



December 1, 2021

The Honorable Nick Mosby
President
Baltimore City Council
100 Holliday Street, Suite 400
Baltimore, MD 21201

Dear Council President Mosby and Members of the City Council:

Senate Bill 786 as enacted under Article II, Section 17(c) of the Maryland Constitution - Chapter 133 during the 2021 General Assembly Session provides a process for transferring control of the Baltimore Police Department from the State of Maryland to the City of Baltimore.

In part, the process requires the creation of a Local Control Board (LCAB) and the submission of an interim report on December 1, 2021, and a final report on December 1, 2022, to the Governor, General Assembly, and City Council. As Chair and Vice Chair we are pleased to present you with the LCAB's interim report.

Sincerely,

Dana P. Moore
Chair
Local Control Advisory Board

Ashiah Parker
Vice Chair
Local Control Advisory Board

What is the Local Control Advisory Board (LCAB)

The Local Control Advisory Board (LCAB) is a community-driven advisory board tasked with studying and making recommendations on issues related to the transition of control of the Baltimore Police Department (BPD) from the State of Maryland (State) to the City of Baltimore (City). Currently, BPD is an agency and instrumentality of the State of Maryland rather than an agency and instrumentality of the City of Baltimore.

The purpose of the advisory board is to ensure there is a thorough analysis and understanding of what the transfer to local control will entail so that the transfer can occur as seamlessly as possible. The LCAB was carefully established in law to ensure there was a variety of voices of those who would be impacted by the transfer of control. For ease of reference, the enrolled bill can be viewed here:

https://mgaleg.maryland.gov/2021RS/chapters_noln/Ch_133_sb0786E.pdf

Establishing Legislation

The LCAB was established by Senate Bill 786 as enacted under Article II, Section 17(c) of the Maryland Constitution - Chapter 133 which provides a process for transferring control of the Baltimore Police Department from the State of Maryland to the City of Baltimore.

History and Background

Baltimore City is the only jurisdiction in Maryland that does not directly oversee its police department. Unlike other jurisdictions, the City Council does not have the authority to regulate or oversee its department. That authority exists in part between the Mayor, the Police Commissioner, and the Maryland General Assembly.

The BPD was established in 1853. However, due to political riots and disputes, the State took over the authority of the department in 1860. For more than 160 years, the State has maintained control over BPD with bits of the authority having been chipped away from the State and returned to City officials over time.

Recent efforts to fully transfer control of BPD from the State to the City date back more than 10 years and stem from a strong desire for representative democracy and police accountability. The authority to set policies and provide oversight locally will truly enable City officials to have the ability to transform BPD. Previous efforts have stalled over significant concerns about what would happen when control was transferred without there being a specific understanding or plan of action for financial liability and models of management, among other issues.

In 2019, House Bill 278, sponsored by Delegate Talmadge Branch, would have established BPD as an agency and instrumentality of Baltimore City. The bill passed out of the House but died in the Senate. Similar legislation introduced in 2017 by Delegate Curt Anderson was heard by the House Judiciary Committee but was withdrawn before a committee vote.

The passage of SB 786 during the 2021 session represents the culmination of years of efforts and serves as a measured and comprehensive path forward for local control of BPD. Transferring control will provide City residents and local elected officials the ability to set policies and provide oversight without having to advocate for reform through state representatives. Put simply, it would put the City in the same posture as comparable jurisdictions in Maryland.

Local Control Laws

The laws establishing authority and oversight of BPD may be found under the Public Local Laws of Maryland and the City Charter:

- [Art. IV, § 16–2\(a\)](#) of the Public Local Laws of Maryland establishes the BPD as an agency and instrumentality of the State and establishes the purpose, duties, and responsibilities of the department.
- [Art. IV, § 16–3](#) of the Public Local Laws of Maryland establishes the powers, duties, and immunities of the officers of the BPD.
- [Art. II, § 27](#) of the City Charter explicitly prohibits any “ordinance of the City or act of any municipal officer” from attempting to “conflict, impede, obstruct, hinder or interfere with the powers of the Police Commissioner” with the sole exception being “an act of the Mayor pursuant to Article IV of this Charter.”

SB 786 amends Art. IV, § 16–2(a) to establish BPD as an agency and instrumentality of the City of Baltimore and amends Art. IV, § 16–3 to clarify that BPD officers operate under the authority provided by Title 2 of the Criminal Procedure Article of the Annotated Code of Maryland – the same authority granted to officers from other jurisdictions in Maryland.

Furthermore, to ensure clear demarcations in control between the State and the City for legal cases, the legislation clarifies that BPD will be considered an agency and instrumentality of the State for all actions, omissions, or events that occur prior to the date of transfer, and will be considered an agency and instrumentality of the City for those same considerations after the transfer.

Given the prohibitions found in Art. II, § 27 of the City Charter, the law also makes transfer of control contingent on the passage of an amendment to the Charter of Baltimore City and its ratification by the voters of Baltimore City at either the 2022 or the 2024 general election. Following ratification, control would transfer on January 1, 2023 or January 1, 2025 respectively. These provisions not only make the necessary technical changes to the City Charter, they also guarantee that City residents have a say in the process, safeguard against ballot time constraints, and recognize that implementing local control as soon as possible is essential to building bridges of trust between the government and community members.

