

Dear Members of the Judiciary Committee,

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of white folks working as part of a multi-racial movement for equity and racial justice in Baltimore City and Baltimore County. We are also working in collaboration with the Campaign for Justice, Safety, and Jobs. I am a resident of MD District **11**. I am testifying in **support of Senate Bill 627 with amendments**.



Senate Bill 627 would replace the Law Enforcement Officers' Bill of Rights (LEOBR), a law that makes it more difficult to investigate and discipline police misconduct in Maryland with a new investigatory and disciplinary process that mimics many of the worst elements of the current law.

While we appreciate that a thorough discussions around repealing LEOBR has been held, we feel this bill pays lip service to LEOBR repeal while ignoring the material meaning behind it: community control of police disciplinary processes. As written, this bill denies local jurisdictions the right and agency to adjudicate and determine discipline for cases of police misconduct. We are severely disappointed in amendments to SB 627 that removed authorization for local jurisdictions to adopt their own laws or ordinances allowing for independent oversight of police disciplinary matters.

While critiquing the particulars of this bill's hearing board process is not the most important part of this testimony, its flaws are proof that each jurisdiction should determine this process themselves. The most obvious failing of Senate Bill 627 is that there is no check on an overly lenient police chief as designed, with hearing boards only existing for appealing a chief decision at an officer's request and hearing boards composed of three individuals assigned by the police chief with two unpaid civilians and one officer. As designed, the most likely candidate for these "civilian" spots are just retired police officers, who don't even have to live in the jurisdiction of the police force they are adjudicating. This is especially true in Baltimore where the people who suffer most from unaccountable policing don't have money or time to serve as unpaid volunteers on boards that require significant unpaid training. Maybe this model of police discipline might work in mostly white and affluent parts of Maryland, but it wouldn't work in Baltimore City. Thus, a one-size-fits-all model of police disciplinary processes will likely not address the unique needs of each jurisdiction as it relates to oversight of their police. Only enabling legislation that gives flexibility for each jurisdiction can fix ensure this happens.

It is for these reasons that I am encouraging you to vote **in support of Senate Bill 627 with amendments to return the provision that enables local communities to adopt their own laws or ordinances allowing for independent oversight of police disciplinary matters**.

Thank you for your time, service, and consideration.

Sincerely,

Benjamin Fertig

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Showing Up for Racial Justice Baltimore