

Testimony for the Senate Judicial Proceedings Committee
Tuesday, February 14th, 2023 (submitted February 13, 2023)
SB 285 - County Police Accountability Boards – Investigation of Complaints of Police Misconduct
FAVORABLE

Dear Chair Smith, Vice Chair Waldstreicher, and Members of the Committee,

My name is Peta Richkus and I am a Maryland resident. I am also a member of the Baltimore County Coalition for Police Accountability (BCCPA) and am writing in support of SB 285 on behalf BCCAP and our participating member organizations: American Civil Liberties Union of Maryland; Baltimore County Progressive Democrats Club; CASA; Common Cause Maryland; Communist Party of the USA, Baltimore Club; Indivisible Towson; Jews United for Justice Baltimore; League of Women Voters of Baltimore County; Randallstown NAACP; and SURJ Baltimore and Howard County.

The provisions outlined in SB 285 play an essential role in the pursuit of meaningful, independent police accountability boards (PABs) at the county level. Thank you for your leadership and the Committee's earlier support of police accountability measures and the Maryland Police Accountability Act of 2021. However, implementation of the HB 670 throughout the past year has made it clear that legislation is needed to clarify the authority local governing bodies have to empower their PABs. In order for local PABs to follow through on the fundamental goals of the MPAA, the legislature must clarify that local bodies can give their PABs the power to conduct independent investigations into misconduct complaints.

The main purpose of Police Accountability Boards is to provide independent, community-controlled oversight into police misconduct, to assess the appropriateness of police discipline, and to issue reports and recommendations to improve police accountability.

No agency or organization can investigate itself. That is why we have auditors (like DLA) and Inspectors General. This truism applies to law enforcement agencies as well. Without the ability to conduct their own separate and concurrent investigations into complaints, the PABs lack the meaningful capacity to do so and must accept law enforcement investigations at face value. Fundamentally, without investigatory and subpoena powers, PABs are largely hamstrung in their ability to fulfill their role. That is why Police Accountability Boards must be explicitly allowed to conduct investigations of their own to provide accurate assessments of complaints and their outcomes, and to accurately assess the quality of investigations.

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.

BCCPA urges a favorable report on Senate Bill 285.

Sincerely,
Peta N. Richkus, on behalf of BCCPA
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