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Testimony on Maryland House Bill 139: Law Enforcement Officers – Use of Force

TO: Del. Clippinger Chair, and members of the House Judiciary Committee
FROM: Ericka Covington, Progressive Maryland Justice Task Force Member, Baltimore County (D11)
DATE: February 5th, 2021
POSITION: Support

Thank you for the opportunity to offer testimony on HB139 Progressive Maryland is a grassroots, nonprofit organization with 9 chapters from Frederick to the Lower Shore and more than 100,000 members and supporters who live in nearly every legislative district in the state. In addition, there are dozens of affiliated community, faith, and labor organizations across the state that stand behind our work. Our mission is to improve the lives of working families in Maryland. Please note our strong support for this bill.

We have unfortunately witnessed too many accountings of police violence and excessive force specifically within the black community. Maryland's outdated laws governing the use of force speaks volumes regarding the support of the infamous history of racism and abuse of power of police. Fearing black skin should not give police the right to exercise excessive force simply because they have not learned to properly deescalate a situation. We must first begin defining the use of excessive force and hold officers accountable when they exercise behavior that is aggressive and overtly beyond the scope of defined conduct. I vigorously support this bill and hope that the need to address some of the ills that still plague our society will finally be addressed.

We urge a favorable report on HB139.



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Testimony on Maryland House Bill 139: Law Enforcement Officers – Use of Force

TO: Del. Clippinger Chair, and members of the House Judiciary Committee
FROM: Monica Roebuck, Progressive Maryland Justice Task Force Member, Prince George's County (D23A)
DATE: February 5th, 2021
POSITION: Support

Thank you for the opportunity to offer testimony on HB139 Progressive Maryland is a grassroots, nonprofit organization with 9 chapters from Frederick to the Lower Shore and more than 100,000 members and supporters who live in nearly every legislative district in the state. In addition, there are dozens of affiliated community, faith, and labor organizations across the state that stand behind our work. Our mission is to improve the lives of working families in Maryland. Please note our strong support for this bill.

My name is Monica A. Roebuck and I am a member of the Progressive Maryland Justice Task Force and a member of the NAACP. I am a resident of Bowie, Maryland located in Prince George's County.

Police violence has destroyed the lives of many Maryland residents and inflicted trauma on their family and friends. We must end the practice of police brutality and communities must be able to hold police accountable.

This bill is important to me because I have a brother, a nephew and I am a teacher with many African American students. I stand in solidarity with others to protect them and uphold justice for our community. Black lives matter and we must have police reform and police accountability so no one else loses their life.

We urge a favorable report on HB139.



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TO: Del. Clippinger Chair, and members of the House Judiciary Committee
FROM: John Bayerl, Progressive Maryland Justice Task Force Member, Montgomery County (D19)
DATE: February 5th, 2021
POSITION: Support

Thank you for the opportunity to offer testimony on HB139 Progressive Maryland is a grassroots, nonprofit organization with 9 chapters from Frederick to the Lower Shore and more than 100,000 members and supporters who live in nearly every legislative district in the state. In addition, there are dozens of affiliated community, faith, and labor organizations across the state that stand behind our work. Our mission is to improve the lives of working families in Maryland. Please note our strong support for this bill.

I am a resident of Rockville and I have lived in Maryland for over thirty years.

Police violence has destroyed the lives of many Maryland residents and inflicted trauma on their family and friends. We must end the practice of police policing themselves and communities must be able to hold police accountable.

Recent egregious cases of police killings have made it clear that police departments need clear guidelines on the use of force. HB 139 is needed so that our police officers know exactly when use of force is permitted, and when it is not.

We urge a favorable report on HB139.



