

Testimony for the Senate Judicial Proceedings Committee

Tuesday, March 7th, 2023

HB 853 - Baltimore City - Control Over Powers of Police Commissioner

FAVORABLE

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

My name is Sergio España, Director of Engagement & Mobilization for the ACLU of MD, and a proud 20-year resident of Baltimore City, currently in District 41. I am here today to express my support for House Bill 853, so we can ensure the will of this body and of city 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 HB 853 responsibly rectifies. At the most recent 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). Commissioner Harrison just acknowledged the effectiveness of resident led public safety efforts as we are starting to see a reduction in violent crime. 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. All that is needed at the state level, thanks to your work, and the voices of thousands of residents, all that is needed is a very simply amendment to Article 2 of the city charter. Any potential additional amendments on the nature of what our city council would take on would be a needless state overreach, and after your efforts over the last years, we do not want to feed into the narrative that is already happening with the horrifying efforts in Missouri and Mississippi, as state legislatures work to prohibit local control from majority Black jurisdictions. Baltimore, and Maryland, is better than that. For the foregoing reasons, I urge a favorable report on House Bill 853.

Appreciatively,

Sergio España
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