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HB 151

Law Enforcement Officers' Bill of Rights – Repeal and Procedures for Discipline Hearing before the House Judiciary Committee, February 9, 2021 Position: SUPPORT

The Public Justice Center (PJC) supports the repeal of the Law Enforcement Officers' Bill of Rights (LEOBR) as a critical component of police accountability, transparency, and reform that is long overdue.

True police reform, the need for which can no longer be denied, cannot be accomplished without repeal of LEOBR, which came into existence as a reaction to calls for greater police accountability a half century ago. There is no reason for police to have greater rights to keep their jobs than other public employees. And the artificial procedural barriers with which LEOBR is laden have destroyed public confidence in the police to discipline their own.

The Maryland Coalition for Justice and Police Accountability has long sought the repeal of LEOBR, during which time the need for transparency and accountability in policing has only been demonstrated to be more and more critical. During recent 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, many police officers accused of serious misconduct have shown again and again that they can and will hide behind LEOBR procedures, delay investigation, use its mechanisms to get their stories straight before questioning, rely on fellow officers to come down on their side in investigations, and avoid justice altogether. Without repeal of this obstructive law that puts police above the law that is adequate to protect the rights of all other government employees, there can be no rebuilding of trust and cooperation between the public and those sworn to protect and serve. Other states with LEOBRs are recognizing this and getting rid of this obstacle to sound policing. Maryland must also.

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 151. If you have any questions, please feel free to contact Debra Gardner, Legal Director, at gardnerd@publicjustice.org or 410 625 9409 ext 228.