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Testimony on Maryland House Bill 139: Law Enforcement Officers – Use of Force

TO: Del. Clippinger Chair, and members of the House Judiciary Committee
FROM: Tara Rice, Progressive Maryland Justice Task Force Member, Montgomery County (D17)
DATE: February 5th, 2021
POSITION: Support

Thank you for the opportunity to offer testimony on HB139 Progressive Maryland is a grassroots, nonprofit organization with 9 chapters from Frederick to the Lower Shore and more than 100,000 members and supporters who live in nearly every legislative district in the state. In addition, there are dozens of affiliated community, faith, and labor organizations across the state that stand behind our work. Our mission is to improve the lives of working families in Maryland. Please note our strong support for this bill.

These bills are important to me, because I am an African-American woman, and my people have experienced considerable police violence throughout the years. The past year has been especially stressful for me, as nationwide, Black people disproportionately were impacted by Covid19, the economic recession, and prominent police shootings of George Floyd and Brianna Taylor. Closer to home, last month, plain clothes police officers in Gaithersburg shot and killed 24 year old

Kwamena Ocran during a foot chase. Very little information about the investigation has been released to the public to date, and some of the information seems to be contradictory. It is very difficult, and stressful, to know that the police can shoot people first and maybe ask questions later. I believe that there should be transparency and accountability for police actions, and limits to the police's use of force, which is why I strongly support the passage of Anton's Law, the Repeal of the Law Enforcement Bill of Rights, and the statute of limitations on the use of Force. I believe that passage of these laws is an important step to reimagine public safety and invest in our communities.

We urge a favorable report on HB139.



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TO: Del. Clippinger Chair, and members of the House Judiciary Committee
FROM: Katharine Jones, Progressive Maryland Justice Task Force Member, Frederick County (D3A)
DATE: February 5th, 2021
POSITION: Support

Thank you for the opportunity to offer testimony on HB139 Progressive Maryland is a grassroots, nonprofit organization with 9 chapters from Frederick to the Lower Shore and more than 100,000 members and supporters who live in nearly every legislative district in the state. In addition, there are dozens of affiliated community, faith, and labor organizations across the state that stand behind our work. Our mission is to improve the lives of working families in Maryland. Please note our strong support for this bill.

I am a former legal services attorney. Almost half of my clients had stories to tell about the way police treated them, and how they ended up with criminal records they never should have had. I have heard many stories about how they were treated. Those are not my stories to tell, but they are a large part of my life and experience. These were all good people whose lives were changed for the worse because of their encounters with police and the judicial system. But they were alive.

I have 3 white brothers. One, a dentist, was confronted once by a deputy sheriff where he lives in rural Oregon, on his own property. My brother is aware of his rights, and asserted them determinedly. As he told me the story, I knew that if he had been African American, he might have been killed on his own property. My brother lived. My youngest brother is different. He never finished high school, may not look like he has the firmest handle of his rights. Though exceedingly polite, he is about as confrontative as my other brother. I am not sure he would have survived such an encounter.

African Americans are treated vastly differently. I watched George Floyd die. Any of us could be subjected to police brutality. Police must respect all citizens. They must be held accountable. They do not have the right to kill people as indiscriminately as they have been doing. They are not judges and juries. These three bills would be a very good start to protecting my family and my community, and giving me peace about where I live.

We urge a favorable report on HB139.



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Testimony on Maryland House Bill 139: Law Enforcement Officers – Use of Force

TO: Del. Clippinger Chair, and members of the House Judiciary Committee
FROM: Rebecca Shin, Progressive Maryland Justice Task Force Member,
Baltimore (D45)
DATE: February 5th, 2021
POSITION: Support

Thank you for the opportunity to offer testimony on HB139 Progressive Maryland is a grassroots, nonprofit organization with 9 chapters from Frederick to the Lower Shore and more than 100,000 members and supporters who live in nearly every legislative district in the state. In addition, there are dozens of affiliated community, faith, and labor organizations across the state that stand behind our work. Our mission is to improve the lives of working families in Maryland. Please note our strong support for this bill.