Collective Bargaining

In response to concerns expressed by the Fraternal Order of Police (FOP), the General Assembly added intent language providing that enactment of the transfer of control would not remove the collective bargaining provisions currently provided to BPD officers under state and local law.

LCAB Mission and Mandate

In addition to creating the process for the transfer of control, the law establishes the LCAB as a body to guide that process. The purpose of the LCAB is to ensure there is a thorough undertaking and analysis of what the transfer to local control will involve and it occurs in the best way possible.

Specifically, the law requires that:

“The Advisory Board shall study the potential issues related to the transfer of control of the Police Department of Baltimore City from the State to the City, including:

- (1) implementation of the ongoing consent decree;*
- (2) management of the Police Department;*
- (3) the transfer of personnel;*
- (4) different models of local control of the Police Department;*
- (5) financial impacts of local control, including liability issues; and*
- (6) the details of a potential charter amendment to assume control of the Police Department.”*

Members of the LCAB

The LCAB is comprised of 19 stakeholder members representing key City agencies, elected officials, community members, and criminal justice stakeholders. Of the members, 13 represent stakeholders directly named in the law, while six members – three community representatives and three criminal justice stakeholders – were appointed by the Mayor and confirmed by the City Council.

The composition of the Advisory Board was carefully established to ensure there was a variety of voices to speak for those who could be impacted by the transfer of control. For instance, the Board includes three community members as it is important for City residents to have a direct say in the process that is not filtered by their elected representatives. Likewise, the represented City agencies are best suited to advise the Advisory Board on how any changes discussed may impact their respective agency functions and employees, and also help to avoid unintended consequences. The criminal justice stakeholders bring an expert viewpoint from outside of City operations.

Members Named in Law

Mayor Brandon Scott

Brandon M. Scott is the 52nd Mayor of Baltimore, working to end gun violence, restore the public’s trust in government and change Baltimore for the better.

Senator Cory McCray (45th District – Appointed by the Senate President)

Cory McCray was elected to represent the 45th Legislative District in the Maryland State Senate in 2018. He previously served as a member of the Maryland House of Delegates and serves as First Vice Chair of the Maryland Democratic Party. McCray sits on the Senate Budget and Tax Committee and Chairs the Baltimore City Senate Delegation.

Delegate Stephanie Smith (45th District – Appointed by the Speaker of the House)

Delegate Stephanie M. Smith was sworn into office January 9, 2019 to represent Baltimore City's 45th State Legislative District. A member of the House Ways and Means Committee, Stephanie sits on the Local Revenues and Education Subcommittees. In 2020, she was elected by her peers to become Chair of the Baltimore City Delegation to the Maryland House of Delegates.

Police Commissioner - Michael Harrison (Represented by Designee Andrew Smullian)

Michael Harrison was sworn in as the Baltimore Police Department's 41st Commissioner on March 12, 2019. Before coming to Baltimore, Commissioner Harrison served the New Orleans Police Department for nearly three decades, ultimately leading the Department as its Superintendent for over four years. He also currently serves as the President of the Police Executive Research Forum.

Director of the Mayor's Office of Neighborhood Safety and Engagement - Shantay Jackson

Shantay A. Jackson was appointed by Mayor Brandon Scott to serve as Director of a reimagined public safety agency, the Mayor's Office of Neighborhood Safety and Engagement. In previous roles, Ms. Jackson served as the Community Engagement Liaison for the federally-mandated Consent Decree Monitoring Team, Executive Director of the Baltimore Community Mediation Center, and Chief Operating Officer of the Greater Baltimore Committee's Leadership Program. She is a certified mediator and facilitator and a lifelong resident of Baltimore City.

Chief Equity Officer – Dana Moore

Dana P. Moore was appointed by Mayor Brandon Scott to serve as Baltimore City's first-ever Chief Equity Officer. She also serves as Director of the City's thirty-year-old "Office of Equity and Civil Rights. Ms. Moore previously served as the City's Acting City Solicitor and Deputy City Solicitor. She is an attorney and a long-time resident of Baltimore City.

Council President – Nick Mosby

Nick J. Mosby is the current President of the Baltimore City Council. He previously served on the City Council from 2011 to 2016, then went on to represent the 40th District as a member of the Maryland House of Delegates.

City Solicitor – James Shea

Jim Shea served as Assistant Attorney General and was in the private practice of law for over 40 years. In January 2021, he began work as Baltimore City Solicitor and was confirmed by the Baltimore City Council in March 2021.

Civilian Review Board – Tyler Salley

Mr. Tyler Salley is an Organizational Psychologist, management consultant, and proud resident of Baltimore City. Currently representing the South Eastern district on the Civilian Review Board, Mr. Salley is passionate about ensuring police accountability and transparency for the good people of Baltimore City.

Baltimore City Lodge of Fraternal Order of Police – Robert F. Cherry

Robert F Cherry, Jr is a 1990 graduate of Boston College and a 30+ year resident of Baltimore City. In 1993 he joined the Baltimore Police Department, currently holds the rank of detective sergeant, and has worked assignments in Patrol, Violent Crimes, and Homicide, and was the elected president of Baltimore City FOP Lodge 3 from 2008-2014.

Vanguard Justice Society, Inc – Lisa Robinson

Lisa D. Robinson is the President of the Vanguard Justice Society, Inc., an organization that represents the City's African American police officers. Their goals are to promote unity within the officer ranks and with the communities they serve.

