



BALTIMORE POLICE DEPARTMENT



BEARNARD C. "JACK" YOUNG
Mayor

MICHAEL S. HARRISON
Police Commissioner

January 28, 2020

Honorable President and Members of the Baltimore City Council
Room 400, City Hall
100 N. Holliday Street
Baltimore, Maryland 21202

RE: City Council Bill #18-0285
Police Ordinances – Repealing the Prohibition on Playing in the Street

The Baltimore Police Department has reviewed City Council Bill #18-0285 which would repeal Section 50-41 of Article 19 of the City Code that makes it unlawful for any person to “play ball, fly a kite, or throw a stone or other object or missile while in or on any street, alley, lane, or other public thoroughfare in this City.” The bill would also repeal Section 41-14(2) of Article 11 of the City Code that establishes a penalty for violation Section 50-41 as a fine of \$5.

While we believe that this bill is well intended and seeks to provide children with much needed additional recreational options, we are concerned that it could have the unintended consequence of putting children in jeopardy of being struck by a passing vehicle.

BPD defers to the Law Department and the Department of Transportation on City Council Bill 18-0285; however, we would like to note the following:

1. We understand that not all streets, alleys, lanes, etc. are created equal. There are some thoroughfares within the City in which it would be patently unsafe to engage in ball play or to fly a kite. For example, the JFX (83), most sections of Pratt Street, Martin Luther King Boulevard, and The Alameda are thoroughfares that are not safe for anyone to play on. Therefore, we believe the DOT should determine, by whatever means they deem appropriate, what streets would be appropriate for such ball playing, etc.
2. We would like to be a part of a workgroup that proactively works to develop a communications strategy to ensure there is proper signage and notice so that drivers are aware that on-street recreation could be taking place; and
3. We believe “throwing a stone or other object or missile while in or on any street, alley, lane, or other public thoroughfare in this City” should remain a citable offense.

Thank you for allowing the Baltimore Police Department to comment on City Council Bill #18-0285. As mentioned above, we defer to the Law Department and the Department of Transportation but do note several concerns and steps that should be taken to ensure the safety of children at play and drivers alike.

Thank you for the opportunity to comment.

Sincerely,

A handwritten signature in black ink that reads "Michelle Wirzberger". The signature is written in a cursive, flowing style.

Michelle Wirzberger, Esq.
Director of Government Affairs

cc: Natwana Austin, Executive Secretary
Sunny Schnitzer, Deputy Chief of Staff – Public Safety
Matt Stegman, Mayor’s Legislative Liaison
Eric Melancon, BPD Chief of Staff
Andrew Smullian, BPD Deputy Chief of Staff
Deputy Commissioner Michael Sullivan
Colonel Richard Worley