

Testimony for the House Judiciary Committee

March 1, 2022

HB [991](#) – Baltimore City - Civilian Review Board

FAVORABLE

Erica Hamlett
Maryland resident
Legislative District 43
Baltimore City Council District 14

As you know, the General Assembly passed the Maryland Police Accountability Act of 2021 last session. The purpose of the new law was to increase police accountability, community oversight, and participation in the police disciplinary process. This is similar to the purpose of the Civilian Review Board that is already in place in Baltimore City however, the CRB has been in need of some of the access and authority that the PABs are given by state law. However, replacing the CRB with a PAB would be a move in the wrong direction because the CRB has been an established investigative board for many years. Their investigations have made a huge difference in the lives of those of us who unfortunately had to file a complaint with them.

In November 2017, my son was approached by a stranger near our home (in Howard county). It was around 3:45 in the afternoon. The man was wearing a black hoodie and blue jeans. My son's van pick up to his activity was late, so he and a friend stopped to wait. The stranger asked my son and his friend, "What they were doing in the area because they didn't look like they lived around there" they responded that they were just about to finish walking home from school and had stopped to wait to be picked up. The person kept asking them to justify their presence in their own neighborhood. Finally, my son asked to be left alone after the stranger said someone was going to call the police on them, my son's response was, "Go ahead and call the police because he was harassing them." Other people were outside getting their children off school buses coming in and out of their homes no one thought the teens, wearing bookbags, only a few blocks from school looked out of place. After a few more questions, the unidentified man pulled a gun on him! Turns out he was an off-duty Baltimore City Police officer who lived across the street and assumed the kids didn't live in the area.

Before and during our internal affairs interview, I asked, and they did not share if the officer had been suspended or where he was working. This officer admittedly pulled his service weapon on a 16-year-old child. He had an open peace order against him for doing so, made false statements to Howard county police and in court, but was still permitted to continue to work and

carry his service weapon. It was through a Baltimore Sun article we learned the same officer broke a suspect's jaw and that there were broader litigations against him for fraud and theft.

Once the Internal Affairs' investigation was completed, I received a call stating the officer would be charged departmentally, and a letter would be sent via certified mail. After I gave the sergeant my correct address, a letter was forwarded from an old address and read, "That there was enough evidence to sustain the allegations," thanking me for my time and voicing my concerns. But the letter had no indication of what, if any, punishment or disciplinary action would be taken then or in the future. From this point, I filed a complaint with the CRB and they helped me understand my rights, the process of filing police misconduct complaints, how to fill out the necessary paperwork, and the deadlines to hearings. Additionally, the CRB recommended organizations like the ACLU that further gave my family assistance in our journey.

However, after the CRB made their recommendation and the decision was given to the Police Commissioner, there was nothing else that the CRB could do nothing else. The CRB had limited powers so they could not tell me what disciplinary action would be taken, which made it feel like all of our hard work went to waste. If the CRB had the powers of the PAB this officer could have been off the streets from his previous action of breaking a suspect's jaw. It's unacceptable that this officer has gotten away with so much misconduct and the CRB needs the resources of the PAB to make sure this never happens again.

Still almost four years later, my family and I didn't know if the officer was still working, on the street, has a gun, or is on desk duty. We lived in constant fear that we could encounter him while he's on duty. We moved from Howard County to Baltimore County because living near him was too much for my family. We travel to Baltimore city often and whenever we do the uneasiness lingers because my son and family have no idea if this officer is still on duty. Using Case Search, we found out that he was still on active duty until September 2018, at which point, I could not find any further information on his activities.

My story is just one example of serious and traumatic police abuse, the importance of independent civilian oversight, and the need for greater transparency and accountability for law enforcement.

Support HB991 because Baltimore needs significantly greater police accountability, the CRB is already established and has been extremely helpful to the extent they can be, but they need all the additional powers and resources of the new PABs, plus some.