Community Members

(appointed by the Mayor and confirmed by the City Council)

Mark Washington

Mark Washington is a lifelong resident of Baltimore who serves as the Executive Director of the Coldstream Homestead Montebello Community Corporation, overseeing the transformation of Northeast Baltimore's Coldstream Homestead Montebello into an emerging middle-income neighborhood. He works in partnership with the Baltimore City Police Department to implement community-based public safety initiatives and served on the Baltimore Mayor's Working Group on the Implementation and Use of Body Worn Cameras.

Ray Kelly

Ray Kelly is a native West Baltimorean and an internationally-recognized advocate, activist, and organizer for social and restorative justice. He was a 2015 Justice Policy Network fellow and founder of the West Baltimore commUNITY Commission on Police Misconduct. Ray's work is founded in his Faith and Church, St. Peter Claver in Sandtown, where he was baptized in 1973 and now serves as Chair of the Pastoral Council. Ray has served our City on multiple occasions including Chairing the COTF (Community Oversight Task Force) and as Lead Community Liaison for the Consent Decree Monitoring Team.

Caylin Young

Caylin Young is a Civil Rights and civil liberties attorney who resides in the Hamilton neighborhood. He brings a strong understanding of legislative processes and the recent and historical context of public policy regarding law enforcement.

Members with experience in criminal justice, police reform, or community policing

(appointed by the Mayor and confirmed by the City Council)

No Boundaries – Ashiah Parker

Ashiah Parker is the Executive Director of No Boundaries Coalition of Central West Baltimore. She is a graduate of the University of Baltimore. Ashiah is a proud resident of the Sandtown-Winchester community. She lives with her two children and life partner.

NAACP – Tre Murphy

Tre Murphy is the Deputy Director of Community Organizing for the NAACP Legal Defense Fund. As a native Baltimorean, he has over a decade of community organizing experience at the local, state, and federal levels for youth, education, housing disparities, and racial discrimination.

CASA – Lydia Walther Rodriguez

Lydia Walther-Rodriguez is the Baltimore Regional Director for CASA. A migrant from Panama, and alumni of Morgan State University. She has served Baltimore for over 13 years as an advocate for immigrant rights, advancing youth college access, and experienced multiracial community organizer.

Ex Officio Members

Citizens Advisory Commission for Public Safety – Tyler Adamson

Tyler Adamson is a Desk Officer with the U.S. Department of Defense HIV/AIDS Prevention Program, and Chair of Baltimore City Public Safety Advisory Commission. He is a current resident of Remington.

Baltimore Police Monitoring Team – N/A

Upon notification of their seat on the LCAB, Kenneth Thompson responded on behalf of the Baltimore Police Monitoring Team to note they would not be able to participate on the Board due to perceived or actual conflicts that may arise:

“...neither I nor any member of my team can serve on the Advisory Board in an official capacity since doing so would present a conflict, or at least the appearance of a conflict. The Advisory Board is a City entity and I along with my team are agents of the Federal Court charged with overseeing and deciding the City’s and BPD’s compliance with an order of that Court, namely the Consent Decree.”

-Monitoring Team Letter Re: Local Control Legislation (10/6/21)

As such, no member of the Baltimore Police Monitoring Team serves on the Board.

Chairs

The law requires the Board to elect a chair. In addition to electing a chair, the Board decided to create a form of shared governance, and elect a vice chair as well. At the November 8, 2021, meeting of the LCAB, Dana Moore and Ashiah Parker were elected as Chair and Vice Chair respectively.

Staff to the LCAB

Natasha Mehu – Director Mayor’s Office of Government Relations

Stefanie Mavronis – Deputy Director Mayor’s Office of Communications

Elise Gillisepi – Mayor’s Office of Public Safety

Lisa Walden - Chief Legal Counsel, Police Legal Affairs Practice Group, Baltimore City Department of Law

Meetings

To date, the LCAB has held three meetings.

October 27, 2021

The first meeting of the LCAB occurred virtually via WebEx on October 27, 2021. Members in attendance included Mayor Brandon M. Scott, Senator Cory McCray, Delegate Stephanie Smith, Police Commissioner Michael Harrison, Andy Smullian, Director Shantay Jackson, Chief Equity Officer Dana P. Moore, Council President Nick Mosby, Nikki Thompson, Solicitor Jim Shea, Tyler Salley, Mark Washington, Ray Kelly, Caylin Young, Robert Cherry, Lisa Robinson, Ashiah Parker, Lydia Walther Rodriguez, and Tyler Adamson.

The meeting included introductions of the board members, a review of the charge of the LCAB, and a discussion of what the members would like to be accomplished by the board.

Additional meeting details can be found in the attached minutes.

November 8, 2021

The second meeting of the LCAB occurred virtually via WebEx on November 8, 2021. Members in attendance included Mayor Scott, Senator Cory McCray, Delegate Stephanie Smith, Andy Smullian, Director Shantay Jackson, Chief Equity Officer Dana Moore, Nikki Thompson, Solicitor Jim Shea, Ray Kelly, Caylin Young, Robert Cherry, Lisa Robinson, Ashiah Parker, Lydia Walther Rodriguez, Tre Murphy, Council President Nick Mosby, and Mark Washington.

