

Department of Legislative Services
Maryland General Assembly
2019 Session

FISCAL AND POLICY NOTE
Third Reader

House Bill 528 (Delegate Smith, *et al.*)
Environment and Transportation

Judicial Proceedings

Baltimore City - Police Districts - Redistricting

This bill requires the Police Commissioner of Baltimore City, following each decennial census of the United States, to prepare a plan for (1) the adjustment of the geographic boundaries and composition of each Baltimore City police district and (2) the reallocation of the resources and personnel of the Baltimore City Police Department (BPD) among the districts, as specified. The commissioner must present the plan to the Mayor and City Council of Baltimore City within one year from the issuance of the decennial census population and housing data by the U.S. Census Bureau. The mayor and city council must approve the plan by resolution within 180 days from presentation or the plan becomes effective on the one hundred eighty-first day. A plan approved by the mayor and city council becomes effective immediately. The commissioner must implement any plan in effect, as specified.

Fiscal Summary

State Effect: The bill can be implemented with existing budgeted resources, as discussed below. Revenues are not affected.

Local Effect: BPD expenditures likely increase by at least \$100,000 in FY 2022 (and every 10 years thereafter). Revenues are not affected. **This bill imposes a mandate on a unit of local government.**

Small Business Effect: None.

Analysis

Bill Summary: In preparing the required plan, the commissioner must use:

- decennial census population and housing data of the U.S. Census Bureau;
- district call volume trends;
- district response times; and
- any other information deemed necessary by the commissioner.

The mayor may propose amendments to the plan within 180 days after the plan is presented by the commissioner. Amendments proposed by the mayor must be approved by resolution of the city council.

The bill may not be construed to limit the authority of the commissioner under the public local laws of Baltimore City.

Current Law/Background: A U.S. Census has been conducted every 10 years since 1790, as required by the U.S. Constitution. Census data is used for a variety of purposes, including apportioning state representation and to make decisions affecting legislation and spending on housing, highways, hospitals, schools, and assistance programs. The next census is scheduled for 2020.

BPD has nine police districts of varying size. Each of the nine districts is staffed with roughly the same number of officers.

In 2016, the Baltimore City Council adopted Resolution 16-0310R, calling on the Baltimore City Delegation to the Maryland General Assembly to secure enactment of legislation requiring that BPD review and adjust police district boundaries after the information from each decennial census becomes available. The resolution provides that although Baltimore City has experienced significant changes in both population numbers and distribution since the current boundaries were adopted, as well as changes in the security needs of various neighborhoods, district boundaries have remained unchanged. In addition, the resolution states that a study of 2012 call-for-service data found that the least active district had only 60% as many calls for service as the most active district in the city.

State Expenditures: The Maryland Department of Planning (MDP) can provide census data and technical assistance to BPD, as necessary, with existing budgeted resources.

Local Expenditures: Baltimore City did not respond to repeated requests for information regarding the fiscal effect of this bill. However, for a similar bill that was introduced during the 2018 session, the city reported that the police district boundary lines had not been

redrawn in a number of years. The city also advised that, even with MDP's assistance, analyzing census data and redrawing police district boundaries requires the police department to hire a short-term consultant or contractor as a research analyst. The cost of a research analyst was estimated at \$96,375 annually, which includes a salary and fringe benefits. Additional costs for equipment were estimated at \$5,000. In addition, the city reported that additional costs are likely in order to reproduce maps. Given that the next decennial census will not be conducted until 2020, it is assumed that any local expenditures are incurred in fiscal 2022 and every 10 years thereafter.

Additional Comments: Although BPD is a State agency, the State does not control the appointment or removal of the police commissioner and is not responsible for providing funding for the operations of the police department. However, the State retains the ability to amend the law relating to the department in order to implement policy changes.

Additional Information

Prior Introductions: HB 440 of 2018, a similar bill, passed the House and received a hearing in the Senate Education, Health, and Environmental Affairs Committee, but no further action was taken. HB 9 of 2017, a similar bill, passed the House with amendments and was referred to the Senate Education, Health, and Environmental Affairs Committee, but no further action was taken. Its cross file, SB 112, received a hearing in the Senate Education, Health, and Environmental Affairs Committee, but no further action was taken.

Cross File: SB 39 (Senator McCray, *et al.*) - Judicial Proceedings.

Information Source(s): Baltimore City; Maryland Department of Planning; Department of Legislative Services

Fiscal Note History: First Reader - February 6, 2019
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Analysis by: Shirleen M. E. Pilgrim

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