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TESTIMONY ON SB285 - FAVORABLE

County Police Accountability Boards - Investigation of Complaints of Police Misconduct

TO: Chair Smith, Vice Chair Waldstreicher, and members of the Judicial Proceedings Committee

FROM: Carol Stern

My name is Carol Stern, and I am testifying in favor of SB285 as a resident of Montgomery County's District 16 and a member of Adat Shalom Reconstructionist Congregation in Bethesda.

The Jewish text that shapes my religious and moral conviction that Police Accountability Boards (PABs) need investigatory and subpoena powers is the directive issued in Deuteronomy 16:20, "**Tzedek, tzedek tirdof - Justice, justice shall you pursue.**" The Jewish sages explain that the word tzedek is repeated not only for emphasis but to teach us that in our pursuit of justice, our means must be as just as our ends. When we are working to reform our criminal justice system, we must demand that it operates in accordance with these deeply held Jewish beliefs.

The main function of PABs is to assess the quality of internal investigations into police misconduct. **However, without investigatory and subpoena powers, PABs are largely hamstrung in their ability to fulfill that role.** In the majority of localities, PABs will receive investigatory files after the police have completed them, and cannot conduct further investigation into the handling of complaints. Under this process, PABs will be forced to assess these investigations at face value. But, police investigations and subsequent discipline are routinely inadequate. Furthermore, current law does not mandate police investigate every complaint that is filed.

When implementing HB670 local jurisdictions did not have a clear understanding of their ability to authorize PABS with investigatory and subpoena powers. That is why the General Assembly must make it clear that the provision of these powers is permitted under HB 670 and that local jurisdictions can choose to both authorize them for PABs and provide necessary funding for them.

Passing SB285 will authorize PABS to conduct investigations of their own and provide accurate assessments of complaints and their outcomes, and to accurately assess the quality of investigations. Without these powers, the PABs cannot fulfill their purpose of providing independent, community-controlled oversight into police misconduct.

I respectfully urge this committee to return a favorable report on SB285.