Members elected Dana P. Moore as Chair. The nomination was made by Robert Cherry and seconded by Senator Cory McCray. Following a significant discussion on the importance of having leadership representation from outside of government as well, the Board elected Ashiah Parker as Vice Chair. The nomination was made by Council President Nick Mosby and seconded by Lisa Robinson.

The meeting also included a discussion of the proposed structure of the Advisory Board. In particular, whether subcommittees should be created, and if so, what they may look like. Additional meeting details can be found in the attached minutes.

November 30, 2021

The third meeting of the LCAB occurred virtually via WebEx on November 30, 2021. Members in attendance included Michael Huber (designee for Mayor Scott), Andy Smullian, Ashiah Parker, Robert Cherry, Caylin Young, Senator Cory McCray, Chief Equity Officer Dana Moore, Nikki Thompson, Mark Washington, Director Shantay Jackson, Solicitor Jim Shea, Ray Kelly, Lydia Walther Rodriguez, Tre Murphy, Delegate Stephanie Smith, Tyler Salley, Tyler Adamson, and Council President Nick Mosby.

Members reviewed and provided feedback on the draft interim report. They also continued discussion on the proposed structure of the Board but did not come to any decisions. The meeting also included a

high-level presentation on models of local control. Additional meeting details can be found in the attached minutes.

Next steps

Meetings will continue in earnest in 2022. Consideration will be made for in-person meetings once technologically feasible in the midst of the ongoing pandemic and while still in compliance with open meetings requirements.

The LCAB is eager to hear from similarly situated jurisdictions that have gone through a process of transfer of local control or have established distinct models of local control of their police departments as well as a deeper understanding of how things currently work in Baltimore City.

In particular, the FOP has requested the LCAB consider:

- Exploration of and creation of an elected, or appointed, civilian police commission that appoints the police commissioner. Similar police commissions exist in Detroit and Los Angeles and the Baltimore Fire Department has a board of fire commissioners.
- An explanation of the Memorandum of Understanding (MOU) between the FOP, Baltimore Police Department (BPD), and City of Baltimore (COB). This explanation should provide voters with an understanding of the relationship between the sworn police officers, sergeants, and lieutenants of BPD and the importance of maintaining collective bargaining as a tool to enhance the crime-fighting capabilities and structure of BPD.
- A further discussion of the pros/cons of taking the final language to the voters in the form of a referendum in 2022 as opposed to 2023. The FOP recommends the LCAB take the time needed to explore as many options as possible for the transfer of local control rather than rushing the process merely to get the law enacted in January 2023.

The Board is also interested in potentially establishing subcommittees to assist with meeting their charge within the more immediate deadline for 2022 ballot actions. Specifically, the Board aims to meet the August 5, 2022 deadline for ballot certification and will work to ensure there is public engagement throughout the process.

Conclusion and Contact information

The structure and requirements provided through the law afford the City, State, BPD, and all necessary stakeholders the tools to guarantee that transfer of control occurs with the utmost forethought and precision. The LCAB remains committed to seeing this process through and looks forward to issuing a final report outlining the results of Baltimore City's local control efforts in December 2022.

For questions or more information, please contact:

LCAB Chair Dana Moore at Equity.DanaPMoore@baltimorecity.gov

LCAB Vice Chair Ashiah Parker at ashiah.parker@noboundariescoalition.com

LCAB staff Natasha Mehu at natasha.mehu@baltimorecity.gov

To stay up to date on LCAB, meeting materials and information can be found on the LCAB website:
<https://mayor.baltimorecity.gov/bc/boards/local-control-advisory-board>

Appendix

Local Control Advisory Board Members

Organization	Representative	Designee
Mayor's Office	Mayor Brandon M. Scott	Michael Huber
Maryland Senate	Cory McCray	
Maryland House of Delegates	Stephanie Smith	
Police Commissioner	Michael Harrison	Andy Smullian
Mayor's Office of Neighborhood Safety and Engagement	Shantay Jackson	
Chief Equity Officer	Dana Moore	
City Council President	Nick Mosby	Nikki Thompson
City Solicitor	James Shea	
Civilian Review Board	Tyler Salley	
Community Member	Mark Washington	
Community Member	Ray Kelly	
Community Member	Caylin Young	
FOP	Robert Cherry	
Vanguard	Lisa Robinson	
Criminal Justice Experience - No Boundaries	Ashiah Parker	
Criminal Justice Experience – NAACP-LDF	Tre Murphy	
Criminal Justice Experience - CASA	Lydia Walther Rodriguez	
Citizens Advisory Commission for Public Safety (ex officio)	Tyler Adamson	

Attachments

10.6.21 Monitoring Team Letter Re: Local Control Legislation

10.27.21 Minutes – Local Control Advisory Board

11.08.21 Minutes – Local Control Advisory Board

11.30.21 Minutes – Local Control Advisory Board

October 6, 2021

Kenneth L. Thompson

T 410.244.7575
F 410.244.7742
KLThompson@Venable.com

VIA E-MAIL: natasha.mehu@baltimorecity.gov

Natasha Mehu
Director
Mayor's Office of Government Relations
100 N. Holliday Street
Baltimore, Maryland 21202

Re: Local Control Legislation

Dear Ms. Mehu:

Thank you for your letter of October 4th requesting that a member of the Monitoring Team serve as an Ex Officio, Non-Voting Member of the Local Control Advisory Board. Unfortunately, neither I nor any member of my team can serve on the Advisory Board in an official capacity since doing so would present a conflict, or at least the appearance of a conflict. The Advisory Board is a City entity and I along with my team are agents of the Federal Court charged with overseeing and deciding the City's and BPD's compliance with an order of that Court, namely the Consent Decree. That said, I am prepared to voluntarily participate in this transition process as an agent of the Court to ensure consistency with the Consent Decree.

