



**STATE OF MARYLAND**  
**OFFICE OF THE ATTORNEY GENERAL**

FACSIMILE NO.

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February 17, 2021

TO: The Honorable William C. Smith, Jr.  
Chair, Judicial Proceedings Committee

FROM: The Office of the Attorney General

RE: SB 588: Law Enforcement Officers –Creditability of Witnesses and Misconduct  
Database (Maryland Police Accountability Act of 2021) (**SUPPORT IN CONCEPT**)

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The Office of the Attorney General submits this general statement in support of efforts to advance criminal justice reform and Senate Bill 588's important guiding principles of increasing transparency and accountability in policing.

Specifically, Senate Bill 588 requires the Maryland Police Training and Standards Commission to maintain a database of certain information regarding any formal complaint against a law enforcement officer that alleges misconduct in the execution of the law enforcement officer's duties. The data would be accessible by law enforcement agencies solely for the purpose of making a hiring decision regarding a specific officer, may be discoverable or admissible in evidence in a judicial or administrative proceeding involving the law enforcement officer, may be published by the Commission in aggregate form, and are subject to inspection under the Maryland Public Information Act (MPIA). The bill also requires the State's Attorney for each county to create a list of law enforcement officers who have been found to have committed or are alleged to have committed acts that bear on credibility, integrity, honesty, or other characteristics that would constitute exculpatory or impeachment evidence in a criminal case. The State's Attorneys' lists would also be subject to inspection in accordance with the MPIA.

Although we believe the scope of allegations encompassed by Senate Bill 588 is too broad, the Office of the Attorney General supports the creation of a police misconduct database that includes sustained and certain unsustained complaints, such as credible complaints of sexual misconduct or that reflect upon officer integrity. Last year, the U.S. House of Representatives

passed the “George Floyd Justice in Policing Act of 2020” that, among other things, created the first ever national database on police misconduct incidents to prevent the movement of dangerous officers from department to department. Unfortunately, the bill stalled in the U.S. Senate. While elements of Senate Bill 588 serve as an important stopgap measure to keep track of bad cops within Maryland and between our various law enforcement agencies, it will not necessarily stop bad cops from applying across state lines. For that larger problem, we need Congress to act.

For these reasons, the Office of the Attorney General supports the goals of Senate Bill 588.

cc: Members of the Judicial Proceedings Committee