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TESTIMONY IN SUPPORT OF HB120/ SB178

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

TO: Chair Clippinger, Vice Chair Atterbeary, and members of the Judiciary Committee

FROM: Joe Magar

My name is Joe Magar and I live in District 41 in Baltimore City. **I am submitting this testimony in support of HB120/SB178, Anton’s Law.** As a musician, my professional life is largely open to the public. If I perform poorly, it’s either on stage, in rehearsal and/or being recorded. As a freelancer, I hire and am hired based on a network of trusted colleagues, whom I rely on to only refer me to people who are, in turn, reliable. I know that if I underperform, they will not recommend me to anyone else in the future. There is always someone to hold me accountable. At the end of the day, however, the stakes are relatively low in my line of work; a wrong note or a disappointed audience has professional consequences for me, but no one dies.

Why am I held more accountable for my job performance than police in the state of Maryland? Why do police have the privilege of having their disciplinary records kept in the dark, away from the public they often fail to serve? Why are complaints, including those that resulted in harm and/or death, kept secret from other police departments that are hiring? The stakes are so much higher in their line of work, but accountability and transparency are so much lower than they are for the rest of us.

I’m not just speaking for myself who happens to work (unarmed) in a very public field. My wife is a physician, whose work, like police, has a direct impact on safety and wellbeing of the people whom she cares for. Unlike the police, she is licensed by the state and certified by an independent board. If she is negligent or reckless and a complaint is made against her, she will be reviewed by these bodies, and the outcome of these investigations, or any lawsuits or settlements are publicly available. Such concerns are not simply “handled internally” and swept under a rug.

Too often when we read about violence perpetrated by the police, the public learns after the fact that the officers involved had a history of such behavior. State’s Attorney Marilyn Mosby has stated publicly that there are over 300 officers she would not count as credible witnesses because of something in their service record. This unconscionable state of affairs must be rectified with measures that increase

transparency, in order to begin to repair the damage done to public trust in the police in the light of such revelations, the gun trace task force debacle, etc.

I respectfully urge this committee to give HB120/SB178 a favorable report. Giving police a loophole to hide behind the banner of “unsustained” complaints will not be truly holding police accountable. The rest of us do not have this privilege, so why should the people with the guns?