



Dear Members of the Senate Judiciary,

My name is Javonne Rich, and I am the policy and advocacy director at the American Civil Liberties Union of Delaware. The ACLU is the nation's oldest defender of civil liberties.

The ACLU of Delaware supports SB 149, which amends the Law-enforcement Officers' Bill of Rights or LEOBOR to make police disciplinary records public. This bill also enables the creation and implementation of effective community oversight boards.

First, police disciplinary records must be made publicly available. Police officers have a duty to conduct themselves professionally due to their unique responsibilities that may result in the deprivation of people's lives and liberties. departments should be transparent with the communities they serve regarding any misconduct by these public servants. Delaware should join Maryland and other states and ensure that police disciplinary records are available for public review.

Second, LEOBOR must be modified so that state and local jurisdictions can have independent civilian oversight bodies. Civilian review boards allow independent community members to hold police departments accountable for misconduct and breaches of duty. Currently, police departments are burdened by a system that makes them police themselves, creating perverse incentives to ignore bad actors and sweep misconduct under the rug. It serves both the community and police departments to hold officers accountable who violate the law. Community oversight boards are essential to this process because it allows the community to have a seat at the table and be a part of the process. Communities with oversight bodies create opportunities for broader civic participation and help establish trust and buy-in with and between local police departments and the communities they serve.

Police officers must be fair, transparent, and accountable. Otherwise, communities will not view police officers as a legitimate, trustworthy, authority, making it less likely they will assist police agencies in solving violent crimes, which, in turn, makes us all less safe. Without transparency, the public lacks evidence that misconduct is being addressed and will continue to suspect that officers are not held accountable for their actions. Similarly, a transparent process can also help to demonstrate when officers acted appropriately, allowing our best officers to lead by example.

Communities demand increased accountability and transparency, but LEOBOR prevents police officers from being accountable to or transparent with the communities that police are sworn to protect and serve. We ask committee members to vote yes on SB 149.