

## Testimony for the House Judiciary Committee

February 5, 2021

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

#### FAVORABLE

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

My name is Patrick Henry and I live in Burtonsville, Maryland, district 14. 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, mostly Black and Brown residents.

I have worked in large professional organizations, both government and commercial, and one thing I have found to be consistently true is that when an expected standard of behavior is actually enforced, that behavior will be seen in the organizational culture; when such standards are not enforced, they are ignored. Law enforcement officers are given immense power over the civilian population, and despite the belief that officers are beyond reproach and have impeccable behavior, the truth is that LEOBOR gives officers leeway to avoid any scrutiny and to hide illicit activities from the public, from supervisors and judges, and yes also from the legislature.

Since officers face little to no penalty for acts of corruption or brutality, they are encouraged to engage in such acts with impunity, and the culture of policing in Maryland is corrupt to its core. As an observer in courts, I have seen police officers obviously lie under oath and then be protected by the system rather than prosecuted for perjury. I can clearly recall an officer lying to my face about easily verifiable facts. The Gun Trace Task Force debacle shows that officers can and will rob civilians, while using their status as law enforcement to shield themselves from scrutiny. When officers shoot and kill civilians they can be cleared of all wrongdoing before ever being interviewed about the event.

If you are at all concerned about the culture of law enforcement in Maryland then you should support the repeal of LEOBOR. If you believe that law enforcement officers are acting in good faith and that their behavior is lawful and correct, then you should *still* support the repeal of LEOBOR and its replacement with a transparent and streamlined discipline process that allows for us to know exactly who is responsible for holding officers accountable. Any “good apples” acting lawfully will not be negatively impacted by such legislation.

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.

Sincerely,

Patrick Henry  
Burtonsville, MD