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SB 866

March 1, 2022

TO: Members of the Senate Judicial Proceedings Committee

FROM: Natasha Mehu, Director of Government Relations

RE: Senate Bill 866 – Baltimore Police Department- Consent Decree- Exceptions to State Law

POSITION: Support

Chair Smith, Vice Chair Waldstreicher, and Members of the Committee, please be advised that the Baltimore City Administration (BCA) **supports** Senate Bill (SB) 866.

SB 866 is a Mayoral Priority bill that would exempt the Baltimore City Police Department from state laws and regulations that conflict with the Baltimore City federal consent decree that was entered into prior to January 1, 2021.

On April 7, 2017, The City of Baltimore and the Department of Justice entered into a consent decree, a United States District Court of Maryland enforceable agreement to resolve the Department of Justice’s findings after an extensive review of Baltimore City Police Department practices that violated the United State’s Constitution. Notably, under the agreement, requirements set out in the Consent Decree are monitored by an independent party, also known as the Monitoring Team, which assesses whether these reforms set forth in the Consent Decree are being implemented. Since then, the City of Baltimore has worked diligently to reform the Baltimore City Police Department, prohibiting unlawful stops and arrests, preventing discriminatory policing and excessive force, ensuring public and officer safety, enhancing officer accountability, and making needed technological upgrades.

While the General Assembly has passed historic police reform measures in recent years to the benefit of all Marylanders, there are certain requirements of state police reform laws that

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conflict, or could conflict, with the federal consent decree. SB 866 would provide flexibility for the Baltimore City Police Department to continue meeting its court-mandated reforms by requiring, in those instances when the United States District Court of Maryland determines there is a conflict between the recommendations set forth by the federal consent decree and state law, that the federal consent decree provision prevails.

For these reasons we respectfully request a **favorable** report on SB 866.