



THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

TESTIMONY IN SUPPORT

HB1251

Delegate J. Sandy Bartlett

Chairman Clippinger, Vice Chairwoman Atterbeary and members of the House Judiciary Committee. House Bill 1251 is a culmination of the work started by the Montgomery County Council by Councilman Will Jawando and Delegate Emily Shetty in 2019. Montgomery and Howard Counties entered into a Memorandum of Understanding in April, 2019 relating to the reciprocal investigations of incidents where it is alleged that a death occurred as a result of the police officer's use of force in their respective jurisdictions.

House Bill 1251 expands those counties efforts to the state. Accordingly, it would be the Attorney General (although I am amenable to an amendment as to the agency) who would conduct an independent investigation when there is an alleged death during an encounter with a police officer acting in their official capacity or while the decedent is in the custody of a law enforcement agency. The investigation must be conducted outside of the agency in which the death occurred by an investigator with the experience and expertise in conducting complex criminal investigations to reach a conclusion as to whether any police officer or law enforcement agency involved in the person's death acted in a criminally culpable matter.

Much attention has been given in recent years to police officer involved deaths from Michael Brown in Ferguson, Missouri to William Green recently shot seven times while handcuffed in Prince George's County. It is rare that an officer is found criminally culpable in these presumably patent disregard for human life instances. The pattern of misconduct may still be investigated by the Department's internal unit, but it is crucial to have an outsider investigate without the hint of bias.

For these reasons, I ask for a favorable vote on HB1251