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**BALTIMORE CITY COUNCIL
WAYS AND MEANS
COMMITTEE**

Mission Statement

The Committee on Ways and Means (WM) is responsible for ensuring taxpayer dollars are expended prudently and equitably. WM will exercise regular oversight of the City's budget, expenditures, loans, and other financial matters. The committee's areas of jurisdiction include: budget & appropriations, taxation, financial services, consumer protection, audits, and the Comptroller's Office.

**The Honorable Eric T. Costello
Chairman**

PUBLIC HEARING

**TUESDAY, OCTOBER 19, 2021
10:00 AM**

VIRTUAL WEBEX MEETING

Council Bill 21-0112

Charter Amendment
Supplementary Criminal Apprehension and Conviction Fund

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BILL SYNOPSIS

Committee: Ways and Means

Bill: 21-0112

Charter Amendment – Supplementary Criminal Apprehension and Conviction Fund

Sponsor: Councilmembers Schleifer and Bullock, et al

Introduced: July 19, 2021

Purpose:

For the purpose of establishing a continuing, nonlapsing Supplementary Criminal Apprehension and Conviction Fund, to be used exclusively to supplement rewards offered to the public for information leading to the apprehension, arrest, and conviction of criminal suspects; providing for certain modes of appropriation to this Fund; authorizing the Mayor and City Council, by Ordinance, to provide for the oversight, governance, and administration of this Fund; and submitting this amendment to the qualified voters of the City for adoption or rejection.

Effective: Upon the approval of the legal and qualified voters of Baltimore City.

Agency Reports

Law Department	<i>None as of this writing</i>
Department of Finance	<i>None as of this writing</i>
Baltimore Police Department	<i>None as of this writing</i>

Analysis

Current Law

Baltimore City Charter – Article 1 – General Provisions

The inhabitants of the City of Baltimore are a corporation, by the name of the “Mayor and City Council of Baltimore.

Maryland Constitution – Article XI-A, § 5

SEC. 5. Amendments to any charter adopted by the City of Baltimore or by any County of this State under the provisions of this Article may be proposed by a resolution of the Mayor of Baltimore and the City Council of the City of Baltimore, or the Council of the County, or by a petition signed by not less than 20% of the registered voters of the City or County, provided, however, that in any case 10,000 signatures shall be sufficient to complete a petition. A petition shall be filed with the Mayor of Baltimore or the President of the County Council. An amendment so proposed shall be submitted to the voters of the City or County at the next general or congressional election occurring after the passage of the resolution or the filing of the petition. If at the election the majority of the votes cast for and against the amendment shall be in favor thereof, the amendment shall be adopted and become a part of the charter of the City or County from and after the thirtieth day after said election. **The amendments shall be published by the Mayor of Baltimore or President of the County Council once a week for five successive weeks prior to the election in at least one newspaper published in said City or County (amended by Chapter 681, Acts of 1977, ratified Nov. 7, 1978).**

Background

Per Councilmember Schleifer, a primary sponsor of the Ordinance, “Currently, any information received that leads to an arrest and convictions of suspects in violent crimes offers an amount of money, but the current \$2,000, \$2,500, \$4,000 is not enough incentive to come forward. Violent crime causes trauma in many families, often without any closure. The fund will not only better incentivize people to anonymously report information, but also will allow for an equitable distribution. People can anonymously submit information and be awarded for it.

If approved, the Charter Amendment will add a new subtitle (19) under Article 1 – General Provision of the Baltimore City Charter which outlines the establishment and scope of the fund.

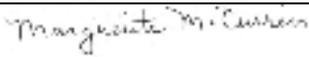
Per Councilmember Schleifer, this fund is similar to other funds that were set-up by the Council; it does not involve city funding but can receive funding from elsewhere. Upon the approval of the Mayor and City Council, the Charter Amendment will go to the voters and upon their approval another bill will be needed to set-up how the fund will work and/or operate; to determine the specifics.

Also, **attached** is additional information pertaining to conviction funds.¹

Additional Information

Fiscal Note:

Information Source(s): City Charter, Council Bill 21-0112, and see footnote.

