

Message from the Baltimore Grassroots:

WE DEMAND JUSTICE FOR FREDDIE GRAY AND POLICE ACCOUNTABILITY

SUMMMARY:

The Maryland Law Enforcement Officer's Bill of Rights (LEBOR) is the biggest obstacle to meaningful police accountability and transparency in Baltimore and around the state of Maryland. It creates barriers to gaining access to information about incidents of police misconduct/excessive force and impedes the public ability to punish officers who have abused and brutalized people in our community.

Many elected officials have made the statement that Maryland/Baltimore is not Ferguson. According to a recent report by the ALCU, 109 people have died in police custody since 2010. This is a damning refutation of a such an ignorant assertion. This has been happening for *decades*, but the community has had enough.

Public Safety is a public good. Public goods must be preserved through mechanisms of accountability to the institutions that are responsible for serving the community. The LEOBR keeps police from being accountable.

DEMANDS:

- 1) The State's Attorney needs to do a through investigation and **indict the officers responsible for the death of Freddie Gray.**
- 2) All local officials must make a public commitments to substantively support efforts to move relevant reforms to the Law Enforcement Officer's Bill of Rights during the 2016 MD Legislative session. (see attached for specified amendments).
- 3) A series of public mediated conversations with those who have been advocating police reform and the Fraternal Order of Police and other relevant parties.

WHY BALTIMORE IS DIFFERENT

Baltimore is saturated with non-profit institutions and controlled by the Democratic Party. These institutions engage in the practice of lifting up examples of the success of individual Black people as a sign of the collective empowerment of Black people.

This has led to a divestment in the development of independent Black led grassroots organizations. This has devastated our ability to effectively address these kinds of problems. Many of our elected officials are products of this system and have no real accountability to the masses of people in Baltimore.

We must use this opportunity to talk about building the institutional capacity, political and economic power to make our government respect our humanity. American civil society has demonstrated its lack of interest the humanity of our people, so we must build the institutions the protect our interest ourselves.

Even though we have come together to address the issue of police brutality, this is one element of a larger system of racism/white supremacy. Civil society is structured in such a way that undermines the humanity of Black people and other people of color. We need to begin to ground our words and action into sustainable mechanism for true empowerment.

We need to build the economic and political infrastructure in our communities so that we can have the capacity to build the power necessary to prevent tragedies like this from ever happening again.

THE PARTS OF THE LEOBR THAT WE WANT CHANGED

Investigations into police misconduct

- **CURRENT LAW:** Only sworn law enforcement or a designee by the Governor or the Attorney General (or a designee of theirs) can investigate police misconduct.
- **DEMAND:** We want people other than law enforcement to be able to be involved in investigating police misconduct. We need to allow for non-law enforcement agencies to conduct investigations as well.
 - *This is consistent with the recent recommendations from the US Federal Department of Justice to the Philadelphia Police Department in wake of events of police brutality in their department.*¹

Police trial boards

- **CURRENT LAW:** The only people that serve on the Police Trial Boards (which is responsible for making determinations about disciplining officers) are other Law Enforcement officials. Also, the current police trial board in Baltimore has NO citizen representative.
- **DEMAND:** We want non-law enforcement residents to serve on police trial boards.
 - *This is consistent with the recent recommendations from the US Federal Department of Justice to the Philadelphia Police Department in wake of events of police brutality in their department.*²

Complaint filing with the police department

- **CURRENT LAW:** Victims of police brutality only have 90 days to file a complaint.
- **DEMAND:** We want to extend the amount of time that people can file a complaint to at least 180 days.

Abolish the 10 Day Rule

- **CURRENT LAW:** Police Officers are entitled to a copy of their investigatory file 10 days before they appear before the hearing board.
- **DEMAND:** Police officers should not receive information about the case made against them before the hearing.

¹ 47.3 - The police commissioner should enter into a memorandum of understanding with an external, independent investigative agency, through which the investigation of all OISs involving an unarmed person will be submitted for review.

² 40.3 - Voting board members should include command staff, a sworn officer one rank higher than the involved officer, a peer officer, and at least one citizen representative.