



Debra Gardner, Legal Director
Public Justice Center
201 North Charles Street, Suite 1200
Baltimore, Maryland 21201
410-625-9409, ext. 228
gardnerd@publicjustice.org

SB 285 County Police Accountability Boards - Investigation of Complaints of Police Misconduct

Hearing before the Senate Judicial Proceedings Committee, February 14, 2023

Position: Favorable

The Public Justice Center (PJC) is a nonprofit civil rights and anti-poverty legal services organization that seeks to advance social justice, economic and racial equity, and fundamental human rights in Maryland. The Public Justice Center envisions a just society where Black, Latine, Indigenous, Asian, and other historically exploited people are free from systems of oppression, exploitation, and all expressions of discrimination. This will shift power and resources to BIPOC (Black, Indigenous, and other people of color) across Maryland.

SB 285 will clarify and strengthen the 2021 Police Accountability Act by explicating permitting local jurisdictions to provide independent contemporaneous investigatory powers to their Police Accountability Boards (PABs), including the power of the subpoena. Only with this clarification can the law be implemented as intended and give communities truly meaningful oversight of police misconduct.

The evidence of the need for community empowerment in addressing police misconduct in Maryland (and all over the country) is clear. The available data from recent years shows that many Maryland police departments make filing a complaint difficult and inconvenient and routinely dismiss or ignore the vast majority of community complaints concerning misconduct, only imposing any form of discipline in a tiny fraction of cases.

The evidence is also plain that police misconduct is disproportionately wrought on people and communities of color. We will never bring an end to the culture of institutional racism deeply entrenched in policing without transparency and accountability, and we will never achieve that transparency and accountability without active community involvement. PABs with independent power to police the police are critical to creating policing that communities can trust and rely on rather than fear and avoid.

The police cannot police themselves. Communities must have the power to do so.

For the foregoing reasons, the PJC urges a favorable report on SB 285. Should you have any questions, please contact Debra Gardner, at 410-625-9409, ext 228, or gardnerd@publicjustice.org.

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