



**Testimony for the House Judiciary Committee
February 28, 2023**

HB 585 Public Safety - Use of Force Incident Reports

FAVORABLE

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The ACLU of Maryland urges a favorable report on HB 585, which would establish more transparency and accountability from police officers and law enforcement agencies in reporting use of force.

The State of Maryland is one of several states to require officers to intervene when instances of excessive force arise.¹ In previous sessions, the General Assembly has passed meaningful legislation outlining the scope of when police may use force on an individual.² However, despite this, the state lacks any requirements on reporting instances of using force by a police officer while on duty or generally by law enforcement agencies. The underreporting, or the lack thereof, on the use of force, undermines the effectiveness of police accountability efforts as there is no way of meaningfully collecting and examining data that could be used to prevent unlawful uses of force.

Generally, perceptions of police legitimacy have been linked to varying levels of cooperation and adherence to the law by police.³

HB 585 would require police officers to report uses of force engaged while on duty and require law enforcement agencies to publish those instances for the general public.

Mutual trust between police and the communities they serve is fundamental to both effective policing and public safety. Communities must be able to in trust in the safety and service law enforcement provides just as much as Police must rely on the cooperation and assistance of community members. Such trust is impossible without transparency and accountability. When the mandate of transparency is not made available to the public that trust can be broken down.

¹ “Report Law Enforcement Legislation: Significant Trends 2022,” National Conference of State Legislatures (National Conference of State Legislatures, August 22, 2022), <https://www.ncsl.org/civil-and-criminal-justice/law-enforcement-legislation-significant-trends-2022>.

² Md. Code, Pub. Safety § 3-524.

³ Sheppard, Keller G., and Jacob I. Stowell. “Police Fatal Force and Crime Reporting: A Test of Community Responses to Fatal Police-Civilian Encounters.” *Journal of interpersonal violence* 37, no. 21-22 (2022): NP19730–NP19758.

HB 585 will hold officers and agencies accountable for unnecessary and excessive use of force while continuing to effectively change the culture of policing so that officers, who serve our communities, will continue to uphold Constitutional rights, and preserve every human life. Maryland can do more to keep our communities safe, and establish faith in law enforcement by acting boldly and ensuring that law enforcement officers and agencies are meaningfully held accountable.

For the foregoing reasons, the ACLU of Maryland urges a favorable report on HB 585.

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