



**Testimony in Support of Bill 12-24, Police Accountability Board and Administrative
Charging Committee – Compensation
Submitted July 5, 2024**

Silver Spring Justice Coalition, a leading community-based organization advocating for police accountability in Montgomery County, supports Bill 12-24, so that there can be a more effective police disciplinary system. However, we have a few concerns that we hope the Council will address.

For example, SSJC supports compensation for members of the PAB, ACC, and the PAB-appointed civilians who serve on a Trial Board. For this reason, we support the bill's payment of \$500 for each day during the trial and for required training. However, we have concerns about the phrase "for each day spent in trial." If the PAB member is only to be paid for each day spent in trial, it fails to pay the Trial Board member for an essential and thorough review of all pertinent records submitted to the Trial Board and reviewing and editing the Trial Board's report. This is an important step in the adjudication process, which could require a substantial amount of time. It is unrealistic and unfair to expect this labor to be without compensation.

We therefore recommend that the Trial Board PAB-appointees be compensated for the time they must spend outside of the actual trial days, which includes time spent studying the record and reviewing and editing the Trial Board's report. This could simply be paid at an hourly rate based on time reported by the Trial Board member, or any other mechanism that the Council determines will ensure that Trial Board members spend the time necessary to do their job well and be compensated for that time.

Second, we suggest amending the phrase "for each day spent in trial" to clarify that if a trial lasts longer than eight hours, there will be an adjustment to their compensation.

We support the technical changes clarifying the compensation for the PAB member who also serves on the ACC.

We also want to take this opportunity to raise two larger issues regarding the PAB and ACC that we believe are critical to enabling these institutions to fulfill their mandate of providing meaningful community oversight of police discipline and improving policing in this County.

First, we understand that a search is underway for a new staff Director for the boards. Our regular attendance at PAB meetings has left us concerned that in the past, this position was not given the support and resources needed to ensure its success. It is critical that whoever is in this position receive consistent and constructive feedback and institutional support. It is also clear that the board needs someone who is able to perform research on their behalf and present the findings of such research to assist them in formulating policy recommendations. If this is not something that the Director can or should do, then the Council should ensure that there is additional funding to hire, even on a contract basis, someone with expertise in this critical area.

Second, we urge the Council to express its support for the ACC to give to the PAB access to the full record of each disciplinary proceeding after the ACC completes its review and issues its decision. Presently, as far as we know, the PAB receives only the ACC's written decision. Having reviewed one of these decisions (which was provided to us by a member of the public whose complaint was adjudicated), we were able to confirm how limited these decisions are. It is hard to understand how the PAB can do its job in making policy recommendations "to improve matters of policing" and to conduct a meaningful "review [of] outcomes of disciplinary matters," or to "identify trends in the disciplinary process and make . . . recommendations on changes to policy that would improve police accountability" with only the skeletal ACC decision to review. See MD Public Safety Article, §3-102. The ACC must make the full record available to them. We believe that the current language in the MPAA permits the provision of the full record. If the Council disagrees, then we would ask you to consider amending Montgomery County Code Section 35-23 to make this clear.

We appreciate your continued attention to the important work of our accountability and disciplinary boards, and thank you for considering our testimony.