



Maryland Coalition for Justice and Police Accountability

LOCAL CONTROL OF BALTIMORE CITY POLICE

WHY DOES THE STATE CONTROL BALTIMORE CITY'S POLICE DEPARTMENT?

For 159 years, the Baltimore Police Department (BPD) has been controlled by the state, not our city. Despite being the 8th largest municipal police department in the country, and five consecutive years of rising violent crime, our city is unable to meaningfully enforce accountability and policing reforms (several of which are mandated by the Department of Justice) because of a lack of appropriate legal authority. We can only ensure BPD becomes effective by ensuring local law enforcement is accountable to local residents and elected officials rather than being responsive to the whims of the state of Maryland.

Perhaps one of the most perverse aspects of the current state control of BPD is allowing city officials to more easily ignore police misconduct. That is because state control means that BPD currently has state sovereign immunity as opposed to the local sovereign immunity provided to all other local public employees. This means that currently Baltimore Police can engage in wrongful violations prohibited by the state constitution without having to worry about additional legal fees.

Local control creates additional accountability of the BPD. Suggesting that puts a burden on the city intentionally ignores the serious misconduct and corruption still present within BPD. It also intentionally dismisses the harm it is causing Baltimore city residents, further undermining public safety and the rights of all Baltimoreans.

SUPPORT LOCAL CONTROL

A coalition of over 75 groups from across the state are calling on Maryland legislators to support strong, renewed demands for police reform and accountability:

- 1 Repeal in full the Law Enforcement Officers' Bill of Rights.
- 2 Reform the Public Information Act to allow disclosure of all complaints of police misconduct.
- 3 Establish a statewide use of force policy that will prevent officers from using force unless it is necessary.
- 4 Remove school resource officers from schools.
- 5 **Return control of the Baltimore City Police Department to Baltimore City residents.**

WHAT BALTIMORE CITY IS CURRENTLY ALLOWED TO DO:

- Hire and fire the Police Commissioner
- Suggest budget modifications

WHAT BALTIMORE CITY IS CURRENTLY PROHIBITED FROM DOING:

- Enacting department-wide policies
- Provide local oversight of the Consent Decree's implementation
- Enforcing incentives that prevent police misconduct lawsuits and their costs by actively creating public accountability and promoting public trust

Find more information about the five necessary police reforms in Maryland, and the more than 75 organizations calling for them:
aclu-md.org/reimaginepolicing

As the Baltimore Consent Decree's Community Oversight Task Force emphasized in their 2018 report:



Every other police force in Maryland is governed and regulated by their local charters. The same should be true for Baltimore City. The BPD will never be fully accountable to its residents until full control of the department is returned to the city. Given the broken relationship that exists between the people of Baltimore and the police, the implementation of this recommendation needs to be a top priority.



REFERENCES:

George A. Nilson, Abell Foundation, The Baltimore Police Department: Understanding its status as a state agency (March 2019), <https://www.abell.org/sites/default/files/files/Abell%20Baltimore%20Police%20Department%20Report.pdf>

Community Oversight Taskforce, The Community Oversight Task Force's Recommendations for Strengthening Police Accountability and Police-Community Relations in Baltimore City (August 2018), https://www.baltimorepolice.org/sites/default/files/General%20Website%20PDFs/0909_COTF_Final_Web.pdf