

SB0758-Baltimore City-Control Over Powers of Polic

Uploaded by: Adiena Britt

Position: FAV

SB0758-Baltimore City - Control Over Powers of Police Commissioner

Stance: Favorable with Amendment

Testimony: My name is Adiena Britt and I reside within the 45th Legislative District of Baltimore City. I am writing in order to support SB0758. I have been working on the Local Control of BPD issue since 2018 and have stuck with it through every obstacle and hindrance that has been thrown at it by some City Delegates and Senators. I am tired of having to address this issue, and this “mistake” in not addressing the Legislative coverage over the Police Commissioner and BPD having been “missed” in the 2021 Legislation is mind-boggling. I have had to testify via video, via written testimony, and in person at the City Council and using this means in Annapolis. I’m tired of having to testify, and follow this issue.

With the Legislation that passed in 2021, Local Control was forced to become a ballot initiative in order to change the City Charter. It also forced an “Advisory Board” to be established, and we were cool with that; even though it managed to kick the can down the road a year. I was a staunch advocate of “Question H”, even hand-making signs for people’s lawns to vote for it. It passed with 82% of the vote, and we thought we had accomplished something. Only come to find out that this vital portion of the Law was “missed” in 2021. I found this out via an in-person City Council meeting on February 21st of this year! What it amounts to is that NO ONE in the State of MD has Legislative Power over the BPD right now! Not only that, but there’s been no Legislative Oversight since January 1st of 2022!!!! So, they’ve gone OVER A YEAR without any governance! This is Unacceptable!

Though this Bill was written to serve as a corrective action, I would be remiss if I didn’t state that an effective date of June 1st, 2023 is unacceptable as well! This should take effect IMMEDIATELY! As soon as it passes, because if it passes in this session and the effective date remains June 1, then the BPD will have gone a YEAR AND A HALF with no Legislative Oversight!! How can that be? How could the MD General Assembly have allowed that to happen? Unless it was purposely done. Enough is enough on this issue.

The Mayor and City Council of Baltimore City need to have this Legislative Authority provided and enacted AS SOON AS HUMANLY POSSIBLE. The Advisory Board is confident that they will have a final report as early as the first week of April. They’ve also supplied reports to Annapolis in December of 2021 AND December of 2022. The Delegates and Senators in the MD General Assembly need to cease and desist delaying the inevitable any longer. Pass this Legislation with the Amendment that it takes effect Immediately so that the City Government can do what constituents have sent them to do, which is Legislate over a City Agency.

The BPD has been improperly governed since the 1860s, and have proven themselves to be above the law time and time again. Citizens of Baltimore City who have been the victims of Police Brutality have had enough! Get this done and get Legislative Power placed into the right hands and at the right time. The Right Time is NOW!

Thank You.

SB758_AllisonEvans_FAV.PDF

Uploaded by: Allison Evans

Position: FAV

My name is Allison Evans and I am a resident of District 23, in Bowie. I am submitting this testimony in support of SB758/HB853 - Baltimore City - Control Over Powers of Police Commissioner.

After working as a mechanical engineer for a decade, I still grind my teeth a little when someone says the word "oversight." Many engineers do. The first thing that comes to mind is that someone is going to come into our cozy lab, touch all over the equipment, ask a bunch of questions, and disturb our pleasant notions of everything chugging along smoothly. In short, it means confrontation. Discomfort. We grumble. Quality Assurance walks in the door. We stop grumbling, pull out our documentation and drawings, and brush the dust bunnies under a table. We're being Evaluated, and that comes with important things like permission to proceed and additional funding.

The truth of it is, despite our grumbling, we need Quality Assurance, and wouldn't be able to function without their outside input and checks on our power to proceed as usual. An outside perspective is proven to be able to catch what we miss through being immersed in our own culture and designs. They catch mistakes, safety hazards, and potential problems before they get bad enough to cost a lot of money or injure someone. In some cases they literally save lives through their observations and ability to stop our work and demand changes before moving forward. For this, we grumble but recognize it as necessary. The customer relies on Quality Assurance to get the end product they ordered. We rely on them to keep us aware of ourselves and our processes.

I ask you to look at the Baltimore Police Department as delivering an essential service to the end customer, the residents of Baltimore City. City Council, therefore, acts as Quality Assurance for the BPD. An outside perspective searching for mistakes, safety hazards, and potential problems that could, worst case, result in loss of life.

In 2021 the General Assembly passed legislation that reestablished BPD as a city agency, provided that Baltimore residents ratified an amendment to the City Charter. In November 2022 that happened with overwhelming support. Out of residents who voted on the topic, over 82% voted to ratify it. Baltimore residents wanted this change. They recognized the need for this change, as the end customers of the BPD. The Maryland General Assembly was able to deliver on it, yet one snag remains.

As a result of the 2021 and '22 legislation, BPD is a City agency, but one sentence in existing law prevents City Council from legislating much-needed reforms to their Police department: a provision in the Baltimore City Charter that states ". . . no ordinance of the City or act of any municipal officer . . . shall conflict, impede, obstruct, hinder or interfere with the powers of the Police Commissioner."

Because of this wording, unlike officials in other localities, Baltimore City Councilmembers have been unable to reform BPD policy through local regulations or ordinances. Instead, City officials and residents are forced to take local matters to the State's Capital once a year during a three

month window to plead for changes. This is highly inefficient and is merely due to vestigial wording from a provision made in the 1860's. No other locality in Maryland has limited control over its own police department. None but Baltimore City.

Imagine, now, if a mechanical parts manufacturer wrote into their contracts "no act of any Quality Assurance...shall conflict, impede, obstruct, hinder, or interfere with the powers of the Engineers." Wouldn't that render QA completely useless in it's magnificent ability to ensure a good end product and safe manufacturing? Yes, it would! Baltimore City is missing an essential function of its City Council that is present in ALL other localities. It is hindering the ability of the BPD to reach its full potential in serving the residents of Baltimore City. They need Quality Assurance now, not later.

I respectfully urge this committee to return a favorable report on SB758/HB853 to immediately restore local control of the BPD to Baltimore City.

SB758_AndrewMiller_FAV.pdf

Uploaded by: Andrew Miller

Position: FAV

Date of Hearing: 3/1/2023

Andrew J. Miller

16 Emerald Ridge Court, Baltimore, MD 21209

TESTIMONY ON SB758/HB853

POSITION: FAVORABLE

**Baltimore City – Control Over
Powers of Police Commissioner**

TO: Chair Smith, Vice Chair Waldstreicher, and members of the Judicial Proceedings Committee

FROM: Andrew J. Miller

My name is Andrew Miller. I am a resident of District 11. I am submitting this testimony in support of SB758, Baltimore City – Control Over Powers of Police Commissioner.

I believe that the well-being of Baltimore and its citizens is of critical importance to Baltimore County and to the State of Maryland as a whole. Last February I submitted testimony on behalf of the Juvenile Interrogation Protection Act and was glad to see it passed into law. Recently I submitted testimony to this committee in support of the Youth Equity and Safety Act. I am equally concerned about the bill before this committee in today's hearing.

As a former resident of Baltimore City for many years and currently a long-time resident of Baltimore County I believe that local control should be a bedrock principal and there is no justifiable reason to deny that right to Baltimore City. Advocates have been working to give local control back to Baltimore City for more than 10 years; in 2021 the General Assembly passed legislation allowing this once Baltimore City passed an amendment to the City Charter; and in November of 2022, 82% of voters in Baltimore City voted in favor of that amendment. However the Baltimore City Council still does not have the power to legislate reforms to the Baltimore Police Department. Police accountability should be in the hands of local government and it is unfair that Baltimore City residents still have no way to affect changes in related policies at the local level. One last piece of state legislation, SB758, is needed to change the City Charter and to realize the goal of enabling local control.

Therefore **I respectfully urge this committee to return a favorable report on SB758.**

SB758 A Juberg Favorable.pdf

Uploaded by: Arielle Juberg

Position: FAV

Chair Smith, Vice Chair Waldstreicher, and members of the Judicial Proceedings Committee,

My name is Arielle Juberg, and I am a resident of District 5. I **am testifying in support of SB 758 to Amend Baltimore City's Charter for Local Control of Police.** I am submitting this testimony as a member of Showing Up for Racial Justice Baltimore, a group of individuals working to move white folks as part of a multi-racial movement for equity and racial justice in Baltimore City, Baltimore County, and Howard County. We are working in collaboration with our accountability partner, the Campaign for Justice, Safety and Jobs (CJSJ).



I believe that local residents should have a voice in local services. Baltimore City is still the *only* locality in Maryland and only one of two localities in the entire country that does not have control over its own police department. Local voices are desperately needed in order to enhance public safety. As someone who has lived, worked, and volunteered in Baltimore City, I believe that everyone should feel safe and welcome in Baltimore.

In 2021, the General Assembly passed legislation to reestablish BPD as a City agency provided that Baltimore residents ratify an amendment to the City Charter. In November 2022, Baltimore residents *overwhelmingly* voted in favor (82%) of a charter amendment to transfer control of the BPD from the State to Baltimore City.

However, Baltimore City still lacks local control - the General Assembly has to pass SB758/HB853 to remove one line in the City Charter which prohibits the City Council from infringing on the power of the Police Commissioner. Further delay of implementation of local control of the Baltimore Police Department is unacceptable, as it unjustly limits representative democracy and police accountability in a majority-Black city.

The will of Baltimore City voters, clearly expressed in the last election, must be carried out immediately by passing SB758/HB853. It is for these reasons that I am encouraging you to vote **favorably on Baltimore City – Control Over Powers of Police Commissioner SB758.**

Thank you for your time, service, and consideration.

Sincerely,

Arielle Juberg
3411 Upton Road
Baltimore, MD 21234

Baltimore Local Control Charter Amendment.pdf

Uploaded by: Bonnie Weissberg

Position: FAV

Chair Smith, Vice Chair Waldstreicher, and members of the Judicial Proceedings Committee,

My name is Bonnie Weissberg, and I am a resident of **District 41. I am testifying in support of SB 758 to Amend Baltimore City's Charter for Local Control of**

Police. I am submitting this testimony as a member of Showing Up for Racial Justice Baltimore, a group of

individuals working to move white folks as part of a multi-racial movement for equity and racial justice in Baltimore City, Baltimore County, and Howard County. We are also working in collaboration with our accountability partner, the Campaign for Justice, Safety and Jobs (CJSJ).



In 2021, the General Assembly passed legislation to reestablish BPD as a City agency provided that Baltimore residents ratify an amendment to the City Charter. In November 2022, Baltimore residents overwhelmingly voted in favor (82%!) of a charter amendment to transfer control of the BPD from the State to Baltimore City. This win was the result of years of work by community members and advocates. But, as a result, as of January 1, 2023, Baltimore City's police department is a City agency, however, the City Council is still powerless to legislate much-needed reforms to the BPD.

We still don't have local control - the General Assembly has to pass [SB758](#) to remove one line in the City Charter which prohibits the City Council from infringing on the power of the Police Commissioner.

Baltimore City is still the *only* locality in Maryland and only one of two localities in the entire country that does not have control over its own police department. Further delay of implementation of local control of the Baltimore Police Department is unacceptable, as it unjustly limits representative democracy and police accountability in a majority-Black city.

We cannot and will not wait any longer. The people's will, clearly expressed in the last election, must be carried out immediately by passing SB758 which will restore legislative authority to our City Council on June 1, 2023.

