

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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January 21, 2021

Senate Bill 178 – Public Information Act – Personnel Records – Investigations of Law Enforcement Officers (Anton’s Law) POSITION: Support

Dear Chairperson Smith, Vice Chairperson Waldstreicher, and Members of the Senate Judicial Proceedings 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.

Senate Bill 178 amends the Maryland Public Information Act (“MPIA”) law to state that records relating to an administrative or investigation of misconduct by a law enforcement officer, including an Internal Affairs investigatory record, a hearing record, and relating to a disciplinary decision are subject to disclosure under the MPIA, subject to certain restrictions.

The Maryland Commission on Civil Rights strongly supports SB178 because current law shields these records from disclosure, which is not in the public safety interest of Maryland. For example, if an officer is dismissed from duty in one jurisdiction, they can apply for employment with another law enforcement agency and receive it without their record of disciplinary action being brought to the new agency’s attention. Furthermore, for aggrieved individuals seeking remedy after being subjected to alleged misconduct (such as the use of unnecessary force) current law makes it difficult, if not impossible, for them to obtain records in the pursuit of justice. MCCR believes, as a matter of principle, that it is in the public safety interest of the state to make these records subject to disclosure so that the communities they are sworn to protect and serve have confidence that appropriate action is taken against anyone that demonstrates they are a threat to the community.

For these reasons, the Maryland Commission on Civil Rights encourages a favorable report on SB178. 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.