

Dear Chairman Clippinger and Members of the Judiciary Committee:

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of individuals working to move white folks as part of a multi-racial movement for equity and racial justice in Baltimore City, Baltimore County, and Howard County. We are also working in collaboration with the Campaign for Justice, Safety, and Jobs and the Maryland Coalition for Police Justice and Accountability. I am a resident of District 44A. **I am testifying in support of HB533.**



Showing Up for Racial Justice

In 2021, the General Assembly overwhelmingly passed HB640, which created a new system of reporting, adjudicating, and recommending discipline in police misconduct complaints. Each county was directed to form its own police accountability board (PAB), to receive complaints from the public and refer them to a charging committee which would decide whether to pursue a disciplinary hearing. Many details about the PABs were left to the discretion of each county, which unfortunately caused some confusion among county lawmakers. One major question left open by HB640 is whether a county may empower a PAB to conduct its own investigations of police misconduct or has the power to subpoena evidence. HB533 would amend the law to clarify that counties may invest the PAB with investigatory powers.

The major rationale for reform of the police accountability system is that allowing the police to investigate and prosecute their own misconduct has not been effective. PABs' purpose is to ensure that complaints of misconduct are examined fairly and transparently by an independent and impartial party. Yet, can the PAB and its administrative charging committee be truly independent if all its information is provided by the police department whose members are being investigated? We believe not. This body has previously agreed on the importance, as seen in research and best practices, of independent investigation: in creating Baltimore's Civilian Review Board, the legislature granted that body the ability to gather evidence in pursuit of its mission.

One of the problems cited by the largest in-depth investigation of the Gun Trace Task Force scandal was Internal Affairs' failure- for various reasons- to conduct adequate investigations into misconduct allegations; a systemic failure that the investigation found actually contributed to the culture of corruption in the department.¹ If a PAB has no power to investigate further, the police department can thwart its work by failing to conduct a thorough investigation. A PAB with investigatory powers can be a powerful tool in the arsenal of counties struggling to establish a good police accountability system. Please ensure that the counties have the ability to utilize that tool.

It is for these reasons that I am encouraging you to vote **in support of HB533.**

Thank you for your time, service, and consideration.

Sincerely,
Daryl Yoder
309 Glenmore Ave., Catonsville, MD 21228
Showing Up for Racial Justice Baltimore

¹ The Steptoe report, pages 479-482. Accessed at <https://www.steptoe.com/a/web/219380/3ZF1Gi/gttf-report.pdf> on 2/16/24.