

February 20, 2024

Senate Committee on Judicial Proceedings
Sen. William C. Smith, Jr., Chair
2 East
Miller Senate Office Building
Annapolis, MD 21401

Dear Senator Smith and Committee Members:

We are submitting this letter as written testimony **in strong support of SB0621**, the PAB Investigatory Powers bill introduced by Senator Carter, in advance of your hearing on February 21.

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 7 priorities for our advocacy work in the area of police reform in Maryland. One of these priorities is the establishment of effective civilian oversight of police institutions. To that end, we are writing **in support of proposed bill SB0621**, “County Police Accountability Boards – Investigation of Complaints of Police Misconduct.”

We were immensely encouraged by the landmark legislation passed by the Maryland legislature in 2021 that, among other things, repealed the Law Enforcement Officers Bill of Rights (LEOBR). This paved the way for truly meaningful transformation of policing institutions in Maryland and the dismantling of the systemic racism that results in disproportionate harm to people of color. The 2021 legislation also presented a structure that now facilitates civilian oversight in the state. One part of that structure is the establishment of Police Accountability Boards (PABs) that can review the outcomes of investigations of alleged police misconduct. We have been monitoring the creation of these boards in Maryland jurisdictions in our part of the state (primarily in Montgomery County).

The institution of these boards has revealed some of the oversights and deficiencies of the structure. A major deficiency is the inability of PABs to conduct their own investigations of allegations of misconduct, and thus their dependence on the outcomes of investigations conducted by policing organizations themselves, and the delay necessitated by waiting until the police-led investigations are complete. We believe this prevents the PABs across the state from achieving their intended goal of effective civilian oversight of police.

We believe that policing institutions have the resources and skills to conduct thorough and responsible internal investigations of police misconduct allegations, and in most cases do. However, independent investigations are needed in many cases to ensure public confidence in the process and outcomes. When police internal investigations are perceived to be biased and designed to tolerate police misconduct, this erodes public confidence in the process, and provides no disincentive for police officers to engage in misconduct. These are in fact the goals of establishing civilian oversight of policing, and so without investigative authority, the PAB structure falls short.

We strongly encourage the legislature to pass SB0621.

Sincerely,

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