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HB 120

**Public Information Act – Personnel Records –
Investigations of Law Enforcement Officers (Anton’s Law)
Hearing before the House Judiciary Committee, February 9, 2021
Position: SUPPORT**

The Public Justice Center (PJC) supports Anton’s Law as a critical component of police accountability, transparency, and reform that is long overdue. The Maryland Public Information Act (MPIA) already allows the disclosure of investigatory records of law enforcement agencies, including the Attorney General, State’s Attorneys, the judiciary, corrections, and police departments. Why should police disciplinary records continue to be automatically excluded from this discretionary disclosure that includes safeguards for ongoing investigations, privacy, safety, and government security?

True police reform, the need for which can no longer be denied, cannot be accomplished without public access to records of individual complaints, patterns of misconduct, and integrity of investigations. The issue is not just whether or not an officer was appropriately disciplined. We must also be able to determine whether departments take all complaints seriously, conduct appropriate investigations, and apply the same standards to all officers and complainants. If police departments are doing their jobs, they have nothing to hide.

The Maryland Coalition for Justice and Police Accountability has sought legal access to police disciplinary records through reform of the MPIA for more than five years, during which time the need for such transparency and accountability in policing has only been demonstrated to be more and more critical. During these years in which the over-policing of Black and brown communities and the unjustified killings of countless individuals in Maryland and across the nation have been exposed by heinous example after horrid tragedy, the police have shown again and again that they are still unable to police themselves. Without reforms like Anton’s Law, there can be no restoration of trust and cooperation between the public and those sworn to protect and serve.

The PJC is a non-profit legal advocacy organization dedicated to racial equity and ending poverty. Its Prisoners Rights Project seeks basic justice through reform in our criminal justice system and an end to all unnecessary detention and incarceration. Real police reform is critical to achieving those goals.

The PJC urges a FAVORABLE REPORT on HB 120. If you have any questions, please feel free to contact Debra Gardner, Legal Director, at gardnerd@publicjustice.org or 410 625 9409 ext 228.

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