

Jews United for Justice (JUFJ)

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Silver Spring, MD

www.jufj.org

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FOR JUSTICE**

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**Testimony in Support with Amendments of Bill 19-21
Reports on Settlement Agreements
Public Hearing June 22, 2021 - 1:30 pm**

Dear Montgomery County Councilmembers:

My name is Melissa Coretz Goemann and I am offering this testimony **in support of Bill 19-21 with amendments**, regarding Reports on Settlement Agreements, on behalf of Jews United for Justice (JUFJ). JUFJ represents over 2,700 Jews and allies from across Montgomery County who, based on our shared values, work to advance economic and social justice and racial equity in our local community. I am a resident of Silver Spring and have worked on juvenile justice and civil rights issues for over 15 years, currently as the Senior Policy Counsel for the National Juvenile Justice Network.

When police power is unchecked, it can lead to abuses that result in tragic consequences for community members. In Montgomery County, we have witnessed the deaths of community members at the hands of police, including Finan Berhe and Robert White, and disturbing incidents of people of color being treated disrespectfully by the police and even assaulted, as in the case of Officer Kevin Moris, who was convicted of assault for kneeling a 19-year-old suspect in the neck while restrained. The most egregious cases of police misconduct often come to light through local media, but without public reporting of the settlement agreements that the County makes in police cases, many harmful incidents will remain hidden from the public.

Last week we read the Torah portion *Chukat*, where G-d tells Moses to order a rock to bring forth water to address the community's desperate need for water. Rather than speaking to the rock, Moses strikes the rock. The rock brought forth water, but Moses's decision to strike rather than speak had long term consequences. As you all know, when we seek to meet the desperate needs of our community, the details matter as much - or even more - than the intent. That is why we support Bill 19-21, but with the suggested amendments below to strengthen the bill:

(1) Require the County Attorney to notify the County Executive and the County Council within twenty-four hours when a legal claim is filed against the County based on allegations of wrongdoing by a member of any police department in the County.

(2) Require the County Attorney to publish on the County website information on all legal claims filed against the County based on allegations of wrongdoing by a member of a police department. This publicly accessible information should go back for at least the past five years and should be regularly updated with information regarding pending litigation, at all stages.

(3) This bill should be amended to clarify that the County will abide by recent judicial precedent prohibiting police misconduct settlements from including non-disclosure agreements.

(4) Adopt the recommended amendment in the Office of Legislative Oversight's Racial Equity and Social Justice (RESJ) statement to require the settlement reports include demographic data on settlement claimants and County employees accused of misconduct that result in settlements. Additional recommended data points for the County's annual settlement reports include race, ethnicity, gender, and age data for claimants and accused employees. This will help the Executive, Council, and the public to determine whether racial and social inequities contribute to the County's settlement agreements.

The goal with amendment number two is to create a place on the County website where residents can easily find information regarding lawsuits filed against the County for police misconduct and track the progress of those lawsuits. Links to relevant court documents should be included as well.

The fourth amendment, in particular, would lay the foundation for the bill to have a favorable impact on racial equity and social justice in the County, as laid out in the OLO's RESJ statement.

We support Bill 19-21 as an important step towards more transparency in the handling of police misconduct claims and urge you to support it with the suggested amendments.

Respectfully submitted,

Melissa Coretz Goemann, on behalf of Jews United for Justice