It is for these reasons that I am encouraging you to vote **favorably on Baltimore City – Control Over Powers of Police Commissioner SB758.**

Thank you for your time, service, and consideration.

Sincerely,
Bonnie Weissberg
1704 Mt. Washington Ct., Apt. H
Baltimore, MD 21209
Showing Up for Racial Justice Baltimore



Maryland Coalition for Justice and Police Accountability

LOCAL CONTROL OF BALTIMORE CITY POLICE

BILLS HB 1027 & SB 786

Baltimore City is the only locality in the Maryland with limited control over its own police department. In the 1860s, state officials took over Baltimore City's police force after a violent white-male nativist party gained political control of the city and engaged in acts of corruption through the police department.¹ After 160 years and a history of more representative governance, the Maryland General Assembly, not the Baltimore City Council, continues to have statutory authority over the Baltimore Police Department (BPD). However, police corruption and misconduct have persisted within BPD even under the state's control.²

WHY IS STATE CONTROL OF BALTIMORE CITY'S POLICE DEPARTMENT A PROBLEM?

Unlike other local officials, Baltimore City officials are unable to introduce or adopt policies requiring BPD to change its policing policies and practices. Instead, Baltimore City officials and residents must travel to Annapolis to ask state lawmakers to pass policies to change their own police force. This hinders police accountability efforts.

Despite being the 8th largest municipal police department in the country, and five consecutive years of rising violent crime, Baltimore City is unable to meaningfully enforce accountability and policing reforms (several of which are mandated by the Department of Justice) because of a lack of appropriate legal authority. We can only ensure

BPD becomes effective by ensuring local law enforcement is accountable to local residents and elected officials rather than being responsive to the whims of the state of Maryland.

WHAT IS THE IMPACT?

In 2014, when Baltimore City Council members passed an ordinance to require BPD officers to wear body-worn cameras, they were blocked from doing so because of BPD's status as a state agency.³ And, unlike Montgomery County officials who passed a law in 2019 requiring independent investigations of police-involved deaths⁴ in that county, if Baltimore City officials wanted to pass a similar law, they must ask members of the Maryland General Assembly, most of whom do not represent Baltimore City residents.

SUPPORT LOCAL CONTROL

A coalition of over 90 groups from across the state are calling on Maryland legislators to support strong, renewed demands for police reform and accountability:

- 1 Repeal in full the Law Enforcement Officers' Bill of Rights.
- 2 Reform the Public Information Act to allow disclosure of all complaints of police misconduct.
- 3 Establish a statewide use of force policy that will prevent officers from using force unless it is necessary.
- 4 Remove police officers from children's schools.
- 5 **Return control of the Baltimore City Police Department to Baltimore City residents.**



MARYLAND COALITION FOR JUSTICE & POLICE ACCOUNTABILITY

THE SOLUTION: RESTORE BALTIMORE CITY'S CONTROL OVER ITS POLICE DEPARTMENT

It is unjust and absurd that Baltimore City taxpayers fund the BPD and pay civil settlements and judgments for police misconduct, but they are unable to require BPD to change policies to prevent or hold officers accountable for misconduct. Accordingly, the City's Community Oversight Task Force recommended restoring local control of the BPD.⁵ In 2019, the Maryland House of Delegates unanimously passed a bill that took steps toward restoring local control of the BPD but the bill stalled in the Senate.⁶

One of the most perverse aspects of the current state control of BPD is allowing city officials to more easily ignore police misconduct. Opponents argue that because BPD currently has state sovereign immunity, restoring BPD to local control would result in an increase in payouts for police misconduct. However, the city is already solely responsible for paying misconduct claims, and the state provides little to no help. City officials have noted that any increase would be minimal. And Baltimore City should not be afforded a special shield from civil liability.

Local control creates additional accountability of the BPD. Suggesting that it puts a burden on the city intentionally ignores the serious misconduct and corruption still present within BPD. It also intentionally dismisses the harm it is causing Baltimore city residents, further undermining public safety and the rights of all Baltimoreans.

Find more information about the five necessary police reforms in Maryland, and the more than 90 organizations calling for them:
www.mcjpa.org

BALTIMORE CITY IS CURRENTLY PROHIBITED FROM:

- Enacting department-wide policies
- Provide local oversight of the Consent Decree's implementation
- Enforcing incentives that prevent police misconduct lawsuits and their costs by actively creating public accountability and promoting public trust

The Baltimore Consent Decree's Community Oversight Task Force emphasized in their 2018 report:



Every other police force in Maryland is governed and regulated by their local charters. The same should be true for Baltimore City. The BPD will never be fully accountable to its residents until full control of the department is returned to the city. Given the broken relationship that exists between the people of Baltimore and the police, the implementation of this recommendation needs to be a top priority.



SOURCES:

- 1 George A. Nilson, The Abell Foundation, The Baltimore Police Department: Understanding its status as a state agency, 2-3 (March 2019). <https://abell.org/sites/default/files/files/Abell%20Baltimore%20Police%20Department%20Report.pdf>
- 2 <http://data.baltimoresun.com/news/gun-trace-overview/>
- 3 <https://www.baltimoresun.com/citypaper/bcp-as-city-council-and-public-clamor-for-police-body-cameras-mayor-hires-group-to-clarify-questions-rai-20141104-story.html>
- 4 https://www.washingtonpost.com/local/md-politics/montgomery-first-in-region-to-require-outside-police-probe-of-officer-involved-deaths/2019/05/07/7cdadc9c-70ce-11e9-8be0-ca575670e91c_story.html
- 5 Community Oversight Taskforce, The Community Oversight Task Force's Recommendations for Strengthening Police Accountability and Police-Community Relations in Baltimore City (August 2018), https://www.baltimorepolice.org/sites/default/files/General%20Website%20PDFs/0909_COTF_Final_Web.pdf
- 6 <https://www.baltimoresun.com/politics/bs-md-local-control-police-20190405-story.html>

SB758.pdf

Uploaded by: Charlene Rock-Foster

Position: FAV

February 28, 2023

SB758- Baltimore City - Control Over Powers of Police Commissioner

Favorable with Amendments

My name is Charlene Rock-Foster, a resident of Baltimore City, and I support SB758.

I had the opportunity to attend the hearing for Local Control of the Baltimore City Police Department (BCPD) on February 21st. I was astonished and disappointed in learning that despite over 80% of residents- me included- voting for local control of BCPD, there wasn't legislative powers in place for oversight. Given this fight for local control has been years in the making, it should had happened immediately but currently, there is no governing oversight. Additionally, the powers that be are planning to further delay implementation of local control of BCPD until 2024 – this is unacceptable. My recommendation is to ***immediately*** give the City Council and the Mayor legislative oversight and full authority over Baltimore City Police department, not wait until June 1st to make this happen.

For the foregoing reasons, I urge a favorable report on SB0758. Thank you for the opportunity to submit testimony.

SB758 local control.docx.pdf

Uploaded by: Christina Nemphos

Position: FAV

Chair Smith, Vice Chair Waldstreicher, and members of the
Judicial Proceedings Committee,

I am a resident of MD District 40, living in the Medfield
neighborhood of Baltimore. **I am testifying in support of SB
758 to Amend Baltimore City's Charter for Local Control
of Police.** I am submitting this testimony as a member of
Showing Up for Racial Justice Baltimore, a group of
individuals working to move white folks as part of a multi-racial
movement for equity and racial justice in Baltimore City,
Baltimore County, and Howard County. We are also working in collaboration with our accountability
partner, the Campaign for Justice, Safety and Jobs (CJSJ).



**I believe in this issue strongly, and spent the better part of four days knocking on doors in
Baltimore this fall to get out the word about the ballot initiative.**

In 2021, the General Assembly passed legislation to reestablish BPD as a City agency provided that
Baltimore residents ratify an amendment to the City Charter. In November 2022, Baltimore residents
overwhelmingly voted in favor (82%!) of a charter amendment to transfer control of the BPD from the
State to Baltimore City. This win was the result of years of work by community members and advocates.
But, as a result, as of January 1, 2023, Baltimore City's police department is a City agency, however City
Council is still powerless to legislate much-needed reforms to the BPD.

We still don't have local control - the General Assembly has to pass [SB758/HB853](#) (Sen. Carter/Del.
Smith are the sponsors) to remove one line in the City Charter which prohibits the City Council from
infringing on the power of the Police Commissioner.

Baltimore City is still the *only* locality in Maryland and only one of two localities in the entire country that
does not have control over its own police department. Further delay of implementation of local control of
the Baltimore Police Department is unacceptable, as it unjustly limits representative democracy and
police accountability in a majority-Black city.

We cannot and will not wait any longer. The people's will, clearly expressed in the last election, must be
carried out immediately by passing SB758/HB853, which will restore legislative authority to our City
Council on June 1, 2023.

It is for these reasons that I am encouraging you to vote **favorably on Baltimore City – Control Over
Powers of Police Commissioner SB758.**

Thank you for your time, service, and consideration.

Sincerely,
Christina Nemphos
1301 W 42nd Street, Baltimore, Md 21211
Showing Up for Racial Justice Baltimore

SB758 local control.pdf

Uploaded by: Christina Pham Linhoff

Position: FAV

Chair Smith, Vice Chair Waldstreicher, and members of the
Judicial Proceedings Committee,

My name is Christina Pham Linhoff and I am a resident of **District 46. I am testifying in support of SB 758 to Amend Baltimore City's Charter for Local Control of Police.** I am submitting this testimony as a member of Showing Up for Racial Justice Baltimore, a group of individuals working to move white folks as part of a multi-racial movement for equity and racial justice in Baltimore City, Baltimore County, and Howard County. We are also working in collaboration with our accountability partner, the Campaign for Justice, Safety and Jobs (CJSJ).



In 2021, the General Assembly passed legislation to reestablish BPD as a City agency provided that Baltimore residents ratify an amendment to the City Charter. In November 2022, Baltimore residents overwhelmingly voted in favor (82%!) of a charter amendment to transfer control of the BPD from the State to Baltimore City. This win was the result of years of work by community members and advocates. But, as a result, as of January 1, 2023, Baltimore City's police department is a City agency, however City Council is still powerless to legislate much-needed reforms to the BPD.

We still don't have local control - the General Assembly has to pass [SB758/HB853](#) (Sen. Carter/Del. Smith are the sponsors) to remove one line in the City Charter which prohibits the City Council from infringing on the power of the Police Commissioner.

Baltimore City is still the *only* locality in Maryland and only one of two localities in the entire country that does not have control over its own police department. Further delay of implementation of local control of the Baltimore Police Department is unacceptable, as it unjustly limits representative democracy and police accountability in a majority-Black city.

We cannot and will not wait any longer. The people's will, clearly expressed in the last election, must be carried out immediately by passing SB758/HB853, which will restore legislative authority to our City Council on June 1, 2023.

It is for these reasons that I am encouraging you to vote **favorably on Baltimore City – Control Over Powers of Police Commissioner SB758.**

Thank you for your time, service, and consideration.

