

## **TESTIMONY ON HB 836**

### **House Judiciary Committee**

#### **SUPPORT- FAVORABLE**

Submitted by: **Erica Hamlett**

Chair Clippinger, Vice Chair Bartlett and members of the Judiciary Committee:

I am Erica Hamlett, a resident of District 43 and a family member directly impacted by the issues at hand. I am testifying today in strong support of HB 836. In 2021, the Maryland General Assembly passed the Maryland Police Accountability Act with the goal of increasing police accountability, enhancing community oversight, and ensuring public participation in the police disciplinary process. This law aimed to create a framework similar to the Civilian Review Board (CRB) that was previously in place in Baltimore City.

As someone who has had direct experience with the CRB, I can attest to the significant positive impact its investigations have had on those of us who, unfortunately, had to file complaints. The CRB's work has made a tangible difference in our lives by offering transparency and holding law enforcement accountable. For these reasons, I urge you to support HB 836 and ensure that the Police Accountability Board (PAB) is granted independent authority, including subpoena powers. This provision is crucial to maintaining meaningful oversight and ensuring that justice is served in cases of police misconduct.

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.

Unaware of how the process works I asked questions but, internal affairs seemed to use intimidation tactics to avoid providing my family with any information. Throughout their investigation, little to no updates or guidelines had ever been provided to us. We felt very unsafe throughout the entire process. During this process, I testified at consent decree public meetings and after I would receive calls from Internal Affairs, not give any information or updates but to be badgered for updated information that we had already provided to them repeatedly. My son's story never changed, unlike the officer's. I also shared with them how stressful their approach had been. Asking that I only be contacted through written correspondence.

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. My family and I don't know if the officer was still working, on the street, has a gun, or is on desk duty. We live in constant fear that we could encounter him while he's on duty. We also moved from Howard County to Baltimore County, because we lived near him and it 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 at least until September, 2018 at which point, I could not find any further information on his activities. 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.

My son's case was just heard on the 24th of January by the Baltimore Civilian Review Board. An independent investigator with the CRB did a thorough investigation of the incident and discussed it at length in an open public meeting. Thanks to the Civilian Review Board who assisted me with instruction on how to look for the case on the transparency boards website I found his Administrative Hearing date and that it appears he must be appealing whatever disciplinary actions were taken against him.

The way this current law stands, if the person doesn't attend the administrative hearing, victims like myself and countless others, we will have no other way of knowing what the results of the investigation are. We continue to live with the deep concern that this abusive officer is still in uniform walking the beat, with the potential to harass my son, family and others again. Victims of unlawful police practices have no closure. While officers that commit criminal acts are protected. Let's not forget non-disclosures come along with lawsuits all to ensure these incidents go away quietly.

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. 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, had a gun, or was 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 HB 836 because Baltimore needs significantly greater police accountability, and the way we can get this is through the PAB having the additional powers and resources to have independent investigatory and subpoena powers.

Sincerely,  
Erica Hamlett

