

**HB0699\_RichardKaplowitz\_FAV**

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Richard Keith Kaplowitz

Frederick, MD 21703

**TESTIMONY ON HB#/0699- POSITION: FAVORABLE**

**Maryland Use of Force Statute - Failure to Prevent Excessive Force or Render First Aid – Misdemeanor**

**TO:** Chair Bartlett, Vice Chair Davis, and members of the Judiciary Committee

**FROM:** Richard Keith Kaplowitz

My name is Richard Keith Kaplowitz. I am a resident of District 3, Frederick County. I am submitting this testimony in support of HB#/0699, **Maryland Use of Force Statute - Failure to Prevent Excessive Force or Render First Aid - Misdemeanor**

Looking at the United States, the Canadian Broadcasting Corporation reported *Some U.S. police are failing to stop fellow officers from abusing suspects. Can that be changed?*<sup>1</sup>

When the images of the brutal attack on Rodney King by members of the LAPD were broadcast around the world back in 1991, they became a catalyst for police forces across the U.S. to adopt so-called "duty to intervene" strategies — protocols to ensure police would step in when a fellow officer misused force on a suspect.

While the idea behind "duty to intervene" is valid, a new approach is needed, say some experts, including one who is advocating for new federal and state laws that would prosecute police for standing by while a colleague abuses a suspect. "This needs to be legislation because it is obviously clear that we cannot rely on police to self-police. That has failed," said Zachary D. Kaufman, the Kleh visiting professor in international law at Boston University School of Law. "We need others, namely prosecutors, to hold them accountable."

The Marshall Project has found *Cops Could Use First Aid to Save Lives. Many Never Try - Most officers get training to respond to injuries but are often not required to use it.*<sup>2</sup>

This bill will prohibit a police officer from intentionally violating the requirement that a police officer intervene to prevent or terminate the use of certain force by another police officer; prohibiting a police officer from intentionally violating the requirement to render certain first aid to a person injured as a result of police action and request certain assistance at a certain time; and classifying a violation of the Act by an officer as a misdemeanor and providing, on conviction, a term of imprisonment of up to 5 years.

**I respectfully urge this committee to return a favorable report on HB#/0699.**

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<sup>1</sup> <https://www.cbc.ca/news/world/duty-to-intervene-police-training-1.6736001#:~:text=The%20death%20of%20Tyre%20Nichols%2C%20who%20died%20after%20being%20beaten,as%20well%20as%20the%20community.%22&text=Kurtz%20said%20part%20of%20the,encounter%20in%20their%20daily%20life.%22>

<sup>22</sup> <https://www.themarshallproject.org/2020/12/15/cops-could-use-first-aid-to-save-lives-many-never-try#:~:text=For%20some%20in%20law%20enforcement,feeling%20unprepared%20to%20render%20help.>