

Jeffrey A. Harrison

Date: February 5, 2021

Position: **Favorable**

Primary Sponsor: Delegate Acevero

Bill Number: **HB 120 / SB 178**

House Committee: Judiciary

Bill Title: Public Information Act - Personnel Records - Investigations of Law Enforcement Officers
(Anton's Law)

Dear Committee Chair Clippinger, Committee Vice-Chair Atterbeary, and Committee Members:

I strongly support HB 120.

Maryland residents and visitors who file a misconduct complaint against law-enforcement officers deserve to learn not only that their complaint was investigated and that there was a final outcome in the investigation, but also what the investigation consisted of. Currently in Maryland, the complaint-investigation files are categorized as confidential personnel records. Because of that, complainants and their families currently are unable to get justice and closure in the wake of traumatic interactions with law-enforcement officers. Trauma stays with family members for a lifetime. Across Maryland, distrust of law-enforcement agencies continues because of the lack of accountability and the lack of transparency.

Based on statistics from Baltimore City and Prince George's County police departments, only a minority of misconduct investigations result in a finding that the allegation is Sustained. However, investigations resulting in other findings such as Exonerated/Unfounded/Non-Sustained might not have been conducted thoroughly or properly by the police chief or others with investigative and decision-making powers. Records of all law-enforcement-officer-misconduct investigations need to be releasable regardless of the misconduct category and regardless of the investigation finding. HB 120 allows custodians to release those records. The bill also provides special circumstances in which a custodian may keep records confidential.

I hope that complainants and other relevant people will be able to see all the misconduct-investigation-record information that they deserve to see. Maryland needs this transparency.

Shining some light on the investigation records may improve future investigations and may increase trust and accountability currently lacking in Maryland. Releasable records may also provide some closure and justice for traumatized families.

For those reasons, please support HB 120 and report it as Favorable from the committee.

Thank you.

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