Sincerely,
Christina Pham Linhoff
46 E Randall Street, Baltimore, MD 21230
Showing Up for Racial Justice Baltimore

SB758 local control.pdf

Uploaded by: Daryl Yoder

Position: FAV

Chair Smith, Vice Chair Waldstreicher, and members of the
Judicial Proceedings Committee,

I am submitting this testimony as a member of Showing Up for Racial Justice Baltimore, a group of individuals working to move white folks as part of a multi-racial movement for equity and racial justice in Baltimore City, Baltimore County, and Howard County. We are also working in collaboration with our accountability partner, the Campaign for Justice, Safety and Jobs (CJSJ). I am a resident of District 44A. **I am testifying in support of SB 758 to Amend Baltimore City's Charter for Local Control of Police.**



In 2021, the General Assembly passed legislation to reestablish BPD as a City agency provided that Baltimore residents ratify an amendment to the City Charter. In November 2022, Baltimore residents overwhelmingly voted in favor (82%!) of a charter amendment to transfer control of the BPD from the State to Baltimore City. This win was the result of years of work by community members and advocates. But, as a result, as of January 1, 2023, Baltimore City's police department is a City agency, however City Council is still powerless to legislate much-needed reforms to the BPD.

We still don't have local control - the General Assembly has to pass [SB758/HB853](#) (Sen. Carter/Del. Smith are the sponsors) to remove one line in the City Charter which prohibits the City Council from infringing on the power of the Police Commissioner.

Baltimore City is still the *only* locality in Maryland and only one of two localities in the entire country that does not have control over its own police department. Further delay of implementation of local control of the Baltimore Police Department is unacceptable, as it unjustly limits representative democracy and police accountability in a majority-Black city.

We cannot and will not wait any longer. The people's will, clearly expressed in the last election, must be carried out immediately by passing SB758/HB853, which will restore legislative authority to our City Council on June 1, 2023.

It is for these reasons that I am encouraging you to vote **favorably on Baltimore City – Control Over Powers of Police Commissioner SB758.**

Thank you for your time, service, and consideration.

Sincerely,
Daryl Yoder
309 Glenmore Ave.
Catonsville, MD 21228
Showing Up for Racial Justice Baltimore

SB758 testimony.pdf

Uploaded by: David Cramer

Position: FAV

March 1, 2023

SB758

Baltimore City - Control Over Powers of Police Commissioner

Hearing of the Judicial Proceedings Commit

Position: Favorable

My name is David Cramer – I was born in Baltimore and lived my entire adult life in the City, now in the 43rd Legislative District. I am speaking on behalf SURJ Baltimore – We are a local chapter of the national Showing Up for Racial Justice. Our 4,000-member list-serve covers Baltimore City and Baltimore and Howard counties. Two-thirds live in Baltimore City. We are a group of individuals working to mobilize white folks as part of a multi-racial movement for equity and racial justice in Baltimore. We are working in coalition with the Campaign for Justice, Safety and Jobs.

Every relative, neighbor, friend, and the many I canvased door-to-door last October in support of Question H on the city ballot in November of last year; were surprised to know that Baltimore City doesn't control our own police department. When informed of that fact, all were in favor of local control of our police department.

Back in 2014 I was surprised to learn that for our city government to require body worn cameras for our officers, it had to go before the state legislature. Since the Freddie Gray incident in 2015, we have gotten those cameras.

I learned recently that our City Council required all our city departments to introduce trauma interventions except for one, the Baltimore Police Department, which still is not a real department of the city but an agency of the state.

Several years ago, I was in these very chambers making the same request for local control which resulted in legislation providing a referendum which passed overwhelmingly last November as Question H on Baltimore City's ballot.

Now that we passed the referendum, everyone is further surprised that we still don't have full control without a technical fix on the charter. Yet, we continue to use our tax dollars to fund the police department and pay for civil judgements and settlements.

SURJ fully supports SB758 that would remove language from Article 2, section 27 of the City Charter that forbids the city to interfere with the authority of the police commissioner; this is meant to remove the last obstacle to local control. Finally, and most importantly, SB758 specifies full local control of Baltimore City's Police Department by June 1st of this year. We hope you will act now to get us out of this no-man's land of who is in charge – the State Legislature or the Baltimore City Administration and City Council.

SURJ Baltimore urges a favorable vote of SB758.

David Cramer on behalf of SURJ Baltimore

6150 Chinguapin Parkway

Baltimore, MD 21239

E Frost SB758 testimony.pdf

Uploaded by: Emily Frost

Position: FAV

Chair Smith, Vice Chair Waldstreicher, and members of the Judicial Proceedings Committee,

My name is Emily Frost, and **I am a resident of Baltimore City**, Maryland Legislative District 46. **I am testifying in support of SB 758 to Amend Baltimore City's Charter for Local Control of Police.** I am submitting this testimony as a member of Showing Up for Racial Justice Baltimore, a group of individuals working to move white folks as part of a multi-racial movement for equity and racial justice in Baltimore City, Baltimore County, and Howard County. We are also working in collaboration with our accountability partner, the Campaign for Justice, Safety and Jobs (CJSJ).

In 2021, the General Assembly passed legislation to reestablish BPD as a City agency provided that Baltimore residents ratify an amendment to the City Charter. In November 2022, Baltimore residents overwhelmingly voted in favor (82%!) of a charter amendment to transfer control of the BPD from the State to Baltimore City. This win was the result of years of work by community members and advocates. But, as a result, as of January 1, 2023, Baltimore City's police department is a City agency, however City Council is still powerless to legislate much-needed reforms to the BPD.

We still don't have local control - the General Assembly has to pass SB758/HB853 (Sen. Carter/Del. Smith are the sponsors) to remove one line in the City Charter which prohibits the City Council from infringing on the power of the Police Commissioner.

Baltimore City is still the *only* locality in Maryland and only one of two localities in the entire country that does not have control over its own police department. Further delay of implementation of local control of the Baltimore Police Department is unacceptable, as it **unjustly limits representative democracy and police accountability in a majority-Black city.**

We cannot and will not wait any longer. The people's will, clearly expressed in the last election, must be carried out immediately by passing SB758/HB853, which will restore legislative authority to our City Council on June 1, 2023.

It is for these reasons that I am encouraging you to vote **favorably on Baltimore City - Control Over Powers of Police Commissioner SB758.**

Thank you for your time, service, and consideration.

Sincerely,
Emily Frost
605 Park Ave, #12
Baltimore, MD 21201
Showing Up for Racial Justice Baltimore

E Lewitus_SB758_Testimony2023.pdf

Uploaded by: Eric Lewitus

Position: FAV

SB758_EricLewitus_FAV

March 1, 2023

Eric Lewitus, PhD
Baltimore, MD 21218

TESTIMONY ON SB758 - POSITION: FAVORABLE
Baltimore City - Control Over Powers of Police Commissioner

TO: Chairman Smith, Jr, Vice Chair Waldstreicher, and members of the Judicial Proceedings Committee

FROM: Eric Lewitus

My name is Eric Lewitus. I am a resident of District 14. I am submitting this testimony in support of SB758, Baltimore City - Control Over Powers of Police Commissioner.

I am a resident of Ednor Gardens and a Senior Scientist in infectious disease research at a government institute. I am testifying for immediate implementation of local control of the Baltimore Police Department because, as 83% of Baltimore voters asserted, our city has an opportunity to reimagine how it serves its citizens. Any delay in implementing local control wastes that opportunity. This is how I feel as a Baltimore resident and what I know as a researcher.

In November of 2022, voters were faced with two realities: that Baltimore is the only jurisdiction in Maryland that does not have local control of its police department; and there was something they could do about it. Ballot Question H asked voters whether to establish through a Charter Amendment a "Baltimore City Police Department, the head of which is the Police Commissioner", which would transfer the legislative authority to regulate BPD from lawmakers in Annapolis to the Baltimore City Council. We said yes, 82.76% of us. Voters overwhelmingly supported local control because it allows City Council to regulate surveillance equipment purchases, collect data on use-of-force and arrests, author guidance on the use of chokeholds, no-knock warrants, and policing of First Amendment protests, and, in line with the Maryland Police Accountability Act of 2021, set up civilian Police Accountability Boards. We voted yes on Question H because these are things we want, as do the many counties across Maryland that have implemented police accountability measures through local PD control. And yet, now that the amendment has passed, Mayor Scott resists.

My specialty in infectious disease research is HIV-1. Substance use is a high risk behavior for HIV-1 acquisition and 10% of new HIV-1 diagnoses in the United States are attributable to injection. As the state of Maryland continues to funnel resources into law-enforcement solutions to substance use, Baltimore is not making streets safer or citizens healthier. Instead, law-enforcement measures serve only to criminalize the behavior of those living with substance use problems in lieu of helping them access treatment. Specifically, BPD inhibits people using controlled substances from accessing harm reduction programs and increases community transmission of HIV and hepatitis. By keeping substance use within the remit of BPD we are reinforcing a targeted war, not against drugs, but against our neighbors — disproportionately our Black neighbors. At best, this is a bad solution. At worst, it creates more problems, which reverberate across generations. This is not just my opinion. The World Health Organization, United Nations Office on Drugs and Crime, and the Joint United Nations Programme on HIV/

AIDS have proposed a set of evidence-based intervention strategies to alleviate the health and safety burden of people who inject drugs, including: needle/syringe exchange, opioid substitution treatment, HIV counseling/testing, condom distribution, HIV education campaigns, and hepatitis vaccination/treatment. They propose no police involvement whatsoever. I, like most Baltimore residents, want access to a local electorate that can act on the wisdom of their constituents. Presently, my local electorate has no control over BPD, which means I and my neighbors have no control over the safety of our city. This is unacceptable.

We want the City Council — our local, elected legislators — to have legislative authority to make changes to BPD policy. To fulfill the will of Baltimoreans, the Maryland General Assembly must immediately restore control of the BPD to Baltimore residents and you, our local, elected legislators. Further delay is unacceptable.

I respectfully urge this committee to return a favorable report on SB758.

Sincerely,
Eric Lewitus

SB758 Local Control.pdf

Uploaded by: Erica Palmisano

Position: FAV

Chair Smith, Vice Chair Waldstreicher, and members of the Judicial Proceedings Committee,

My name is Erica, and I am a resident of 12A. I am **testifying in support of SB 758 to Amend Baltimore City's Charter for Local Control of Police**. I am submitting this testimony as a member of Showing Up for Racial Justice Baltimore, a group of individuals working to move white folks as part of a multi-racial movement for equity and racial justice in Baltimore City, Baltimore County, and Howard County. We are also working in collaboration with our accountability partner, the Campaign for Justice, Safety and Jobs (CJSJ).



In 2021, the General Assembly passed legislation to reestablish BPD as a City agency provided that Baltimore residents ratify an amendment to the City Charter. In November 2022, Baltimore residents overwhelmingly voted in favor (82%!) of a charter amendment to transfer control of the BPD from the State to Baltimore City. This win was the result of years of work by community members and advocates. But, as a result, as of January 1, 2023, Baltimore City's police department is a City agency, however City Council is still powerless to legislate much-needed reforms to the BPD.

We still don't have local control - the General Assembly has to pass [SB758/HB853](#) (Sen. Carter/Del. Smith are the sponsors) to remove one line in the City Charter which prohibits the City Council from infringing on the power of the Police Commissioner.

Baltimore City is still the *only* locality in Maryland and only one of two localities in the entire country that does not have control over its own police department. Further delay of implementation of local control of the Baltimore Police Department is unacceptable, as it unjustly limits representative democracy and police accountability in a majority-Black city.

We cannot and will not wait any longer. The people's will, clearly expressed in the last election, must be carried out immediately by passing SB758/HB853, which will restore legislative authority to our City Council on June 1, 2023.

It is for these reasons that I am encouraging you to vote **favorably on Baltimore City – Control Over Powers of Police Commissioner SB758**.

Thank you for your time, service, and consideration.

