

SENATE VERSION

**Testimony for the Senate Judicial Proceedings Committee
February 4, 2021**

SB 626 – Law Enforcement Officers -- Use of Force

FAVORABLE

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

My name is **Tracy Shand** and I live in **Montgomery County**, 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.

My brother Leonard Shand a black man was killed on September 26, 2019, at the intersection of Belcrest and Toledo Road, Hyattsville MD. My brother was killed by the Prince Georges County, Hyattsville, and Mount Rainer Police Officers without justification. The officers created a dangerous situation by throwing an unauthorized flash bang grenade, within sec after firing a bean bags at Leonard, and when he reacted by moving away from the blast, they shot him over 44 times. Then create a false narrative stating that he was in the process of attacking an officer. Prior to engaging in a prolonged pattern of physical violence against Mr. Shand, that includes kicking him and trying to hit him with a car. At no time did the officers seek assistance from the Medical Unit, Crisis Center, or any intervention resources unit that specialize in mental illness.

These officers used excessive force in continuously escalating a situation that could have deescalated by calling any form of a medical unit, talking Mr. Shand down, and employing dangerous measures like flash bangs when the situation did not call for it. The use of the flash bang was excessive force when Mr. Shand did not pose an imminent threat to anyone at the time it was used. Once used, Mr. Shand reacted by moving away from it, and was shot to death under circumstances where he did not pose a threat of harming anyone. These officers were protected by the Law Enforcement Bill of Rights, and they were not charged with any of the crimes they committed or received any form of discipline.

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.

Attentively,
Tracy Shand