In the past year, I have been active in grassroots organizing groups in Baltimore, along with attending the protests that followed the death of George Floyd beginning as June, as well as years beforehand for Freddie Gray. To see the lack of action from our politicians in response to racist police violence is horrifying and cruel. The black community of Baltimore and throughout Maryland deserve so much better than this.

I support this bill knowing that it will be one step forward to holding the police accountable, however I believe much more has to be done to repair the trauma that has been inflicted upon BIPOC in our country. I urge that you continue to reflect upon what is the most compassionate and truly meaningful way forward in creating an anti-racist and equitable society. For me and many others, that is a society without police and a society where all people can live free from poverty and oppression.

We urge a favorable report on HB139.



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Testimony on Maryland House Bill 139: Law Enforcement Officers – Use of Force

TO: Del. Clippinger Chair, and members of the House Judiciary Committee
FROM: Clara Burgess, Progressive Maryland Justice Task Force Member, Montgomery County (D16)
DATE: February 5th, 2021
POSITION: Support

Thank you for the opportunity to offer testimony on HB139 Progressive Maryland is a grassroots, nonprofit organization with 9 chapters from Frederick to the Lower Shore and more than 100,000 members and supporters who live in nearly every legislative district in the state. In addition, there are dozens of affiliated community, faith, and labor organizations across the state that stand behind our work. Our mission is to improve the lives of working families in Maryland. Please note our strong support for this bill.

Police violence has destroyed the lives of many Maryland residents and inflicted trauma on their family and friends. We must end the practice of police policing themselves and communities must be able to hold police accountable.

This bill is important to me because I used to live in West Africa. In West Africa the police force is not held accountable, and it is to the detriment of the citizens of the country, as they can be bribed, coerced, or jailed unreasonably. Additionally, I work with a nonprofit serving victims of trauma in Maryland and the District of Columbia, and it has been brought to our attention that some of the current police practices cause trauma to Maryland residents. I believe that this law will help to improve our police system and contribute to keeping police accountable, and will make Maryland a better place to live for all.

We urge a favorable report on HB139.



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Testimony on Maryland House Bill 139: Law Enforcement Officers – Use of Force

TO: Del. Clippinger Chair, and members of the House Judiciary Committee
FROM: David Martinsen, Progressive Maryland Justice Task Force Member,
Montgomery County (D17)
DATE: February 5th, 2021
POSITION: Support

Thank you for the opportunity to offer testimony on HB139 Progressive Maryland is a grassroots, nonprofit organization with 9 chapters from Frederick to the Lower Shore and more than 100,000 members and supporters who live in nearly every legislative district in the state. In addition, there are dozens of affiliated community, faith, and labor organizations across the state that stand behind our work. Our mission is to improve the lives of working families in Maryland. Please note our strong support for this bill.

Police violence has destroyed the lives of many Maryland residents and inflicted trauma on their family and friends. We must end the practice of police policing themselves and communities must be able to hold police accountable.

This bill is important to me because it seems apparent that the ways in which Black Americans experience encounters with the police is different from the experiences of White Americans. Imagine a county or state where Black Americans do not need to worry about being killed in a routine traffic stop, or where Black parents do not need to sit down and give their children “the talk”. Alternately, imagine a county or state where White Americans did need to worry about being killed in a routine traffic stop, or where White parents needed to sit down and give their children “the talk”. Either of these first two scenarios would be more equitable than the practice we have today, but the second would result in cries of police harassment from a better funded and more lawyered up segment of our society.

At this critical juncture in our understanding of policies, practices, and review of police actions in our communities, we have an opportunity to find the best way to achieve a goal of equality where no person of any race has more reason than any other to feel threatened by the police. This bill is intended to move toward that goal. While the focus always seems to be on shootings and killings, the inequitable experience of lower level harassment over time leads to the explosive release of emotions when shootings and killings occur.

