

Dear Members of the Judiciary Committee,

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of white folks working as part of a multi-racial movement for equity and racial justice in Baltimore City and Baltimore County. We are also working in collaboration with the Campaign for Justice, Safety, and Jobs. I am a resident of MD District **46**. My name is Lindsay Keipper and I am a barred attorney with 13 years of experience in the Baltimore City criminal justice system. I am testifying in **support of House Bill 151**.



House Bill 151 would repeal the Law Enforcement Officers' Bill of Rights (LEOBR), a law that makes it more difficult to investigate and discipline police misconduct in Maryland than in almost any other state. It has become clear over the past decade that this law is a large and consistent roadblock in the way of both police reform, and holding individual officers accountable for their misconduct. Not only does it inexplicably provide law enforcement officers who are suspected of criminal conduct with special, additional rights that ordinary citizens do not possess, it contributes to a situation in Maryland law enforcement where it is virtually impossible to fire an officer even for good cause unless the department perfectly navigates a needlessly complex procedure. Conversely, I am not aware of any data suggesting that the ills the LEOBR was designed to combat are or will be a serious problem. Indeed, I'm sure we all recall that the Correctional Officers' Bill of Rights, a near-duplicate of the LEOBR, was passed in 2010 in response to incidents of COs supposedly being victimized by unfair disciplinary policy, only to have those same COs end up under federal indictment for the very misconduct in question.

LEOBR also reduces or eliminates police accountability to the public they are supposed to serve. Because disciplinary procedures are enshrined in LEOBR, civilians have no input into this procedure. Investigations conducted by civilians cannot result in discipline; nor can civilians be involved in internal investigations, which must be conducted by sworn officers. This is an obvious conflict of interest. Strict time limits on filing complaints mean some investigations are prevented by technicalities; I have read far too many appellate court opinions where the reinstatement of an officer whose incompetent, corruption, or criminality has been proven, because a single step was missed in the involved legal dance mandated by the LEOBR. It goes well beyond protecting the rights of officers against unfairness, into the realm of enabling bad behavior by officers who know it is near-impossible to discipline or fire them.

Accountability cannot even be enforced by elected officials, or by their appointees. As quoted in the Baltimore Sun, Baltimore City Police Commissioner Michael Harrison has asked that LEOBR be changed to allow him to fire officers after a criminal incident without waiting for a conviction. He noted that the current policy leads to cases such as that of Baltimore Officer Wesley Cagle, who was convicted on first-degree assault charges for shooting an unarmed man, but served on the police force for a further two years between the shooting and his conviction.

It is for these reasons that I am encouraging you to vote **in support of House Bill 151**.

Thank you for your time, service, and consideration.

Sincerely,
Lindsay Keipper

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