

March 3, 2023

House Judiciary Committee  
Del. Luke Clippinger, Chair  
Room 101  
House Office Building  
Annapolis, MD 21401

Dear Chairman Clippinger and Committee Members:

We are submitting this letter as written testimony **in support of HB0857**, introduced by Delegates Clippinger, Atterbeary, and Moon, providing the Office of the Attorney General with the authority to prosecute criminal matters related to police-involved killings and incidents that may lead to death.

As members of the Takoma Park Presbyterian Church and in response to our understanding of the gospel, we are active in anti-racism work including efforts to redefine public safety and transform policing. Presbyterians for Police Transformation is the body within our congregation charged with leading this aspect of our ministry. We realize that the movement for racial justice, including the much-needed transformation of policing in this country, requires a comprehensive approach.

After much research, discussion, and reflection, we have chosen seven priorities for our advocacy work. One of these priorities is the establishment of effective accountability policies and mechanisms for police officers and institutions. To that end, we are writing **in support of proposed bill HB0857**, “Office of AG - Independent Investigations Unit – Authority to Prosecute”.

It is unfortunately rare for police officers to be prosecuted. The formation of the Independent Investigations Division has helped with investigations, but to date it has not resulted in any prosecutions by a local state’s attorney in any of the nearly 30 police-involved killings in Maryland the two-year old Division has investigated. It is sound public policy to bring together the investigative powers with the authority to prosecute in cases in which the investigation determines there are sufficient grounds for the prosecution of a criminal offense. Relying on local state’s attorneys to bring such cases has proven woefully inadequate. While there is no guarantee of adequate prosecutions by the attorney general’s office, there is no question that change is sorely needed, and the proposed system -- an independent office with the sole job of investigating and where warranted prosecuting police misconduct -- is an important step forward.

We recommend the following common-sense amendment (underlined) to the language of the bill:

**(B) A STATE’S ATTORNEY MAY PROSECUTE A CRIMINAL OFFENSE DESCRIBED IN SUBSECTION (A)(1) OF THIS SECTION ONLY IF THE ATTORNEY GENERAL REQUESTS THAT THE STATE’S ATTORNEY PROSECUTE THE OFFENSE OR IF THE ATTORNEY GENERAL DECLINES TO PROSECUTE THE OFFENSE.**

We urge your support for the bill with this amendment to help ensure greater police accountability.

Sincerely,

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