

FACT SHEET: JUSTICE DEPARTMENT CONSENT DECREE WITH BALTIMORE POLICE DEPARTMENT AND THE CITY OF BALTIMORE

The Justice Department, the city of Baltimore and the Baltimore City Police Department (BPD) have reached agreement on a consent decree to address systemic problems identified during the department's investigation of BPD. Key provisions include:

COMMUNITY OVERSIGHT TASK FORCE:

- Establishes a Community Oversight Task Force with responsibility to assess civilian oversight of BPD and report publicly on its findings and recommendations.

COMMUNITY POLICING AND ENGAGEMENT:

- Establishes mandatory annual training on community policing and problem-oriented policing for all officers.
- Requires the development of community-engagement plans to create opportunities for routine and frequent positive interactions between officers and community members.
- Requires a public annual report on BPD's community policing efforts.

STOPS, SEARCHES, ARRESTS AND INTERACTIONS:

- Advances policies and training on the constitutional requirements for conducting stops, searches and arrests, and robust supervisory review of stops, searches and arrests to ensure that officers apply proper standards when taking these actions.
- Ensures supervision to avoid unnecessary arrests for low-level offenses like loitering and disorderly conduct.

IMPARTIAL POLICING:

- Advances policies and training prohibiting discriminatory policing in BPD's enforcement activities.
- Requires training for all officers on the existence of implicit bias and how to mitigate it.

RESPONDING TO AND INTERACTING WITH PEOPLE WITH BEHAVIORAL HEALTH DISABILITIES OR IN CRISIS:

- Advances policies and training for all officers to improve coordination with community behavioral health providers and a comprehensive assessment to identify gaps in the behavioral health service system and to recommend solutions.

USE OF FORCE:

- Advances policies and training to emphasize de-escalation, using tactics that defuse incidents and minimizing both the need to resort to force and the risk of harm to the officer.
- Ensures requirements for reporting and review of force to continually improve officers' skills in incidents involving force.

INTERACTIONS WITH YOUTH:

- Advances policy and training on officers' interactions with youth to ensure officers respond in a developmentally appropriate manner to incidents involving young people.
- Establishes an assessment involving community organizations, experts and youth advocates of the city's efforts to decrease youth involvement with the juvenile and criminal justice systems.

TRANSPORTATION OF PERSONS IN CUSTODY:

- Advances policies and training to ensure that all people in custody are transported safely.

FIRST AMENDMENT PROTECTED ACTIVITIES:

- Advances policies and training to ensure that BPD officers respond appropriately to the exercise of rights protected by the First Amendment, including speech, lawful protest and public observation and recording of police activity.

HANDLING OF REPORTS OF SEXUAL ASSAULT:

- Advances policy, training, supervision and oversight of sexual assault investigations to promote a victim-centered, trauma-informed approach and combat gender bias.

TECHNOLOGY:

- Establishes a plan for deployment of new technology that will assist BPD officers to do their jobs effectively and constitutionally, and measures to ensure that newly implemented technologies are transparent and subject to public disclosure.

SUPERVISION:

- Ensures that BPD develops and reviews new and revised policies and procedures in a way that provides for public comment, officer input and court oversight.
- Provides for increased and effective officer training, including a revitalization of BPD's Field Training Officer program.

MISCONDUCT INVESTIGATIONS AND DISCIPLINE:

- Advances policies and systems to ensure that all complaints of officer misconduct are thoroughly investigated, and that BPD holds officers to the highest standards of integrity.
- Establishes regular, public reporting about practices and trends in misconduct investigation and enforcement.

COORDINATION WITH BALTIMORE CITY SCHOOL POLICE FORCE:

- Requires a comprehensive assessment of BPD's coordination with the Baltimore School Police to identify areas for improvement.

RECRUITMENT, HIRING AND RETENTION:

- Requires a review of BPD's hiring practices to ensure that BPD attracts and hires a diverse group of qualified applicants, including employment incentives, background checks and psychological testing.
- Requires a comprehensive staffing study to assess the appropriate number of personnel for BPD to fulfill its mission and police effectively and constitutionally, and appropriate implementation of the study.
- Establishes an employee assistance program for BPD officers that allows access to counseling, mental wellness services and peer support.

IMPLEMENTATION AND ENFORCEMENT OF CONSENT DECREE:

- Filed in federal court and operates as a federal court order once approved by a judge.
- Overseen by an independent monitor, recommended by the parties with public input and appointed by the judge, who will report on the city's progress in implementing the agreement.
- Terminated when the city and BPD have demonstrated that they have achieved and maintained full and effective compliance.