



CITIZENS POLICING PROJECT
BALTIMORE, MARYLAND 21217
CPPROJECT.ORG

Senator William C. Smith, Jr.
Chair, Judicial Proceedings Committee
2 East
Miller Senate Office Building
Annapolis, Maryland 21401

From: Ray C. Kelly, Executive Director
Citizens Policing Project

**Re: HB857/SB 290 – Office of the Attorney General – Independent Investigations Division–
Authority to Prosecute**

Dear Chair Smith:

My name is Ray Kelly, the Executive Director of the Citizens Policing Project, located in Baltimore City. We fully support the concept of increased authority for the attorney general's Independent Investigations Division proposed in **HB857/SB290** and urges the Judicial Proceedings Committee to report SB290 favorably while considering the proposed amendments.

The United Nations defines effective police accountability involves many different actors representing the different layers of modern-day democracies, including government representatives, the legislature, the judiciary, civil society actors and independent oversight bodies such as national human rights institutions. Primarily, it involves the police themselves. Accountability should remain a system of internal and external checks and balances aimed at ensuring that police carry out their duties properly and are held responsible if they fail to do so. Such a system is meant to uphold police integrity, deter misconduct and to restore or enhance public confidence in policing. Police integrity refers to normative and other safeguards that keep police from misusing their powers and abusing their rights and privileges.

SB290 would serve in two important roles if passed. First it would add another level of independent investigation in matters of police involved killings, but more importantly it establishes a long overdue 'fear of Consequence' in local police officers, that has always been absent because of things like qualified immunity, Law Enforcement Bills of Rights, as well as the influence over local politics enjoyed by the fraternal Order of Police. Too often, despite best advocacy efforts, victims of police violence and their families are forced to rely on the same

police department that perpetrated the offense against them to bring justice to their families, often creating fear and increasing their trauma.

House Bill 857 would grant OAG the power to prosecute officer-involved fatalities even if the local State's Attorney declines to prosecute. As demonstrated by the creation of the IID, "there is agreement across Maryland on the benefit of independent investigations of officer-involved killings. The benefit of independent prosecution stems from the same principles: giving confidence to the public that prosecution decisions are being made in an autonomous manner, by people who do not work together or rely on each other professionally or personally" as stated by former Attorney General Brian Frosh, validates the thoughts of many of our community Members.

The Citizens Policing Project continues to support equal treatment, justice and consequence under the law, and believe that the proposed authorities in **HB857/SB290** will continue to move our state in that Direction, and respectfully encourage your support in passing this legislation to not only increase the possibility of justified consequences in police killings, but to be another component in the effort to build trust in a criminal justice system perceived as biased in favor of law enforcement. In Baltimore City, where our recent history demands every level of accountability and oversight, the urgency of this measure cannot be underestimated.

Thank you all for your time and consideration of SB290, and the impacted communities that support it. Please feel compelled to forward any inquiries of our support to info@cpproject.org or ray.kelly@cpproject.org

~in commUNITY

Ray C. Kelly, Executive Director
Citizens Policing Project