



Testimony for the Senate Judicial Proceedings Committee

February 20, 2020

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SB 929 Public Safety - Baltimore City - P.R.O.T.E.C.T. (Public Resources Organizing to End Crime Together) Program

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The ACLU of Maryland writes to offer some concerns regarding the potential impact of SB 929 that we would like the Committee to consider as it votes on this legislation.

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- 1. SB 929 can be drafted to encourage collaboration with the state without relinquishing authority to the state.** Collaboration between state and local agencies, including law enforcement, may be advantageous. However, we are concerned that the provisions of SB 929 are drafted vaguely and may instead give greater authority to state law enforcement to police Baltimore City communities. While the City has certainly faced leadership challenges in recent years, turning over authority to the state does not resolve those challenges. In fact, it may exacerbate the current and growing sentiment of distrust and alienation felt by Baltimoreans toward law enforcement.
- 2. Maryland State Police (MSP) is not accountable to Baltimoreans and should not have a statutorily created presence in the City.** We strongly urge against statutorily granting the Maryland State Police authority to police Baltimore's communities. We recognize the provisions of the bill limit MSP's role to traffic enforcement, but that alone is sufficient to allow MSP to have a permanent presence anywhere in the City, at any time of day, and at the sole discretion of the Governor—with little (possibly no) regard for the needs and desires of Baltimoreans. We recognize that MSP's role must be specified by the Baltimore Police Commissioner, in consultation with the Secretary of State Police, but this indirect line of accountability to Baltimoreans is attenuated and may exacerbate already strained relations between law enforcement and community.



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3. **The warrant apprehension task force should also be accountable to local communities.** We share the above concerns regarding the warrant apprehension task force. SB 929 requires several state agencies—State Police, Parole and Probation, and DJS to establish and operate a warrant apprehension task force partnership. The omission of a local entity raises some concerns about the accountability of the task force to local communities.

4. **“Intensive supervision” does not necessarily yield better safety results.** Under 4-1501(C) of the bill, BPD, DJS, and Parole and Probation shall collaborate to provide “intensive supervision” for adult and juvenile violent offenders. We caution the committee against more intensive supervision, which does not necessarily discourage recidivism. We learned from the Justice Reinvestment Coordinating Council that hyper- supervision mechanisms cause supervisees to often be revoked on technical grounds (e.g. missing an appointment), which may not pose any public safety threat. The JRCC found that at the time, “60 percent of all prison admissions represent failures of probation, parole, or mandatory release supervision. Many of these failures are due to technical violations of the conditions of supervision, like missing an appointment or failing a drug test, rather than for a new criminal conviction.”¹ We therefore caution against adopting even more intensive supervision mechanisms.

¹ Maryland Justice Reinvestment Coordinating Council—Final Report (December 2015).