



**Testimony for the House Judiciary Committee  
March 3, 2020**

**HB 1251 Criminal Procedure - Attorney General - Independent  
Investigation of Law Enforcement-Involved Death**

**FAVORABLE**

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The ACLU of Maryland and FreeState Justice support HB 1251, which would require the Attorney General to conduct an independent investigation whenever someone is killed during a police encounter. Prosecutions against police officers involved in these deadly encounters are required to be prosecuted in a county outside the jurisdiction in which the death occurred.

As this committee knows, Black Marylanders make up only 30% of the population. Yet, nearly 70% of people who died in deadly police encounters between 2010-2014 were Black. A follow up report in 2015 found that number actually increased – to 81%, and 100% of those Black Marylanders who died were unarmed.

These statistics point to institutional racism and bias, and communities are calling for more transparency and accountability for law enforcement agencies to those Black and Brown communities most heavily policed.

For these reasons, the ACLU of Maryland and FreeState Justice support efforts to make investigations of police misconduct independent from the routine investigatory and prosecutorial functions of the local government. Montgomery County has taken an initial step toward authorizing an exchange of investigations into misconduct with neighboring jurisdictions. HB 1251 would create parity across the state by having the AG conduct investigations into these incidents, which can be challenging for local law enforcement to handle and are necessarily fraught with conflicts of interest.

For the foregoing reasons, we urge a favorable report in HB 1251.