Sincerely,
Erica Palmisano
5580 Vantage Point Rd, Apt 5, Columbia, MD
Showing Up for Racial Justice Baltimore

SB0758 Baltimore Local Control Charter Amendment.p

Uploaded by: Gretchen Tome

Position: FAV

Chair Smith, Vice Chair Waldstreicher, and members of the Judicial Proceedings Committee,

My name is Gretchen Tome, and I am a resident of the 45th District. **I am testifying in support of SB 758 to Amend Baltimore City's Charter for Local Control of Police.** I am submitting this testimony as a member of Showing Up for Racial Justice Baltimore, a group of individuals working to move white folks as part of a multi-racial movement for equity and racial justice in Baltimore City, Baltimore County, and Howard County. We are also working in collaboration with our accountability partner, the Campaign for Justice, Safety and Jobs (CJSJ).

In 2021, the General Assembly passed legislation to reestablish BPD as a City agency provided that Baltimore residents ratify an amendment to the City Charter. In November 2022, Baltimore residents overwhelmingly voted in favor (82%!) of a charter amendment to transfer control of the BPD from the State to Baltimore City. This win was the result of years of work by community members and advocates. But, as a result, as of January 1, 2023, Baltimore City's police department is a City agency, however City Council is still powerless to legislate much-needed reforms to the BPD.

We still don't have local control - the General Assembly has to pass [SB758/HB853](#) (Sen. Carter/Del. Smith are the sponsors) to remove one line in the City Charter which prohibits the City Council from infringing on the power of the Police Commissioner.

Baltimore City is still the *only* locality in Maryland and only one of two localities in the entire country that does not have control over its own police department. Further delay of implementation of local control of the Baltimore Police Department is unacceptable, as it unjustly limits representative democracy and police accountability in a majority-Black city.

We cannot and will not wait any longer. The people's will, clearly expressed in the last election, must be carried out immediately by passing SB758/HB853, which will restore legislative authority to our City Council on June 1, 2023.

I have volunteered with CJSJ member organizations, including CASA and JUFJ, to do door-to-door canvassing and poll place volunteering on election day. In addition, I'm an active supporter of Tawanda Jones and the West Coalition in the fight for justice for Tyrone West and all victims of police brutality. I care deeply about and have personally invested time and resources into gaining local control of our police department.

It is for these reasons that I am encouraging you to vote **favorably on Baltimore City – Control Over Powers of Police Commissioner SB758.**

Thank you for your time, service, and consideration.

Sincerely,
Gretchen M. Tome
3229 Shannon Dr.
Baltimore, MD 21213
Showing Up for Racial Justice Baltimore

SB758 local control.pdf

Uploaded by: Holly Powell

Position: FAV

Chair Smith, Vice Chair Waldstreicher, and members of the Judicial Proceedings Committee,

My name is **Holly Powell** and I am a resident of **District 46. I am testifying in support of SB 758 to Amend Baltimore City's Charter for Local Control of Police.** I am submitting this testimony as a member of Showing Up for Racial Justice Baltimore, a group of individuals working to move white folks as part of a multi-racial movement for equity and racial justice in Baltimore City, Baltimore County, and Howard County. We are also working in collaboration with our accountability partner, the Campaign for Justice, Safety and Jobs (CJSJ).



In 2021, the General Assembly passed legislation to reestablish BPD as a City agency provided that Baltimore residents ratify an amendment to the City Charter. In November 2022, Baltimore residents overwhelmingly voted in favor (82%!) of a charter amendment to transfer control of the BPD from the State to Baltimore City. This win was the result of years of work by community members and advocates. But, as a result, as of January 1, 2023, Baltimore City's police department is a City agency, however City Council is still powerless to legislate much-needed reforms to the BPD.

We still don't have local control - the General Assembly has to pass [SB758/HB853](#) (Sen. Carter/Del. Smith are the sponsors) to remove one line in the City Charter which prohibits the City Council from infringing on the power of the Police Commissioner.

Baltimore City is still the *only* locality in Maryland and only one of two localities in the entire country that does not have control over its own police department. Further delay of implementation of local control of the Baltimore Police Department is unacceptable, as it unjustly limits representative democracy and police accountability in a majority-Black city.

We cannot and will not wait any longer. The people's will, clearly expressed in the last election, must be carried out immediately by passing SB758/HB853, which will restore legislative authority to our City Council on June 1, 2023.

It is for these reasons that I am encouraging you to vote **favorably on Baltimore City – Control Over Powers of Police Commissioner SB758.**

Thank you for your time, service, and consideration.

Sincerely,
Holly Powell
2308 Cambridge Street
Baltimore, Maryland 21224
Showing Up for Racial Justice Baltimore

SB0758_IkechukwuEnenmoh_FAV.pdf

Uploaded by: Ikechukwu Enenmoh

Position: FAV

2/7/2023

Ikechukwu Enenmoh
Baltimore, 21202

TESTIMONY ON SB#0758 - POSITION: FAVORABLE
Baltimore City - Control Over Powers of Police Commissioner

TO: Chair Smith, Vice Chair Waldstreicher, and members of the Judicial Proceedings Committee

FROM: Ikechukwu Enenmoh

OPENING: My name is Ikechukwu Enenmoh. I am a resident of District #12. I am submitting this testimony in support of SB0758, Baltimore City - Control Over Powers of Police Commissioner.

I am currently a medical student in the city of Baltimore and have called this city home for the past 8 years now. During my time here as a student and resident of Baltimore city, I have had the pleasure of working closely with community organizations who have expressed time and time again why police accountability is so important to them and crucial to the health and well-being of their communities. In 2021, it became clear that policing was not only a social matter but a public health issue and a key social determinant of health, especially for communities of color. As a future doctor and healthcare provider, this issue matters deeply to me and even more to the patients I take care of now and will continue to for the remainder of my career. Just as importantly, it matters to the many people I call my neighbors in Baltimore City - where control of the Baltimore Police Department should naturally be locally seated.

Further:

- In November 2022, Baltimore residents overwhelmingly voted in favor of making the BPD a City agency once more. Of the more than 132,000 Baltimore residents who voted on Question H (the local control ballot measure), the vast majority - over 82% - favored it.
- For more than a decade, advocates have been working to give City Council legislative oversight of the Baltimore City Police Department (BPD).
- The federal consent decree that the city of Baltimore is under mandated the formation of a Civilian Oversight Task Force to make recommendations to strengthen police accountability and police-community relations. In their 2018 report, they said that "The BPD will never be fully accountable to its residents until full control of the department is

returned to the city.” They stress the importance of the City Council having legislative power and recommend that this change happen "with all deliberate speed."

In order to fully gain local accountability for our police department, the General Assembly **must** pass this bill to remove one line in the City Charter which prohibits the City Council from infringing on the power of the Police Commissioner. Baltimoreans have already waited too long and further delay would be unacceptable - The people’s will, clearly expressed in the last election, must be carried out immediately by passing SB0758, which will restore legislative authority to our City Council on June 1, 2023. This is an issue of accountability and an issue of public health. **I respectfully urge this committee to return a favorable report on SB0758.**

SB758 Testimony.pdf

Uploaded by: Jill Carter

Position: FAV



THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

Testimony of Senator Jill P. Carter

**In Favor of SB758- Baltimore City –
Control Over Powers of Police Commissioner**

**Before the Judicial Proceedings Committee
on March 1, 2023**

- **For more than a decade, advocates have been working to give the Baltimore City Council legislative oversight of the Baltimore City Police Department (BPD).**
- **In 2021, the General Assembly passed legislation to reestablish BPD as a City agency provided that Baltimore residents ratify an amendment to the City Charter.**
- **In November 2022, Baltimore residents overwhelmingly voted in favor making the BPD a City agency. Of the more than 132,000 Baltimore residents who voted on Question H (the local control ballot measure), the vast majority – over 82% - favored it.**
- **As a result, as of January 1, 2023, Baltimore City’s police department is a City agency; however, the City Council is still powerless to legislate much-needed reforms to the BPD.**

- **The General Assembly must make one more change in the City Charter to enable local control as the City still does not have local control. The General Assembly has to pass SB758/HB853 to remove one line in the City Charter which prohibits the City Council from infringing on the power of the Police Commissioner.**
- **The federal consent decree mandated the formation of a Civilian Oversight Task Force to make recommendations to strengthen police accountability and police-community relations. In its 2018 report, the Task Force stated, “The BPD will never be fully accountable to its residents until full control of the department is returned to the city.” The Task Force stressed the importance of the City Council having legislative power and recommended that such change happen "with all deliberate speed."**
- **I urge you to implement the will of the citizens of Baltimore, clearly expressed in the last election, by immediately passing SB758/HB853, which will restore full legislative authority to the Baltimore City Council.**

I therefore ask for a favorable report on SB758.

Sincerely,



Jill P. Carter, Esq.

TESTIMONY of JOAN FLOYD - SB 758 - Favorable.pdf

Uploaded by: Joan Floyd

Position: FAV

TESTIMONY OF JOAN FLOYD ON SB 758 - FAVORABLE

Senate Judicial Proceedings Committee - Bill Hearing March 1, 2023

Joan Floyd - DISTRICT 43a - 2828 N. Howard Street, Baltimore, MD

TO: Chair Smith, Vice Chair Waldstreicher and Members of the Committee

FROM: Joan Floyd, District 43a

Re: Support for SB 758

I am a resident of Baltimore City since 1979, a homeowner for 27 years in what is now District 43a, and a strong proponent of last November's Question H. I am very concerned that our Baltimore City Council is being told it lacks authority to enact legislation affecting the Baltimore City Police Department. I do not see anything in 2021 Chapter 133 that suggested there should be any such lack of legislative authority after January 1, 2023.

I ask for your favorable report on SB 758 with the earliest possible effective date. (It would seem preferable for the bill to have retroactive effect to January 1, 2023.)

Thank you.

- Joan Floyd

DB758_JohnFord_Favorable.pdf

Uploaded by: John Ford

Position: FAV

Members of the Senate Judicial Proceedings Committee,

I am a member of D46 and a city resident, **writing in support of SB758.**

For more than a decade, advocates have been working to give City Council legislative oversight of the Baltimore City Police Department (BPD). In 2021, the General Assembly passed legislation to reestablish BPD as a City agency, so long as Baltimore residents ratified an amendment to the City Charter. In November 2022, Baltimore residents did exactly that, overwhelmingly voting in favor (82%!) to make the BPD a City agency once more. I personally canvassed hundreds of my neighbors in support of that amendment on October 30th. As a result, as of January 1, 2023, Baltimore City's police department is a City agency, but City Council is still powerless to legislate much-needed reforms to the BPD.

The General Assembly must make one more change in the City Charter to enable local control, and it must be enacted immediately. Further delay is unacceptable, as it unjustly limits representative democracy and police accountability in a majority-Black city. We still don't have local control - the General Assembly has to pass [SB758/HB853](#) to remove one line in the City Charter which prohibits the City Council from infringing on the power of the Police Commissioner.

The federal consent decree mandated the formation of a [Civilian Oversight Task Force](#) to make recommendations to strengthen police accountability and police-community relations. In their 2018 report they said that, "The BPD will never be fully accountable to its residents until full control of the department is returned to the city." They stress the importance of the City Council having legislative power and recommend that this change happen "with all deliberate speed."

Mayor Scott and Del. Young are advocating for a delay (to Oct. 1, 2024!) in their bill, [HB975](#), but more than that, they are advocating for the consideration and implementation of a new structure altogether, which could likely diminish or eliminate the possibility for City Council to have a say over BPD policy. Baltimoreans do not need to wait to lift the Charter restriction.

