



Legislation Text

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INTRODUCTORY*

CITY OF BALTIMORE
COUNCIL BILL R
(Resolution)

Introduced by: Councilmember Henry

A RESOLUTION ENTITLED

A COUNCIL RESOLUTION concerning
Request for State Action - Strengthening the Civilian Review Board

FOR the purpose of calling on the Baltimore City Delegation to the Maryland General Assembly to introduce, and secure enactment of, legislation authorizing the Mayor and City Council to strengthen the Baltimore City Police Department's Civilian Review Board.

Recitals

In their publication ♦Building Momentum From The Ground Up: A Toolkit For Promoting Justice In Policing♦ published in May of this year, the Center for Popular Democracy states that ♦more than 100 jurisdictions across the country have some type of civilian oversight board, but few communities feel they have true control over their police departments. In recognition of the reality that community oversight is fundamental to the legitimacy of local law enforcement; many communities have renewed their call for meaningful community oversight♦.

Recent events have highlighted the importance of restoring the trust of all communities in Baltimore♦s Police Department. The reviews of the Department by the U.S. Department of Justice are expected to bring forward many tangible steps that can be taken to improve relations between the public and the police that should be acted upon. However, it is important to take whatever confidence building steps can be independently identified in the meantime as well.

One such step would be to strengthen the Baltimore City Police Department♦s Civilian Review Board, by giving the board the following powers and responsibilities:

- 1) the Board shall have full investigative powers ♦ including the power to subpoena or compel testimony and documents;
- 2) the Board shall be responsible for auditing the entire chain of custody for contraband weapons

and drugs ♦ from seizure, through testing and storage, to destruction, including periodic personal witnessing of each step of the process;

3) the Board shall be fully funded and staffed with investigative and administrative staff sufficient to accomplish its objectives in a timely manner;

4) the composition of the Board shall reflect the communities most impacted by police surveillance and allegations of abuse and brutality;

5) the Board shall make its disciplinary recommendations public, acknowledging that the additional public scrutiny resulting from public knowledge of any discrepancies between the Board♦s recommendations and the Department♦s actions is a beneficial outcome; and

6) the Board shall accept anonymous complaints as well as complaints by third parties, including organizations, on behalf of individuals.

Of these specific powers and responsibilities, perhaps the most important is the power to subpoena or compel testimony and documents. Many insist that the Board♦s ability to subpoena officers and hold them accountable for complaints, as well as to ensure compliance by the Police Department in making any and all documentation relevant to citizen complaints available to the Board, is crucial to the long▲term effectiveness of the Board. This effectiveness, in turn, is crucial to restoring the needed trust between the Police Department and the community it serves and protects.

The issue which has been discussed and debated for the longest time however, is the civilian monitoring of police disposition of seized property and contraband. While there♦s no evidence showing that the Police Department routinely mishandles this property, skepticism amongst segments of the public about police claims regarding the destruction of drugs, weapons, and other contraband has sometimes been a source of friction. Involving non▲departmental witnesses ♦ the members of the Civilian Review Board ♦ in the Police Department♦s property disposition process would be a simple and effective way to eliminate this friction, while improving police openness and transparency.

While the Police Department may be able to implement this reform on its own, State legislation clearly authorizing the Mayor and City Council to make these reforms by local ordinance is likely to be the smoothest avenue to permanently require and formalize this easy to implement confidence building measure.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE, That the Council calls on the Baltimore City Delegation to the Maryland General Assembly to introduce, and secure enactment of, legislation authorizing the Mayor and City Council to strengthen the Baltimore City Police Department♦s Civilian Review Board, by giving the Board the powers and responsibilities enumerated in the recitals above by ordinance.

AND BE IT FURTHER RESOLVED, That a copy of this Resolution be sent to the Interim Police Commissioner, the Honorable Chairs and Members of the Baltimore City House and Senate Delegations to the Maryland General Assembly, the President of the Maryland Senate, the Maryland

House Speaker, the Governor, the Mayor, and the Mayor's Legislative Liaison to the City Council.

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