



THE LEAGUE OF WOMEN VOTERS OF MARYLAND, INC.

TESTIMONY TO THE SENATE COMMITTEE ON JUDICIAL PROCEEDINGS

SB 362 – PUBLIC INFORMATION ACT – RECORDS RELATING TO ALLEGED JOB RELATED MISCONDUCT BY LAW ENFORCEMENT OFFICERS

POSITION: SUPPORT

BY: BARBARA SCHNACKENBERG AND NANCY SORENG, CO-PRESIDENTS

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The League of Women Voters of the United States believes that democratic government depends upon informed and active participation in government and requires that governmental bodies protect the citizen's right to know by giving adequate notice of proposed actions, holding open meetings and making public records accessible. This accessibility includes avoiding the inaccurate classification as "personnel records" of certain records relating to a complaint of job-related misconduct against a public employee in order to avoid allowing an individual to know the outcome of his or her complaint against the public employee.

This legislation seeks to provide citizens with the right to learn whether a disciplinary action has been taken against a police officer as a result of a formal complaint filed by a citizen about the officer's conduct in a routine situation. While the courts have granted police officers great latitude with respect to their conduct in hazardous situations, a similar shield for police officers in routine interactions with a citizen during a telephone call deserves no such special consideration.

All public employees are required to respond to the public in a courteous manner, even in the face of discourteous conduct on the part of members of the public. This requirement is a routine part of training for any public employee who interacts with the public. Surely police officers should be held to similar training requirements and the public deserves to learn of any disciplinary action taken against a police officer for using a racial slur or similar discourteous behavior as would be taken against any public employee similarly situated.

We urge the committee to issue a favorable report on this legislation.