

MEDCHI, THE MARYLAND STATE MEDICAL SOCIETY
HOUSE OF DELEGATES

Resolution 14-20

INTRODUCED BY: Montgomery County Medical Society

SUBJECT: Police Misconduct Database in Maryland and in U.S.

1 Whereas, the Federal Bureau of Investigations undercounts fatal police shootings by half because
2 reporting by police departments is voluntary and many fail to do so; and
3
4 Whereas, analysis of 5 years of data revealed that the number and circumstances of fatal
5 shootings and the overall demographics of the victims have remained relatively constant,
6 approximately 1000 people; and
7
8 Whereas, a study released in April 2016 demonstrated that the names of 1 in 5 officers who have
9 committed fatal shootings go undisclosed; and
10
11 Whereas, officials with the Justice Department keep no comprehensive database or record of
12 police shootings, instead allowing the nation's more than 17,000 law enforcement agencies to
13 self-report officer-involved shootings as part of the FBI's annual data on "justifiable homicides"
14 by law enforcement resulting in only 750 law enforcement agencies provided self-reported
15 information; and
16
17 Whereas, the Department of Justice Bureau of Justice Statistics stopped releasing this self-
18 reported information in 2009 because the data was deemed to be widely unreliable; and
19
20 Whereas, the public has demanded more accountability and transparency from police because
21 knowing an officer's name may reveal whether that officer has been involved in prior shootings
22 or has been sued over the use of force; and
23
24 Whereas, in 2017, approximately 1,147 people were killed by police and 92% were killed by
25 police shootings, with tasers, physical force and police vehicles accounting for most other
26 deaths; and
27
28 Whereas, officers were charged with a crime on only 13 of these cases, one percent of all killings
29 by police; of the 569 cases where an officer could be identified at least 48 had shot or killed
30 someone before, 12 had performed multiple prior shootings, and 578 officers were not reported
31 and unable to be identified; and
32
33 Whereas, most killings (640) occurred where police responded to suspected nonviolent offenses
34 or where no crime was reported; 89 people were killed after police stopped them for a traffic
35 violation, and 149 people killed were unarmed; and
36

37 Whereas, most unarmed people killed by police were and are people of color; and
38
39 Whereas, Black people are more likely to be killed by police, more likely to be unarmed and less
40 likely to be threatening someone when killed; and
41
42 Whereas, in the 2017 reviewed reports 170 people killed by the police were allegedly armed with
43 a knife and in 69% of these cases police did not attempt another type of de-escalation or force
44 before killing them; and
45
46 Whereas, police spend seven times as many hours training to shoot (58 hours) vs. training to de-
47 escalate situations (8 hours); and
48
49 Whereas, police brutality in communities, especially those of color, serve to increase fear of the
50 police, hesitation to call them when needed and the incidence of PTSD after multiple interactions
51 with unfit officers; and
52
53 Whereas, new research from October 2019 looks into the impact repeated police stops have on
54 the mental health of youth noting that youth experiencing intrusive police stops are at risk of
55 heightened emotional distress including emotional trauma and post-traumatic stress; and
56
57 Whereas, mental health is already underdiagnosed and undertreated in the United States and
58 considered a public health crisis; and
59
60 Whereas, review of the available literature demonstrates that if a police officer commits an
61 infraction and is released based on that error (brutality, killing, harassment) that officer may be
62 rehired elsewhere without prior knowledge of the officer's history by the department or
63 community in which they are hired to serve being available; and
64
65 Whereas, the untreated negative behavior of brutalizing officers is carried to new positions with
66 the ability to continue the negative behavior causing continued emotional distress and or death in
67 new communities without information being available to those of that community; and
68
69 Whereas, police officers are trained to wield a weapon that can be used to invoke death, the
70 ultimate negative public health outcome, and are in a field where they must make decisions
71 similar to that of a physician in how to exercise this responsibility; therefore be it
72
73 Resolved, because untoward police actions causing loss of life or physical and/or mental injury is
74 a public health crisis, that MedChi support legislation which would create a searchable database
75 of misconduct committed by law enforcement employees in Maryland who caused bodily and/or
76 mental harm to individuals whether intentional or accidental; and be it further
77
78 Resolved, that MedChi's AMA delegation submit a resolution to the AMA no later than the
79 AMA's Annual Meeting, 2021, which directs the AMA to encourage the U.S. Attorney General
80 to make the police misconduct database which was initiated by Executive Order of the President
81 of the United States in June, 2020 to be transparent and searchable by individual POLICE

82 OFFICER NAME by MEMBERS OF the public instead of only reporting the information
83 contained in the database in aggregate as it presently exists; and be it further
84

85 Resolved, that MedChi's AMA delegation request the AMA to evaluate whether the database of
86 police misconduct which was initiated by Executive Order of the President of the United States
87 in June, 2020 be better established by Congressional action to ensure it has the appropriate
88 commitment of resources for implementation and continued operation, and if their finding is that
89 Congressional action is best to implement the police misconduct database, to support legislation
90 which ensures the implementation of a transparent index searchable by individual.
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93 Fiscal Note: Included in existing legislative advocacy and AMA delegation budgets.
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95 **References:**