Analysis by:  Marguerite M. Currin
Analysis Date: October 14, 2021

Direct Inquiries to: (443) 984-3485

¹ Information obtained from “Google Website”

Council Bill: 21-0112

AGENCY REPORTS

NONE AS OF THIS WRITING

Information regarding
Conviction Funds

SEE ATTACHED

State of Arizona

Title 41 - State Government

§ 41-104 Offer of reward for information leading to apprehension of convict or arrest and conviction of felon; authorization for payment

41-104. Offer of reward for information leading to apprehension of convict or arrest and conviction of felon, authorization for payment

A. The governor may offer a reward, **not exceeding ten thousand dollars**, for information leading to the apprehension of a convict who has escaped from the state prison or for information leading to the arrest and conviction of any person or persons who have committed or are charged with commission of a felony.

B. The governor shall certify to the department of administration the name of the person giving the information leading to the arrest, immediately upon conviction of the person arrested. The governor may, if the person certified to the department of administration is alleged to have been, or has admitted to be, an accomplice, principal or accessory in such crime, direct that the reward so offered be reduced to an amount not less than ten dollars. In determining the amount the governor shall take into consideration the value of the information in securing a conviction, the availability of the information from other sources and the culpability of the person providing the information. Upon certification of the name and the amount the director of the department of administration shall draw his warrant to **be paid from the state general fund**.

STATE OF GEORGIA

Ga. Code § 45-12-36

Current through 2021-2022 Regular Session Chapters 1-270, 272-305, 307

Section 45-12-36 - Reward for information leading to identification, apprehension, and conviction of persons who cause the death of a law enforcement officer

(a) For the purposes of this Code section, "conviction" means a final judgment of conviction entered upon a verdict of guilty or upon a plea of guilty. Such judgment shall be deemed to be a final judgment when the remittitur from the appellate court of this state affirming the conviction is filed in the court below or, if the proceeding is before a federal court, when the United States Circuit Court of Appeals has affirmed the conviction.

(b) Any person, except a person who shall be charged with the power, duty, and responsibility of enforcing the criminal laws of this state, who furnishes the necessary information which leads to the identification, apprehension, and conviction of a person who has committed the crime of murder or voluntary manslaughter, where the victim of such crime was a law enforcement officer acting in the line of duty at the time of the commission of such crime, may be entitled to receive a reward in **an amount up to \$10,000.00**. No reward offered under this Code section shall be awarded unless the information furnished possesses such unique qualities that without the divulgence thereof by the person claiming the reward, the identity of the perpetrator of such crime and the evidence leading to his conviction would not have been readily ascertainable from other sources during the ordinary course of a routine investigation of the crime. In those instances where, in the judgment of the Governor, one or more persons should be entitled to the reward, the Governor shall direct the division of the reward among those entitled thereto at his discretion or he may rely upon the advice of the district attorney or other official prosecuting the case as to the appropriate division of the reward.

(c) The Governor, at his discretion, may pay any reward authorized by this Code section after conviction.

(d) The Governor may pay such reward to any such person from funds appropriated to the executive branch of the state government for such purpose.

OCGA § 45-12-36

SPECIAL SERIES

Criminal Justice Collaborative

ORIGINAL REPORTING ON THE NATION'S CRIMINAL JUSTICE SYSTEM FROM NPR AND MEMBER STATION REPORTERS.

Do Cash Rewards for Crime Tips Work?

September 17, 2019 5:00 AM ET

BY: [CHERYL CORLEY](#)/NPR

Remember those old "wanted" posters on TV Westerns? They offered rewards for handing over a person to law enforcement. In more recent times, rewards are less about bounty hunting and more about persuading people to provide information that can help solve a crime. It's an attempt to use money to overcome fear and apathy, and sometimes that can be difficult.

Recently, on a corner outside a Family Dollar store in Maywood, Ill., a suburb west of Chicago, a crowd of relatives, friends and activists gathered and held up pictures of 19-year-old Isiah Scott. They also distributed flyers offering a \$5,000 reward for information leading to the arrest of the person who shot and killed Scott last March. He had just talked to his girlfriend on the phone about going to prom.

