



BALTIMORE POLICE DEPARTMENT



STEPHANIE RAWLINGS-BLAKE
Mayor

October 13, 2011

FREDERICK H. BEALEFELD, III
Police Commissioner

TO: The Honorable President and Members
of the Baltimore City Council
Room 400 City Hall
Attn. Karen Randle

FROM: James H. Green, ^{JHG} Deputy Chief Legal Counsel
Baltimore Police Department

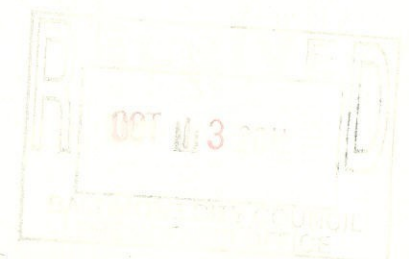
RE: City Council Bill 11-0764-Advertising Circulars-Presumption of
Placement Without Permission.

The Baltimore Police Department (BPD) has reviewed City Council Bill 11-0764-Advertising Circulars-Presumption of Placement Without Permission. The bill proposes to create a presumption that the circulars found on unattended property were placed without permission. The bill also proposes to increase the penalties for subsequent violations.

The BPD recognizes the concerns which are raised in the Department of Law's bill report and concurs with their recommendations that the proposed presumption language be limited to civil enforcement. It is recognized that there already exists a presumption in the statute that is more narrowly tailored and thereby satisfies constitutional concerns. The proposed additional penalties provide a strong deterrent and a measure of accountability for violating the provision. Thank you for the opportunity to comment on this legislation.

cc: Angela Gibson, Mayor's Legislative Liaison

c/o 242 W. 29th Street • Baltimore, Maryland 21211



Comments