

Policy Foundation of Maryland

Committee: Judicial Proceedings Committee

Testimony on: SB 285 - County Police Accountability Boards – Investigation of Complaints of Police Misconduct

SPONSOR: Senator Jill P. Carter

Organization: Policy Foundation of Maryland, Maryland Coalition for Justice and Police Accountability

Person Submitting: Sarahia Benn (Executive Dir.) PFOM

Position: Favorable

Hearing Date: February 14, 2023 1PM

Mr. Chair and Members of the Committee,

Thank you for allowing testimony today in support of SB0285. Policy Foundation of Maryland is a grassroots organization focused on State and County level legislation and policies that impacts Black, Brown, Marginalized, low income communities and Veterans affairs. Criminal Justice legislation is of massive importance to these communities particularly due to how impacted these communities have been historically and currently particularly in for multiply residents in rural areas.

The provisions outlined in SB0285 play an essential role in our pursuit of meaningful, independent police accountability boards at the county level. Without these provisions the current police accountability boards lack the intended positive impact to provide a transparent process.

The support this committee had for the Maryland Police Accountability Act throughout the 2021 session was historic and admirable. However, implementation of HB 670 throughout the past year has made it clear that additional legislation is needed to clarify the necessary authority local governing bodies have to empower their PAB's. 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 function of Police Accountability Boards is to assess the quality of police discipline and issue reports and recommendations to improve police accountability. Without the ability to conduct their own separate and concurrent investigations into complaints, the boards lack meaningful capacity to do so and must accept law enforcement investigations at face value.

Additionally, some are filled with law enforcement and not community voices as was intended. This is clearly in opposition to the intended impact of the creation of the PABs. Fundamentally, without investigatory and subpoena powers, PABs are largely hamstrung in their ability to fulfill their role.

[Harford County was one of the last counties to send out notice to form a police accountability board.](#) Harford County is known for having the most (mysterious) declared suicides (incidents) at its detention center in the entire state of Maryland that have had investigations that many in and outside of Harford considered as suspicious and not as transparent as necessary. [Marlyn Barnes case being one.](#)

[It also seems that due to the limitations of the PABs that there is a lack of following the intent of bill in the PAB.](#) Rural areas such as Harford, Cecil, and the Eastern Shore have a multiply marginalized demographic of 1/3 of the overall population. This means there is an especially need for more impact in the policy of the PABs to ensure that the multiple marginalized communities are not further marginalized in these areas and Maryland wide. Considering that for the first time in history multiply marginalized communities represent almost 54% of all of Maryland's population we need to ensure policy speaks for these underrepresented communities. By strengthening the PABs it will positively impact marginalized communities.

For these reasons, I urge an **FAVORABLE REPORT** on **SB0285**.

Respectfully submitted,



Sarahia Benn
(Policy Foundation of Maryland, MCJPA)

(Dedicated to Black History month)

“My race needs no special defense, for the past history of them in this country proves them to be equal of any people anywhere. All they need is an equal chance in the battle of life.”

—[Robert Smalls, U.S. congressman, 1895](#)