- 96 Dylan B. Jackson, Chantal Fahmy, Michael G. Vaughn, Alexander Testa. Police Stops Among At-Risk Youth:
97 Repercussions for Mental Health. *Journal of Adolescent Health*, 2019; DOI: [10.1016/j.jadohealth.2019.05.027](https://doi.org/10.1016/j.jadohealth.2019.05.027)
98 University of Texas at San Antonio. "Impact of police stops on youth's mental health." ScienceDaily. ScienceDaily,
99 9 October 2019. www.sciencedaily.com/releases/2019/10/191009075125.htm
100 Saleh AZ, Appelbaum PS, Liu X, Scott Stroup T, Wall M. Deaths of people with mental illness during interactions
101 with law enforcement. *Int J Law Psychiatry*. 2018;58:110–116.
102 Mesic A, Franklin L, Cansever A, et al. The relationship between structural racism and Black–White disparities in
103 fatal police shootings at the state level. *J Natl Med Assoc*. 2018;110(2):106–116.
104 Conner A, Azrael D, Lyons V, Barber C, Miller M. Validating the National Violent Death Reporting System as a
105 Source of Data on Fatal Shootings of Civilians by Law Enforcement Officers *AJPH* April 2019;109(4):578-584.
106 Williams HE, Bowman SW, Jung JT. The limitations of government databases for analyzing fatal officer involved
107 shootings in the United States. *Crim Justice Policy Rev*. 2016;30(2):201–222.
108 Tate J, Jenkins J, Rich S, et al. How the Washington Post is examining police shootings in the United States.
109 Washington Post. July 7, 2016. Available at: https://www.washingtonpost.com/national/how-the-washington-post-is-examining-police-shootings-in-the-united-states/2016/07/07/d9c52238-43ad-11e6-8856-f26de2537a9d_story.html. Accessed October 1, 2020.
110
111 2017 Police Violence Report. Available at <https://policeviolencereport.org/>. Accessed October 2, 2020.
112 Tate J, Jenkins J, Rich S, et al. The Washington Post Fatal Police Shootings Database 2015-2020. Available at
113 <https://www.washingtonpost.com/graphics/investigations/police-shootings-database/>. Accessed October 1, 2020.
114 Mapping Police Violence Available at <https://mappingpoliceviolence.org/>. Accessed October 2, 2020
115 Sullivan J, Hawkins D, McCormick K, Balcerzak A. In Fatal Shootings by Police, 1 in 5 Officers' Names Go
116 Undisclosed. Washington Post. April 1, 2016. Available at: https://www.washingtonpost.com/investigations/in-fatal-shootings-by-police-1-in-5-officers-names-go-undisclosed/2016/03/31/4bb08bc8-ea10-11e5-b0fd-073d5930a7b7_story.html. Accessed October 2, 2020.
117
118 Lowery W. How Many Police Shootings a Year? No One Knows. Washington Post. September 8, 2014. Available
119 at: <https://www.washingtonpost.com/news/post-nation/wp/2014/09/08/how-many-police-shootings-a-year-no-one-knows/>. Accessed October 2, 2020
120
121 Legewie J. Racial Profiling and Use of Force in Police Stops: How Local Events Trigger Periods of Increased
122 Discrimination. *American Journal of Sociology*, 2016; 122 (2): 379 DOI: [10.1086/687518](https://doi.org/10.1086/687518)
123 Yale University. "Violence against police officers can trigger increased discrimination in police stops."
124 ScienceDaily. ScienceDaily, 23 September 2016. www.sciencedaily.com/releases/2016/09/160923121056.htm.
125 Stanford School of Engineering. "Police stop fewer black drivers at night when a 'veil of darkness' obscures their
126 race: Study also finds that when drivers were pulled over, officers searched the cars of blacks and Hispanics more
127 often than whites." ScienceDaily. ScienceDaily, 7 May 2020.
128 www.sciencedaily.com/releases/2020/05/200507094621.htm.
129
130 Emma Pierson, Camelia Simoiu, Jan Overgoor, Sam Corbett-Davies, Daniel Jenson, Amy Shoemaker, Vignesh
131 Ramachandran, Phoebe Barghouty, Cheryl Phillips, Ravi Shroff, Sharad Goel. A large-scale analysis of racial
132 disparities in police stops across the United States. *Nature Human Behaviour*, 2020; DOI: [10.1038/s41562-020-0858-1](https://doi.org/10.1038/s41562-020-0858-1)
133
134

135 University of Nevada, Las Vegas (UNLV). "Police body-worn cameras reduce reports of misconduct, use of force."
136 ScienceDaily. ScienceDaily, 29 November 2017. <www.sciencedaily.com/releases/2017/11/171129091431.htm
137 University of Nevada, Las Vegas (UNLV). "Police body-worn cameras reduce reports of misconduct, use of force."
138 ScienceDaily. ScienceDaily, 29 November 2017. <www.sciencedaily.com/releases/2017/11/171129091431.htm>.
139 Cris E. Hughes, Carla D. Hunter, Patrick T. Vargas, Michael D. Schlosser, Ripan S. Malhi. Police Endorse Color-
140 Blind Racial Beliefs More Than Laypersons. *Race and Social Problems*, 2016; 8 (2): 160 DOI: [10.1007/s12552-016-](https://doi.org/10.1007/s12552-016-9170-0)
141 [9170-0](https://doi.org/10.1007/s12552-016-9170-0)
142 University of Illinois at Urbana-Champaign. "Police more likely than others to say they are blind to racial
143 differences, study finds." ScienceDaily. ScienceDaily, 16 May 2016.
144 <www.sciencedaily.com/releases/2016/05/160516115445.htm>.