

## **HB0857-Office of Attorney General – Independent Investigations Division-Authority to Prosecute**

**Stance:** Favorable

**Testimony:** My name is Adiena Britt and I reside in the 45<sup>th</sup> District of Baltimore City. I am writing to lend my support for House Bill 0857. As the victim of police brutality, I am strongly in favor of this Bill passing as it is written.

It is widely known that there appears to be some “unwritten” rule in the State of Maryland that even if there is probable cause to charge police officers that engage in misconduct, that the State’s Attorneys in EVERY jurisdiction choose to not charge them for their crimes. This is one reason the IID was formed, because victims’ families were crying out for accountability where there was none. For the first full year that the IID was in charge of investigating cases, they investigated 23 cases of police brutality that resulted in extreme harm or death of a civilian. Approximately half of these, 11, were referred to the State’s Attorney in the jurisdiction where the event occurred as having probable cause for potential prosecution of one or more officers. Not ONE of these resulted in the decision by ANY of the State’s Attorneys in MD to prosecute any of the offending officer(s). This is why civilians believe that there is some kind of unwritten agreement between the various State’s Attorneys Offices, the Police Departments, and the F.O.P. to not prosecute. This is unacceptable.

If the Attorney General performs a comprehensive investigation and finds probable cause to prosecute an officer, then an indictment should be sought, and this prosecution should take place. Since the various State’s Attorneys refuse to do so, it only makes sense to keep these cases within the Attorney General’s Office and provide them with the authority and jurisdiction to prosecute; whereby keeping the case in the office in which it was originally investigated. This removes the obstacle of whatever agreement the various SAOs have with the Police and allows officers accused of misconduct in office to be held accountable. No one should be above the law, regardless of the position that they hold for their employment. Police officers who utilize excessive force for any reason earned the right to be investigated, prosecuted, and, if found guilty, jailed.

This Bill will ensure fairness in prosecution of wrong doing, proving that no one is above the law. This Bill will also allow grieving family members, and even victims who manage to survive their ordeal with egregious injuries to have some level of accountability that has been elusive up until this current era. The time is now for this jurisdictional change to occur. It will not place an undue burden on the AG’s office, since the cases, thankfully, don’t number in the hundreds. It is my wish that once prosecutions begin to take place, that these cases will cease to occur and police brutality becomes a thing of the past. Until then, let’s hold anyone accountable that commits such an act, and get these victims and their families some accountability.

Thank you.