

**NOTICE:**

**SPECIAL MEETING OF THE BOARD OF ESTIMATES  
ON THE SETTLEMENT AGREEMENT AND CONSENT  
DECREE WITH U.S. DEPARTMENT OF JUSTICE**

**THURSDAY, JANUARY 12, 2017**

**9:00 AM**

**ROOM 215, CITY HALL**

**100 N. HOLLIDAY STREET**

**BALTIMORE, MD 21202**

## **NOTICE:**

On January 22, 2014, the Board of Estimates approved the Resolution on the Regulation of Board of Estimates Meetings and Protests, effective February 05, 2014. Pursuant to the Resolution:

- “...6. The President of the Board shall have the right to limit all speakers to items and issues on the Board agenda, as well as provide a maximum time limit available to a speaker who wishes to address the Board.
7. In the interest of promoting order and efficiency of hearings, persons who are disruptive to the hearing may be required to leave the hearing room...”

The full text of the Resolution is posted in the Department of , Legislative Reference, the President of the Board's web site, ([http://www.baltimorecitycouncil.com/boe\\_agenda.htm](http://www.baltimorecitycouncil.com/boe_agenda.htm)) and the Secretary to the Board's web site (<http://www.comptroller.baltimorecity.gov/BOE.html>).

### **Guidelines for Public Comments on January 12, 2017**

Persons wishing to offer oral public comment must sign-in and state their name, the community in which they reside and whether they are commenting on behalf of themselves or an organization for the record.

Written comments may be given to designated staff at the hearing.

#### **Representing Yourself**

- Residents who want to comment on behalf of themselves will be limited to a single two minute presentation.

#### **Representing an Organization**

- If multiple people from an organization or affiliated group are present, one representative must be designated to speak on behalf of that organization or group. The representative will be limited to a single two minute presentation.
- Individuals may not sign-in to comment and then yield their time to another presenter.
- All individuals and organization representatives will be permitted to comment only once.
- If the an individual or organization representative has points they wish to raise that cannot be addressed in the allotted two minute time period, they may submit written comments to the staff at the hearing.

All attendees are requested to be governed by the hearing guidelines so that the hearing is informative and orderly. Persons who are disruptive to the hearing may be asked to leave the hearing room.

## **BOARD OF ESTIMATES' AGENDA - JANUARY 12, 2017**

Department of Law - Settlement Agreement and Consent  
Decree with U.S. Department of Justice

### **ACTION REQUESTED OF THE BOARD OF ESTIMATES:**

The Board of Estimates is requested to approve the Settlement Agreement between the United States Department of Justice ("DOJ") and the Mayor and City Council of Baltimore (the "City") and the Police Department of Baltimore City ("BPD") filed with the United States District Court for the District of Maryland (the "Agreement").

### **AMOUNT AND SOURCE OF FUNDS:**

The Consent Decree and Settlement Agreement will be funded through the City's and BPD's annual budgeting and appropriations. The timing and scope of the required funds is to be determined by the court order.

### **BACKGROUND/EXPLANATION:**

The United States Department of Justice's Civil Rights Division opened a civil pattern-or-practice investigation of BPD in May 2015. Following the investigation, the United States issued a report detailing its investigative findings on August 10, 2016 ("Report"). The United States found that it has cause to believe that BPD engaged in a pattern or practice of conduct that deprived persons of rights protected by the First, Fourth, and Fourteenth Amendments to the United States Constitution, and by federal statutory law. Also on August 10, 2016, the United States and the City entered into an Agreement in Principle that outlined the reforms necessary to address the United States' findings. The City and BPD had already begun some reforms. Moreover, even though the City and BPD do not admit or agree with the findings in the United States' Report, the City and BPD recognized that the United States' findings raised issues of importance to the City, BPD, and the community that should be addressed, and they committed to address each of the concerns raised in the United States' Report. Accordingly, the parties engaged in extensive negotiations to address and resolve the

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United States' findings. Additionally, the Parties solicited significant input from residents, BPD employees, stakeholders, advocacy groups, and others to inform the negotiation process. Considering this input, the negotiations have resulted in a Consent Decree. The parties intend through this settlement to ensure that police services are delivered to the people of Baltimore in a manner that complies with the Constitution and laws of the United States, promotes public and officer safety, and improves public confidence in law enforcement.

The Consent Agreement embodies and describes in detail the City's and BPD's agreement to address the findings of the Report. The DOJ, the City, and BPD enter this Agreement to ensure that BPD promotes public safety in a manner that is responsive to community priorities, treats individuals with dignity and respect, and protects their constitutional rights and is fiscally-responsible. The parties have agreed upon, and jointly move, the Court to approve and enter the Consent Decree as an Order of the Court. The Consent Decree would resolve litigation initiated by the United States with the concurrent filing of a Complaint pursuant to the Violent Crime Control and Law Enforcement Act of 1994, 42 U.S.C. §14141, Title VI of the 1964 Civil Rights Act, 42 U.S.C. §2000d ("Title VI"), and the Omnibus Crime Control and Safe Streets Act of 1968, 42 U.S.C. §3789d ("Safe Streets Act").