



Many struggles, one mission.

Testimony SUPPORTING HB0120

February 4, 2021

Dear members of the Judiciary Committee,

My name is Abby Cocke, and I am a resident of Baltimore City in District 43 and a strong supporter of HB0120. On behalf of Baltimore for Border Justice, a local advocacy and aid organization, I am submitting this testimony to urge you to SUPPORT HB0120, *Public Information Act – Personnel Records – Investigations of Law Enforcement Officers*.

Keeping records related to public employees confidential makes sense when it comes to things like health issues, NOT when it comes to serious allegations of misconduct. Under our current law, which treats police internal affairs investigations as privileged personnel records, officers have had free reign to abuse residents and get away with it unless their crimes are extremely blatant and well-documented, and a victim is extremely brave, persistent, and lucky... and even then, justice is often out of reach.

Again and again, when talking with people who have been harmed by an officer of the Baltimore Police Department, we find that a pattern emerges of stories of that same officer harming others in very similar ways over the years – but when it comes to exactly how many complaints there have been, what sorts of investigations occurred as a result, and what the results were, the information is all locked away, leaving victims trapped in a lonely, quixotic struggle to try to piece together how their experience fits into what may be a much larger threat to their community. As a result, we are all less safe, and our attempts at forging a better, fairer, and less harmful system are thwarted.

If there are indeed privacy concerns to be considered, on behalf of either the officer in question or the alleged victim(s), those will be taken into account under this law, but misconduct cases will not automatically be shielded. It is crucial that we include un-sustained and administratively closed cases amongst those that can be accessed, because 90% of claims made by members of the public against officers are not sustained, comprising the vast majority of the record, and many others are allowed to time out if investigations are not completed within a year. It is in these cases in particular that we are sadly likely to find that internal affairs investigations have been less than thorough, meaning they are the ones that most need to be exposed to the light of day.

What are we afraid of when it comes to transparency? That officers will be unfairly targeted? If that were so, then we wouldn't see this same level of transparency in the majority of states in the country, including many conservative states, that make disciplinary records generally available to the public. We have nothing to fear except keeping our broken system the way it is. The time for change is now, and we charge you to make it.

Thank you for your attention and for doing the right thing.

Sincerely,

Abby Cocke
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