

Testimony for the Senate Judicial Proceedings Committee

March 25, 2021

SB626 – Law Enforcement Officers -- Use of Force

FAVORABLE WITH AMENDMENTS TO MATCH HOUSE BILL

To Chairman Clippinger, Vice Chair Atterbeary, and Committee members,

My name is David Atkinson and I live in Silver Spring, Maryland. I'm formally submitting my written testimony in support of SB 626 on Use of Force with amended language to match the House Bill on Use of Force.

I am a part of Young People for Progress. YPP is a community organizing and social justice organization of young people, aged under 35, currently in Montgomery County, MD that strives to create power among youth and young adults through engaging in issue campaigns and voter education campaigns. I am also a volunteer member of Montgomery County, MD's ACLU.

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.

I grew up in Montgomery County, MD. I still live here. This is my normal, my reference point. Growing up black in this county, I received a few talks from my parents about how to manage officers' fears of me. I knew this was not how things were supposed to be. I have had to put that in to practice at times, but thankfully I am still here. What alarmed me was learning of police killings in this state which have not resulted in trials and convictions of officers. It made me feel less safe in this county.

When families talk to their children about police use of force, they should be able to have a reasonable guideline to do this from. Instead, we are forced to scrap together instances of how police actually *have* acted, rightly or wrongly, and help our families (especially youth) cope with police aggression based on those instances.

A reasonable, accountable use of force policy (which officers are trained to abide by and are punished for disobeying) will help bring transparency and ease to those who suffer under unjust officers' boots.

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 with amendments to match the House Bill.

Sincerely,

David Atkinson

<https://www.ypforprogress.org/demands>

<https://www.aclu-md.org/en/campaigns/now-time-impactful-police-reforms-maryland>