Specifically, the discipline of police officers committing illegal actions is a deterrent against violations by police officers. It is also a way in which the counties and the state can demonstrate



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transparency and accountability for the actions of their employees. Immunity for police results in distrust by the very communities they are supposed to serve. For full transparency, police shootings and killings should be investigated by review panels outside of the local jurisdiction. They need to be independent, not made up only by the police themselves or by the same attorneys who work hand-in-hand with the police to prosecute cases in the local jurisdictions.

When split second decisions need to be made without time for thinking, a person's gut reaction and prior training guide the action. It is under these conditions that personal bias may come into play. We are all biased. In order to act responsibly, we must recognize our biases and overcome

them. How can we overcome our biases? That word discipline can be used in different ways. I understand the use in this bill is related to the consequences to an officer as a result of actions that lead to shootings and killings. However, another meaning of discipline is related to training someone to follow the appropriate rule, even under very trying conditions. Sensitivity training sessions as they are characterized in popular culture may not be all that helpful. Many find them offensive ("are you calling me a racist, or a white supremacist?") or treat them as a joke. Is there action-oriented training that can help us recognize and overcome bias? Are there ways in which anti-bias training can be measured? What if during training, officers were confronted with both Black and White, men and women, adults and children, and had to score a racial and gender balance in their choices to shoot or not to shoot, in order to be certified?

While the police may feel threatened by the changes proposed in these laws, we all should understand that ultimately the goal is to foster greater confidence and respect for the police by all segments of our communities.

We urge a favorable report on HB139.



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**Testimony on Maryland House Bill 139:
Public Information Act – Personnel Records – Investigations of Law Enforcement
Officers (Anton’s Law)**

TO: Del. Clippinger Chair, and members of the House Judiciary Committee
FROM: Judy Walsh-Mellett, Progressive Maryland Justice Task Force Member, Prince
George’s County (D47A)
DATE: February 5th, 2021
POSITION: Support

Thank you for the opportunity to offer testimony on HB139 Progressive Maryland is a grassroots, nonprofit organization with 9 chapters from Frederick to the Lower Shore and more than 100,000 members and supporters who live in nearly every legislative district in the state. In addition, there are dozens of affiliated community, faith, and labor organizations across the state that stand behind our work. Our mission is to improve the lives of working families in Maryland. Please note our strong support for this bill.

I have been a resident of Mount Rainier, Maryland since 1987.

Police violence has destroyed the lives of many Maryland residents and inflicted trauma on their family and friends. We must end the practice of police policing themselves and communities must be able to hold police accountable.

This bill is important to me because as a 30+ year resident of Prince George’s County I am well aware that my white privilege has been a personal shield to me regarding police violence. However, I feel deeply that our community is never safe until all of us are safe. I know that things that have happened to me could have gone extremely differently if I was a person of color.

A couple of years ago I was late for a doctor’s appointment and as I drove through a neighboring town, I missed a stop sign without realizing it. Immediately I heard a police siren and I immediately stopped. I sat for many minutes and no officer approached my car. After sitting for several more minutes I wasn’t sure if I was the one who had been stopped or if something else was going on. I opened the door to my car and heard garbled screaming from the police car loudspeaker. The intense shouting sounded like “Get back in the car!!”, but I wasn’t completely sure. I felt disoriented and afraid. Regardless, I closed my car door and waited. An officer eventually came to the car and told me what I had done wrong. I was so aware that if I had been a young African-American who had, like me, not been sure why they had been stopped or if I had been a person who did not speak English well, I might have



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approached the officer rather than staying in my car. The outcome could have been terribly different.

This small and insignificant event impressed on me the need for a total reform of how police behave in our communities and for how they are held accountable for abuse. The tragedies inflicted on so many people as a result of something as simple as a traffic stop are heartbreaking beyond words. NOW is the time to create these new police accountability laws.

We urge a favorable report on HB139.



