

SUPPORT HB 139 - POLICE USE-OF-FORCE BILL

MARYLAND ALLIANCE FOR JUSTICE REFORM
Working to end unnecessary incarceration and build strong, safe communities



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Unlike HB 139 / SB 626, other 2021 bills make general reference to restricting “use of force” and leave its implementation to police authorities. This continued trust for police to police themselves likely would result in little change to our current inadequate police oversight system. While Maryland’s Police Training and Standards Commission includes a small number of civilians, its large majority of members and leadership by career police officers ensures that oversight is substantially insulated from recurring civilian concerns.

Current police policies – effectively permitting overuse of deadly force, racial profiling, “broken windows” policing, etc.-- aren’t written into our statutes. They currently consist of a patchwork of local and state guidelines, police academy training, department policies and customs adopted over the years with minimal public input. See, e.g., Amnesty International – “Survey of Police Use of Deadly Force around the U.S.,” June 2015.

Only HB 139 / SB 626 among 2021 bills wisely offer explicit, bright-line guidance to police authorities: -“Lethal force” clearly is defined to include firearms discharges, taser use, chokeholds, and knee-drops directed at citizens.

-“De-escalation” and “reasonable alternatives,” with specific listed examples, are included.

-“Imminent threat” is given an objective standard, rather than one based primarily on an officer’s fears.

Legislators should realize that, currently, police academies train future officers to become continuously hypervigilant for possible concealed weapons and, if a possible threat is perceived, to quickly discharge their semiautomatic firearms into the “center mass” of a citizen’s chest “until the threat is terminated.” See, e.g., CNN article, “Why do police shoot to kill?” Or, ask any Maryland police officer and, more or less, they probably will confirm this. Repeated viewing of ambush and concealed weapon videos may condition officers-in-training to expect lethal assaults against them at any moment. See “Are police taught to pull the trigger too fast?”-NPR 7/15/16.

This is why more specific statutory provision are needed: Current, fear-based policing tactics with insufficient legislative oversight have led to the all-too-often, recurring, tragic and unnecessary killing of civilians. Around the U.S., there are many hundreds of reported killings of citizens by U.S. police officers each year with African Americans more than twice as likely to be killed in this manner than whites. See Washington Post, annual compilations of police killing of civilians.

For all these reasons, Maryland Alliance for Justice Reform strongly urges adoption of HB 139 / SB 626.

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Please note: This testimony is offered for Md. Alliance for Justice Reform (www.ma4jr.org), not for the Md. Judiciary.