

Dear **Members of the Judiciary Committee,**

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of individuals working to move white folks as part of a multi-racial movement for equity and racial justice in Baltimore City, Baltimore County, and Howard County. We are also working in collaboration with the Campaign for Justice, Safety, and Jobs. I am a resident of District 44A. **I am testifying in support of HB0122 - Police Accountability - Police Complainant.**



Showing Up for Racial Justice

The Maryland Police Accountability Act of 2021 mandated a civilian-run Police Accountability Board, or PAB, for each police department across the state. PAB members receive public complaints about police misconduct and perform additional functions such as reviewing outcomes after the department's Administrative Charging Committee (ACC) investigates disciplinary matters, examining overall trends and policies in how officers are disciplined, and drafting annual written reports identifying trends and recommending policy changes. **Passing HB0122 would strengthen the MD Police Accountability Act by allowing police officers, as well as members of the public, to file complaints with the PAB about any misconduct by police.** Officers facing the difficult task of how to respond to a colleague's misconduct would have the PAB as an additional resource, rather than relying solely on internal investigative processes.

A police officer's job is difficult and stressful in the best of circumstances. Tasked with protecting and serving the public, officers routinely encounter crime and violence, often putting their own lives at risk. At the same time, they may face distrust from the very communities they serve. They struggle against a common public perception that "all cops are bad" and will always cover up each other's misdeeds.

Further, sometimes the departments officers work in are, indeed, corrupt. *Chasing Justice*, the American Civil Liberties Union's 2021 report on police corruption in Maryland, examined results from a 2020 survey of Baltimore Police Department officers conducted by the Commission to Restore Trust in Policing. The ACLU noted that few officers had responded, despite guaranteed anonymity, and of those who did,

9 percent reported observing fellow officers committing theft or overtime fraud, selling or using drugs, planting evidence, or engaging in other criminal misconduct, and 35 percent agreed that it would be "easy for an officer who engages in criminal misconduct to go undetected," suggesting a lack of faith of rank-and-file officers in BPD leadership.¹ (p. 27)

Additional details about police corruption and criminality in Maryland—including violent crimes and excessive use of force in the line of duty—are documented throughout the ACLU's report. Yet officers in Maryland or elsewhere who want to report police misconduct may be hampered by their profession's unofficial code of silence. Whistleblowers frequently face obstruction or retribution from fellow officers or from their supervisors, who may retaliate by "weaponiz[ing] internal affairs, pursuing minor rule infractions

¹ Joe Spielberger, Public Policy Counsel, The American Civil Liberties Union of Maryland. (2021). *Chasing Justice: Addressing Police Violence and Corruption in Maryland*. Retrieved from https://www.aclu-md.org/sites/default/files/field_documents/aclu-md_chasingjusticereport_aug2021.pdf

such as breaking the chain of command, in order to discredit whistleblowers and get rid of them.”² Fear of such retaliation can keep an officer silent about colleagues’ misconduct, thus allowing police misconduct to continue and contributing to public distrust of police.

It is crucial that honorable, law-abiding officers—those who cannot turn a blind eye to criminality in their own workplace—have multiple avenues to file complaints about police misconduct. These avenues should include the civilian-run Police Accountability Boards as well as internal investigative bodies. Good police officers are pillars of our communities, and they deserve to have the same access to the PAB that other community members have. It is for these reasons that I am encouraging you to vote **in support of HB0122 - Police Accountability - Police Complainant.**

Thank you for your time, service, and consideration.

Sincerely,
Daryl Yoder
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Catonsville, MD 21228
Showing Up for Racial Justice Baltimore

² Gina Barton, Brett Murphy, and Daphne Duret. (15 Nov 2021). “Devastating consequences — professional and personal — for cops who ‘rat’ about misconduct.” *USA Today*. Retrieved from <https://www.usatoday.com/story/story-series/2021/11/15/cops-risk-their-jobs-when-they-report-colleagues-misconduct/6355677001/>