Scott's mother, Kisha Stansberry, says she raced to the parking lot of the Family Dollar after she saw her son strapped to a gurney on a live social media feed. Stansberry says she knows people saw what happened to her son. She says the suspected shooter threatened other kids, and they were afraid to go to school.

"It's shameful that I would have to put \$5,000 out there for somebody to do what's right," said Stansberry. "That was the most horrific thing I've ever been through — to watch your child take his last breath on Facebook, on Snapchat. They got him on a gurney on Snapchat. Tubes down his throat."

Stansberry says lots of people helped her raise the reward money in an effort spearheaded by Michael Pflieger, an activist Chicago priest, and a support group of parents of murdered children. Pflieger says they've had some success — paying out rewards in nearly 30 Chicago cases after arrests were made and police verified the information was useful. He says in other instances, rewards haven't worked but it's important to continue to offer them.

"I've had people, three years after a murder, come with the reward flyer crumpled up that they've kept all that time and they say, 'I'll talk.' So whenever," Pflieger says.

Law enforcement agencies have a long history of offering rewards in an effort to solve crimes. The [FBI's "Ten Most Wanted" list](#) has been up and running since 1950, when the agency first teamed up with a news wire service to publicize the toughest criminals it was

trying to capture. **The FBI now offers a minimum — a reward of up to \$100,000 for information leading to a direct arrest of anyone on that list.**

In the 1970s, **Crime Stoppers**, a new effort that used reward money, the media, and citizen help, got underway. It lets people call in anonymous tips to Crime Stoppers programs across the United States. Typical rewards, up to \$1,000 funded by public, private and corporate donations, are offered if a tip leads to an arrest. Larger rewards are offered for more heinous crimes.

Barb Bergin, chairwoman of Crime Stoppers USA, says the prospect of higher rewards for cases that receive more publicity may increase the number of tips or calls. That doesn't necessarily mean those tips help solve the case or lead to higher rewards being paid out.

"Nationally we are seeing programs who are paying out as little as 15 to 20% of their available rewards," Bergin says. "I think the highest that you'll see around the country is somewhere around 60 to 70% of their rewards get collected."

The measure of success, Bergin says, is not how many rewards are paid out, but how many cases are closed, arrests made, and crimes prevented because of tips that come in from Crime Stoppers.

Loyola University criminologist Arthur Lurigio co-authored an evaluation of Crime Stoppers during its early years.

"Our studies showed that it was getting an award that mattered, not so much the exact award figure," Lurigio says. It's impossible, Lurigio says, to determine how much of a factor Crime Stoppers' rewards play since tips and payouts are anonymous.

He says even with a reward, people are often hesitant to report a crime if it can cost them. For example, he says, some don't want to be considered a snitch by turning in a relative, neighbor or friend. And even if there's guarantee of anonymity, says Lurigio, the person with incriminating information weighs the reward against the risk of possible retaliation.

"People's houses are shot up, their relatives are shot at. They're killed. Witnesses are killed," he says.

Even if rewards are not wildly productive, Lurigio says he understands why people offer them, especially in high crime areas.

"Putting out a reward gives them some sense of 'I'm doing something that's concrete' rather than 'I am helpless,' " he says.

That's exactly why Kisha Stansberry says canvassing the neighborhood where her son died is so important. So, before it gets dark, she and others including one of her son's longtime friends, Juan Ortega Perez, hand out reward flyers in their push to get an arrest.

"People are traumatized. This hurt," Perez says. "It's all a moment of time, so even without the reward money, it will happen. We'll find justice for Isiah."

Stansberry says that if the \$5,000 reward doesn't do it, she's willing to offer as much as it takes in reward money since she knows there are people out there who can offer valuable information.

Dean Stansberry, Kisha's husband and stepfather to Isiah, was killed July 30 — a week after the news conference was held — in a drive-by shooting that left Stansberry and another man dead. Police say Stansberry appeared to be an unintended victim.

