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June 21, 2021

Mayor Rick Meehan
301 N. Baltimore Avenue
Ocean City, MD 21842
via email: rmeehan@oceancitymd.gov

Chief Ross C. Buzzuro
Ocean City Police Department
301 N. Baltimore Avenue
Ocean City, MD 21842
via email: rbuzzuro@oceancitymd.gov

Dear Mayor Meehan and Chief Buzzuro,

The Office of the Public Defender joins in the public outcry related to the recent viral video that depicts members of the Ocean City Police Department using excessive force against visiting youth based on a minor ordinance violation. In addition to the investigations of this incident that are underway and related measures being called for by community groups, I urge you to take meaningful steps to improve transparency and accountability measures beyond this incident. Specifically, the Ocean City Police Department should obtain body worn cameras (BWCs) and adopt and implement a BWC policy as soon as possible.

The video of Ocean City police officers tasing, kneeling, and restraining Black youth for purportedly violating a smoking ordinance is disturbing, but sadly not isolated. My office regularly represents individuals who are stopped for minor violations that result in escalated incidents due to police conduct. What is unique about this interaction is that a private citizen was brave enough to record the mistreatment and to publicize the video. It has brought Ocean City into the center of the national debate about policing and race relations, and is bringing rightful scrutiny to how our law enforcement officers treat tourists and residents.

Oversight and accountability of police conduct should not require recordings by private citizens or be limited to incidents where a member of the public provides such documentation. Body worn cameras have become standard-issue equipment in law enforcement agencies across Maryland and throughout our country. BWCs serve a valuable role, not just in promoting transparency and accountability, but in recording evidence, promoting professionalism, and documenting officer performance and interactions with the public. A swift effort to utilize BWCs would promote Ocean City police community relations and show the tourism industry that we prioritize the safety and dignity of our visitors, and will take meaningful action when it appears threatened.

Pursuant to recently passed SB 71 (2021 Ch. 60), all law enforcement entities in Maryland, including the Ocean City Police Department, will be required to establish and implement a policy requiring the use of body worn cameras by July 2025. This provision of the bill is in accordance with established best practices and was supported by the state's law enforcement entities. See Testimony of the Maryland Chiefs of Police Association and the Maryland Sheriffs' Association dated January 21, 2021, online

at https://mgaleg.maryland.gov/cmte_testimony/2021/ent/1ewDOJdfSNCfcan5aIRAdj5VgXv7bVNCE.pdf (“MCPA and MSA fully supports requiring body cameras for all law enforcement agencies within a reasonable timeframe and agrees policies should be put in place for their use.”). There is no need for Ocean City to wait until 2025 to implement this urgently needed measure.

Many jurisdictions throughout Maryland have established policies and practices that the Ocean City Police Department could rely upon. Examples that could serve as models include the Salisbury Police Department policy and the Baltimore Police Department policy, the latter of which was developed pursuant to their consent decree and has been vetted by the Department of Justice and a federal judge. Important provisions include:

- Issuance of a functioning BWC for all public-facing officers, and especially patrol officers;
- Training on BWC operation and maintenance;
- Mandatory recording except when it is unsafe, impossible, or impractical to do so;
- Maintenance of BWCs;
- Preservation of BWC evidence, and inclusion in reporting;
- Documentation of interactions without video, which explain why the BWC was not deployed;
- Supervision and review of BWC data;
- Security, retention, and disclosure of BWC data.

My agency has attorneys throughout the state who have knowledge and experience with the implementation of these policies and we would be happy to provide technical assistance and collaborate with the Ocean City Police Department and Worcester State’s Attorney’s Office on establishing an effective and reasonable approach.

Youth, tourists, and Black and Brown individuals generally should all feel welcome on the Ocean City boardwalk without fear of police escalation and excessive force. Now is the time for decisive action, not just to address what happened last week, but to bring our police department up to the quality and standards of national best practices. The implementation of a BWC policy would be a significant step forward in improving police accountability and placing Ocean City at the forefront of SB71’s implementation.

Thank you for your consideration.

Sincerely,



Chastity Simpson
District Public Defender

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