

**SUPPORT - HB 0836**

**Written Testimony** of National Lawyers Guild-National Police Accountability Project, Keisha James, Staff Attorney  
**House Judiciary Committee** – Tuesday, February 25, 2025

Dear Chair Clippinger and Members of the Committee,

Thank you for the opportunity to provide written comment on this important issue. The National Lawyers Guild National Police Accountability Project (“NPAP”) is a nonprofit organization dedicated to holding law enforcement officers accountable to constitutional and professional standards. We urge you to give a favorable review to HB 0836, which seeks to give counties the authority to grant police accountability boards the power to execute subpoenas and conduct law enforcement misconduct investigations.

Civilian oversight is one method for ensuring civilians have an avenue to participate in holding law enforcement accountable and curbing the power of law enforcement agencies. Police accountability boards are a mechanism for providing such accountability within that framework. A board’s responsibilities may include processing civilian complaints for referral to the police department’s internal affairs bureau, conducting fact finding investigations outside of what internal affairs decides, issuing disciplinary recommendations, and more.

Police accountability boards have the potential to remedy past police abuses, mitigate ongoing ones, and prevent future violations. Police departments wield life-and-death authority over residents within a community, and civilian oversight allows residents to democratically participate in a societal function that concerns their rights and liberties. A board’s power, however, solely depends on the scope of authority it has been granted by elected officials. Investigation-focused boards are granted the ability to conduct their own investigations independent of police departments’ internal affairs bureaus, access police department data and information, and, in some cases, execute subpoenas.

The Citizens Police Oversight Commission (“CPOC”) in Philadelphia, Pennsylvania, for example, is one such investigation-focused board. CPOC “oversees and investigates the conduct, policies, and practices of the Philadelphia Police Department.”<sup>1</sup> In 2022, the board was granted new powers that allowed it to initiate its own investigations absent a formal

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<sup>1</sup> Citizens Police Oversight Commission, <https://www.phila.gov/departments/citizens-police-oversight-commission/>.



complaint<sup>2</sup> and influence what charges, if any, were levied against officers as a result of its investigations.<sup>3</sup>

The ability to subpoena records and witnesses (both sworn and non-sworn personnel) allow boards to gain access to information necessary for carrying out their mission of police accountability. This is especially important in areas where the information provided to the board by the police department is insufficient for the board to complete its investigations. Subpoena powers can also be useful if the police department or other relevant government personnel are not cooperating with the board's efforts.

Police accountability boards are not a panacea for rectifying police violence. However, they can successfully operate as a check on police misconduct by investigating misconduct, gathering information, and publicizing their findings. HB 0836 will empower boards in Maryland to investigate misconduct and access important information and data. The bill also permits counties to grant boards subpoena powers, which will greatly aid in the collection of key evidence.<sup>4</sup>

We urge you to empower police accountability boards in Maryland and give HB 0836 a favorable review. I am happy to answer any questions you may have. You can contact me at [keisha.npap@nlg.org](mailto:keisha.npap@nlg.org).

Sincerely,

Keisha James  
National Police Accountability Project

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<sup>2</sup> Its predecessor entity could only forward complaints to the police department and was not authorized to conduct its own investigations.

<sup>3</sup> Jordan Levy, *Philly is getting a new police oversight board with more power. Meet the activists, leaders, lawyers, and judges nominated to serve on it*, BillyPenn (Feb. 8, 2022), <https://billypenn.com/2022/02/08/philadelphia-police-watchdog-commission-nominees/>. Prior to the changes, it was solely left up to the police department to determine what charges officers would face.

<sup>4</sup> Michael Vitoroulis, *et al.*, *Civilian Oversight of Law Enforcement*, U.S. Department of Justice Community Oriented Policing Services, <https://portal.cops.usdoj.gov/resourcecenter/content.ashx/cops-w0952-pub.pdf>, 20.