**CITY OF BALTIMORE
COUNCIL BILL 21-0112
(First Reader)**

Introduced by: Councilmembers Schleifer and Bullock

Introduced and read first time: July 19, 2021

Assigned to: Ways and Means Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Finance, Baltimore Police Department

A RESOLUTION ENTITLED

1 A RESOLUTION OF THE MAYOR AND CITY COUNCIL concerning

2 **Charter Amendment – Supplementary Criminal**
3 **Apprehension and Conviction Fund**

4 FOR the purpose of establishing a continuing, nonlapsing Supplementary Criminal
5 Apprehension and Conviction Fund, to be used exclusively to supplement rewards offered to
6 the public for information leading to the apprehension, arrest, and conviction of criminal
7 suspects; providing for certain modes of appropriation to this Fund; authorizing the Mayor
8 and City Council, by Ordinance, to provide for the oversight, governance, and administration
9 of this Fund; and submitting this amendment to the qualified voters of the City for adoption
10 or rejection.

11 BY proposing to add
12 Article I - General Provisions
13 Section 19
14 Baltimore City Charter
15 (1996 Edition)

16 **SECTION 1. BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
17 City Charter is proposed to be amended to read as follows:

Baltimore City Charter

Article I. General Provisions

20 **§ 19. SUPPLEMENTARY CRIMINAL APPREHENSION AND CONVICTION FUND.**

21 (A) *FUND ESTABLISHED; SCOPE.*

22 THERE IS A CONTINUING, NONLAPSING SUPPLEMENTARY CRIMINAL APPREHENSION AND
23 CONVICTION FUND, TO BE USED EXCLUSIVELY FOR PURPOSES OF SUPPLEMENTING
24 REWARDS OFFERED TO THE PUBLIC FROM TIME TO TIME BY THE BALTIMORE POLICE
25 DEPARTMENT OR A NON-PROFIT ORGANIZATION FOR THE SUCCESSFUL APPREHENSION,
26 ARREST, AND CONVICTION OF CRIMINAL SUSPECTS.

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

Council Bill 21-0112

1 (B) *LIMITATIONS ON USE.*

2 THE SUPPLEMENTARY CRIMINAL APPREHENSION AND CONVICTION FUND:

3 (1) SHALL ONLY BE USED TO SUPPLEMENT REWARDS; AND

4 (2) MAY NOT BE USED TO SUBSTITUTE FOR OR REPLACE EXISTING FUNDING FOR
5 REWARDS PROVIDED BY THE BALTIMORE POLICE DEPARTMENT OR ANY NON-
6 PROFIT ORGANIZATIONS AS DESCRIBED IN SUBSECTION (A) OF THIS SECTION.

7 (C) *REVENUE SOURCES.*

8 THE FUND ESTABLISHED UNDER THIS SECTION MAY CONSIST OF:

9 (1) MONEY APPROPRIATED TO THE FUND IN THE ANNUAL ORDINANCES OF ESTIMATES;

10 (2) GRANTS OR DONATIONS MADE TO THE FUND; AND

11 (3) PROCEEDS FROM FINES, FEES, SURCHARGES, OR OTHER REVENUES DEDICATED TO
12 THE FUND BY ORDINANCE.

13 (D) *CONTINUING NATURE OF FUND.*

14 NOTWITHSTANDING ANY OTHER PROVISION OF THIS CHARTER, UNSPENT PORTIONS OF THE
15 FUND ESTABLISHED UNDER THIS SECTION:

16 (1) REMAIN IN THE FUND, TO BE USED EXCLUSIVELY FOR THEIR ORDAINED PURPOSES;

17 (2) DO NOT REVERT TO THE GENERAL REVENUES OF THE CITY; AND

18 (3) THEIR APPROPRIATIONS DO NOT LAPSE.

19 (E) *IMPLEMENTATION.*

20 BY ORDINANCE, THE MAYOR AND CITY COUNCIL MAY PROVIDE FOR THE OVERSIGHT,
21 GOVERNANCE, AND ADMINISTRATION OF THE FUND DESCRIBED IN THIS SECTION.

22 **SECTION 2. AND BE IT FURTHER RESOLVED,** That this proposed amendment to the City
23 Charter be submitted to the legal and qualified voters of Baltimore City, for adoption or rejection,
24 in accordance with Article XI-A, § 5 of the Maryland Constitution, in the form specified by the
25 City Solicitor.