

**CITY OF BALTIMORE
COUNCIL BILL 08-0067R
(Resolution)**

Introduced by: President Rawlings-Blake, Councilmembers Young, Middleton, Kraft, Cole,
Branch, D’Adamo, Holton, Clarke, Conaway, Reisinger, Henry, Welch, Curran

Introduced and read first time: September 22, 2008

Assigned to: Public Safety and Health Committee

REFERRED TO THE FOLLOWING AGENCIES: Baltimore City State’s Attorney’s Office, Police
Commissioner, Mayor’s Office of Criminal Justice

A RESOLUTION ENTITLED

1 A COUNCIL RESOLUTION concerning

2 **Inter-Agency Training Initiative – Nuisance Crimes**

3 FOR the purpose of requesting the Baltimore City State’s Attorney and the Baltimore City Police
4 Commissioner, with the aid of area law schools and other legal resources, to cooperatively
5 develop an inter-agency training program for police officers to insure that nuisance citations
6 meet requisite legal standards to be upheld in court, and any other training needs of police
7 personnel are addressed, in order to make certain that the enforcement of nuisance laws has
8 the intended effect of preserving the quality of life of Baltimore City neighborhoods.

9 **Recitals**

10 “The Broken Window thesis propounded by criminologists states that human behavior is
11 strongly influenced by symbols of order and disorder. If a neighborhood appears orderly, people
12 feel safer, and wrongdoers are less likely to commit crimes. But one unrepaired broken window
13 can signal that no one cares. Vandalism and antisocial behavior that go unresisted may send a
14 neighborhood spiraling to its lowest common denominator, as citizens give in and give up.”
15 *Legally Speaking*, October 1997.

16 In 2002, aware that quality of life crimes represent the majority of crimes that occur within
17 the downtown area and “have a dramatic impact on the psychological well being of our
18 residents, workers, and visitors”, the Downtown Partnership created the Downtown Court Watch
19 Program to insure “the effective prosecution of these crimes” that is essential to the continued
20 revitalization of downtown. Through the program, members of the business community attend
21 District Court and testify in nuisance crime proceedings to ensure successful prosecution.
22

23 Later the same year, the Baltimore City State’s Attorney’s Office used a grant from the U.S.
24 Justice Department to concentrate solely on nuisance crimes that included public urination,
25 drunken and disorderly conduct, carrying open containers of alcohol, and prostitution. Prior to
26 undertaking the initiative, the SAO’s held 9 “community prosecution forums” across the City to
27 hear citizens’ concerns. It found that emphasis needed to be placed on the quality of life crimes
28 that were mainly responsible for “driving people out of the City”.

EXPLANATION: Underlining indicates matter added by amendment.
~~Strike out~~ indicates matter deleted by amendment.

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1 Despite determining the importance of addressing quality of life issues in our communities
2 and the concentrated efforts of prosecutors to adjudicate nuisance crimes, the number of arrests
3 and the percentage of successful prosecutions has constantly declined. For example, in 2006, of a
4 total of 15,125 citations 10,676 (70%) were declined for prosecution. In 2007, of 11,100
5 citations, 7,422 (66%) were declined for prosecution. Recent data shows another even more
6 alarming trend – police officers are arresting and serving a declining number of citations for
7 nuisance crimes.

8 The quality of life in Baltimore City neighborhoods must be nurtured by ridding them of the
9 nuisance crimes that threaten their well-being. Police and prosecutors must work hand and hand
10 to aggressively address the “minor” offenses that threaten a neighborhood’s stability.

11 **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE,** That this
12 Body respectfully requests the Baltimore City State’s Attorney and the Baltimore City Police
13 Commissioner, with the aid of area law schools and other legal resources, to cooperatively
14 develop an inter-agency training program for police officers to insure that nuisance citations
15 meet requisite legal standards to be upheld in court, and that any other training needs of police
16 personnel are addressed, in order to make certain that the enforcement of nuisance laws has the
17 intended effect of preserving the quality of life of Baltimore City neighborhoods.

18 **AND BE IT FURTHER RESOLVED,** That the State’s Attorney and the Police Commissioner are
19 requested to seek the aid of the Deans of the University of Maryland School of Law and the
20 University of Baltimore School of Law to develop a continuing education course for law
21 enforcement personnel in the proper citing of nuisance crimes.

22 **AND BE IT FURTHER RESOLVED,** That a copy of this Resolution be sent to the Mayor, the
23 Baltimore City State’s Attorney, the Baltimore City Police Commissioner, and the Mayor’s
24 Legislative Liaison to the City Council.