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TESTIMONY IN SUPPORT OF HB1090

Law Enforcement – Complaints and Investigations and Use of Force (Anton’s Law)

TO: Chair Clippinger, Vice Chair Atterbeary, and members of the Judiciary Committee

FROM: Bruce H. Turnbull

My name is Bruce H. Turnbull. I live in Bethesda in Maryland, in legislative District 16.

I strongly support enactment of HB1090 legislation to establish new standards for use of force by police in Maryland and to ensure that information concerning investigations of allegations of wrongful conduct by police are open and transparent.

Jews today often look to the police as a source of sadly needed protection. Our synagogues and other public buildings are usually guarded by on and off duty police officers. We appreciate their dedication and support.

However, Jews have a long history that informs our views on the conduct of police and other authority figures. In a sermon in the wake of the Ferguson situation, Rabbi Michael Rothbaum put it clearly:

“Throughout our history, Jews have grown accustomed to looking over our shoulders, to watching what we say, to following orders, sensible or otherwise. From Crusaders to Cossacks, from bank conspiracies to blood libels, Jews know the reality of living with fear. Fear that our martyrs —many of them young men and boys — would be abducted and slaughtered.”¹

Today, far too many people of color live with exactly that fear borne of the reality of too many unfortunate encounters with police. This situation cries out for new standards of police conduct and for mechanisms to hold police accountable for inappropriate actions. In our own state, the past few years have seen just too many instances in which use of force by police has caused serious injury or death. New standards on the use of force will go a long way to

¹ Rabbi Menachem Creditor,
<http://rabbicreditor.blogspot.com/2014/10/rabbi-michael-rothbaum-fergusonfargesn.html>

ensuring that conduct will actually change, and that the understandable fears will be reduced along with the conduct change.

To ensure that this happens, investigations of misconduct must be real and must be open and transparent. The current Maryland law protecting misconduct investigations as “personnel records” is both archaic and at odds with the needs of our current situation. Giving the record custodian the authority, and obligation, to disclose the records of an investigation of allegations of misconduct or discrimination is essential both to ensuring that the new standards of conduct are followed and to restoring trust in police and related authorities by the communities adversely affected by misconduct and discrimination. HB1090 would ensure these positive effects have a real chance to be realized. **I respectfully urge a favorable report on HB1090.**