



Written Testimony in Support of HB 152, The Public Advocate Act of 2022

Pete Davis

Director, Democracy Policy Network

January 21, 2022

Though politicians may disagree on *what* the government should set out to do, most everybody agrees that we should aim for the government to *perform well* at what it sets out to do. We all want government to be constantly improving—to work to be as accountable, transparent, accessible, competent, fair, efficient, and modern as possible.

However, when our leaders profess these abstract goals, they rarely pair them with a concrete mechanism for improving government performance. They expect that government functioning will improve simply by leaders insisting it should. It's no surprise that this strategy does not work—and that leaders who profess to “modernize” or “clean up” the government often fail to do so.

What a publicly-elected, state-wide public advocate office does is actually build a concrete mechanism for constantly improving the government. Such an office would be tasked with and empowered for:

- 1) watchdogging the state government in the spirit of the public interest;
- 2) receiving, responding, and acting on citizen complaints about state government;
- 3) facilitating democratic engagement in state government; and
- 4) advocating for constructive, systemic solutions to patterns seen in citizen complaints.

There are various design elements of a public advocate office that are worth spotlighting:

- 1) **Public accountability:** By being publicly elected rather than appointed, a public advocate office is accountable to the people of Maryland, rather than to the current administration. This means it has the distance from the current government leadership that is necessary to watchdog state government and propose improvements.
- 2) **Long-term outlook:** A public advocate office is unburdened from the day-to-day work of managing the government. Therefore it has the unique ability to take the long view, focusing on both: (1) long-term improvement projects for government functioning; and (2) the ‘long tail’ of miscellaneous governance problems that do not rise to the level of acute emergency but nevertheless, taken together, hamper the functioning of government.
- 3) **Direct access to citizen complaints:** The public advocate office would be a one-stop-shop for citizen complaints about the practical realities of government functioning: bureaucratic misconduct, long lines to update drivers licenses, unnecessarily



labyrinthine processes to receive benefits, and more. This means the office will be best positioned to propose systemic solutions to patterns seen in citizen complaints.

- 4) **Citizen engagement innovator:** Since the public advocate will be the chief liaison between citizens and the state government, they will have the explicit mandate to innovate on forms of citizen engagement with state government. There is a consensus among political scientists: *the more engaged a citizenry is, the better that citizenry's government performs*. It's past due to establish an empowered office within state government to raise the level of citizen engagement in government.

New York City has benefited immensely from its Public Advocate over the past decades. So did New Jersey, during the years when its statewide Public Advocate office existed. It's time for Maryland state leaders to establish a similar institution for supercharging government performance—one that actually puts into concrete practice their rhetoric of state efficiency, transparency, and engagement.