

Baltimore City Sheriff's Office

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TO: The Honorable Members of the House Judiciary Committee

FROM: Nicholas T.R. Blendy, Esq., Assistant Sheriff, Baltimore City Sheriff's Office

RE: House Bill 1293 – Baltimore City – Office of the Sheriff – Neighborhood Services Unit

DATE: February 25, 2025

POSITION: FAVORABLE

Chair Clippinger, Vice Chair Bartlett, and members of the House Judiciary Committee, please be advised that the Baltimore City Sheriff's Office (BCSO) **supports** House Bill (HB) 1293.

HB 1293, if enacted, would codify several important things to strengthen the BCSO's services to the community, particularly by expanding upon its existing collaborative relationship with the Board of Liquor License Commissioners (BLLC) for Baltimore City. First, the bill would officially designate a Neighborhood Services Unit (NSU) within the BCSO, which is important because it creates a legal home for many of the existing services the BCSO provides to be warehoused so that members of the public can understand the work that the BCSO is doing in investigation and enforcement in the areas of the code described in further detail below.

The BCSO has been working in increasing collaboration with the BLLC since the change in Sheriff's administration at the end of 2022 on such matters as underage task force buys, BD7 tavern checks, public consumption of alcohol referrals and other matters in and around the ambit of the BLLC's regulatory and enforcement powers, both entities have recognized that it is in mutual interest to outline the parameters of the collaboration in greater detail for a variety of legal reasons. Despite the fact that, as an independently elected law enforcement office, the BCSO already has existing legal authority to enforce the general laws Alcoholic Beverages and Cannabis, legal liability questions about who is responsible for what specific activity led to the conclusion that legislation would be mutually advantageous to both parties.

By way of one example, the Maryland Public Information Act (MPIA) requires a custodian of records for both the BCSO and the BLLC (and many other state and local government instrumentalities). Currently, the responsibility for the records created via collaborative action of the BCSO and BLLC is not firmly defined. Many times, reports to the BLLC received through Baltimore City's 311 system are the initial entry point of information relating to unlawful, and at times, criminal activity. Because those records

are public records under the MPIA, the BCSO and BLLC intend to address the need to limit access to all or part of such records in accordance with the MPIA when access such records should be denied as part of an ongoing investigation. If HB 1293 is enacted, the BLLC and BCSO could clearly define the responsibilities of both parties using the memorandum of understanding (MOU) contemplated by this bill.

The provision of law that is the model for this legislation can be found at Alcoholic Beverages and Cannabis Article §1-313(b)(2)(iii), wherein the Field Enforcement Division (FED) of the Maryland Alcohol Tobacco and Cannabis Commission (MDATCC) is granted the authority by the General Assembly to "...make cooperative arrangements for and work and cooperate with...sheriffs..." As the BCSO executed an MOU with the MDATCC for just such a cooperative arrangement for a partnership to enforce unlawful sales of cannabis to underage individuals, the idea to codify the authority to create such an arrangement with the BLLC was thought of as a good idea to strengthen the legality of the existing work the BLLC and BCSO are already doing, as well as lay the groundwork to do even more.

One critical point of note is that the BCSO believes that HB 1293 has no fiscal impact on the State of Maryland, the budget of the BLLC, or the City of Baltimore, nor does it impose any new fee or charge to the public. Rather, the legislation expands the use of revenues that area currently being collected from an existing surcharge authorized Courts & Judicial Proceedings §7-301(c)(3)(ii). Moreover, the authority that the General Assembly granted the BCSO during the 2024 session through Chapter 202 (House Bill 1034) of the Laws of Maryland of 2024 provides the ability of the Sheriff to appoint personnel based on funding from an expanded list of sources;¹ the intent of the BCSO is to identify monies to cover the costs of the work of the NSU through a combination of the statutorily authorized revenues described herein.

The types of nonviolent criminal activity that violations of the alcohol, tobacco and cannabis laws and regulations are the types of nuisance behaviors that drive a large portion of the nonviolent criminal complaints from neighborhoods and constituents throughout Baltimore City. The idea behind the need for HB 1293 is born from the existing work of the BCSO and the BLLC's individual and collective efforts to use their respective law enforcement, regulatory, and enforcement tools to correct the negative behavior and compel compliance with the law. By creating no new crimes and without needing to expand any existing law enforcement authorities, the BCSO believes that HB 1293 provides a framework to strengthen the work of both the BCSO and the BLLC and allow each office to continue to focus on what each is best created and suited to do, and will provide measurable results for the public that will continue to make Baltimore City a more livable place for all its residents.

For the foregoing reasons, the BCSO respectfully requests a **favorable** report on HB 1293.

¹ See Md. Code Ann. Courts & Judicial Proceedings §2-316(d)(2)(ii).