

**CITY OF BALTIMORE**  
**COUNCIL BILL 18-0073R**  
**(Resolution)**

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Introduced by: Councilmembers Scott, Middleton, President Young, Councilmembers Henry, Schleifer, Pinkett, Dorsey, Cohen, Costello, Stokes, Sneed, Clarke, Bullock, Burnett, Reisinger

Introduced and adopted: March 12, 2018

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**A COUNCIL RESOLUTION CONCERNING**

**Request for State Action – Require True Local Oversight of Private College Police Forces in Baltimore**

FOR the purpose of calling on the Maryland General Assembly to amend SB1241, and its companion bill HB1803, before passage to require City Council involvement in the creation of police forces for private colleges in Baltimore; and further requesting the Governor not to sign these bills or similar legislation until the legislation includes checks and balances from all branches of Baltimore’s Government.

**Recitals**

Colleges and Universities having their own police force is common throughout the country, including in Baltimore. However, allowing a private university to create a police force through a memorandum of understanding with only the Mayor and Police Commissioner bypasses the local legislative body creating another police entity that is not locally controlled. Currently, the Baltimore City Police Department occupies an unusual legal position as a creature of State, rather than City, law, officially an “agency and instrumentality of the State of Maryland”, that operates only on territory controlled by Baltimore City and that for most, but not quite all, purposes is treated like any other City Agency.

The handful of ways that this unusual arrangement causes the Police Department to differ from other City departments are unfortunately not all trivial. In fact, they seriously undermine the City’s ability to quickly, efficiently, and effectively respond to some of its most pressing problems.

Provisions in the State Public Local Laws exclusively affecting Baltimore City, and in the basic powers granted by the State to Baltimore in the City Charter, have been interpreted as making it impossible for the City to permanently set policies regarding the Police Department through its own legislation. This leaves the City with two unappealing options for dealing with many vital issues – either address them through informal executive action that can be changed, undermined, or simply forgotten with relative ease; or through State legislation that can only be enacted during the limited window when the Generally Assembly is in session and requires the consent and interest of legislators with no ties of any kind to our city. Creating new police agencies within Baltimore with these same oversight issues makes little sense.

Furthermore, with the Baltimore Police Department itself being under a federal consent decree, creating a new force through an agreement with the department would create further confusion at a time where oversight of the department itself is under question. In order to

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

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1 prevent any confusion about oversight or accountability, any legislation passed by the General  
2 Assembly must require a local ordinance of the City Council to create the entity.

3 **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE,** That the  
4 Council calls on the Maryland General Assembly to amend SB-1241, and its companion bill  
5 HB1803, before passage to require City Council involvement in the creation of police forces for  
6 private colleges in Baltimore; and further requests the Governor not to sign these bills or similar  
7 legislation until the legislation includes checks and balances from all branches of Baltimore's  
8 Government.

9 **AND BE IT FURTHER RESOLVED,** That a copy of this Resolution be sent to the Governor, the  
10 Honorable Chairs and Members of the Baltimore City House and Senate Delegations to the  
11 Maryland General Assembly, the President of the Maryland Senate, the Maryland House  
12 Speaker, the Mayor, the Police Commissioner, and the Mayor's Legislative Liaison to the City  
13 Council.