

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 This remedial legislation removes an outdated clause in Article II, section 27 of the Baltimore City Charter that prevents the Baltimore City Council from legislating changes to the BPD's policies and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.**