

January 21, 2021

**Testimony on SB 178**  
**Public Information Act - Personnel Records - Investigations of Law Enforcement Officers**  
**(Anton's Law)**  
**Judicial Proceedings**

**Position: Favorable**

Common Cause Maryland is in support of SB 178 which would remove complaint files of police misconduct from the personnel record category under the Public Information Act (PIA), allowing for the disclosure of records covering the investigations of these complaints.

The PIA is an essential tool for public oversight of our state, county, and local governments. It allows Marylanders greater transparency into the workings of our officials, gives us access to data collected with public dollars, and helps ensure a level of transparency vital to a healthy democracy.

The foundation of the PIA is the presumption of disclosure. Unless a disclosure is explicitly disallowed by law, a custodian of public information must disclose that information to any person who requests it. Currently, disclosure of information on how or if complaints of police misconduct are investigated is disallowed because these records are categorized as personnel records which is exempt under the PIA.

SB 178 seeks to address this lack of transparency by removing records of investigations into complaints of police misconduct from under the personnel records category to allow for disclosure under the PIA, while still providing custodians with some discretion to withhold these records in certain instances.

As a state, we must work to repair the relationship between police and residents which is so incredibly strained. SB 178 is a step in that direction – helping to ensure public awareness over issues that are occurring in Maryland communities. This increased transparency will provide an additional and vital layer of accountability to police actions in the state which will help to foster trust with Marylanders.

We urge a favorable report.