



Samantha Jones, DoTheMostGood Maryland Team

House Committee: Judiciary

Testimony on: HB0194 - Criminal Procedure - Police Officers and Public Defenders - Implicit Bias - Testing, Training, and Evaluation

Position: Favorable with Amendment

Committee Hearing Date: February 16, 2021

Sponsored By: Delegate Melissa Wells

DoTheMostGood (DTMG) is a progressive grassroots organization with more than 2500 members who live in a broad range of communities in Montgomery County, from Bethesda at the DC line north to Frederick and from Poolesville east to Silver Spring and Olney. DTMG supports legislation and activities that uplift all members of its communities. DTMG supports HB0194 with the proposed Amendments.

It is important to recognize the implicit biases we all have, and to address those biases in a proactive manner. The Kirwan Institute for the Study of Race and Ethnicity¹ defines implicit bias as: “the attitudes or stereotypes that affect our understanding, actions, and decisions in an unconscious manner. These biases, which encompass both favorable and unfavorable assessments, are activated involuntarily and without an individual’s awareness or intentional control.” Importantly, and as HB0194 addresses, implicit biases can be unlearned. It is vital that public servants and law enforcement officers, including public defenders and state, county, and municipal police officers, undergo implicit bias training to ensure they are able to serve all members of the public in a safe and effective manner.

DTMG supports the requirements in HB0194 that, prior to beginning their service, public defenders undergo implicit bias training. DTMG also supports the requirements in HB0194 that police officers undergo implicit bias training during the entrance-level police training conducted by the state and each county and municipal police training school.

We believe the bill should further define the parameters of the training required to ensure that public defenders and police officers are able to unlearn and avoid acting on the implicit biases they may have toward any Marylander, including those who may be of a different age, gender identity, race, ethnicity, sexual orientation, disability, and/or religion than their own.

Further, we believe the bill should require ongoing implicit bias training for both public defenders and police officers. Implicit biases are learned over the course of a lifetime and shaped by our

¹https://www.americanbar.org/groups/gpsolo/publications/gp_solo/2019/july-august/unconscious-bias-implicit-bias-microaggressions-what-can-we-do-about-them/

experiences and interactions with others. Because implicit biases can form at any and all stages of life, implicit bias training cannot be a “one and done” process. Given their unique impact on residents around the state, public defenders and police officers alike should receive ongoing implicit bias training every 12 months of their service.

Respectfully, DTMG proposes the following Amendments to HB0194:

- Add the following language to Section 5(II) and Section 25(II): **“The required implicit bias must address biases based on the following characteristics: age, gender identity, race, ethnicity, sexual orientation, disability, and religion.”**
- Add the following language to Section 5 where appropriate: **“Deputy Public Defenders, District Public Defenders, and Assistant Public Defenders shall receive implicit bias training every 12 months during the course of their service.”**
- Add the following language to Section 25 where appropriate: **“State, County, and Municipal Police Officers shall receive implicit bias training every 12 months during the course of their service.”**

For the reasons mentioned above, DTMG supports HB0194 with the proposed Amendment and urges a **FAVORABLE WITH AMENDMENTS** report on this bill.

Respectfully submitted,

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