Delay is unacceptable. We cannot and will not wait any longer. The people's will, clearly expressed in the last election, must be carried out immediately by passing SB758/HB853, which will restore legislative authority to our City Council on June 1, 2023.

For those reasons, **I urge a favorable report on SB758.**

Thank you,

John Ford

3301 Fleet St
Baltimore, MD 21224

SB758_JodyHarburger_FAV.pdf

Uploaded by: Jordan Harburger

Position: FAV

Jordan Harburger
Owings Mills, 21117

TESTIMONY ON SB758 -FAVORABLE

Baltimore City - Control Over Powers of Police Commissioner

TO: Chair Smith, Vice Chair Waldstreicher, and members of the Judicial Proceedings Committee

FROM: Jordan Harburger

I attended an information session convened by the Baltimore City Council last week to learn about the progress toward returning local control of the Police Department to local control. I listened closely to all the speakers and learned that there is every good reason that the Maryland General Assembly should, without delay, pass SB758 and its companion bill filed in the House of Delegates. The bills, once passed by both houses without amendment, should be signed by the Governor and no later than June 1, 2023 legislative control and administrative governing control over the Baltimore Police Department should transfer from the State of Maryland to the City of Baltimore. Any and all attempts to delay further this will of the people must be resisted. After 160 years the elected officials of the City of Baltimore must have the authority over and be responsible for the governance of their Police Department as is the case in all other jurisdictions in Maryland. There is no credible justification for delaying this long overdue and necessary correction.

I respectfully urge this committee to return a favorable report on SB758.

SB758 local control.pdf

Uploaded by: Katherine Wilkins

Position: FAV

Chair Smith, Vice Chair Waldstreicher, and members of the Judicial Proceedings Committee,

My name is **Katherine Wilkins**, and I am a resident of **12A**. I **am testifying in support of SB 758 to Amend Baltimore City's Charter for Local Control of Police**. I am submitting this testimony as a member of Showing Up for Racial Justice Baltimore, a group of individuals working to move white folks as part of a multi-racial movement for equity and racial justice in Baltimore City, Baltimore County, and Howard County. We are also working in collaboration with our accountability partner, the Campaign for Justice, Safety and Jobs (CJSJ).



In 2021, the General Assembly passed legislation to reestablish BPD as a City agency provided that Baltimore residents ratify an amendment to the City Charter. In November 2022, Baltimore residents overwhelmingly voted in favor (82%!) of a charter amendment to transfer control of the BPD from the State to Baltimore City. This win was the result of years of work by community members and advocates. But, as a result, as of January 1, 2023, Baltimore City's police department is a City agency, however City Council is still powerless to legislate much-needed reforms to the BPD.

We still don't have local control - the General Assembly has to pass [SB758/HB853](#) (Sen. Carter/Del. Smith are the sponsors) to remove one line in the City Charter which prohibits the City Council from infringing on the power of the Police Commissioner.

Baltimore City is still the *only* locality in Maryland and only one of two localities in the entire country that does not have control over its own police department. Further delay of implementation of local control of the Baltimore Police Department is unacceptable, as it unjustly limits representative democracy and police accountability in a majority-Black city.

We cannot and will not wait any longer. The people's will, clearly expressed in the last election, must be carried out immediately by passing SB758/HB853, which will restore legislative authority to our City Council on June 1, 2023.

It is for these reasons that I am encouraging you to vote **favorably on Baltimore City – Control Over Powers of Police Commissioner SB758**.

Thank you for your time, service, and consideration.

Sincerely,

Katherine Wilkins

5605 Foxcroft Way

Columbia MD 21045

Showing Up for Racial Justice Baltimore

SB758 (Local Control) Testimony.pdf

Uploaded by: Kim Sauer

Position: FAV



BALTIMORE CITY COUNCIL
KRISTERFER BURNETT
8TH DISTRICT

Room 552, City Hall
100 N Holliday Street
Baltimore, Maryland 21202
Office (410) 396-4818 | Fax (410) 396-4828

Baltimore City Councilmember Kristerfer Burnett - District 8
Senate Bill 758 - Baltimore City - Control Over Powers of Police Commissioner
SUPPORT

Greetings Chair and Members of the Judiciary Committee,

Thank you for the opportunity to testify and express my **SUPPORT for the SB758 - Baltimore City - Control Over Powers of Police Commissioner, repealing a prohibition on certain Baltimore City ordinances or acts of certain municipal officials from conflicting, impeding, obstructing, hindering, or interfering with the powers of the Baltimore City Police Commissioner.** My name is Kristerfer Burnett and I am a member of the Baltimore City Council representing the 8th City Council District.

In November 2022, Baltimore residents overwhelmingly voted in favor of making the BPD a City agency once more. Over 132,000 Baltimore residents voted on Question H (the local control ballot measure), and the vast majority - over 82% - favored it. However, to restore local control and allow City Council to have legislative authority over the department, The Maryland General Assembly must remove a minor provision in the Baltimore City Charter that continues to prohibit Baltimore from having control over BPD.

Baltimore City is the only locality in Maryland with limited control over its own police department, and one of only two in our entire country. In the early 1860s, The Maryland General Assembly made the Baltimore Police Department (BPD) a state agency after a violent white nativist party gained political control of the city and engaged in acts of corruption through the department.

The federal consent decree mandated the formation of a Civilian Oversight Task Force to make recommendations to strengthen police accountability and police-community relations. In their 2018 report, they stated, "The BPD will never be fully accountable to its residents until full control of the department is returned to the city." They stress the importance of the City Council having legislative power and recommend that this change happen "with all deliberate speed." As the local representative in Baltimore City, my constituents frequently contact my office seeking assistance with police matters; however more often than not, my hands are tied as I do not have the authority in taking action.

Issues associated with the lack of local control were first apparent to me in 2014, prior to my service on the Baltimore City Council, in which the City Council voted to establish a body-worn camera program - a national trend and best practice. This was vetoed by then-Mayor Rawlings-Black, partly due to the lack of legislative authority to enact such a program. More recently, this has hindered my efforts to expand transparency and build regulatory guardrails for the departments that use facial recognition surveillance technology. Unable to include the BPD - the Council was only able to legislate protections pertaining to private sector surveillance.

I appreciate your consideration of my overwhelming **SUPPORT** for the SB758 - Baltimore City - Control Over Powers of Police Commissioner, repealing a prohibition on certain Baltimore City ordinances or acts of certain municipal officials from conflicting, impeding, obstructing, hindering, or interfering with the powers of the Baltimore City Police Commissioner.

If you need more information, please feel free to contact me via email at kristofer.burnett@baltimorecity.gov and I am happy to discuss it with you further. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Kristerfer Burnett". The signature is stylized and cursive.

Kristerfer Burnett
Councilmember - 8th District
Baltimore City Council

SB758 local control.docx.pdf

Uploaded by: Lindsay Keipper

Position: FAV

Dear Senator Smith and Members of the Judicial Proceedings Committee,

I am submitting this testimony as a member of Showing Up for Racial Justice Baltimore, a group of individuals working to move white folks as part of a multi-racial movement for equity and racial justice in Baltimore City, Baltimore County, and Howard County. We are also working in collaboration with our accountability partner, the Campaign for Justice, Safety and Jobs (CJSJ). I am a resident of District 46, and **I am testifying in support of SB 758 to Amend Baltimore City's Charter for Local Control of Police.**



In 2021, the General Assembly passed legislation to return control of the Baltimore City Police Department to the city, provided that Baltimore residents ratified an amendment to the City Charter. In November 2022, Baltimore residents overwhelmingly voted in favor (82%!) of the charter amendment and according to the enabling legislation, local control was to return to the city on January 1, 2023.

Unfortunately, city leaders believe that they are still prevented from exercising that control by article 2, section 27 of the Baltimore City charter, which states that the city may not pass laws or take actions infringing on the power of the police commissioner. SB 758 would simply correct this, thereby completing the General Assembly's intended transfer of power over BCPD to the city. The City Council is then free to implement changes to the police department as it sees fit, including taking any actions recommended by the Local Control Advisory Board.

Baltimore City is still the *only* locality in Maryland and only one of two localities in the entire country that does not have control over its own police department. Further delay of implementation of local control of the Baltimore Police Department is unacceptable, as it unjustly limits representative democracy and police accountability in a majority-Black city.

We cannot and will not wait any longer to make a technical correction that allows us to control our own police department in accordance with the strongly expressed wishes of city residents and the General Assembly.

It is for these reasons that I am encouraging you to vote **favorably on SB 758.**

Thank you for your time, service, and consideration.

Sincerely,

Lindsay Keipper

2425 Fleet St.

Showing Up for Racial Justice Baltimore

SB758 local control - fav - 2023- ems.pdf

Uploaded by: Liz Simon-Higgs

Position: FAV

Dear Chairman Smith, Vice Chair Waldstreicher, and members of the Judicial Proceedings Committee,

My name is Liz Simon-Higgs, and I am a resident of District 46, Baltimore City. **I am testifying in support of SB 758 to Amend Baltimore City's Charter for Local Control of Police.** I am submitting this testimony as a member of Showing Up for Racial Justice – Baltimore and in collaboration with the Campaign for Justice, Safety and Jobs (CJSJ).



As you may recall, the Maryland General Assembly passed legislation in 2021 to reestablish the Baltimore Police Department (BPD) as a City agency, provided that Baltimore voters ratify an amendment to the City Charter. In November 2022, Baltimore residents overwhelmingly voted in favor (82%!) of this charter amendment, to transfer control of the BPD from the State to Baltimore City. So as of January 1, 2023, Baltimore City's police department is a City agency, BUT it really has no accountability: City Council is still powerless to legislate much-needed reforms to the BPD.

In order to finish the process of transferring legislative power over the BPD to Baltimore City, the General Assembly remove ONE line in the City Charter which prohibits the City Council from infringing on the power of the Police Commissioner. That is what [SB758/HB853](#) (Sen. Carter/Del. Smith are the sponsors) accomplishes.

Since January 1, 2023, the BPD's policies have been accountable to nobody. And Baltimore City funds the BPD at a rate of over \$1,500,000 PER DAY! (See Baltimore City's budget, which allocates more than \$550,000,000 to the BPD.) The people's will, clearly expressed in the last election, should be carried out immediately by passing SB758/HB853, which will restore legislative authority to our City Council on June 1, 2023.

It is for these reasons that I am encouraging you to vote **favorably on Baltimore City – Control Over Powers of Police Commissioner SB758.**

Thank you for your time, service, and consideration.

Sincerely,
Liz Simon-Higgs
308 E Randall Street, Baltimore, MD 21230
Showing Up for Racial Justice - Baltimore

M Badeker_SB758 local control.pdf

Uploaded by: Melissa Badeker

Position: FAV

Chair Smith, Vice Chair Waldstreicher, and members of the Judicial Proceedings Committee,

My name is Melissa Badeker and I am a resident of District 8.

I am testifying in support of SB 758 to Amend Baltimore City's Charter for Local Control of Police. I am submitting

this testimony as a member of Showing Up for Racial Justice Baltimore, a group of individuals working to move white folks as part of a multi-racial movement for equity and racial justice in Baltimore City, Baltimore County, and Howard County. We are also working in collaboration with our accountability partner, the Campaign for Justice, Safety and Jobs (CJSJ).



