



THE SENATE OF MARYLAND
Annapolis, Maryland 21401

Testimony of Senator Jill P. Carter
In Favor of SB0621 – County Police Accountability Boards -
Investigation of Complaints of Police Misconduct
Before the Judicial Proceedings Committee
On February 21st 2024

Mr. Chairman, Vice Chair, and Members of the Committee:

SB-621 will authorize a local governing body of a county (including Baltimore City) to authorize the local Police Accountability Board (PAB) to exercise investigative and subpoena powers; and conduct investigations of police conduct concurrently with a law enforcement agency investigation. This bill was brought before this committee last year.

In 2021, the General Assembly, recognizing the need and benefits of a police accountability board, passed HB0670, also known as the Maryland Police Accountability Act (MPAA). The MPAA, among other things, mandated the formation of PBAs in each of Maryland's 23 counties and Baltimore City.

When this general assembly passed the Maryland Police Accountability Act of 2021, it did so with the requirement that all 23 counties and Baltimore City would form Police Accountability Boards (PABs), with the intention that they would help with the divide between Maryland police departments and their residents by receiving police misconduct complaints and passing along policy advice to departments. To hear these, within the PAB there is a smaller

“administrative charging committee”, whose members are entrusted with hearing the misconduct complaints. To this effect, and despite a rocky rollout, police accountability boards have largely been a success, with PABs leading to a higher level of accountability and transparency as well as being able to make recommendations to police departments yearly, educating them about safer and more effective policing practices, per *Maryland Matters*.

More specifically to my District 41 constituents, the Baltimore City PAB has served an integral and important role in improving the police-community relationship, hearing over 400 cases alone from June through the end of last year according to WJZ. The PAB has also promoted quality improvements as it pertains to how the police conduct their own internal investigations, with *The Baltimore Banner* noting that there is a noted improvement in misconduct report writing and filing.

Since 1973, the City of Berkley, California has a citizen review board that has subpoena and investigatory powers to investigate complaints of police misconduct simultaneously with the police department, rather than sequentially.

Berkley’s system has worked successfully for forty (40) years. Maryland can and should do the same. When the General Assembly passed the MPAA, it was hoped that counties and local jurisdictions would do what is best and appropriate to empower PABs That, however, did not happened. Granting PABs with subpoena and investigatory powers will restore confidence in police misconduct investigations and the much-needed transparency in the entire investigative process. PABs need the tools ensure that police departments in Maryland are using the best possible practices, as well as ensuring safety and accountability for the citizenry.

In just a few short years PABs have made significant strides in their goals of promoting transparency and accountability, and should be trusted with investigatory and subpoena power. *The Baltimore Banner* noted that of those roughly 400 police misconduct cases that the PAB heard in 2023, the PAB disagreed with the police department’s internal conclusion seven times.

If we want to maintain building trust between the police and community and holding offending officers accountable, the PAB must be given the power to run its own investigations. If the PAB is already entrusted with hearing these misconduct complaints initially as well as making policy recommendations, there should be no reason why they cannot jointly, along with the police's own investigation, should not be allowed to perform their own as well.

I urge this committee to give a favorable report on SB0621. Thank you for your time.

Respectfully,

Jill P. Carter