



Roberto Martinez
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On Behalf of the Silver Spring Justice Coalition

**Bill 18-21 - Internal Affairs - Procedures and Reporting Requirements - Testimony in
Opposition Unless Amended**

My name is Roberto Martinez and I am a criminal defense attorney in this County. I am testifying on behalf of the Silver Spring Justice Coalition; 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 police harm is eliminated.

Body-worn cameras recorded officers killing Robert White and Finan Berhe, as well as officers terrorizing a 5 year old child; yet all of these officers remain on active duty. I know from my work that months after killing Mr. White, Officer Badgujar abused and illegally arrested another County resident. The case was dismissed, but Officer Badgujar is still on active duty. These cases illustrate that reviews of body worn camera footage have little impact, and we do not believe that will change with this bill, especially not in its current form.

For this reason, SSJC opposes Bill 18-21 unless it includes a number of amendments to increase transparency and accountability, such as:

- All reviews of body worn camera recordings must be conducted by the Internal Affairs Division and random reviews must have parameters beyond the word “random,” such as, a specific percent of recordings, taking place with a specified frequency, and in a specific period of time;
- Require additional random reviews of recordings of officers with prior misconduct complaints;
- Require review by IAD of the recordings of *any* alleged incident that forms the basis for *any* misconduct complaint;
- Create a mechanism for releasing body-worn camera recordings to the public; the Office of Legislative Oversight made a similar recommendation in its Racial Equity and Social Justice Impact Statement;

- The body-worn camera requirement must be consistent with the recently enacted State law and it should specify that cameras must be used by plain clothes and undercover officers;
- All information that is provided to the County Executive, County Council, and State's Attorney under the bill should also be published on a public dashboard, to the extent permitted by law; and
- The Bill's provisions cannot be subject to collective bargaining.

Only if this bill is strengthened to include far greater transparency and accountability will it have any chance of actually decreasing harm by police.