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Testimony on Maryland House Bill 139: Law Enforcement Officers – Use of Force

TO: Del. Clippinger Chair, and members of the House Judiciary Committee
FROM: Megan Essaheb, Progressive Maryland Justice Task Force Member, Prince George's County (D47A)
DATE: February 5th, 2021
POSITION: Support

Thank you for the opportunity to offer testimony on HB139 Progressive Maryland is a grassroots, nonprofit organization with 9 chapters from Frederick to the Lower Shore and more than 100,000 members and supporters who live in nearly every legislative district in the state. In addition, there are dozens of affiliated community, faith, and labor organizations across the state that stand behind our work. Our mission is to improve the lives of working families in Maryland. Please note our strong support for this bill.

My name is Megan Essaheb and I live in Cheverly, Maryland with my spouse and two children.

Too many Black and brown people have been killed or harmed at the hands of the police. Like many other people I have been spurred to action by watching the gross killing of Black people over the past 5 years. But I have known about racism in policing and our criminal legal system for much longer. I lived in Harlem in my early 20's in the 2000's and saw NY police officers stop and frisk Black and Latino men regularly on my walk home or looking out my window. I remember someone telling me about a Black child being shot by police in the stairway of his building blocks from where I lived simply because he pointed a toy gun at them. Those incidents didn't make national news back then and probably wouldn't now if it weren't for social media. I remember going to an Iraq war protest in midtown Manhattan and seeing middle-aged, middle-class white people completely ignore police officers and barricades and yell at them and the police did nothing. I took note of the stark difference in police conduct in different neighborhoods.

My husband's law school classmate, a fellow Muslim, was arrested by NYPD for having an Islamic law text book in his backpack. That's it. After 9/11, NYPD officers were searching people's backpacks as they entered the subway and this young brown man had an Islamic law textbook in his backpack because he was taking a class on Islamic law at Fordham Law School. He ended up taking a plea to a minor conviction because his public defender advised him to and he was mortified and just wanted the whole thing to go away and nobody to find out about it. So he has a criminal record for being Muslim in NY.



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Later, when I lived in Miami, I was taking a grad school class and a middle-class 40 year-old Black man recounted when his nephew came to visit and they left a bar on Miami beach in the afternoon in broad daylight and the police started yelling at his nephew. He tried to de-escalate the situation and they were both arrested for being Black in Miami beach. He recounted that he was older and professionally dressed and he thought that only thing happened to young Black men who looked a certain way. He wasn't shocked that his nephew was treated that way by the police, but he shocked that he was.

These are just some of the anecdotes that I have heard and seen about racist policing and I am just one person and privileged, white and middle-class. What must it be like to be both poor and Black in this country? Of course, these anecdotes pale in comparison to the murders of William Green, Freddie Gray, George Floyd, Breonna Taylor and so many others killed at the hands of police. But they are all too common incidents and further evidence of deeply systemic racism in our policing system that goes far beyond a few bad cops. The system is broken and these bills alone will not fix it. But they are a first step.

I'm inspired by the mass mobilizations and organizing around police reform. And I'm encouraged by this legislation and the beginning of this conversation in Maryland. We must also cut police funding and instead invest in alternatives to making our communities safer, by investing in education, mental health services, job training, restorative justice and community safety efforts.

We urge a favorable report on HB139.



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Testimony on Maryland House Bill 139: Law Enforcement Officers – Use of Force

TO: Del. Clippinger Chair, and members of the House Judiciary Committee
FROM: Virginia Melissa Holland, Progressive Maryland Justice Task Force Member,
Prince George's County (D21)
DATE: February 5th, 2021
POSITION: Support

Thank you for the opportunity to offer testimony on HB139 Progressive Maryland is a grassroots, nonprofit organization with 9 chapters from Frederick to the Lower Shore and more than 100,000 members and supporters who live in nearly every legislative district in the state. In addition, there are dozens of affiliated community, faith, and labor organizations across the state that stand behind our work. Our mission is to improve the lives of working families in Maryland. Please note our strong support for this bill.

