

**Testimony for the House Judiciary Committee
February 9, 2021**

**HB 120 – Public Information Act – Personnel Records – Investigations of Law
Enforcement Officers (Anton’s Law)**

FAVORABLE

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

My name is **Darlene Cain** I live in **Baltimore**, Maryland. I am testifying in support of HB 120 (Anton’s Law).

The state of Maryland ranks among the least transparent states in regards to police misconduct complaints. Twenty-nine other states make disclosure of complaint files more accessible to the public. Even in so-called conservative states such as Alabama, Georgia, and Arizona, police disciplinary records are generally available to the public.

Once a citizen in our state files a complaint of police misconduct, they are unable to access the adjudication process in relation to their complaint. The only information they can obtain is the disciplinary outcome; one is unable to assess whether the department conducted a thorough or lackluster investigation of their complaint. This is due to the complaint file being considered a “personnel record” under Maryland’s Public Information Act, and personnel records may never be disclosed.

This means so much to me because I lost my son, Dale Graham on October 28, 2008 to a Baltimore City Police Officer. I never received information on the officer’s background or had my day in court. We cannot sit back and allow an officer to be the judge, jury and executioner while mothers and families are left voiceless. Instead of attending hearings for police accountability in a court room for wrongful actions, we are planning funerals and burials. If the roles were reversed, families of police officers would want justice for their loved one’s life that was taken unjustly. Dale’s dreams, like so many others, were stolen. Mothers, fathers, and families are left traumatized; visiting gravesites on birthdays and holidays while violent officers can continue their job and see their families. Dale has two daughters that are now fatherless. Sadly, our new normal is to mourn with unanswered questions. We demand accountability, starting now.

We are pushing for the expeditious and timely passage of HB 120 as a “Common-Sense” measure designed to help identify police misconduct patterns and root out bad actors before more Black and Brown people will be brutalized, assaulted, and killed in our communities. In addition, HB 120 will help build trust between the community and Law-Enforcement. To do that, we must have a more transparent and accountable system to the citizenry that funds it.

Sincerely,
Darlene Cain