



**MONTGOMERY COUNTY COUNCIL**  
ROCKVILLE, MARYLAND

**WILL JAWANDO**  
COUNCILMEMBER  
AT-LARGE

**HB 1251– Law Enforcement Trust and Transparency Act**  
**Testimony of Will Jawando, Montgomery County Council At-Large**  
**Position: SUPPORT**  
**Tuesday, March 3, 2020**

My name is Will Jawando. I am an At-Large Councilmember from Montgomery County, Maryland’s largest jurisdiction, and I am writing this testimony in support of HB 1251 – Criminal Procedure – Attorney General – Independent Investigation of Law Enforcement–Involved Death. I want to thank Delegate Bartlett for introducing this state legislation, and Delegate Shetty for her efforts last year on the previous version of this bill. And I wish to thank this committee for giving me the opportunity to provide testimony.

This is important legislation for several compelling reasons. Let me begin by noting that the very first piece of legislation I introduced to the Montgomery County Council last year was the original Law Enforcement Trust and Transparency Act. The Montgomery County Council unanimously passed the bill and our County Executive signed it into law last year. I am extremely interested in seeing this legislation passed at the state level.

The state bill would do state-wide what we are doing in Montgomery County: establish a framework for independent inquiry into any police-related death – and in the event of a decision against charges, to require a detailed report be issued publicly that explains that decision.

I also come to this table seeking success in this effort because of my experience as a person of color. There is deep and growing distrust between police and the community, particularly communities of color. I have been profiled by the police. I have experienced firsthand why that distrust exists. And I want my children to grow up in a community with greater trust than we have today. I don’t want my daughters or son to experience what I have experienced.

But this is an issue that is far, far bigger than one man’s experience. Following decades of racial profiling, in recent years we have seen police-involved deaths thrust into the national headlines, again and again. The impetus behind Montgomery County’s LETT Act was the shooting death of 41-year-old Robert White on June 11, 2018. County police shot and killed Mr. White during a confrontation near his Silver Spring home. Elsewhere in Maryland, we have deaths like that of Anton Black, a 19-year-old man who died last year while in police custody on the Eastern Shore, and William Greene, shot to death by a police officer last month in Prince George’s County.

In these cases, and others like them, the families of the victims, the public and the individual police officers all deserve transparency and accountability. That’s what the county LETT Act provides. That’s what House Bill 1251 would provide for all Marylanders. Accountability and transparency, for the purpose of rebuilding trust between an increasingly skeptical community and the police officers involved.

In the case of Mr. White's death, the investigation was conducted by MCPD officers and the case information was forwarded to the Howard County State's Attorney for review. This was done under a formal arrangement between our two counties. In this instance, the Howard County State's Attorney decided not to pursue criminal charges. No public report explaining the decision, or the details around the MCPD investigation, was made available.

That investigation into Mr. White's death and police handling of the case may have uncovered facts exonerating the actions of the police officer involved. But because there was no report, the public has no reason to know of – and little reason to believe – any exonerating details.

President Obama's Task Force on 21<sup>st</sup> Century Policing looked specifically at the issue of public confidence in police. In a 2015 report, that federal task force highlighted the importance of independent criminal investigations in order to restore and maintain that critical bridge of trust between communities and law enforcement.

Currently at the state level, each county is responsible for determining how they handle an officer-involved death. HB 1251 creates a uniform process and would allow Maryland to join three other states, Illinois, Utah and Wisconsin, in requiring that the personnel investigating an officer's use of force not be employed by the same department as the officer under review.

Let me conclude by making one final but crucial point. No one should see either my county legislation or this bill as hindering police ability to do their job. Nor should anyone make any false claim that these efforts intimate that our police departments, and the men and women who wear the uniform, are not worthy of our trust.

We are fortunate Montgomery County is home to the state's finest police force. I have the highest esteem for our MCPD officers. I also believe their position requires a higher standard of transparency, and that legislation like the LETT Act can help repair the damage between the police and the communities they serve, particularly people of color.

Again, thank you for the opportunity to testify in support of HB 1251 legislation and add my voice to this critical effort.