beyond what is required under the Constitution. LEOBR also allows police chiefs to escape accountability because the decision about whether to impose discipline is not in their hands, but in the hands of trial boards composed of other police officers.

The LEOBR says that, unless an officer has been convicted of a felony, an officer found to have committed misconduct in an internal affairs investigation can be disciplined only after a mini-trial is conducted, with fellow officers as the judges, no matter how egregious the conduct or how clear the evidence. We need to repeal the LEOBR, and reimagine what a transparent and streamlined discipline process that allows us to hold bad officers accountable would look like.

Countless Marylanders and their families have suffered from police wrongdoing without any form of justice. Maryland is in the minority of states that give these special rights to law enforcement that no other public employee in the state of Maryland has, thus, protecting officers from accountability. Only 16 other states have a LEOBR in any form. HB 151 is a tremendous step forward in achieving justice by striking the entire LEOBR (Pub. Safety §3-101 – §3-113) from state law. We also support sponsor amendments that will replace LEOBR with a fair, and more streamlined system, that still scrupulously protects the legitimate due process rights of police officers, and that provides for the possibility of true public accountability and control over the disciplinary process. Those sponsor amendments mirror the LEOBR replacement model in SB 627, which the coalition is also supporting, and which has also received support (with suggested amendments) from the Maryland Chiefs of Police and Maryland Sheriffs Association.

Our coalition strongly believes that it is precisely because law enforcement officers have so much power over people they serve (to legally kill, use force, and deprive people of their liberty) that we cannot shield them from discipline. Police officers should not have greater due process rights than any other state or local employee.

**The Maryland Coalition for Justice and Police Accountability strongly urges a favorable (with suggested Sponsor amendments) report on HB 151.**

Respectfully,

Maryland Coalition for Justice and Police Accountability

*\*See the full list of coalition membership attached.*

Advocates for Children and Youth  
ACLU of Maryland  
ACLU of Maryland, Montgomery County Chapter  
Amnesty International  
Arts Education in Maryland Schools Alliance (AEMS)  
Baltimore Action Legal Team  
Baltimore Bern Unit  
Baltimore City Civilian Review Board  
Baltimore City Democratic Socialists of America  
Baltimore for Border Justice  
Be More Unified  
Council on American-Islamic Relations (CAIR) Office in Maryland  
CASA  
Caucus of African-Americans Leaders  
Citizens Policing Project  
Coalition for Justice for Anton Black  
Coalition of Concerned Mothers  
Coalition of People Opposed Violence and Extremism  
Common Cause Maryland  
Community Actively Seeking (C.A.S.T.)  
Community Justice  
Disability Rights Maryland  
Do the Most Good  
Drug Policy Alliance  
Equity Matters  
For Kathy's Sake  
FreeState Justice  
Greater Baltimore Democratic Socialists of America - Steering Committee  
Greenbelt People Power  
Hispanic National Law Enforcement Association  
Homeless Persons Representation Project  
Innocence Project  
InterFaith Action for Human Rights  
Jews United For Justice  
Job Opportunities Task Force  
Justice for Tyrone West Coalition  
Justice Policy Institute  
Kevin L. Cooper Foundation  
Law Enforcement Action Partnership  
Leaders of a Beautiful Struggle  
League of Women Voters Maryland  
LGBTQ Dignity Project  
Life After Release

Making Changes  
Mama Sisterhood of Prince George's County  
March for Our Lives Maryland  
Maryland Alliance for Justice Reform  
Maryland Center on Economic Policy  
Maryland Consumer Rights Coalition  
Maryland Defenders Union  
Maryland Justice Project  
Maryland Office of the Public Defender  
Maryland Poor People's Campaign  
Maryland Prisoners' Rights Coalition  
Maryland Restorative Justice Initiative  
Maryland State Conference of NAACP Branches  
Marylanders to Prevent Gun Violence  
Moms Demand Action  
Montgomery County Civil Rights Coalition  
Montgomery County Democratic Socialists of America  
Mothers on the Move  
NARAL Pro-Choice Maryland  
NAACP Legal Defense and Educational Fund  
National Coalition for Drug Legalization  
Nigerian American Lawyers Association - Washington DC Chapter  
Organizing Black  
Our Maryland  
Our Prince George's  
Our Revolution Maryland  
Out For Justice  
Planned Parenthood of Maryland  
Power Inside  
Prevent Gun Violence Ministry, River Road Unitarian Universalist Congregation  
Prince George's County Branch of Democratic Socialists of America  
Prince George's People's Coalition  
Prisons to Professionals  
Progressive Maryland  
Public Justice Center  
Racial Justice NOW!  
Rebuild, Overcome, and Rise (ROAR) Center at UMB  
Reproductive Justice Inside  
Sanctuary DMV  
SEIU 1199  
Showing up for Racial Justice Annapolis and Anne Arundel County (SURJ3A)  
Showing Up for Racial Justice, Baltimore  
Showing Up for Racial Justice, Montgomery County  
Sierra Club Maryland Chapter  
Silver Spring Justice Coalition  
Takoma Park Mobilization  
The JustUs Initiative  
Wicomico County NAACP Branch 7028  
Women's Law Center  
Young People for Progress