Let me know if this poses any problem from the City's perspective. If not, I will participate in the virtual meeting this coming Thursday.

Very truly yours,

VENABLE LLP



Kenneth L. Thompson, Partner

cc: Solicitor James L. Shea (James.Shea@baltimorecity.gov)
Chief Lisa Walden (Lisa.Walden@baltimorepolice.org)
Deputy Chief Timothy Mygatt (timothy.mygatt@usdoj.gov)

Meeting Minutes - Local Control Advisory Board Meeting - Wednesday, 10/27/21

Members in Attendance:

Mayor Scott, Senator Cory McCray, Delegate Stephanie Smith, Police Commissioner Michael Harrison, Andy Smullian, Shantay Jackson, Dana Moore, Council President Nick Mosby, Nikki Thompson, Jim Shea, Tyler Salley, Mark Washington, Ray Kelly, Caylin Young, Robert Cherry, Lisa Robinson, Ashiah Parker, Lydia Walther Rodriguez, Tyler Adamson

Members Absent:

Tre Murphy

Meeting Started: 5:30PM

- I. Welcome and Introductions**
 - A. Mayor Scott provided opening remarks.
 - B. Local Control Advisory Board members provided introductions.
- II. Review Charge of Advisory Board**
 - A. The Advisory Board shall study the potential issues related to the transfer of control of the Police Department of Baltimore City from the State to the City.
 - B. Reporting - On or before December 1, 2021 and on or before December 1, 2022.
- III. Setting the Stage for Next Steps**
 - A. Will discuss who will chair this body at the next meeting.
 - B. Staff to the Committee: Natasha Mehu, Stefanie Mavronis, Elise Gillespie, Lisa Walden.
- IV. Upcoming Meetings and Important Dates**
 - A. Each meeting is budgeted for two hours and will take place on WebEx.
 - B. Dates - Monday 11/8 at 5:30PM; Tuesday, 12/28 at 5:30PM.
- V. Questions/Comments**
 - A. The Mayor opened discussion on the following questions to help guide key topics for discussion at future meetings:
 1. What do you want to see accomplished by this board?
 2. Are there particular issues that are important to you to be addressed?
 3. Are there particular speakers it would be helpful to hear from for future meetings?
 - B. Dana Moore - Want to hear the voices we don't often hear from, as the more vocal people. Recognizing what the general public wants. Hearing from community associations, as well as residents who don't always speak out.
 - C. Ray Kelly - Need to be intentional about the education piece so people are aware and informed about this process. We're on a tight timeline to get on the ballot. What are the plans the City is making? Want to present an administrative construct proposal on what this will actually look like before we meet that second report.
 - D. Ashiah Parker - Very important for the community to be aware and educated. Question posed about whether we need signatures.
 - E. Mayor Scott - We want this Board to make recommendations to the Council to get on the ballot through that process.

- F. Lydia Walther-Rodriguez - Major need for community engagement. Want feedback from all voices, community voices and lessons learned from St. Louis, as it relates to implementation, different types of local control. Resident voice should be included early.
- G. Council President - Excited to work with the team and support.
- H. Lisa Robinson - Most interested in ensuring that we work objective accountability into this plan as we make the transition. We do need to hear from the Consent Decree Implementation Team, as well as members of BPD. We want to ensure objectivity in terms of internal affairs investigations.
- I. Robert Cherry - Here on behalf of the FOP. There are a lot of new officers who love Baltimore and BPD. We need to come together. This is going to be a reality.
- J. Mark Washington - Need a reasoned approach. Need to come together, community and BPD, to accomplish something that is long overdue.
- K. Caylin Young - Happy to finally work on this, long time coming. We have a lot of issues to tackle.
- L. Shantay Jackson - Extremely important that we demonstrate an unprecedented level of transparency for the community associated with seen and unforeseen consequences of local control.
- M. Michael Harrison - Agrees with everyone. Want to draw clear lines of what local control is and what it is not, before we push it out to the community.
- N. Jim Shea - Focus will be on getting it right. Will be looking at consent decree, what General Assembly requires, to ensure this becomes a reality.
- O. Tyler Adamson - Working with Commission, there are many organizations active in the public safety space. Want to consider how we can partner with these organizations.
- P. Mayor Scott - Next meeting will be more robust. More information will be shared between this meeting and next. Will contact St. Louis to get those comments going.
- Q. Dana Moore - Would be helpful to have clarity on the legislative calendar to know when this needs to get on the Council and then get on the ballot.
- R. Mayor Scott - That information is included in the presentation and will be shared.

