

Testimony for the House Judiciary Committee
February 9, 2021
HB 151– Law Enforcement Officers’ Bill of Rights – Repeal

FAVORABLE

To Chair Clippinger, Vice Chair Atterbeary, and Committee members,

My name is Onyinye Alheri and I live in Baltimore, Maryland, in the 40th Legislative district. I am writing in support of HB 151 to repeal the Law Enforcement Officers’ Bill of Rights (“LEOBR”) and create a streamlined system without the procedural barriers that prevent discipline. This bill is about racial justice and holding officers accountable for the violence, abuse, harm and trauma they inflict on my community of mostly Black and Brown residents.

In the 1970s Maryland was the first state to create this type of law, and our version of the LEOBR is the most extreme in the country. LEOBR allows officers to evade accountability measures by giving them special due process rights that go beyond what is required under the Constitution. For instance, there is no reason why complaints need to go through a hearing board process before officers can be disciplined. As a result of LEOBR’s extra rights, only a few officers receive any discipline at all. In the vast majority of incidents of violence and misconduct, the officer receives no discipline and is not held accountable. Keith Davis Jr, Korrine Gaines, Freddie Gray and many unnamed others have suffered loss of life, freedom and/or wellness because of LEOBR. This racist bill allows police chiefs to escape accountability because they can easily transfer all culpability to the hearing board that made the decision. This is why it is so important to have a transparent and streamlined process that allows for us to know exactly who is responsible for holding officers accountable.

Police officers should not be allowed to act with impunity, especially because they continuously abuse power and cause great harm in my community. Maryland must also ensure that when LEOBR is repealed, local jurisdictions cannot recreate LEOBR at the local level. That is why it is important that this bill prohibits local laws and collective bargaining agreements that conflict with the due process rights and procedures laid out in the bill.

HB 151 is a necessary bill so that Maryland finally stops shielding officers from accountability. Now is the time for a full repeal of LEOBR. I urge a favorable vote on HB 151.

Sincerely,
Onyinye Alheri