

Council President Alborno

Honorable County Council

Greetings to this August Body

My name is Robert Stubblefield and I am an activist and organizer here in Montgomery County. More important than that, I am an African-American and I am disgusted, I am outraged and I am against Bill 49-21 as it is currently designed. My reasons are discussed in details below.

Let me be clear. I am in favor of a Police Accountability Board because of the history of MCPD. Why this is necessary requires a timeline. In 1998, MCPD was put under a consent decree by the Department of Justice because it led the nation in racial profiling. Fast forward to 2004, Peter N'jang was shot and killed by MCPD while trying to get into his apartment. In 2011, Emmanuel Okutuga was shot and killed by Officer Christopher Jordan as he was coming home from work. In 2015, MCPD was once again placed under a consent decree despite the uprisings in Ferguson, in Baltimore and elsewhere in this country, MCPD was found to leading in racial profiling and targeting of its black citizens. In 2018 Robert White was killed by MCPD officer Bhadjudgar while he was out walking around in his neighborhood. In 2019, four black teenagers were accosted and called the N-Word and later on that summer, undercover officer Morris repeatedly slammed his knee into the back of the neck of Arnaldo Pesoa. In 2020, Finan Berhe was killed by Officer Cohen while in the midst of a mental health crisis. And in 2021, Ryan Leroux was shot and killed by MCPD while also in a mental health crisis. In addition to these deaths and beatings, MCPD has a nasty history racially profiling during traffic enforcement and within our schools disproportionately arresting black and Hispanic students despite them being 18% and 20% of school population. Another disturbing trend is that 13 people have died while in the custody of MCPD. I write all of these things to establish a pattern of why a Police Accountability Board is necessary as well as for those who feel that MCPD is the best police department in the country that all they have done is hide their mess better than others. This among other jurisdictions throughout Maryland is why the House of Delegates passed HB670 which called for local jurisdictions to create a Police Accountability Board along with an Administrative Charging Committee and a Trial Board and its purpose that communities have greater input and oversight of police misconduct or as I call it police terrorism.

With that being said, I cannot in good conscience support Bill 49-21 as it is now. I cannot support this bill because this bill did not have any community input at all. Instead, this bill was

pushed forward by a County Executive who claims to champion racial justice, who claims to put the community yet pushed this bill. This right here is a problem because it means that the voices that are much needed to be heard in the development of this bill are once again marginalized. The bill also creates criteria that it is nigh impossible for anybody in the community to be on the Board. For instance the criteria on this requires members to have experience either in managing or evaluating of law enforcement, evaluating of civilian complaints, and personnel disciplinary proceedings as a manager, mediator or arbitrator. Which brings up the question of how many citizens satisfy these criteria? The third reason for not supporting this bill is that it goes against the state law as mentioned previously to include our voices and to reflect the diverse experience and regional representation. The fourth issue with this bill is that as it currently is structured is that it only provides compensation for the ACC but not the PAB, which creates the barrier of monetary compensation because you are asking people to take time away from work to handle this responsibility without money is incredulous at best considering that it is county policy to compensate anyone who serves on a board or commission so why are we not doing it here?. The fifth issue is that this bill provides conflict of interest of having the County attorney serve as the counsel for the PAB while at the same time serving as counsel for MCPD which is a disbarable event so why would seek to legalize that here? These things are why people say that Montgomery County is a place high in resources but low in competency.

Let me be blunt: Personally I feel that any Police Accountability Board should not only be a democratically elected body but also must have stronger enforceable civilian oversight of police considering that this is about community control of this peculiar institution that has roots in white supremacy and anti blackness. Because this is where we are here are some things to either create a new bill or add amendments. I would actually like to commend the council for calling out this bill as horrible. The recommendations that I feel would make this bill stronger would be the following: Provide the PAB with independent counsel and staff that will review civilian complaints, review departmental procedure and advise on improvements. The other recommendation would be to eliminate the criteria that are listed currently listed to ensure that the PAB is getting a diverse, both professionally and regionally from the county. Ensure that those from the most affected communities that deal with police terrorism are the ones who hold at least 70% of the seats on the board. Finally, get the community input that actually reflects what the community wants the PAB to look like.

Thank you for your time and always remember that not only Black Lives Matter, But also Black Voices Matter and Black Experiences Matter as well.

## References

Gaskill, Hannah: Advocates, Lawmaker Dismayed over Elrich's Police Accountability Bill. Retrieved from. [https://www.marylandmatters.org/2021/12/14/advocates-lawmakers-dismayed-over-elrichs-police-accountability-bill/?fbclid=IwAR0BuzorCUQ4ZIAjFKadQLQZvH2e9\\_swneIinUmpqvtBnS-MlgCqqZHN\\_LY](https://www.marylandmatters.org/2021/12/14/advocates-lawmakers-dismayed-over-elrichs-police-accountability-bill/?fbclid=IwAR0BuzorCUQ4ZIAjFKadQLQZvH2e9_swneIinUmpqvtBnS-MlgCqqZHN_LY)

Mapping Police Violence Database: Retrieved from <https://mappingpoliceviolence.org/>