

February 13, 2023

Senator William C. Smith, Jr., Chair, Judicial Proceedings Committee

Support for Senate Bill 285: County Police Accountability Boards – Investigation of Complaints of Police Misconduct

Thank you for the opportunity to submit written testimony in support of Senate Bill 285. We are members of the Police Accountability Task Force of Howard County, a grass-roots group of Howard County citizens that has brought together local partner groups in a coalition focused on improving policing in Howard County. Our coalition has been active in advocating for policies that advance accountability and transparency in law enforcement, including the implementation of police body-worn cameras and the establishment of the county Police Accountability Board.

The implementation of Maryland's Anton's law was an admirable first step towards comprehensive police reform. The law established the critical framework required to implement meaningful police reform in Maryland, including the establishment of local Police Accountability Boards (PABs). However, currently these boards are fragile and impotent structures. Their ability to weigh in on police accountability matters has been primarily limited to producing summary reports, based on limited, dated data, that can be ignored by law enforcement. In their current state, PABs have no powers to ensure that police departments act swiftly and diligently in response to unjustified police actions against members of the community, or that all the facts regarding such an incident are quickly brought to light. They do not have the authority to access "real-time" police data or the ability to conduct meaningful investigations into officer-involved shootings or other incidents involving the use of force by officers. PABs need the right tools to perform the police oversight mission for which they were established, including effective investigative and subpoena authority!

We have seen in the case of Tyre Nichols how swiftly the Memphis Police Chief called to account the officers involved in that tragic killing of a young Black man. Transparency and accountability have been critical elements in the ongoing investigation of this tragic critical incident. While we applaud Chief Davis's swift action, the procedure of investigating critical incidents, like Mr. Nichols' case, should not be at the discretion of individual law enforcement leaders. Rather, there must be safeguards memorialized in policy and law that ensure the execution of a swift and thorough investigative process.

In a June 2, 2021 ABC News article, *Police oversight boards are proliferating, but do they actually work?* (<https://abcnews.go.com/US/police-oversight-boards-proliferating-work/story?id=77919091>), a former executive director of Philadelphia's Police Advisory Commission asserted that "effective elements of oversight include civilian leadership, a sufficient budget, the power to conduct investigations into officers, direct access to police files, the power to subpoena records and the power to discipline officers." The article goes on to site the low incidence of police-involved shootings in Oakland, CA., which has one of the strongest civilian oversight bodies in the country. Strong PABs can make a real difference!

Senate Bill 285, which authorizes PABs to exercise investigatory and subpoena powers, is a crucial next step in empowering Maryland PABs to fulfill their intent and in giving substance to Anton's law. We enthusiastically support this bill and urge the Senate to pass this legislation and continue to show that Maryland is a leader in protecting all its citizens.

Best regards,

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