These bills are important to me in several ways. First is the matter of curtailing police abuse of our citizens – victims are often the most vulnerable and powerless among us. To me this is a matter of basic fairness, a virtue on which our state and country rests. The moral argument against police violence is clear and, I think, widely understood. Passing these bills will help put in place measures that enable cities to curb police abuse.


Second is the matter of fairness to police officers and their supervisors. The officers I have interacted with in Maryland have all seemed just and reasonable. In fact, I think that the majority of officers here strive for fairness and welcome transparency. But if officers know that those outliers who do abuse citizens will be excused and protected, then the morale of the majority suffers and with it, job performance and retention. This is evident beginning with Army studies of team performance, which uniformly show that unit cohesion is a key feature of effective teams and that patent transgressors in a unit severely hamper effectiveness. In the same way, it is not fair to a police chief and other supervisors to know they have no cover if they want to penalize – or even rid a force of – unnecessarily violent officers. Having laws to back up supervisors strengthens their ability to manage a force. In turn, the reputation of a chief and a force benefit, just as that reputation suffers – sometimes devastatingly so – when incidents of long-term abuse and concealment come to light. I want to see the police forces of my town and state protected by laws that put limits on the use of force, facilitate discipline of abusive officers, and give citizens visibility into the process.


Third, I care about these bills because they will ultimately help our economy, locally and statewide. Attracting stable federal agencies and thriving businesses to Maryland, bringing



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secure jobs and growing our economy, depends on many things, and one is well regarded, ethical law enforcement. I want my community and state to prosper, and I see the passage of these bills as significant in paving the path for smart and enduring growth.

We urge a favorable report on HB139.



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Testimony on Maryland House Bill 139: Law Enforcement Officers – Use of Force

TO: Del. Clippinger Chair, and members of the House Judiciary Committee
FROM: Angela Forest, Progressive Maryland Justice Task Force Member,
Prince George's County (D22)
DATE: February 5th, 2021
POSITION: Support

Thank you for the opportunity to offer testimony on HB139 Progressive Maryland is a grassroots, nonprofit organization with 9 chapters from Frederick to the Lower Shore and more than 100,000 members and supporters who live in nearly every legislative district in the state. In addition, there are dozens of affiliated community, faith, and labor organizations across the state that stand behind our work. Our mission is to improve the lives of working families in Maryland. Please note our strong support for this bill.

At 12:30 a.m. on Wednesday, May 1, 2013 I was driving from the University of Maryland, where I was a graduate student set to earn my master's degree the following week, to my neighborhood in Greenbelt, MD. A Greenbelt Police Officer (Sgt. Pracht, ID# 106) followed me in his car as I drove into my neighborhood and sat watching me until I got out of my car. By the time I parked my car and got out, I was the only person on the street other than the officer. As I walked toward his vehicle, he got out and approached me and asked "If everything was alright." I was very confused by the question, as he had followed me into my neighborhood and would have seen if anything was wrong. As an African-American woman I was also terrified, as I was the only person on the street interacting with this armed officer and there were no witnesses. I felt like I had been racially profiled and this was confirmed when I went to the police station and later spoke directly with Sgt. Pracht about the incident. These were his comments (paraphrased).

- A robbery had occurred in the area where I had parked my car a year before and it had upset residents so much to the point where they had discussed closing down a footpath leading into my community.
- It wasn't like he was beating me or anything, as he didn't understand the point of my complaint.
- He had approached me when I got out of my car because a woman who had parked her car around the time I did had looked at me and then had given him "a look" prompting him to take action.



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This kind of intimidation and profiling from law enforcement has been happening to African Americans for hundreds of years and these bills would force those who choose to use their positions to terrify, demean and kill us with no justification or reason to be forced to stop. I should note that in conclusion, I believe that Sgt. Pracht's behavior was in line with law enforcement historically enforcing blacks being kept out of Greenbelt as it was a "sundown" town from its founding in 1937 until the mid-1960s, but this is not appropriate or acceptable in 2021.

We urge a favorable report on HB139.