

# Los - Law Enforcement Higher Ed.pdf

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Position: FAV

# 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

### **Senate Bill 364 – Baltimore City – Civil Claims Against Law Enforcement Officers of an Institution of Higher Education – Prohibition Against Nondisclosure Provision in Settlement Agreement** **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 364 prohibits an officer at an institution of higher education who are the subject of a claim or suit asserting misconduct in the performance of duties from including into any settlement agreement confidentiality or nondisclosure provisions. The institutions of higher education are identified as the police forces of the University System of Maryland, Morgan State University, Baltimore City Community College, and Johns Hopkins University.

The Maryland Commission on Civil Rights believes that any claim or suit against an officer at these institutions should not be denied public scrutiny because confidentiality or nondisclosure agreements were inserted into private settlement agreements. Rather, in the interest of public safety, victims of misconduct who have settled their complaint should be able to speak publicly, be it with policymakers or the media, without fear of reprisal or of the terms of the agreement not being honored.

For these reasons, the Maryland Commission on Civil Rights urges a favorable vote on SB364. 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.

**SB 364 Testimony JPR.pdf**

Uploaded by: McCray, Cory

Position: FAV

CORY V. McCRAY  
Legislative District 45  
Baltimore City



James Senate Office Building  
11 Bladen Street, Room 221  
Annapolis, Maryland 21401  
410-841-3165 · 301-858-3165  
800-492-7122 Ext. 3165  
Cory.Mccray@senate.state.md.us

Budget and Taxation Committee  
Capital Budget Subcommittee  
Health and Human Services Subcommittee

THE SENATE OF MARYLAND  
ANNAPOLIS, MARYLAND 21401

**Vote Yes on Senate Bill 364**

**Bill Title: Baltimore City – Civil Claims Against Law Enforcement Officers of an Institution of Higher Education – Prohibition Against Nondisclosure Provision in Settlement Agreement**

**Hearing Date: January 22, 2021 - Baltimore City Senate Delegation**

I write to you today in **support** of Senate Bill 364. For nearly a decade the City of Baltimore has been working to reimagine policing in our City. Recognizing this, the City has taken historic steps to reform the Baltimore City Police Department, including entering a consent decree with the United States Department of Justice. A concern remained, however, regarding the matter of accountability of sworn law enforcement officers who serve our Institutions of Higher Education.

The purpose of this bill is to prohibit the use or enforcement of a confidentiality agreement or nondisclosure provision in a settlement agreement – or any other release of liability between parties in a claim of misconduct against a law enforcement officer serving a higher education institution in Baltimore City.

If enacted, this bill would take effect on October 1, 2021 and, would not have any effect on any agreement that has already been executed before the effective date.

In efforts to ensure that every law enforcement officer in the City of Baltimore has a level of accountability while serving, we hope that you will move for a **favorable** report of Senate Bill 364.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Cory V. McCray".

Cory V. McCray  
State Senator

**SB 364 testimony.pdf**

Uploaded by: Rock-Foster, Charlene

Position: FAV

I am testifying in favor of SB364: Baltimore City – Civil Claims Against Law Enforcement Officers of an Institution of Higher Education – Prohibition Against Nondisclosure Provision 4 in Settlement Agreement

A non-disclosure agreement should not be used as a settlement of misconduct claims against law enforcement officers. There however have been notable cases that this has happened, silencing the voices of those who have been victimized by law enforcement misconduct, such as the families of Tyrone West and Ashley Overby. Although the policy has been removed to prohibit this action with City and State law enforcement agencies, private institutions have exempt from the application of prohibited use of non-disclosure. By having SB364 enacted into law, all law enforcement agencies, whether they city, state, or private, will be under the same policy, allowing for transparency across all entities of law enforcement.

Thank you for introducing this bill. It is my hope, as well as those who were impacted by the past policy of confidentiality/non-disclosure will see this bill become the law in Baltimore City, giving space for more transparency and accountability.

Sincerely,

Charlene Rock-Foster  
Baltimore City Resident