

**CITY OF BALTIMORE  
COUNCIL BILL 06-0122R  
(Resolution)**

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Introduced by: President Dixon, Councilmembers Young, D’Adamo, Harris, Kraft, Curran,  
Rawlings Blake, Conaway, Holton, Welch, Mitchell, Branch  
Introduced and adopted: January 9, 2006

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**A COUNCIL RESOLUTION CONCERNING**

**Request for State Legislation – Civilian Review Board – Additional Powers**

FOR the purpose of requesting the Honorable Chairs and Members of the Baltimore City Senate and House Delegations to the 2006 session of the Maryland General Assembly to introduce legislation to amend the Public Local Laws of Baltimore City to grant the Civilian Review Board the additional power to investigate allegations from the public of false arrest and false imprisonment, allowing citizens up to 1 year following the alleged incident to file complaints with the Internal Investigation Division of the Police Department or the Civilian Review Board.

**Recitals**

The 1999 Maryland General Assembly passed legislation that repealed the Complaint Evaluation Board of Baltimore City and established a new 12-member Civilian Review Board to evaluate complaints made by the public regarding abusive language, harassment, or excessive force used by police personnel and to review policies of the Baltimore City Police Department. The Board membership comprises 1 member of the public from each of the 9 police districts, and 3 nonvoting members. The non-voting members are representatives of the Fraternal Order of Police, the Vanguard Justice Society, and the Police Commissioner or the Police Commissioner’s designee.

The Internal Investigation Division is required to investigate each complaint and submit its report to the Civilian Review Board within 90 days of the filing of complaint. The Civilian Review Board is required to review all complaints, may investigate a complaint simultaneously with the review conducted by the Internal Investigation Division, and must report its recommendations to the Division. The Civilian Review Board also reports its findings and recommendations directly to the Police Commissioner who has final decision-making responsibility for appropriate disciplinary action. Procedures under the law cannot be construed to abrogate any constitutional, statutory, or common law right of a police officer who is subject to a complaint of a citizen, investigator or witness.

The 2000 General Assembly adopted legislation that expanded the authority of the Civilian Review Board to include investigation of the law enforcement units of the Baltimore City School Police, the Housing Authority Police, and the Baltimore City Sheriff’s Department. The

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

1 legislature also repealed a termination clause that would have abrogated the provisions of the law  
2 creating the Civilian Review Board on September 30, 2002, 3 years after its creation, and in so  
3 doing voiced their faith in the effectiveness of the revised Board in protecting the rights of both  
4 citizens and law enforcement officers.

5 Recognizing that the cautionary posture that overtook the country and law enforcement in  
6 particular, after the events of 9-11, created an atmosphere where the rights of the individual were  
7 in danger of being ignored in a vigorous attempt to ensure homeland security, the City Council  
8 passed a resolution requesting the Baltimore City Senate and House Delegations to the 2005  
9 Maryland General Assembly to introduce legislation to provide for the expansion of powers of  
10 investigation of the Civilian Review Board to investigate claims of false arrest and false  
11 imprisonment.

12 War against the ideals of America and continued threats of acts of terrorism have continued  
13 an atmosphere of heightened law enforcement vigilance ever since the fateful events of 9-11.  
14 The need for legislation that would serve to provide a chilling effect on officers who might  
15 otherwise be over-zealous or injudicious in the exercise of their duties remains a high priority.

16 **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE,** That  
17 Honorable Chairs and Members of the Baltimore City Senate and House Delegations to the 2006  
18 session of the Maryland General Assembly are hereby requested to introduce legislation to  
19 amend the Public Local Laws of Baltimore City to grant the Civilian Review Board the  
20 additional power to investigate allegations from the public of false arrest and false imprisonment,  
21 allowing citizens up to 1 year following the alleged incident to file complaints with the Internal  
22 Investigation Division of the Police Department or the Civilian Review Board.

23 **AND BE IT FURTHER RESOLVED,** That a copy of this Resolution be sent to the Mayor, the  
24 Honorable Chairs and Members of the Baltimore City Senate and House Delegations to the  
25 Maryland General Assembly, the Baltimore City Police Commissioner, the Commissioner of the  
26 Baltimore City School Police, the Executive Director of the Housing Authority of Baltimore  
27 City, the Baltimore City Sheriff, and the Mayor's Legislative Liaison to the City Council.