In 2021, the General Assembly passed legislation to reestablish BPD as a City agency provided that Baltimore residents ratify an amendment to the City Charter. In November 2022, Baltimore residents overwhelmingly voted in favor (82%!) of a charter amendment to transfer control of the BPD from the State to Baltimore City. This win was the result of years of work by community members and advocates. But, as a result, as of January 1, 2023, Baltimore City's police department is a City agency, however City Council is still powerless to legislate much-needed reforms to the BPD.

We still don't have local control - the General Assembly has to pass [SB758/HB853](#) (Sen. Carter/Del. Smith are the sponsors) to remove one line in the City Charter which prohibits the City Council from infringing on the power of the Police Commissioner.

Baltimore City is still the *only* locality in Maryland and only one of two localities in the entire country that does not have control over its own police department. Further delay of implementation of local control of the Baltimore Police Department is unacceptable, as it unjustly limits representative democracy and police accountability in a majority-Black city.

We cannot and will not wait any longer. The people's will, clearly expressed in the last election, must be carried out immediately by passing SB758/HB853, which will restore legislative authority to our City Council on June 1, 2023.

It is for these reasons that I am encouraging you to vote **favorably on Baltimore City – Control Over Powers of Police Commissioner SB758.**

Thank you for your time, service, and consideration.

Sincerely,

Melissa Badeker
3020 Linwood Avenue, Parkville MD 21234
Showing Up for Racial Justice Baltimore

SB 758 Testimony (Councilman Mark Conway _ Favorab

Uploaded by: Meredith Riley

Position: FAV



Councilman Mark Conway

Chair Public Safety and Government Operations Committee

100 N. Holliday Street, Suite 550 • Baltimore, Maryland 21202
(410) 396-4830 • mark.conway@baltimorecity.gov

TO: Chair William C. Smith, Jr.; Vice Chair Jeff Waldstreicher; members of the Judicial Proceedings Committee

FROM: Mark Conway (District 4, Baltimore City Council; Chair, Public Safety and Government Operations Committee)

RE: SB 758 (Baltimore City - Control Over Powers of Police Commissioner)

POSITION: Support

I am writing today to offer my support for SB 758 (Baltimore City - Control Over Powers of Police Commissioner), which would fully return power over the Baltimore Police Department to Baltimore City. 160 years after the control of Baltimore's police department was stripped from city government, our city's officials — duly elected by the citizens of Baltimore — continue to lack legislative authority over our police department. The taxpayers of Baltimore deserve full local control of the police department they fund, and I hope the General Assembly will pass this bill expeditiously.

Baltimore stands alone in the state of Maryland and virtually alone in the country in lacking direct authority over its police department. In 2014, the city council attempted to pass an ordinance to require BPD officers to wear body-worn cameras. The ordinance was deemed unenforceable because of BPD's status as a state agency. Just last year, we saw how complex the process for the first police redistricting process since the 1950s was made by the department's status as a state agency. When only state officials possess the power to legislate over an city's police force, the will of the voters and the ability of their local legislators to carry out their legislative and oversight duties like they would for any other city agency is severely diluted.

In 2021, state lawmakers approved legislation allowing the issue of local control to be sent to city voters as a proposed charter amendment. The Local Control Advisory Board was created later that year to begin drafting language for the ballot question and amendment. Voters overwhelmingly approved the ballot question, but the issue has now fallen into a state of limbo where BPD is a city agency, but Baltimore government officers and legislators remain precluded by state law from enacting new laws regarding the department.

It is my hope that we can steer Baltimore and its police department in the direction of positive change and reform through restoration of local control to the Baltimore Police Department. For all the reasons above, I urge a favorable report on SB 758.

Sincerely,

Mark S. Conway, Jr.

SB758.pdf

Uploaded by: Noah Nelson

Position: FAV

March 1, 2023
Noah Nelson
Baltimore, Maryland, 21218

TESTIMONY ON SB758-POSITION: FAVORABLE

TO: Chair Smith, Vice Chair Waldstreicher, and members of the Judicial Proceedings Committee

FROM: Noah Nelson

I, Noah Nelson am a community member in Baltimore and this issue is important to our well being. Delay is unacceptable. We cannot and will not wait any longer. The people's will, clearly expressed in the last election, must be carried out immediately by passing SB758/HB853, which will restore legislative authority to our City Council on June 1, 2023.

I respectfully urge this committee to return a favorable report on SB758, as it is important for community to be in control of their own processes.

SB758 local control - Rachael Mady.pdf

Uploaded by: Rachael Mady

Position: FAV

Dear Chair Smith, Vice Chair Waldstreicher, and members of the Judicial Proceedings Committee,

My name is Rachael Mady and I am a resident of District 12A. I have lived in Maryland most of my life, having grown up in Howard County and attending Towson University for my undergraduate degree.



I am testifying in support of SB 758 to Amend Baltimore City's Charter for Local Control of Police. I am submitting this testimony as a member of Showing Up for Racial Justice Baltimore, a group of individuals working to move white folks as part of a multi-racial movement for equity and racial justice in Baltimore City, Baltimore County, and Howard County. We are also working in collaboration with our accountability partner, the Campaign for Justice, Safety and Jobs (CJSJ).

In 2021, the General Assembly passed legislation to reestablish BPD as a City agency provided that Baltimore residents ratify an amendment to the City Charter. In November 2022, Baltimore residents overwhelmingly voted in favor (82%!) of a charter amendment to transfer control of the BPD from the State to Baltimore City. This win was the result of years of work by community members and advocates. But, as a result, as of January 1, 2023, Baltimore City's police department is a City agency, however City Council is still powerless to legislate much-needed reforms to the BPD.

We still don't have local control - the General Assembly has to pass [SB758/HB853](#) (Sen. Carter/Del. Smith are the sponsors) to remove one line in the City Charter which prohibits the City Council from infringing on the power of the Police Commissioner.

Baltimore City is still the *only* locality in Maryland and only one of two localities in the entire country that does not have control over its own police department. Further delay of implementation of local control of the Baltimore Police Department is unacceptable, as it unjustly limits representative democracy and police accountability in a majority-Black city.

We cannot and will not wait any longer. The people's will, clearly expressed in the last election, must be carried out immediately by passing SB758/HB853, which will restore legislative authority to our City Council on June 1, 2023.

It is for these reasons that I am encouraging you to vote **favorably on Baltimore City – Control Over Powers of Police Commissioner SB758.**

Thank you for your time, service, and consideration.

Sincerely,
Rachael Mady
4870 Dorsey Hall Drive, Unit 8, Ellicott City, MD 21042
Showing Up for Racial Justice Baltimore

February 28, 2023 SB758 Written Testimony.pdf

Uploaded by: Rebecca Hazany

Position: FAV

Chair Smith, Vice Chair Waldstreicher, and members of the Judicial Proceedings Committee,

My name is Rebecca Hazany, and I am a resident of District 40. I am writing testimony upon hearing from The Campaign for Justice, Safety and Jobs as well as the groups Organizing Black and Showing Up For Racial Justice. **I am testifying in support of SB 758 to Amend Baltimore City's Charter for Local Control of Police.**

As a city resident, it is extremely disheartening to hear that after 82% of us voted in favor of Question H in November, there are additional bureaucratic hurdles that could delay or prevent Baltimore from regaining local control of the police department. I feel that it is unjust and corrupt for state control to continue, especially given that Baltimore City is one of only two localities in the entire country with limited control over its own police department.

I feel strongly that we need increased oversight and accountability of the BPD. I have lived in Baltimore for 12 years and have worked as a program coordinator and writing tutor for the Goucher Prison Education Partnership as well as teaching ESOL and after school programs in Baltimore City Schools. It is abundantly clear that the BPD is a corrupt agency that disproportionately seeks to punish and brutalize marginalized communities including those who are Black, People of Color, immigrants, poor, disabled, and /or transgender individuals. I am a feminine-presenting white woman from the Philly suburbs and I have never, not once, been stopped or questioned by the police. This cannot be said for my friends, family, neighbors, former students, coworkers, and other community members in the groups mentioned above, many of whom live similar lifestyles to my own. The impact of this discriminatory policing is brutal and unjust and can have lasting effects on a person's life, if they survive their encounter with the police.

Further delay of local control is unacceptable. **Please advocate for [SB758/HB853](#) in the General Assembly, the corrective legislation that would immediately restore local control of the Baltimore Police Department to Baltimore City on June 1, 2023.**

Sincerely,

Rebecca Hazany
District 40
2924 Huntingdon Ave. Baltimore MD 21211

SB 785 Support.pdf

Uploaded by: Rhea Harris

Position: FAV

ANTHONY G. BROWN
Attorney General



CANDACE MCLAREN LANHAM
Chief of Staff

CAROLYN A. QUATTROCKI
Deputy Attorney General

STATE OF MARYLAND
OFFICE OF THE ATTORNEY GENERAL

FACSIMILE NO.
(410) 576-7036

WRITER'S DIRECT DIAL NO.
(410) 576-6590

March 1, 2023

TO: The Honorable Will Smith Jr.
Chair, Judicial Proceedings Committee

FROM: Rhea L. Harris
Deputy Chief Counsel, Legislative Affairs, Office of the Attorney General

RE: SB 785 – Maryland Department of Emergency Management – Office of Domestic
Terrorism Response - **Support**

The Office of the Attorney General (“OAG”) urges the Committee to give Senate Bill 785 a favorable report.

Senate Bill 785 establishes the Office of Domestic Terrorism Response within the Maryland Department of Emergency Management for the purpose of implementing measures to prepare for, prevent, and recover from domestic terrorism and hate crimes; and requiring the Maryland Task Force on Preventing and Countering Domestic Terrorism to serve in an advisory role for the Office.

Senate Bill 785 is a great start, and the Office of Domestic Terrorism Response should review a process of eliminating extreme terrorism from the ranks of state armed forces. Extreme terrorism has no place in the state armed forces. A person who believes in extreme terrorism cannot also be supportive of the citizens of the State or the Governor. The Attorney General was very supportive of the National Defense Authorization Act (NDAA) in FY2022 as a Congressman; and now is Supportive of Senate Bill 785 as Attorney General.

Therefore, the above-mentioned reasons, the Office of Attorney General urges a Favorable Report on Senate Bill 785.

c: The Honorable Shelly Hettleman

This bill letter is a statement of the Office of Attorney General’s policy position on the referenced pending legislation. For a legal or constitutional analysis of the bill, Members of the House and Senate should consult with the Counsel to the General Assembly, Sandy Brantley. She can be reached at 410-946-5600 or sbrantley@oag.state.md.us

Eckel SURJ FAV SB758 local control.pdf

Uploaded by: Rianna Eckel

Position: FAV

Chair Smith, Vice Chair Waldstreicher, and members of the Judicial Proceedings Committee,

My name is Rianna Eckel and I am a resident of the 43rd District. **I am testifying in support of SB 758 to Amend Baltimore City's Charter for Local Control of Police.** I am submitting this testimony as a member of Showing Up for Racial Justice Baltimore, a group of individuals working to move white folks as part of a multi-racial movement for equity and racial justice in Baltimore City, Baltimore County, and Howard County. We are also working in collaboration with our accountability partner, the Campaign for Justice, Safety and Jobs (CJSJ).



