



**DEFENDING  
RIGHTS & DISSENT**

**Testimony Regarding  
MC Bill 49-21  
(Enabling Legislation for Police Accountability Board and  
Administrative Charging Committee)**

**Submitted by Susan Udry, Executive Director  
Defending Rights & Dissent  
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Founded in 1960, Defending Rights & Dissent (DRAD) is a national civil liberties organization dedicated to seeing the promise of the Bill of Rights made real for everyone in the U.S. True community empowerment and oversight over the police, as well as strong police accountability mechanisms are a requirement to fulfill the promise of our democracy. DRAD has deep roots in Montgomery County, with hundreds of supporters in the county, and we are a member of the Silver Spring Justice Coalition, and the Montgomery County Civil Rights Coalition.

We strongly oppose MC Bill 49-21 unless it is significantly amended to reflect community input, and to meet the goals set forth in MoCo's Racial Equity Social Justice Impact Statement.

DRAD supports the call of the Silver Spring Justice Coalition and 18 other community groups (which can be viewed [here](#)) for public input to create a Police Accountability Board and an Administrative Charging Committee that is responsive to community needs and requirements.

This bill was drafted without any community input. As a result, the bill does not reflect the needs of the community, especially those communities most impacted by police and police abuses.

Substantively, this bill is lacking. The bill requires members of the boards to have experience that perpetuates the status quo for police discipline in Montgomery County. The bill's membership requirements will lead to a PAB that looks like a law enforcement agency and makes it almost impossible for people outside of law enforcement to serve on the PAB. This obviously excludes those communities who have suffered the brunt of bad policing.

MC Bill 49-21 ignores the intent of the state law. As you know, while advocates fought for a law that would allow for enforceable civilian oversight of policing, we did not achieve that goal. However, the PAB, a board with oversight but not enforcement powers, populated by members of the community, was the compromise; this board was intended to ensure true community involvement in the disciplinary process.

The bill also creates a conflict of interest by requiring the County Attorney to serve as PAB counsel, when the County Attorney also represents the MCPD and the County. The PAB must have its own, independent counsel and staff in order to engage in the responsibilities delegated to it by the MPAA which include: reviewing the results of investigations of civilian complaints; reviewing disciplinary procedures of all law enforcement agencies in the County; and advising the head of each of those agencies and elected officials about improvements in policing.

Montgomery County can, and must, do better.