

## Ezra MacLeod Towne

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### **Testimony Favorable to HB0120:** **Public Information Act - Personnel Records - Investigations of Law Enforcement Officers** **(Anton's Law)**

February 9, 2021

Chair Delegate Luke Clippenger, Vice-Chair Delegate Vanessa E. Atterbeary, and other esteemed members of the House Judiciary Committee:

My name is Ezra Towne, and my pronouns are they/them/theirs. I am a parent of two children (ages 8 and 13) who attend Montgomery County Public Schools, a Montgomery County LGBTQ activist, and a nonbinary transmasculine person. **I submit this testimony today in favor of HB0120: Public Information Act - Personnel Records - Investigations of Law Enforcement Officers (Anton's Law).**

I am privileged and lucky to have read this bill in its entirety. I have spare time, a comfortable home, a computer, a spouse with a full time job, and children who are fully engaged in virtual school today.

Advocating for policy work that calls for police accountability and transparency is fairly new to me. I grew up in a white suburban neighborhood in Basking Ridge, NJ. There I was taught that police are reliable, trustworthy, public servants - but I know now that this is not the case. The remainder of my testimony provides concrete examples of why Maryland's residents can not always count on police to serve and protect them.

I attended my first vigil and march after Officer Anand Badgujar murdered a Robert White, a 41 year old black man, in Silver Spring in 2019. White was in the midst of mental health crisis, wearing a hoodie and other torn clothing, and visibly agitated when the officer followed and called after him on foot. Although Officer Badjujar was physically confronted by White, it is VERY clear that the officer played a role in escalating White's anger. Regardless of White's actions, this incident is a clear example of the unchecked racism in police training and policing in action. If Roger White had "white" skin, the officer would have been more likely to wait for the Montgomery County Crisis Center (or a similar organization) to send their mobile response team.

On January 14, 2020, a 5 year old preschooler "walked out" of East Silver Spring Elementary School. MCPD officers were called to help retrieve Shanta Grant's son. This five year old was terrified when the officers arrived, and didn't want to go in the car. The officers grabbed him forcefully and placed him in the police car. One of the officers berated the child on the way to

the school - saying that he was a "bad boy" and that he deserved a good spanking from his mother. When they arrived at the school, the officer forced him into a chair and screamed directly in the child's face. All of these actions were captured on a body cam. Shanta Grant is suing the county and the school district for the trauma caused to her five year old, but I sincerely doubt that we will ever REALLY find out how the officers guilty of this misconduct are disciplined.

**Maryland needs this bill, and it must pass this legislative session. To be frank, I am ashamed that our "Free State" has not done so already.** Rest assured, I am not trying to be anti-police with my statement on this bill. The way our law enforcement personnel *practice* policing is the problem. This is not a matter of specific police in our state, but of policing writ large.

I have worked directly with current and former Officers, Sergeants, Lieutenants, Commanders, Captains, and Chiefs in Montgomery County and Rockville City. I recently attended a Fair and Impartial Policing Workshops at the request of RCPD Chief Brito. Workshops and trainings on implicit bias are prudent, noble efforts, but they are not enough.

My work as a very local grassroots activist informs that knowledge:

- A trans colleague of color confided to me that Montgomery County Police officers have used their positions of authority to blackmail transwomen who do sex work. That colleague received a text from a friend who had just been raped by threat of blackmail. The officer stated that prostitution charges would be filed against them unless he "could come over to her place."
- A feminist colleague of mine disclosed to me that a charge she made against a police officer who sexually assaulted her has been not handled properly and that rape kit case processing in Montgomery County is over a year behind. As such, this case has not been resolved.

MCPD has suppressed any disciplinary actions taken as a result of claims like these, including forced retirements with full pensions. I have no doubt that this is the case in other police departments in the state of Maryland. **The Law Enforcement Officers Bill of Rights conceals police disciplinary actions (or lack thereof) taken as a result of police misconduct.** This means that victims of such misconduct cannot verify the outcome of charges like these with the Maryland Public Information Act.

**I urge the Judicial Proceedings Committee to file a favorable report on SB0178: Public Information Act - Personnel Records - Investigations of Law Enforcement Officers (Anton's Law).**

Sincerely,



Ezra Towne