Meeting Adjourned: 6:05PM

Meeting Minutes - Local Control Advisory Board Meeting - Monday, 11/08/21

Members in Attendance:

Mayor Scott, Senator Cory McCray, Delegate Stephanie Smith, Andy Smullian, Shantay Jackson, Dana Moore, Nikki Thompson, Jim Shea, Ray Kelly, Caylin Young, Robert Cherry, Lisa Robinson, Lisa Walden, Ashiah Parker, Lydia Walther Rodriguez, Tre Murphy, Council President Nick Mosby, Mark Washington

Members Absent:

Tyler Salley, Tyler Adamson

Meeting Started: 5:37PM

I. Welcome and Introductions

- Mayor Scott provided opening remarks.
- Member Tre Murphy provided an introduction.

II. Selecting Chair

- Chair will call meetings to order, keep track of the cadence of meetings, work with Board and subcommittees to generate reports, liaise with external organizations.
- Natasha Mehu opened the floor to nominations for Chair.
 1. Robert Cherry nominated Dana Moore. Motion seconded by Sen. Cory McCray. Nomination accepted.
 2. Council President Nick Mosby nominated Ashiah Parker. Nomination accepted.
- Council President asks if vote should be pushed to next meeting or co-chairs considered. Mayor says this business was discussed last meeting and legislation specifies “a chair”.
- Dana Moore emphasizes importance of shared governance and working collaboratively, should she be elected Chair.
- Tre Murphy says while role of Chair(s) important, the most critical work will happen in the working groups. Call for a vote and collectively settle on Vice Chair who does not work for City government.
- Council President makes motion to vote on Chair. Lisa Robinson seconds.
- With 7 votes for Dana Moore and 4 votes for Ashiah Parker, Dana Moore becomes Chair of the Local Control Advisory Board.
- Mayor Scott puts motion to make Ashiah Parker Vice Chair. President Mosby seconds. Motion passes. Ashiah Parker officially Vice Chair.

III. Discussion of Proposed Advisory Board Structure

- Natasha Mehu proposes possible structure of the Local Control Advisory Board, which includes a proposal for subcommittees:
 1. Implementation of ongoing consent decree, management of Police Department and the transfer of personnel
 2. Different models of local control of the Police Department, including Financial impacts of local control
 3. Charter amendment to assume control of the Police Department and

Engagement and Public Outreach Strategies

- Mayor in favor of breaking into subcommittees, but wants to hear thoughts of other members
- Council President asks how three proposed subcommittees were selected. Natasha Mehu clarifies the topics the Board is tasked with exploring.
- Robert Cherry agrees with breaking into topic areas, but also wants to meet in person to better engage with Board members.
- Delegate Stephanie Smith thinks about this in terms of theme: operations, accountability, evaluation, and developing structure of charter amendment. Asks that concepts are grouped around those themes, helping better explain the work of this Board to public.
- Lisa Robinson discusses importance of remembering how these topics go together; shouldn't be completely separate.
- Chair Moore - Even though we're doing subcommittee work, we need times to come back together and bring the group up to speed.
- Chair Moore raises idea of doing voluntary third report in July 2022 to explain to public what this Board is doing.
- Ray Kelly - Subcommittees meet outside of general Board meeting and report back at regular meeting schedule.
- Tre Murphy - Does anything think there should be another configuration of the subcommittees? To me, makes sense that the groupings go with the legislation. Also, I want this group to work ambitiously to deliver the final report early in June 2022, which facilitates this getting on the ballot in 2022.
- Ray Kelly - First proposed subcommittee is a huge topic. We also need to be thinking about oversight, with LEOBR reform, other changes. May be outside the scope, but the oversight needs to be addressed.
- Mayor Scott - Thinks what Ray suggests fits into model of local control subcommittee.
- Council President Mosby - The third subcommittee is what this Board is charged to do. Concerned about intermingling of the topics.
- Lydia Walther Rodriguez - Committees should include language put into actual ballots. The work of first two subcommittees will inform the third. Public outreach should be a part of the work of all committees.
- Ray Kelly - Agrees it will help to have these meetings in person.
- Chair Moore will work with Ashiah and staff to find an option that can accommodate the 20 members. On committee structure, this comes straight from Section 3 of legislation as it was passed.
- Andy Smullian - Defers to will of Board on subcommittee structure. Can there be fluidity in terms of membership of subcommittees to allow cross-participation discussion? Can we first get a presentation on different models of local control to determine how to design the subcommittees.
- Mayor Scott says we will have that presentation next meeting.
- Council President Mosby - Loves idea raised by Andy Smullian. Review models of local control, then formulate what the topics should be.
- Mayor Scott - Disagrees slightly with President. Let's agree we need subcommittees and define exact areas later.

- Caylin Young - Agrees with Mayor. We can start determining some of the general considerations for each of these subcommittees between now and the next meeting.
- Robert Cherry - We've heard a lot about St. Louis. Can we get list of cities throughout nation that have gone through local control process? Interested in how LA did it. They have Board of Commissioners and went through federal consent decree.
- Mayor Scott - That's the intention. Mayor of Kansas City suing to get local control. We want to review all models so this group can consider what makes the most sense for Baltimore.
- Chair Moore - There are broad concerns that impact all of us, like models other cities have used. Sounds like we are going to have subcommittees. For tonight, this structure makes sense because it is drawn from legislation. The overlay of all subcommittees is for example - how other cities have done it, community outreach- and all can contribute to any subcommittee. Chair and Vice Chair will try to attend all the meetings to move topics forward.
- Chair Moore - Does anyone feel uncomfortable with in-person meetings?
- Mayor Scott - We should ensure we don't lock anyone out who can access this because it's online.
- Ray Kelly - Even though we would meet in person, we would still allow the public virtual access.
- Robert Cherry - Can't forget what the goal of this group is. This is an important endeavor. It is important that we meet each other. We owe it to the citizens of the city. We can still provide virtual access.
- Chair Moore - We will not make a decision tonight. Need more information about this is how we can get it done.

