

Department of Legislative Services
Maryland General Assembly
2016 Session

FISCAL AND POLICY NOTE
Third Reader

Senate Bill 368

(Senator Ferguson, *et al.*)

Judicial Proceedings

Environment and Transportation

Baltimore City - Police Commissioner - Length of Term

This bill requires that the Police Commissioner of Baltimore City serve at the pleasure of the Mayor of Baltimore City. In addition, the bill repeals the requirement that the police commissioner serve for a term of six years and continue until a successor is appointed and qualified as specified.

Fiscal Summary

State Effect: None.

Local Effect: The bill has no direct fiscal effect on Baltimore City; however, future compensation liabilities resulting from contracts terminated before the end of the six-year term may be avoided.

Small Business Effect: None.

Analysis

Current Law: The Police Commissioner of Baltimore City must be appointed by the Mayor of Baltimore City for a term of six years. The Baltimore City Public Local Laws provide that the first term commences July 1, 1978, and continues until a successor is appointed and qualified as specified. The person must be a citizen of the United States, 30 years of age or older, and have at least five years' administrative experience that is sufficiently broad, responsible, and technical to prepare the person to function effectively at the desired level as police commissioner. The appointment is subject to confirmation by a majority vote of city council members.

Chapters 39 and 40 of 2009 established that the police commissioner is subject to removal at the pleasure of the mayor.

Background: In July 2015, former Baltimore City Police Commissioner Anthony Batts was relieved from command by Mayor Stephanie Rawlings-Blake. Soon after, Kevin Davis, a former deputy commissioner, was appointed as the Interim Police Commissioner. In September 2015, the mayor announced her intention not to seek reelection when her term expires and soon after announced her intention to appoint Interim Commissioner Davis permanently to the police commissioner position. Debate ensued regarding the length and terms of the commissioner contract. Under the contract, Commissioner Davis' term extends into 2020, almost four years into the term of the next Baltimore City Mayor. If the soon-to-be-elected mayor decides, upon election, to appoint a different police commissioner, compensation may be due to Commissioner Davis under the terms of the current contract for early termination before expiration in 2020.

Additional Information

Prior Introductions: None.

Cross File: HB 384 (Delegate Anderson, *et al.*) - Environment and Transportation.

Information Source(s): Baltimore City, *Baltimore Sun*, Department of Legislative Services

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