

**Testimony for the House Judiciary Committee
February 9, 2021**

HB 151– Law Enforcement Officers’ Bill of Rights – Repeal

FAVORABLE

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

My name is Tim Rothermel and I live in North East, Maryland. I am testifying 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, and trauma they inflict on the community, mostly Black and Brown residents.

In my time living in Cecil County, I have encountered many folks who have fell victim to an unaccountable police force. Most recently an organization I work with, Cecil Solidarity, released a video showing the extent to which our local law enforcement attacks people of color egregiously and without fear of reprisal. A corporal of the Cecil County Sheriff’s office pulled over an unarmed Black man simply for speeding. In the course of the stop, Corporal Shockey is seen to escalate the situation and ultimately assaults the young man with no provocation whatsoever. This event occurred in July 2020 and, to date, Corporal Shockey has not even received so much as a reprimand for this assault. The young man who was assaulted was charged with 2 counts of assaulting an officer, these charges were later put on STET as it was plainly obvious by the video footage that Corporal Shockey was the aggressor. It was later revealed that Corporal Shockey and his fellow arresting officers lied in the arrest report to try and support the bogus charges. It is directly because of the Law Enforcement Officer Bill of Rights that bad cops feel safe to treat the public in such fashion. Repealing the LEOBR will bring better policing to our communities and better trust between citizens and law enforcement which makes us all safer.

As you know, Maryland was the first state to create this type of law, and Maryland’s LEOBR is considered to be the most extreme in the country. LEOBR protects officers from accountability 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. LEOBR also allows police chiefs to escape accountability because they can say that it was the hearing board that made the decision, not them so their “hands are tied”. This is why it is so important to have a transparent and streamlined discipline process that allows for us to know exactly who is responsible for holding officers accountable.

Maryland must also ensure that when LEOBR is repealed, local jurisdictions cannot just 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,

Tim Rothermel
North East, MD 21901