IV. Next Meeting

- November 30 at 5:30PM.
- Agenda is not yet set, but planning to get presentation from other jurisdictions.
- Chair Moore and Vice Chair Parker will get together to think about cadence moving forward.

V. Next Steps

- Dana Moore - Law Department worked on some issues around legal liability and mandate from the legislation that can be shared with this Board. Lisa Walden can provide information about implication for the consent decree and ongoing effects.
- Caylin Young suggests a few people get together to develop draft public outreach schedule. Asks Council President about Council meeting schedule for next year, which should be ready in a few weeks.
- Lisa Robinson - If there's information that's already been obtained on local control and the charter amendment, that information should be sent out to the panel before we meet next week. When this group gets back together, the Board can make some decisions.
- Robert Cherry - Can the contact information for the entire Board be shared?
- Vice Chair Parker - Can we start a Google Drive with meeting minutes, contact list, etc.? We need a way to share information and review past information.

- Delegate Smith - Need to ensure the raised hand function is utilized. Agrees with digital folder suggestion. Can we always have agenda for meetings 72 hours in advance and be more nimble at these meetings? Also, need to understand public access to in-person meetings.
- Tre Murphy - If next meeting is 11/30, how will we write report by 12/1? We could discuss bare bones elements of a report to ensure we can make that deadline. Can we interview representatives from St. Louis before the next meeting? We want that to go into the report.
- Chair Moore - My philosophy on the December 1 report is our first statement about who we are and what we are about. Should include how we got here, history, our purpose, and what we're doing about it. Should include our meeting minutes. It should include about shared governance, what we decided tonight. Elements of our structure should also be included in that report. Everyone on this board has the opportunity to submit content, which can be included in this report. Will ask City Solicitor to take a look at our report and ensure it meets the legal requirements of the legislation.
- Senator McCray, Andy Smullian thank the Chair.
- Tre Murphy asks for timeline on information gathering and that it be at least 5 days in advance.
- Chair Moore asks for the information one week from today, November 15, for the information that already exists. Asks that the Board works together and remembers this is the first time this has ever been done before in Baltimore.

Meeting Adjourned: 7:02PM

Meeting Minutes - Local Control Advisory Board Meeting - Tuesday, 11/30/21

Members in Attendance:

Michael Huber (filling in for Mayor Scott), Andy Smullian, Ashiah Parker, Robert Cherry, Caylin Young, Senator Cory McCray, Dana Moore, Nikki Thompson, Mark Washington, Shantay Jackson, Jim Shea, Ray Kelly, Lydia Walther Rodriguez, Tre Murphy, Delegate Stephanie Smith, Tyler Salley, Tyler Adamson, Council President Nick Mosby

Members Absent:

Mayor Scott, Lisa Robinson

Meeting Started: 5:36PM

I. Welcome and Introductions

- Dana Moore provided opening remarks.
- Main agenda item: Reviewing report, which is due by law on 12/01/21.
- Vice Chair Ashiah Parker provided words of welcome.

II. Review of Draft Interim Report

- Chair Moore - Want to tell the story of this work and use it as a teaching tool.
- Vice Chair Parker - We want feedback.
- Ray Kelly - Will we be discussing models of BPD or local control?
 - Chair Moore - Yes, we will discuss. Not in this report, but it will be something this group takes up.
- Caylin Young - This achieves what the legislation requires. Good start.
- Robert Cherry - Sent some recommendations via email from FOP.
- Tyler Salley - Are there methods we have or can employ to make reports like this one more accessible to the public? For example, a summary.
- Ashiah Parker - Could have a website with meeting minutes and information that makes things accessible to the public.
 - Natasha Mehu - We do have a website. [Link here.](#)
- Ashiah Parker - Could we have a Facebook or Instagram to draw people to our page and when we're meeting?

- Natasha Mehu - We don't currently have it, but can create one.
- Tyler Salley - Add this information to the report.
- Lydia Walther-Rodriguez - Appreciate the inclusion of the 2022 ballot in the report. We should include an additional deadline so we can let the public know how we're going to ensure this gets on the ballot in time.
- Robert Cherry - One of FOP's concerns is that if we rush to push for a referendum in 2022, that means we have to work harder to get it right. There are cities that failed to get it right the first time that ended up going back to state control.
- Nick Mosby - Mayor wanted us to march toward the August 2022 date. Do not think this board will develop granular details, like elected police commissioner, but around how we are going to deliver local control.
- Ray Kelly - Without deadlines, this board is accountable to no one.
- Tyler Salley - Having a timeline for accountability would be helpful. Having a project plan or strategy around milestones we need to hit would be helpful.
- Dana Moore - Need early deadlines to accomplish our work.
- Caylin Young - Need to add website, Council meeting dates which were put out for upcoming year, and specific dates by when the charter amendment must be passed out of the Council.
- Tre Murphy - We may not have time to include a full timeline, but those key dates are essential. What currently says NAACP should say NAACP LDF.
- Natasha Mehu - I will compile all the edits that have been submitted so far as we work to incorporate those changes into the draft report.
- Stephanie Smith - Either in the report or elsewhere, we need reminders about when we will have touchpoints with the public so they know when they can engage with this work.
- Dana Moore - Want to ensure we have included everything we need to include from a legal perspective. Encourages the Law Department and Legal Counsel to confirm.
 - Jim Shea - We do not think anything is missing.
- Dana Moore - We will take these suggestions, add them in, and share another draft early tomorrow morning.

