

Testimony in FAVOR of SB 777, With Sponsor Amendments
Robert Landau, on Behalf of Silver Spring Justice Coalition
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My name is Robert Landau. I am testifying on behalf of the Silver Spring Justice Coalition in favor of SB 777, with an amendment requiring all fees to be waived if in the public interest. SSJC is a coalition of community members, faith groups, and civil and human rights organizations from throughout Montgomery County. We envision a state and county where community and individual needs for safety are met while harm by police is eliminated.

Because of Anton's Law, we filed MPIA requests with three law enforcement agencies for the files of officers who killed or harmed members of our community in the past several years; we wanted to understand their history and the consequences they faced for the harms they caused. Because we are a volunteer organization with no budget, for each request we filled a fee waiver.

While the Gaithersburg City Police and the Montgomery County Sheriff's Department waived the fees without telling us what they would have been, the Montgomery County Police Department sent us a bill for over \$85,000 for the records of only five officers!

We were ultimately able to negotiate a resolution in which we agreed to receive a smaller number of records in exchange for waiving the fees, but this process has taken 5 months. This delay was exacerbated by a deeply problematic 10-day notice and waiting period that MCPD negotiated with our local police union - they now have to give an officer 10 days notice before releasing any records!

From these disclosures we learned, among other things, that two of the Gaithersburg City plainclothes police officers who killed Kwamena Ocran last year had been disciplined for a different abusive behavior incident, also while in plainclothes, just 18 months earlier. We learned that the officers who killed Robert White, Finan Berhe, and Kevin Costlow, three men who were killed by police when they were having mental health crises, and whose deaths could have been avoided by proper de-escalation, received no discipline at all. Finally, we learned that the two officers who verbally abused a 5-year old child, to the horror of all of us who watched it on body cam video, received extremely short suspensions and no reported corrective training.

It is in the public interest for the community to have this information, we cannot have it if all fees are not waived. We urge a favorable report, with amendment.