



BALTIMORE POLICE DEPARTMENT



BERNARD C. "JACK" YOUNG
Mayor

MICHAEL S. HARRISON
Police Commissioner

August 20, 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# 20-0562
Baltimore City Police Officials – Residency Requirements

Dear Council President Scott and Members of the City Council:

The Baltimore Police Department (BPD) has reviewed Council Bill #20-0562. This bill proposes residency requirements for certain Baltimore Police Department Command Staff and provides certain exceptions to these requirements. The bill defines “command staff” as members of the Baltimore Police Department with the rank of Colonel or Deputy Commissioner. The proposal requires that within 120 days of appointment or promotion, a member must be a resident and registered voter of Baltimore City and that they maintain that required status throughout the entire time in which they serve as a command staff member. Members may apply for a waiver if they are married to an individual employed by a government entity that has a similar residency requirement. The bill would require termination for non-compliance and establishes annual reporting requirements. The legislation would take effect January 1, 2022.

While the Baltimore Police Department is not opposing this bill, we do want to share some concerns we have regarding how residency requirements could negatively impact the Department’s ability to continue to improve its operations, establish accountability and implement the Consent Decree.

First, as an agency with a notable staffing shortage, we have developed and are currently executing a strategic recruitment campaign that is specifically targeting city residents, persons of color and women in the hopes of increasing diversity and city residency amongst our ranks. We want residents of Baltimore City to join the Department and bring their life experiences and their passion for Baltimore to our ongoing efforts to improve the service provided by the Baltimore Police Department.

The Staffing Plan required by the Consent Decree and approved by the Department of Justice and Monitoring Team relies upon the understanding that the Department must, in order to meet our operational needs, swiftly hire and promote good, smart, qualified candidates regardless of where they reside or where they come from.

Second, the Consent Decree requires that we increase and enhance supervision in all areas of the Department to reduce the occurrence of negligent and/or unconstitutional policing practices as described in the original DOJ report. National Best Practices and Consent Decree provisions direct us to improve supervision by promoting more and better qualified front-line supervisors; establishing protocols for proper span of control and effective supervision; and significantly investing in leadership training and mentorship.

As we spend critical resources on the recruitment and training of these Officers, Sergeants and Lieutenants, we want them to see BPD as a department within which they will be able to grow professionally, personally and intellectually. Adding additional requirements on promotional viability that are not related to a candidate's performance could inhibit the Department's ability to recruit new and lateral officers while also creating an environment where officers will be likely to transfer to other law enforcement agencies to find more favorable advancement opportunities.

Finally, in our efforts to improve retention, we have worked to ensure that members are being promoted in a fair and equitable manner. We have developed a policy that establishes the criteria and process for promoting command members who have demonstrated the following: a commitment to community engagement and community policing; effective use of de-escalation and crisis management techniques; and integrity and ethical decision-making. A committee composed of the Department's Equity Officer, the Deputy Commissioners, Chief of Patrol, Chief of Detectives, and the Chief of Staff, post job announcements, solicit applications from all eligible members of the Department, conduct interviews and score applicants based on skill, commitment and ability. This process has been created with input from the Department of Justice and our Consent Decree Monitoring Team. Limiting the consideration of prospective candidates for executive level ranks, such as Colonel and Deputy Commissioner, to only those who reside within Baltimore City would hamper the Department's ability to promote the best and brightest from within BPD and would frustrate our efforts to cultivate an environment where members want to advance within the Department.

Although City Council Bill #20-0562 has a very limited scope, the Baltimore Police Department has some concerns regarding the unintended consequences of this bill on the Department's ability to hire, promote and retain qualified individuals who have the skill, will and commitment to transform the BPD into the Department our residents want, need and deserve. We hope you consider our concerns. Thank you for the opportunity to comment.

Sincerely,



Michelle Wirzberger, Esq.
Director of Government Affairs

cc: Natwana Austin, Executive Secretary of the Baltimore City Council
Dominic McAlily, Legislative Assistant, Office of the Council President
Matt Stegmand, Mayor's Legislative Liaison
Eric Melancon, BPD Chief of Staff
Andrew Smullian, BPD Deputy Chief of Staff