III. Advisory Board Structure and Cadence

- Natasha Mehu shares a proposal for subcommittees.

- Nick Mosby - Before we get an understanding of best practices, it's difficult to lock in subcommittees.
- Michael Huber - Would that sharing of best practices happen before the whole body?
 - Dana Moore: Yes.
- Cory McCray - Presentations of different models and implementation would be best. Should be done as a body instead of subgroups. We should hear about 2-3 different models and consider what structure would work best for Baltimore.
- Elise Gillespie - Was going to suggest a committee structure here: (1) Committee examining interplay of local control and consent decree. Would need support from BPD legal. Presentation from Monitoring Team; (2) Looking at different models of local control. Presentations would come to full body. This committee would do outreach to other cities; (3) Details of a charter amendment, with Law Department support. Items like transfer of personnel, liability issues. Getting DHR, City Legal to get memos.
- Dana Moore - On one hand, proposal to hold off. On the other, a proposal for shared learning while beginning to break into committees. Wants to see if there are objections to Elise's hybrid suggestion to get us moving forward.
 - Nick Mosby - Will not say he will object if it's the will of the body. Would be more pragmatic to know where we are heading before locking in what the subcommittees are.
 - Dana Moore - You are suggesting we do foundational work before dividing around a shared goal.
- Caylin Young - Some of these things are memos. We should set a deadline for that information to be present by our next meeting to serve as foundational work. Somewhat in agreement with the Council President, but I also want to see things get moving. This will allow us to drill down on specific models.
- Cory McCray - For presentations and information we want to get submitted, I assume it will come 48-72 hours in advance to us. From a public process, we should ensure the presentations are posted to the website so the public can move along with us.
- Ashiah Parker - We should ensure we are being transparent so that the public knows what is going on.
- Nick Mosby - Agrees with Caylin's point. Looking for Law, BPD, other agencies that have to weigh in about their approach and concerns. That is the level of foundational information we are talking about. We want to get information about liability and fiscal concerns right now in order to forge ahead. Also, I want to know the project timeline.

- Dana Moore - Would suggest a presentation from the City's Bureau of Budget and Management Research. We need to get that delivered to us, in addition to consent decree implementations and potential liability. For other cities, we are dependent on availability. This means we need more regular meetings. We will work offline to craft a process.
- Stephanie Smith - With the briefings, can we have a Google Doc where we can pose our questions in advance to get the most out of those presentations.
 - Ashiah Parker - This was a goal from the last meeting. We will make sure that we get that up so we have a way to communicate and share information.
- Caylin Young - Should we wait until we get to that subcommittee to develop that initial community outreach timeline?
 - Dana Moore - Community engagement is critical, but we have to be in alignment about what we are sharing. We are committing to foundational work in January and early February. By March or April, we would be ready to roll out and do community outreach.
- Dana Moore - We can begin to do listening sessions with the public in February or March.
- Ray Kelly - I think the public will be the ones to decide. For us, it's a matter of continuous education so they are informed of the process. Proposes subcommittees formed by March/April. We have to have goals. Do we already have meeting dates for March and April?
 - Natasha Mehu - Will discuss later in the agenda.
- Cory McCray - While the report is submitted to the legislature, I want to ensure it will be posted publicly as well.

IV. Discussion of Local Control Models (High Level)

- Natasha Mehu - Can discuss at a high level. Elise had to slip away.
- Dana Moore - This is the work we have to dive into.
- Natasha Mehu - These are three models of local control. By no means are they the only models. (Refer to slides 7-9 in the presentation)
- Ashiah Parker - We have to get as much input as possible to help propel this process forward.
- Ray Kelly - We are going to need a hybrid model to fit into our current situation. There are consent decree mandates that will complicate things.
- Dana Moore - We need a full presentation on each of the models by the next

meeting. This will also benefit the public. We will need this information to post on our website.

- Robert Cherry - There are more than three models.
- Dana Moore - Let us know what you want, who we should bring in, etc.

V. Upcoming Meetings and Important Dates

- Dana Moore - There is a comment about when the item must be submitted for the ballot.
 - December 1, 2021 - Interim report due
 - August 5, 2022 - Certification of Local Ballot Questions
 - December 1, 2022 - Final report due
- Dana Moore - Suggests presentation in mid-December from Law Department on liability issues.
 - Natasha Mehu - Will circulate dates and a Doodle poll for availability.
- Ashiah Parker - Will compile a roster to share with members.
- Natasha Mehu - Will work to incorporate edits into the interim report. A listing of edits and an updated document will be shared with members.

Meeting Adjourned: 7:09PM