

February 14, 2023

TESTIMONY ON SB285 - POSITION: (FAVORABLE)
**Count Police Accountability Boards-Investigation of Complaints of Police
Misconduct**

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

FROM: Toby Ditz

I am Toby Ditz, an almost 40-year resident of Baltimore City in District 40. I've been working as a volunteer locally and statewide on police reform since 2015. **I support SB285.**

One of the main aims of Maryland Police Accountability Act (HB670) was to ensure that every County in Maryland would establish a community oversight board with a mandate to review police policies and also to systematically oversee cases of demonstrated police misconduct.

As every major study on police accountability has shown,¹ civilian oversight boards like our new PABS must be able to act *independently* of the police department which they oversee. In order to do their jobs well, the PABS will need to have subpoena power and powers of investigation. When the cases before them are especially grave or when police departments fail to do speedy and unbiased internal investigations, this independent subpoena and investigatory power is essential.

This bill should not be controversial. The legislation of 2021 allows each jurisdiction considerable scope to flesh out their PABS' powers. As I understand it, SB285 simply confirms that jurisdictions *already* have the legal ability under Maryland law to confer independent investigatory power on their Boards—a point that apparently caused confusion as the Boards were being set up last year. So this legislation would give jurisdictions the confidence to confer these powers as many wish, but it does not *require* any particular jurisdiction to do so.

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

¹ See for example, the recommendations on investigatory powers for civilian oversight boards in the report commissioned by the parties to the Consent Decree governing the Baltimore Police Department. [The Community Oversight Task Force's Recommendations for Strengthening Police Accountability and Police Community Relations in Baltimore City](#) (August 2018), pp 5, 11-12, and especially 23-25. C [OFTE REPORT](#).