

# State of Maryland

## Commission on Civil Rights

*"Our vision is to have a State that is free from any trace of unlawful discrimination."*



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February 9, 2021

### **House Bill 671 – Public Information Act – Personnel and Investigatory Records – Complaints Against Police Officers POSITION: Support**

Dear Chairperson Clippinger, Vice Chairperson Atterbeary, and Members of the House Judiciary Committee:

The Maryland Commission on Civil Rights (“MCCR”; “The Commission”) is the State agency responsible for the enforcement of laws prohibiting discrimination in employment, housing, public accommodations, and state contracts based upon race, color, religion, sex, age, national origin, marital status, familial status, sexual orientation, gender identity, genetic information, physical and mental disability, and source of income.

House Bill 671 states that complaints of police misconduct are not personnel records, and thus are subject to disclosure under the Maryland Public Information Act. The bill sets 7 situations under which the Custodian of Record can deny access to these records. Local law enforcement agencies are required to report annually to the Maryland Police Training & Standards Commission the number of use of force complaints made against police officers (as well as the outcome of any investigation). The Maryland Police Training Standards Commission (“MPTSC”) must post this aggregated information on its website. Law enforcement agencies who fail to submit their numbers to MPTSC are prohibited from receiving grant funding from the Governor’s Office of Crime Prevention, Youth, and Victim Services.

Public trust in law enforcement can only begin to be restored if Maryland requires transparency with regard to how law enforcement officials investigate and handle complaints alleging misconduct and use of excessive force. For decades, law enforcement has been able to shield credible findings of violations from public view, and even from departments in other jurisdictions throughout the state. HB671 is a carefully crafted bill that mandates transparency where the public has been wrongfully denied access.

For these reasons, the Maryland Commission on Civil Rights strongly urges a favorable vote on HB671. Thank you for your time and consideration of the information contained in this letter. The Maryland Commission on Civil Rights looks forward to the continued opportunity to work with you to improve and promote civil rights in Maryland.