

I am a resident of District 12 and a member of Showing Up for Racial Justice Baltimore

I am testifying in support of bill (HB0120/SB0178) which will reform the Maryland Public Information Act. Police accountability on a local level is impossible without this step.

Currently, police misconduct investigations are considered "personnel records" and thus are not available for request under the Public Information Act. Passage of this policy will change this definition, resulting in an increase in police accountability, by ensuring victims and the media can get the details of how an investigation of complaints of police misconduct was handled. Additionally, it is imperative this legislation includes both sustained and unsustained cases, so citizens can get a full picture of an officer's history.

Police need community oversight. Secrecy undermines community trust in police, at a time when police departments should be mending and improving their relationships with the communities they are sworn to protect. If police departments are investigating officer misconduct thoroughly, there should be nothing to hide.

Reforming the MPIA would allow police departments to consider everyone's privacy — including officers and residents — before releasing any information. Also, it's vital that unsustained complaints are covered, since they comprise the vast majority (90%) of investigations. Investigations that are slow-walked, biased, and half-hearted will be unsustained — that's what communities need the most oversight over.

That full picture of an officer's history also can ensure that police departments across the state make hiring decisions that will be a credit to their department. A Florida study published in the Yale Law Journal found that police officers who are fired tend to get rehired by another agency within three years. Officers who've been fired tend to move to smaller agencies with fewer resources and slightly larger communities of color. When a "wandering officer" gets hired by a new police department, they tend to get fired about twice as often as other officers and are more likely to receive "moral character violations," both in general and for physical and sexual misconduct. ([https://www.washingtonpost.com/politics/2020/06/16/what-happens-when-police-officer-gets-fired-very-often-another-police-agency-hires-them/?utm\\_campaign=wp\\_post\\_most&utm\\_medium=email&utm\\_source=newsletter&wpisrc=nl\\_m\\_ost](https://www.washingtonpost.com/politics/2020/06/16/what-happens-when-police-officer-gets-fired-very-often-another-police-agency-hires-them/?utm_campaign=wp_post_most&utm_medium=email&utm_source=newsletter&wpisrc=nl_m_ost)). This bill will allow police departments to make hiring decisions that will better serve the communities they protect and also will allow them to avoid the costs in potential lawsuits and reputation that can result from hiring blind.

Maryland ranks among the least transparent states with regard to police misconduct complaints. Twenty-nine other states make disclosure of complaint files more accessible to the public.

It is for these reasons that I am encouraging you to vote in support of (HB0120/SB0178) to reform the Maryland Public Information Act.

Sincerely,  
Daryl Yoder  
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