In 2021, the General Assembly passed legislation to reestablish BPD as a City agency provided that Baltimore residents ratify an amendment to the City Charter. In November 2022, Baltimore residents overwhelmingly voted in favor (82%!) of a charter amendment to transfer control of the BPD from the State to Baltimore City. This win was the result of years of work by community members and advocates. But, as a result, as of January 1, 2023, Baltimore City's police department is a city agency, however City Council is still powerless to legislate much-needed reforms to the BPD.

We still don't have local control - the General Assembly has to pass [SB758/HB853](#) (Sen. Carter/Del. Smith are the sponsors) to remove one line in the City Charter which prohibits the City Council from infringing on the power of the Police Commissioner.

Baltimore City is still the *only* locality in Maryland and only one of two localities in the entire country that does not have control over its own police department. Further delay of implementation of local control of the Baltimore Police Department is unacceptable, as it unjustly limits representative democracy and police accountability in a majority-Black city.

We cannot and will not wait any longer. The people's will, clearly expressed in the last election, must be carried out immediately by passing SB758/HB853, which will restore legislative authority to our City Council on June 1, 2023.

It is for these reasons that I am encouraging you to vote **favorably on Baltimore City – Control Over Powers of Police Commissioner SB758.**

Thank you for your time, service, and consideration.

Sincerely,
Rianna Eckel
2300 Hunter St
Showing Up for Racial Justice Baltimore

Rob's MGA Local Control Testimony - .pdf

Uploaded by: Robert Ferrell

Position: FAV

March 1, 2023

Rob Ferrell
District 40, Park Heights Neighborhood

TESTIMONY ON SB0758
Baltimore City, Control Over Powers of the Police Commissioner

TO: Chair Smith and members of the Judicial Proceedings Committee

FROM: Rob Ferrell

OPENING: My name is Rob Ferrell. I am a resident of District 40, in the Park Heights community. I am submitting this testimony in favor of SB0758: Baltimore City, Control Over Powers of the Police Commissioner.

INTRO: *I am a senior organizer with Organizing Black, a grassroots member-led organization dedicated to the liberation of Black folk.*

Body Paragraph:

I am here today because the City of Baltimore still does not have complete legislative authority over its Police Department.

In 2021, the General Assembly passed legislation to reestablish BPD as a City agency provided that Baltimore residents ratify an amendment to the City Charter.

In November 2022, Baltimore residents overwhelmingly voted in favor making the BPD a City agency once more, with 82% of the electorate being in favor. As a result, as of January 1, 2023, Baltimore City's police department is a City agency, however City Council is still powerless to legislate much-needed reforms to the BPD.

The only thing needed at this point is amending Article 2, to complete the process. During the public city council hearing just last week, members of the Local Control Advisory Board, members of the city council, and folks from the city law department all agreed that this is the case.

It is paramount that there should no further debate, delay, or obfuscation of the pathway forward. Implementation should happen immediately, (june 1, 2023, as outlined in this bill). I implore you all to complete the transfer of local control now, so that the city can regain sovereign control over its police force. The residents of Baltimore deserve accountability and deserve justice. And we can't get that without local control.

We want the City Council, our local, elected legislators, to have legislative authority to make changes to BPD policy.

To fulfill the will of Baltimoreans, the Maryland General Assembly must immediately restore control of the BPD to Baltimore residents and you, our local, elected legislators. Further delay is unacceptable. **Please advocate for [SB758/](#)[HB853](#) in the General Assembly, the corrective legislation that would restore local control of the Baltimore Police Department to Baltimore City on June 1, 2023.**

SB0758 Baltimore Local Control Charter Amendment_F

Uploaded by: Sarah Johnson

Position: FAV

Chair Smith, Vice Chair Waldstreicher, and members of the Senate Judicial Proceedings Committee,

My name is Sarah Johnson, and I am a resident of District 41 in Baltimore. **I am testifying in support of SB 758 to Amend Baltimore City's Charter for Local Control of Police.**

I am submitting this testimony as a member of Showing Up for Racial Justice Baltimore, a group of individuals working to move white folks as part of a multi-racial movement for equity and racial justice in Baltimore City, Baltimore County, and Howard County. We are also working in collaboration with our accountability partner, the Campaign for Justice, Safety and Jobs (CJSJ).



In 2021, the General Assembly passed legislation to reestablish BPD as a City agency provided that Baltimore residents ratify an amendment to the City Charter. In November 2022, Baltimore residents overwhelmingly voted in favor (82%!) of a charter amendment to transfer control of the BPD from the State to Baltimore City. This win was the result of years of work by community members and advocates. But, as a result, as of January 1, 2023, Baltimore City's police department is a City agency, however City Council is still powerless to legislate much-needed reforms to the BPD.

We still don't have local control - the General Assembly has to pass [SB758/HB853](#) (Sen. Carter/Del. Smith are the sponsors) to remove one line in the City Charter which prohibits the City Council from infringing on the power of the Police Commissioner.

Baltimore City is still the *only* locality in Maryland and only one of two localities in the entire country that does not have control over its own police department. Further delay of implementation of local control of the Baltimore Police Department is unacceptable, as it unjustly limits representative democracy and police accountability in a majority-Black city.

We cannot and will not wait any longer. The people's will, clearly expressed in the last election, must be carried out immediately by passing SB758/HB853, which will restore legislative authority to our City Council on June 1, 2023.

It is for these reasons that I am encouraging you to vote **favorably on Baltimore City – Control Over Powers of Police Commissioner SB758.**

Thank you for your time, service, and consideration.

Sincerely,
Sarah Johnson
1 Merryman Court
Baltimore, MD 21210
Showing Up for Racial Justice Baltimore

S Lewitus_SB758_Testimony2023.pdf

Uploaded by: Sarah Lewitus

Position: FAV

SB758_SarahLewitus_FAV

March 1, 2023

Sarah Lewitus, PhD Baltimore, MD 21218

TESTIMONY ON SB758 - POSITION: FAVORABLE
Baltimore City - Control Over Powers of Police Commissioner

TO: Chairman Smith, Jr, Vice Chair Waldstreicher, and members of the Judicial Proceedings Committee

TO: Councilman Conway and members of the Public Safety and Government Operations Committee

FROM: Sarah Lewitus

My name is Sarah Lewitus. I am a resident of District 14. I am submitting this testimony in support of SB758, Baltimore City - Control Over Powers of Police Commissioner.

As a resident, an artist, and a first-time mother-to-be, I feel that it is essential that Baltimore City restore control of the Baltimore Police Department to Baltimore residents so that Baltimore residents can have a voice in the management of health and safety resources in our city.

BPD consistently fails in its mission to “provide for the safety and well-being of all,” as made clear by Baltimore city’s seven-year federal consent decree, because of police abuses. The current system is simply not working. It is time to listen to the people of Baltimore City, who voted overwhelmingly in favor of making the BPD a City agency once more (over 82% of Baltimoreans voted for Question H, the local control ballot measure, in the most recent election.)

As a resident in Baltimore City, I should be empowered by the city to have a democratic voice in the control of the Department that purports to be concerned with my safety and well-being.

As an artist, I am confident that the people of Baltimore City can be creative, bold, and brave in imagining how safety and well-being is handled in our city, in ways that we are not enabled to do now, without local control.

And as a first-time mother-to-be choosing to raise my child in Baltimore City, I am determined that my child should have the opportunity to grow up in a community that has a direct voice in how safety and well-being is carried out.

The federal consent decree mandated the formation of a Civilian Oversight Task Force to make recommendations to strengthen police accountability and police-community relations. In their 2018 report they state: “The BPD will never be fully accountable to its residents until full control of the department is returned to the city.” They stress the importance of the City Council having legislative power and recommend that this change happen “with all deliberate speed.” It is your duty to listen to the Civilian Oversight Task Force and listen to the people of Baltimore City.

We want the City Council, our local, elected legislators, to have legislative authority to make changes to BPD policy.

To fulfill the will of Baltimoreans, the Maryland General Assembly must immediately restore control of the BPD to Baltimore residents and you, our local, elected legislators. Further delay is unacceptable. **I respectfully urge this committee to return a favorable report on SB758.**

Thank you for your time.

Respectfully,

Sarah Lewitus

SE written testimony - local control.pdf

Uploaded by: Sergio Espana

Position: FAV

Testimony for the Senate Judicial Proceedings Committee

Wednesday, March 1st, 2023

SB 758 - Baltimore City - Control Over Powers of Police Commissioner

FAVORABLE

Dear Chair Smith, Vice Chair Waldstreicher, and committee members,

My name is Sergio España, Director of Engagement & Mobilization, and a proud 20-year resident of Baltimore City, currently in District 41. I am here today to express my support for Senate Bill 758, so we can ensure the will of this body and of residents is followed through, and proper oversight of our Baltimore Police Department can be maintained and enforced as efficiently and effectively as possible.

In 2021 this committee helped to pass the initial Local Control restoration bill that called for a ballot measure before transfer could take place. Last November, 83% of Baltimore voters made it clear that they support the immediate transfer of control of their own police department back to the local legislative body after over 150 years without it. During those decades, we have seen the consequences of little local oversight, resulting in low morale, instances of gross abuse of power at both the individual and department level, and a lack of trust between residents and the police. As the consent decree's own Civilian Oversight Task Force report in 2018 made clear, "BPD will never be fully accountable to its residents until full control of the department is returned to the city."

Now the *only* thing needed to ensure the will of the people is followed and legislative oversight is transferred to the Baltimore City Council from the State legislative body is a small amendment to Article II of the city charter, which SB 758 responsibly rectifies. At a Baltimore public safety committee hearing on February 21st, 2023, both the Chair of the Local Control Advisory Board (LCAB) and the representative from the City Law Department agreed that this is the only state edit needed to restore immediate legislative oversight after both the State Legislature and Baltimore residents have made their decision resoundingly clear time and again.

We must remind ourselves that Baltimore is more than capable of protecting itself if actually given the tools. Just look at some of the successful crime reduction and community safety efforts that have been resident-led and supported by City Hall and MONSE (Mayor's Office of Neighborhood Safety and Engagement). Our local elected officials and our neighbors know what's needed to improve public safety and community well-being, we just need to make sure they have the ability to do so, as, as we all know, the situation is urgent. For the foregoing reasons, I urge a favorable report on Senate Bill 758.

Appreciatively,

Sergio España
4320 La Plata Ave.
Baltimore, MD 21211

Espana@aclu-md.org

SB0758_Toby Ditz_Fav.pdf

Uploaded by: Toby Ditz

Position: FAV

March 1, 2023
Toby Ditz
Baltimore, MD 21217

TESTIMONY ON SB758 - POSITION: FAVORABLE
Baltimore City – Control Over Powers of Police Commissioner

TO: Chair Smith, Vice Chair Waldstreicher, and members of the Judicial Proceedings Committee
FROM: Toby Ditz, on behalf of Jews United for Justice (JUFJ)

My name is Toby Ditz and I am a resident of District 40, in Baltimore City. On behalf of Jews United for Justice (JUFJ), I am submitting this testimony in support of SB758 - Baltimore City - Control Over Powers of Police Commissioner. JUFJ organizes 6,000 Jewish Marylanders and allies from across the state in support of local and state campaigns for social, racial, and economic justice.

Judaism’s ethic of mutual care calls us to hold police accountable to the people. This is why JUFJ has been working since 2017 for the restoration of local control over the Baltimore Police Department. Baltimore is the only locality in Maryland — and one of 2 in the entire country — that does not control its own police department. Jurisdictions within and outside of Maryland have used local control of their police departments to prohibit chokeholds and no-knock warrants, to collect data on use-of-force incidents and arrests, and to create stronger consequences for police officers who abuse their power. Baltimoreans deserve the same opportunity, yet have remained powerless to do so.

