



MICHAEL T. MANCUSO  
*President*

**Fraternal Order of Police**  
**BALTIMORE CITY LODGE No. 3**

3920 BUENA VISTA AVENUE  
BALTIMORE, MARYLAND 21211  
Phone: (410) 243-9141  
Fax: (410) 467-1643  
Twitter: @FOP3



LISA M. RIHA  
*Secretary*

24 February 2021

The Honorable Mark Conway  
Public Safety and Government Operations  
Baltimore City Council  
100 Holliday Street  
Baltimore, Maryland 21202

**Re: City Council Bill 21-0001 – Surveillance Technology in Baltimore  
Request for UNFAVORABLE Opinion**

Dear Chairman Conway and Members of the Committee,

On behalf of Baltimore City Fraternal Order of Police (FOP) Lodge 3, representing the close to 2,500 sworn police officers, sergeants, and lieutenants, we write to request an unfavorable recommendation on City Council Bill 21-0001.

The FOP joins the Baltimore Police Department (BPD) in opposing this bill in its current form and we make this unfavorable recommendation based on the experience of sworn personnel who have used this technology, as recently as a couple weeks ago, in assisting criminal investigations in solving the robberies, shootings and homicides that plague our town.

An outright ban on certain face surveillance technology, and limiting the BPD's ability to contract with various vendors, would remove a valuable tool needed to fight violent crime. We instead ask the City Council to consider urging the BPD to establish a standard operating procedure (SOP) that would establish controls, training, and tracking of the use of said technology.

Keep in mind that in the criminal investigations that followed the protest and breach of the US Capitol on 6 January 2021, the Federal Bureau of Investigation (FBI) was successfully able to utilize facial recognition technology to identify and arrest those involved. In Baltimore, this same technology can, and has been, used to identify criminal suspects.

Furthermore, the use of facial recognition technology is but one aspect of a criminal investigation needed to apply for an arrest warrant and close a case. A positive identification utilizing facial recognition alone is not enough to generate probable cause for arrest, let alone prove a case beyond a reasonable doubt for conviction. The use of facial recognition technology needs to be supported by additional evidence such as witness identifications, forensic, firearms and latent print examinations, as well as cellular phone data points.

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Testimony of FOP Lodge 3  
Council Bill 21-0001

In conclusion, the use of facial recognition technology has the potential to change the arc of criminal investigations for the better, much like DNA did decades ago, assisting in identifying the guilty and protecting the innocent. For these reasons and more, the FOP asks this Council to give 21-0001 an unfavorable report.

Sincerely yours,

Handwritten signature in blue ink, appearing to read "SGT R. F. Cherry, Jr." with a stylized flourish at the end.

Detective Sergeant Robert F. Cherry, Jr.  
Chairman, FOP Lodge 3 Legislative Committee

Handwritten signature in blue ink, appearing to read "Eric J. Perez" with a stylized flourish at the end.

Detective Eric J. Perez  
Co-Chairman, FOP Lodge 3 Legislative Committee

CC: Michael Mancuso  
Michelle Wirzberger  
Natasha Mehu  
Brittany Lewis