



## **Columbia Democratic Club Testimony on Law Enforcement Officers' Bill of Rights – Repeal- HB0151** **Legislative Committee/ Criminal Justice Issues Team**

**Bill Sponsors:** Delegate: **Acevero**

**Committee:** **Judiciary**

**Persons Submitting:** **Meagan Braganca, Legislative Chair**

**Position:** Favorable

The Columbia Democratic Club supports the repeal of the Law Enforcement Officers' Bill of Rights (LEOBOR, HB0151), a measure that will once and for all end the special immunity enjoyed by law enforcement against sanctions for police misconduct and whose sole purpose has been to protect the jobs of cops who've committed misconduct and have no business on the force.

The Columbia Democratic Club is the oldest and most active Democratic organization in Howard County, reaching more than 500 Maryland residents committed to electing Democratic candidates and advancing progressive ideas. (website and/or Facebook page)

We commend Delegate Acevero for his leadership on this important criminal justice issue. This poorly named public safety code robs Maryland Residents of their Bill of Rights at the expense of protecting police misconduct. Maryland is in the minority of states that give law enforcement special rights against punishment for wrongdoing.

Only 13 other states have a Law Enforcement Officers' Bill of Rights (LEOBR). The LEOBR grants police officers special rights that no other state or local government employee has.

For example, under the LEOBR, police abuse can only be investigated by sworn law enforcement officers, and investigations conducted by civilians cannot result in disciplinary action. Since the LEOBR was enacted in 1974, it has allowed police abuse to go unpunished. It is past time for it to be repealed.

According to the Baltimore Sun Editorial Board, the current law requires: "... that other officers conduct investigations, rather than independent actors (unless the governor calls for it); bans interview techniques police routinely use on average citizens, including having more than one questioner; and gives the accused a full five days to find an attorney before interrogation."

Perhaps one of the most glaring aspects of LEOBOR is that it provides that “If the law enforcement agency orders the law enforcement officer to submit to a test, examination, or interrogation described in paragraph (1) of this subsection, the results of the test, examination, or interrogation are not admissible or discoverable in a criminal proceeding against the law enforcement officer.”

So not only does the misconduct investigation face an enormous number of hurdles as they are conducted by clearly conflicted co-workers who have traditionally failed to isolate the bad apples, the results of the misconduct investigations are not even allowed in a criminal investigation. This is a terrible waste of resources, and worse yet, a gross miscarriage of justice.

We join the over 85 organizations including the American Civil Liberties Union of Maryland, Common Cause Maryland, and Planned Parenthood Maryland in calling for a repeal of these special rights.

Please support [Law Enforcement Officers' Bill of Rights – Repeal](#), HB0151, as written.

Thank you.

- CDC legislative committee - criminal justice Issues team
- Jake Burdett, CDC President

*Columbia Democratic Club*