



Testimony Supporting with Amendments: HB 1090 Anton's Law

On June 11, 2018, a Montgomery County police officer accosted, pursued, and then shot and killed Robert W. White, an unarmed Black man strolling in his own neighborhood. Silver Spring Justice Coalition began as a community response to Mr. White's needless death and to the department's conclusion that the officer's actions were lawful and justified.

In August 2018, dozens of community members and neighbors of Mr. White convened at a forum with then police chief, Thomas Manger, and sought answers to the shooting. We received few answers.

Delegate Jheanelle Wilkins (D-20) said she keeps coming back to one thing:¹ "We have someone, who was a neighbor, who was a constituent, Robert White, he was walking in his neighborhood, like he does often, and now he is dead," she said.

Community members raised questions about the history of the officer who killed White; in particular, whether the officer has shot other people as part of his job, and whether the officer has received complaints of excessive force or racial profiling. This information, while valuable to the safety of community members, is barred from public access due to current limitations in the Maryland Public Information Act, which places this information behind a shield of 'personnel records.'

Denying a complainant or their family access to investigatory files, including an officer's prior history of complaints, erodes public trust in a community's police force. This is because police officers are vested with an incredible amount of authority, including the ability to use deadly force, and officers must be beyond reproach in their interactions with the public.

Studies have found that a small number of officers within a department, amass the majority of complaints. A Chicago Tribune report evaluated police complaint data filed between 1967 and 2014 against some 25,000 different Chicago police officers.² More than 100 complaints involved seven officers, and another 62 officers received at least 70 complaints.

¹ <https://bethesdamagazine.com/bethesda-beat/police-fire/officials-face-questions-at-public-meeting-about-robert-white-shooting/>

² <https://www.chicagotribune.com/investigations/ct-chicago-police-complaints-met-20161013-story.html>

Community interest in making this information public in Maryland is twofold:

1. Transparency; ensuring that officers with a history of excessive force are not allowed to infringe upon the safety of a community.
2. Accountability; empowering the community to hold its elected officials and police chief responsible for wise officer hiring, promotion, and retention decisions.

In addition to the increased transparency between the public and its police force, this bill calls for the Governor's ability to have an office outside of the police, investigate complaints, namely the office of the Attorney General (Section 3-104(b)(2)). This is a step in the right direction because restricting the ability to investigate police, also raises public concern about the impartiality of such investigations. However, we request an amendment to include the ability of an independent office, including the office of the Attorney General, to have the ability to investigate complaints, notwithstanding the Governor's involvement.

We request an amendment to Section 3-104(c) to include the investigation of complaints made by persons with *reasonable* firsthand knowledge of the incident. This would include medical professionals, caseworkers, and counselors who are made aware of the incident and choose to file a complaint on behalf of their patient or client.

Accordingly, the Silver Spring Justice Coalition Supports this bill with the aforementioned amendments.

The Silver Spring Justice Coalition is an advocacy group of individual residents, faith-based and grassroots organizations, congregations, and local chapters of national organizations working to stop police violence and abuse in Montgomery County and Maryland through legislative, policy, and public education initiatives.