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Testimony from:

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In SUPPORT of MD SB 409, “Police Accountability Boards and Administrative Charging Committees-Municipal Corporations.”

February 21, 2023

Maryland Senate Judicial Proceedings Committee

Chairman Smith and members of the committee,

My name is Robert Melvin, and I am the senior manager of state government affairs for the Northeast region with the R Street Institute. The R Street Institute is a nonprofit, nonpartisan public policy research organization. Our mission is to engage in policy research and outreach to promote free markets and limited, effective government in many areas, including criminal justice reform and civil liberty issues. This is why we find SB 409 noteworthy.

This bill would expand on House Bill 670, adopted in 2021, that established Police Accountability Boards (PAB) in each county in Maryland; however, a key distinction is that Senate Bill 409 would instead authorize each municipality in Maryland to institute PABs within their jurisdictions.¹

Ensuring law enforcement is responsive to the general public is not a contemporary idea, rather it is one that has been in existence since at least the 1920s.² Initially review boards were established in New York City, Philadelphia and Washington, D.C.³ Since that time there has been significant growth in the number of oversight boards for law enforcement with it rising from three to over 200 such panels.⁴

¹ House Bill 670, Maryland Police Accountability Act of 2021, Maryland General Assembly.

² Joseph De Angelis et al., “Civilian Oversight of Law Enforcement: Assessing the Evidence,” Office of Justice Programs, September 2016.

https://d3n8a8pro7vhmx.cloudfront.net/nacole/pages/161/attachments/original/1481727974/NACOLE_Accessing_theEvidence_Final.pdf?1481727974.

³ Ibid.

⁴ Michael De Bonis, “Civilian Review Boards Gain Popularity Among Police Reformers. How Effective Are They?,” WOSU 89.7 NPR News, June 24, 2020.

<https://news.wosu.org/news/2020-06-24/civilian-review-boards-gain-popularity-among-police-reformers-how-effective-are-they>.



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This coincides with burgeoning support for establishing civilian oversight boards, with the Pew Research Center finding that 75 percent of respondents support the creation of such boards.⁵

There has even been a recognition by law enforcement groups, such as the International Association of Chiefs of Police, which issued a report related to practices in modern policing. The report had several recommendations including that law enforcement agencies “establish a culture of transparency and accountability,” and “create formal community advisory committees that reflect the demographics of the community or neighborhood that is being served.”⁶ We believe that SB 409 would comport nicely with these suggestions.

Most jurisdictions have review boards, like those proposed in SB 409, so this common oversight mechanism is not novel; it has been tried and tested in many other states and localities.⁷ This approach provides many benefits for Maryland citizens and a responsive law enforcement community. The public tends to view these review commissions as more representative of the community, and they provide an opportunity for an outsider’s perspective to be brought forward in the compliant investigations process which can help identify and remediate shortcomings.

The focus on ensuring these PABs have diversity on them will also incentivize law enforcement to ensure there is no bias or appearance of bias in their investigations, thereby increasing legitimacy, trust and confidence in the process.⁸ Moreover, there is an increased probability that police trainings and community relations can be improved.

Finally, this bill provides municipalities with the ability to form these PABs, allowing them to decide individually if these would be helpful in their own communities. Ultimately, this proposal will help provide more sunlight on law enforcement agencies, which can help them become more responsive and gain public respect.

⁵ “Majority of Public Favors Giving Civilians the Power to Sue Police Officers for Misconduct,” Pew Research Center, July 9, 2020.

<https://www.pewresearch.org/politics/2020/07/09/majority-of-public-favors-giving-civilians-the-power-to-sue-police-officers-for-misconduct>.

⁶ “Practices in Modern Policing: Community Participation and Leadership,” International Association of Police Chiefs, 2018. https://www.theiacp.org/sites/default/files/2018-11/IACP_PMP_Community%20Leadership.pdf.

⁷ Darrel W. Stephens et al., “Civilian Oversight of the Police in Major Cities,” Office of Community Oriented Policing Services, 2018. <https://cops.usdoj.gov/RIC/Publications/cops-w0861-pub.pdf>.

⁸ Joseph De Angelis et al.

https://d3n8a8pro7vhmx.cloudfront.net/nacole/pages/161/attachments/original/1481727977/NACOLE_short_doc_FINAL.pdf?1481727977.



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As mentioned earlier, this approach has been tried and tested for decades and in jurisdictions across the United States. There is broad support from the public for PABs, and the structure of SB 409 will ensure that they are perceived by the public as representing that community, provide an opportunity for gathering feedback and increase confidence in law enforcement. Therefore, this bill can help strengthen community relations with police. For these reasons, the R Street Institute urges you to support SB 409.

Thank you,

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