

## Kristin Mink's Testimony on Expedited Bill 49-21

Name: Kristin Mink

Date: January 18, 2022

Position: Against Unless Amended

Good evening, President Alborno, Vice President Glass, and members of the County Council. My name is Kristin Mink, and I'm a lifelong resident, a full-time community organizer and legislative advocate, and a candidate for County Council in District 5. I'm here today to urge you to reject Bill 49-21 unless it is significantly amended.

The Office of Legislative Oversight recently released its Racial Equity and Social Justice Impact Statement for this bill. The findings are damning. So, thank you to advocates for calling for this impact analysis, and to the Council for ordering it.

This bill is supposed to fulfill the mandate by state-level legislation to give the community more control in addressing police misconduct. Instead, it undermines the intent of the state law. Its failures fall into three main categories identified by the RESJ impact statement:

First, a lack of independence of the oversight bodies from the police:

As the county's OLO found, "The Police Accountability Board as proposed is unlikely to be independent of MCPD because it requires its members to have significant law enforcement experience."

Combined with the lack of compensation, those most impacted are least likely to be represented on these so-called civilian oversight bodies.

Second: There is insufficient authority granted to the oversight bodies:

The PAB as proposed only has the ability to review allegations of misconduct which the MCPD's Internal Affairs Division has already determined warrant possible administrative charges. In 2020, this compromised only 34 out of 220 allegations of police misconduct. Failure to broaden the scope of the PAB means the overwhelming majority of public complaints will continue to gather dust.

The bill should be amended to allow the PAB to review ALL allegations of police misconduct made by the public, and to require MCPD to provide the PAB access to relevant data.

And finally: This bill fails to guarantee needed resources. It must be amended to include the budget and independent counsel and staffing needed to fulfill the full scope of authority just described.

Consider what's at stake. Robert White, Duncan Lemp, Finan Berhe, Ryan LeRoux, now Osman Sesay. The kindergartener cuffed and berated for wandering away from class. Dramatic racial disparities in police interactions and arrests. This is the moment to decide whether we will put a band-aid on an open wound, or have the courage to make meaningful, systemic change. I implore you to seize this opportunity to work with the community and do this right.

Additionally, there have been many killed by other law enforcement bodies within Montgomery County, and we are responsible for remedying that as well. Kwamena Ocran, Kevin Costlow, Dominique William, and James Johnson. If, as Mayor Jud Ashman of Gaithersburg requested on January 11th, the bill is amended to allow municipalities to develop their own oversight bodies, the bill must specify that they meet the standards described above. Reject this bill unless it is significantly amended. Thank you.