



Testimony for the Senate Judicial Proceedings Committee
February 9, 2021

HB 139 – Law Enforcement Officers -- Use of Force

FAVORABLE

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

Quaker Voice of Maryland submits this written testimony in support of HB 139 on Use of Force. Quaker Voice of Maryland was formed by Quaker Meetings throughout the State of Maryland to give Maryland Quakers a more effective voice in state-level issues that speak to our values. Our faith as Quakers includes the commitment to build a more peaceful and equitable society through legislation and policies that affect human dignity, well-being and non-violence.

As you know, Maryland is one of only nine states that does not have statutory limits on how law enforcement officers can use force. We need a statewide bill that states clearly how officers can better protect Maryland residents from unnecessary and excessive force. Police violence and excessive force disproportionately impacts Black and Brown Marylanders. Our law must change the legal standard for officers' behavior, so they respond to situations in ways that protect human life. As we see tragically and repeatedly, the Supreme Court case law fails to adequately protect the lives and safety of Maryland residents.

- Now is the time to set the legal standard higher. Instead of simply codifying *Graham* and *Garner* into Maryland law, you must limit allowable use of force as this bill does.
- It is necessary to 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 tactical alternatives.

Failing to change the legal standard will maintain the status quo and let officers remain unaccountable for the harm they cause.

HB 139 also includes these equally important provisions to ensure that officers will do everything they need to do in order to preserve human life. Key features of the bill we support include:

- The clear definition of "lethal force" to include tactics like chokeholds, strikes to the head and neck, multiple discharges of a taser, and other dangerous acts that put lives at risk, in addition to discharge of a firearm.
- Specifying de-escalation techniques that must be used prior to the use of force.
- Rejecting a subjective standard on perceived "imminent threat" of harm.
- Including the officer's behavior as a possible contributor to the perceived need for force.

Quaker Voice of Maryland urges your favorable vote on HB 139.

In Light,

Molly Finch
Clerk, Quaker Voice of Maryland