

SB 626 – Law Enforcement Officers -- Use of Force

FAVORABLE

To Chairman Smith, Vice Chair Waldstreicher, and Committee members,

My name is **Eugene Sheppard** and I live in **Frederick**, Maryland. I'm formally submitting my written testimony in support of SB 626 on Use of Force.

As you know, Maryland does not have statutory limits on use of force, and the Supreme Court cases fail to adequately protect the lives and safety of Maryland residents. Instead of merely codifying *Graham* and *Garner* into state law, we must elevate the "objectively reasonable" standard to prohibit officers from using force unless it is **necessary** as a last resort, under the totality of the circumstances, after the officer has exhausted de-escalation and other reasonable alternatives. Although there are other necessary components to a robust use of force statute, failing to change the legal standard will maintain the status quo and let officers remain unaccountable for the harm they cause.

When asked to speak on my experience my dilemma was deciding which instance of police brutality/misconduct I should write about? Should I: -write about the time I was beaten while hand-cuffed? I asked the officer while getting punched and hit with batons, "Why are you doing this to me?" His response was, "Because I hate you!"- do I write about the time I was detained while working security because a woman was robbed and I fit the description? It didn't matter that my parking lot guardhouse was 10 feet away and I was playing with a tennis ball while on the phone. I was only released when my supervisor vouched for me. I was told they will let me slide, but I need to have more respect for the police. - do I write about the time I was pulled over for eating an orange? My brother who was driving asked the officer why we got pulled over. The officer motioned towards me and explained that he saw me rolling up (he imitates rolling marijuana with his hands). Confused for a moment, I then realized that I just peeled an orange. He argued that he saw what he saw but cautiously let us go with a warning and stern advice to respect the police. - do I write about the time I was accused at Whole Foods of stealing a quesadilla and an Honest green tea. \$5 worth of food. I asked the officer for assistance as the Whole Food security had taken my food. I gave him my receipt, he then proceeded to issue me a restraining order and arrested me. He tightened the cuffs to the point that it caused nerve damage. He then refused to return my receipt, but he was unaware that I already had taken a photo of it. He didn't appear at the trial.

In all of these instances of harassment and assault, no one was held accountable and all that I got was the burden of proving my innocence and PTSD.

With an influx of indisputable information highlighting the targeted intimidation, falsified arrest, brutality and fatalities, we can all agree that we do not want these crimes to continue. To achieve this goal we must initiate new ideas into practice. Now is the time for a statewide use of force standard that holds officers accountable when they use unlawful force, and ensures that officers will do everything they need to do in order to preserve human life. I urge a favorable vote on SB 626.

Accountability strengthens communities and strong communities are safer places to live.
And that's all we want to do. Live.

Attentively,
Eugene Sheppard