

Department of Legislative Services
Maryland General Assembly
2006 Session

FISCAL AND POLICY NOTE
Revised

House Bill 1470

(Delegate Marriott, *et al.*)

Judiciary

Education, Health, and Environmental Affairs

Baltimore City Civilian Review Board - Additional Powers and Training

This bill expands the authority of the Baltimore City Civilian Review Board to include the processing, investigation, review, and evaluation of allegations of “false arrest” and “false imprisonment” against law enforcement officers in Baltimore City. Each member of the board is required to receive training on the issues of abusive language, false arrest, false imprisonment, harassment, and excessive force. The bill authorizes the board to find a complaint to be unfounded.

Fiscal Summary

State Effect: None.

Local Effect: Although this bill may lead to an increase in the workload for the board, it is assumed that it could be handled with the existing resources of the board as provided by Baltimore City.

Small Business Effect: None.

Analysis

Current Law: The Baltimore City Civilian Review Board was created by Chapters 196 and 197 of 1999 to replace the Complaint Evaluation Board. It is a 12-member permanent, statutory agency established with the authority to process, investigate, review, and evaluate allegations made by members of the public of abusive language, harassment, or excessive force against police officers of the Police Department of Baltimore City, the Baltimore City School Police, the Housing Authority of Baltimore City Police, and the

Baltimore City Sheriff's Department. Only 9 of the 12 members are voting members; the nonvoting members consist of one representative each of the Fraternal Order of Police, the Vanguard Justice Society, and the Baltimore City Police Commissioner.

Background: The Baltimore City Council adopted a resolution asking for the introduction of this bill. In the resolution, the council stated the purpose of the introduction to be as follows:

“The cautionary and in some cases reactionary posture that has overtaken the country and law enforcement in particular, after the events of 9-11, creates an atmosphere where the rights of the individual are in danger of being ignored in a vigorous attempt to ensure homeland security. Expanding the powers of the Civilian Review Board to investigate claims of false arrest and false imprisonment will serve to provide a desirable chilling effect on officers who might otherwise be over-zealous or injudicious in the exercise of their duties.”

Baltimore City provides funding for two investigators for the board. In addition, the staff of the Community Relations Commission provides administrative and clerical support to the board. Legal assistance is provided by the Office of City Solicitor.

Additional Information

Prior Introductions: HB 702 of 2005, an identical bill, had a hearing before the Environmental Matters Committee and was withdrawn.

Cross File: None.

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

Fiscal Note History: First Reader - March 10, 2006
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Analysis by: Guy G. Cherry

Direct Inquiries to:
(410) 946-5510
(301) 970-5510