In partnership with the Coalition for Justice, Safety, and Jobs (CJSJ), we are asking you to support SB758, a bill sponsored by Senator Jill Carter that would eliminate the last legal obstacle to local control, effective June 1, 2023. This remedial legislation removes an outdated clause in Article II, section 27 of the Baltimore City Charter that prevents the Baltimore City Council from legislating changes to the BPD’s policies and procedures.

Enabling legislation passed into law by the Maryland General Assembly in 2021 states in clear and simple language that the BPD would become a City agency on January 1, 2023

provided only that the residents of Baltimore City ratify a city charter amendment to do so. And so we did! More than 132,000 Baltimore residents voted on Question H (the local control ballot measure), and the vast majority - over 82% - favored it.

Much to our surprise, although the BPD may now be a City agency, this new status is drained of meaning because Baltimoreans still lack the power to legislate for their police. This feels like a bait-and-switch. It is also a continuing insult to the majority Black City of Baltimore and a practical obstacle to police reform and greater accountability.

There is no credible reason for further delay. The small procedural adjustment to the City Charter needed to confer legislative authority on Baltimore City could have been written into the legislation of 2021; there is certainly no legal obstacle to making this adjustment now. Nor is there a good practical reason to postpone. Although some officials in City Hall think we need to continue deliberating, the people have spoken. Our local institutions — City Council, as well as Mayor Brandon Scott’s Office, our civilian police oversight bodies, and the existing structures of the Baltimore police — are more than equipped to handle full and immediate implementation once we have the tool of local legislation. If the people of Baltimore want to make further changes to the public local laws still governing the BPD, we will do so *after* we have local control.

We have waited long enough. In 2018, the Civilian Oversight Task Force, which was established as a requirement of the federal consent decree regarding the BPD, recommended that local control be restored with “all deliberate speed.” And, when Mayor Scott convened his Local Control Advisory Board last year, he said that the people of Baltimore are “desperate” for local control because it is the foundation for “transparency and accountability.” That is exactly right. We must not delay one moment longer on this fundamental matter of self-governance, racial justice, and police accountability.

On behalf of Jews United for Justice, **I respectfully urge this committee to return a favorable report on SB758.**

SB758_TracieGuyDecker_FAV.pdf

Uploaded by: Tracie Guy-Decker

Position: FAV

March 1, 2023

Tracie Guy-Decker
Baltimore, MD 21229

TESTIMONY ON SB758 - POSITION: FAVORABLE
Baltimore City - Control Over Powers of Police Commissioner

TO: Chair Smith, Vice Chair Waldstreicher, and members of the Judicial Proceedings Committee

FROM: Tracie Guy-Decker

I am a resident of District 4I. I am submitting this testimony in support of SB758, Baltimore City - Control Over Powers of Police Commissioner.

I live, work, worship, and educate my kid at a public school in Baltimore City. I, and my family, choose to live in the City. We are Baltimore residents because we want to be.

Like many Baltimoreans, I am disheartened by the fact that the name of our city, along with Ferguson and Minneapolis, has become shorthand for discussing problems with contemporary policing. I don't claim to know all the answers to addressing that reality. I expect no single person does. I do feel certain that delaying local control of the Baltimore Police Department (BPD) is NOT a step in changing the narrative.

Five years ago, the consent-decree-mandated Community Oversight Task Force wrote in their report, "the BPD will never be fully accountable to its residents until full control of the department is returned to the city." They stressed the importance of the City Council having legislative power, and recommended that this change happen "with all deliberate speed." That call for speed was sounded in 2018. It is all the more urgent now.

You already know the facts and the numbers—the General Assembly's own action last year to return control to the city, the support of the change by an overwhelming majority (82%) of Baltimore City voters (including this one).

I'll spare you additional numbers, and simply share this: I will feel safer and more at ease when I know that my council member and his colleagues—men and women who are in and of Baltimore and who are accountable to me and my neighbors—have some control over the force that is charged with protecting and serving us.

At the moment, especially with the partial completion of the transition, it feels unclear exactly who holds the reins. In other words, who has legislative authority over BPD right now? At a February 21, 2023 hearing at Baltimore City Hall, the [city's law department seemed to think it](#)

[was no one](#). And if we aren't sure who holds the reins, how can I and other city residents be sure they're accountable to us, the people of Baltimore?

It's time and more than time for local control of BPD. The will of the people of Baltimore and the recommendations of the Community Oversight Task Force couldn't be clearer. I respectfully urge this committee to return a favorable report on SB758.

SB758 support.pdf

Uploaded by: Zackary Berger

Position: FAV

To the Chair and Members of the Senate Judicial Proceedings Committee
Regarding SB758
IN SUPPORT
Zackary Berger, MD, PhD, resident, district 43A

To the honorable Chair and Members of the Committee,

Baltimore is the ONLY jurisdiction in Maryland that doesn't control its own police force. We all know why not.

82% of Baltimore voters supported local control of the police. It is high time that our majority Black city actually have control over its own police.

Baltimore has waited 163 years. We need immediate implementation now.

As a primary care physician and Charles Village resident, and a constituent of District 43A, I have seen the price we pay for uncontrolled, violent police. We must make this undemocratic institution at least a bit more democratic so we can reform it.

Thank you for recording my testimony in SUPPORT of SB758.

Very truly yours,
Zackary Berger, MD, PhD
2736 N Cavert St
Baltimore MD 21218

SB0758-JPR-SWA.pdf

Uploaded by: Nina Themelis

Position: FWA



BRANDON M. SCOTT
MAYOR

*Office of Government Relations
88 State Circle
Annapolis, Maryland 21401*

SB758

March 1, 2023

TO: The Honorable Members of the Judicial Proceedings Committee
FROM: Baltimore City Administration
RE: Senate Bill 758 - Baltimore City – Control Over Powers of Police Commissioner
POSITION: **SUPPORT WITH AMENDMENT**

Chair Smith, Vice Chair Waldstreicher, and members of the Committee, please be advised that the Baltimore City Administration (BCA) **supports with amendment** Senate Bill (SB) 758.

SB 758 repeals a prohibition on certain Baltimore City ordinances or acts of certain municipal officials from conflicting, impeding, obstructing, hindering, or interfering with the powers of the Baltimore City Police Commissioner; and generally relating to the Baltimore City Police Commissioner. It specifically deletes the last provision of Article II, Section 27 of the Charter of Baltimore City.

There is a long history of the jurisdiction and control of the Baltimore Police Department (“BPD” or “The Department”). The BPD initially was established as an instrumentality of the City of Baltimore. However, by the 1850s, the “Know-Nothing Party” took political control of Baltimore City, opposing the pro-slavery Democratic party, and stacking the Department with loyal followers. Following bloody elections in 1856 which saw police officers involved in the violence, the State of Maryland then seized control of the Baltimore Police Department in 1860 in an effort to stem further violence and corruption. For more than 160 years, the State has maintained control over BPD.

There were several efforts over the ensuing decades to restore control of its police department back to the City of Baltimore, much like every other jurisdiction in the State. While those efforts were unsuccessful, in 1976, the General Assembly returned the Mayor’s power to appoint the Police Commissioner while simultaneously keeping the Department as an instrumentality of the State. While the Office of the Mayor exercised a large amount of discretion and control over the BPD after this change, efforts to legislate, and at times even conduct proper oversight, by the City Council were stymied by the BPD’s status as an instrumentality of the State.

Subsequently, in the 2021 General Assembly Session, Mayor Brandon Scott pushed legislation that was sponsored by Senator Cory McCray and Delegate Melissa Wells that returned control of the BPD back locally to the City of Baltimore. The legislation made local control contingent upon passage of amendment to the City Charter that was ratified by the voters as well as established the Local Control Advisory Board (LCAB). The LCAB ultimately recommended language for the Charter Amendment that became “Question H” on the

November 8, 2022 ballot. The ballot measure passed overwhelmingly with 82.76% of the voters voting in favor of the amendment.

While the BPD is now officially an instrumentality of the City, addressing the language of Article II, Section 27 of the City Charter represents the final step and culmination of the work that has been going on for more than a century. Notwithstanding, there had a been a desire to delay the repeal of this provision until 2024, in order to give the LCAB and ultimately the City Council time to create the structure of the and organization of the BPD in local code.

Since that time there have been a couple updates that have affected that position. First, it is the opinion of the City Law Department, that the provisions of the Public Local Law that currently governs the BPD, will remain in place until repealed (in whole or in part) by the Baltimore City Council. Second, at a recent meeting of the LCAB it been decided by acclimation that there need not be any substantive change structurally to how the BPD is currently organized. Given these two updates, we believe that we can move forward immediately with local control. However, after internal discussions, we believe that Article II, Section 27 should be preserved but qualified in order to provide for the appropriate balance between the legislative oversight of the Council and the executive management of the Department.

In the wake of the Gun Trace Task Force Scandal, BPD and the City commissioned an outside review by the firm Steptoe & Johnson and led by former Department of Justice Inspector General Michael R. Bromwich. The report issued in January 2022 was the product of a two-year investigation into the origins and causes of GTTF, and was accompanied by recommendations that would help prevent such a scandal from occurring again. One of the recommendations in particular is critically germane to the debate around SB758 and the language contained in Article II, Section 27. Recommendation No. 25 of that report, the last recommendation in fact, reads:

“BPD Commissioners should be provided with the latitude to run the Police Department with minimal operational interference from elected officials. Under no circumstances should elected officials become involved in investigative and personnel matters.”

There are two other relevant excerpts that should be highlighted to expound upon that recommendation in more detail:

“Mayors and other top city officials have a legitimate and compelling interest in dealing with the full range of public safety issues and, along with BPD leadership, in formulating the broad strategy for addressing crime and criminal justice issues. In addition, the mayor, with the advice and consent of the City Council, makes choices about public safety and crimefighting strategies through the selection of BPD commissioners.”

“But city officials should not involve themselves in internal BPD management issues, personnel matters, or officer discipline. BPD commissioners and their top deputies should be given the authority and independence to manage the Department as they see fit. Such authority and independence are critical to the stature and reputation of any law enforcement agency and central to ensuring BPD members and the Baltimore communities they serve that law enforcement functions are being handled professionally and without political interference.”

We believe that adhering to this recommendation and concept is not only crucially important to avoiding further scandal, but also simple best practice in actually running the Department. Therefore, we propose keeping the aforementioned provision, striking the brackets contained on lines 2 and 5 of page 2 of the bill, and adding the following qualifying language below.

“To have and exercise within the limits of Baltimore City all the power commonly known as the Police Power to the same extent as the State has or could exercise that power within the limits of Baltimore City; provided, however, that no ordinance of the City or act of any municipal officer, other than an act of the Mayor pursuant to Article IV of this Charter, shall conflict, impede, obstruct, hinder or interfere with the powers of the Police Commissioner OVER ANY DEPLOYMENT OR INVESTIGATIVE STRATEGIES, AS WELL AS ANY PERSONNEL, STAFFING OR DAILY MANAGEMENT DECISIONS.”

This proposed provision strikes the right balance between oversight and management. It allows the City Council to make broad public safety policy, ensures proper supervision of the Department while also giving our residents a local avenue of redress to their concerns. Simultaneously, it allows the leadership of the Department to use its professional expertise to manage the day to day operations of the BPD.

Therefore, we respectfully request a Senate Bill 758 be voted **favorably with amendment.**