

Testimony for HOUSE BILL 985

To: House Judiciary Committee

From: Jesmond O. Riggins, Esq., Member, Police Accountability Board of Baltimore City; Member, Administrative Charging Committee of Baltimore City

Re: House Bill 985 – Police Discipline – Administrative Charging Committees – Additional Charging Committee

Position: **Support with Amendments**

Date: January 25, 2025

Chair Clippinger, Vice Chair Moon, and Members of the Committee,

I submit this testimony in **support of House Bill 985 with amendments**, as it seeks to address capacity challenges in local Administrative Charging Committees (ACCs) by allowing local governments to create a second ACC if or when needed. However, while this bill takes an important step in acknowledging the need for structural flexibility, it is too restrictive in its current form and requires amendments to provide local jurisdictions with greater autonomy in addressing their specific needs. Further, HB985 is not about whether every local government should create an additional ACC – it is about whether local governments and their residents should have the option to decide for themselves based on their particular circumstances.

Why This Bill Is Necessary

Under current law, each jurisdiction is authorized to create only **one** ACC, composed of five members. In jurisdictions with high case volume, such as Baltimore City, this limitation has led to an **unmanageable workload**, increasing the risk of **burnout** among ACC members and delaying critical disciplinary decisions.

HB985 seeks to alleviate this burden by authorizing jurisdictions to establish a **second** ACC if or when necessary. This approach is **valuable** but lacks the necessary flexibility to allow localities to tailor their accountability structures to their specific needs.

Key Issues & Proposed Amendments

Lack of Structural Flexibility

The bill **only** allows jurisdictions to either: maintain the **current** five-member ACC structure or create an **additional** ACC of unspecified composition. This limited approach **fails to provide sufficient options** for jurisdictions to determine the most effective way to expand capacity.

Amendment 1: Provide local jurisdictions with **two options** to address capacity issues:

1. **Expand the current ACC** from five (5) to nine (9) members, with:
 - One (1) member as the Chair of the Police Accountability Board (PAB) or their designee.
 - Four (4) members appointed by the PAB.
 - Four (4) members appointed by the chief executive officer of the county.
2. **Create an additional ACC** with five (5) members composed of the following:
 - Three (3) members appointed by the PAB.
 - Two (2) members appointed by the chief executive officer of the county.

Ensuring Accountability in the Structure of Additional ACCs

The bill **does not define the composition** of an additional ACC, leaving the possibility for a county's chief executive to stack the committee with their own appointees. This contradicts the intended **independence and balance** of the ACC structure.

Amendment 2: As an alternative to specifically defining the structure of the additional ACC, require the local jurisdiction to adhere to the **same appointment structure balance** as the existing ACC.

Baltimore City's Unique Challenge

The Administrative Charging Committee of Baltimore City, which has the **highest case volume in the state (reviewing and adjudicating over 1,000 cases in 2024)**, has already **experienced the strain** of a **single** ACC structure. Because of this, the committee began implementing measures to mitigate burnout, but without clear statutory flexibility, **these efforts remain constrained**. Local governments and their residents should be empowered to **determine the most effective solution** for addressing the workload.

Conclusion: Favorable Report with Amendments

HB985 is a step in the right direction, but **without amendment, it remains too restrictive**. By providing limited options for expanding oversight capacity, this bill can truly enhance the effectiveness and sustainability of police accountability systems statewide. I urge the committee to issue a **Favorable Report with Amendments** to ensure that local governments have the necessary flexibility to build **strong, independent, and efficient** ACCs.

Thank you for your time and consideration.

Respectfully,

Jesmond O. Riggins, Esq.

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