



TESTIMONY TO THE HOUSE JUDICIARY COMMITTEE

HB 771– Human Relations–Patterns and Practices of Civil Rights Violations–Remedies

Position: Favorable

By: Nancy Soreng, President

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The League of Women Voters is a nonpartisan organization that believes the civil rights of all people must be protected. The League of Women Voters also supports measures to ensure transparency and accountability in government.

In the last few years, we have repeatedly seen flagrant misconduct by law enforcement personnel that deprives people in custody of their civil rights. In addition to police custody, Maryland has custody of and houses people in Correctional Facilities (which are overseen by the Division of Correction), Immigration Detention Centers and State Behavioral Health Facilities. Likewise, the Division of Parole and Probation has jurisdiction over and supervises offenders who are on parole or probation. Unfortunately, these entities can engage in egregious behavior, including entrenched systemic practices, that abridge the rights of those in custody or under supervision.

HB 771 empowers the Office of the Attorney General to investigate these entities if it has probable cause to believe that the facility, its employees, agents, or those acting on behalf of the facility are engaging in a "pattern or practice" that "deprives an individual of rights, privileges, or immunities secured or protected by the U.S. Constitution, the Maryland Constitution or state or federal law." If the Office of the Attorney General finds such a pattern or practice, then it can commence a civil action to "eliminate the pattern or practice of conduct."

The Office of the Attorney General is uniquely qualified to carry out HB 771. Its staff and attorneys have experience conducting extensive and complex investigations into systemic wrongdoing and have handled complex cases to stop pervasive misconduct. Additionally, the Office of the Attorney General is an independent entity. As a result, it could conduct impartial investigations and strengthen the public's perception about government.

The League urges a favorable report for HB 771.