



Police Powers & Racial Justice Reform

What's the problem?

The [recent murder of George Floyd by Minneapolis police](#) is one of the most clearly-documented modern atrocities in the name of law enforcement. Widespread protests and disturbances rightly have resulted. The killing of Freddie Gray by Baltimore Police in 2015 led to riots but, unfortunately, not to system-wide change at that time.

These cases—and so many others—are among [more than 700 reported killings of citizens by U.S. police officers so far this year](#)—with African Americans more than twice as likely to be killed in this manner than whites. Beyond the police killings, unequal patterns of arrest culminate in [incarceration of African Americans at a rate 5.1 times greater than that of white Americans](#), although studies of [drug involvement](#) and [traffic violations](#) suggest the underlying behavior is quite similar. While police policies create only one part of Maryland's criminal justice racial disparities, their role is a key one.

[Police policies permitting use of deadly force, racial profiling, "broken windows" policing, etc., aren't written into our statutes. They currently are part of police academy training, department policies and customs adopted over the years without public input.](#) Additionally, [Maryland police are insulated from public scrutiny with adoption of the "Law Enforcement Officers' Bill of Rights \(LEOBR\)" and nonpublic review panels.](#) But all that can change!

As fish may not notice the water they swim in, the majority in Maryland and elsewhere in the U.S. too long have accepted ongoing police violence against and killing of civilians as unfortunate, random incidents and averted our attention. [Overpolicing and overcharging contributing to Maryland's position as worst in all 50 U.S. states for disproportionate incarceration of black citizens also has built over time.](#) With the advent of cellphone cameras, social media and increased awareness of the statistics, Maryland—like the rest of the U.S. and the world—no longer can claim such ignorance. With our new attention to this problem, we can bring a sea change.

What's one solution?

Adrienne Jones, Speaker of Maryland's House of Delegates, Delegate Luke Clippinger, and Senator Will Smith, chairs of the powerful legislative committees have promised to lead efforts to substantially overhaul police powers and accountability. MAJR will encourage the public to carefully follow these efforts and to push for changes in police training and accountability—especially, for adoption of nonviolent alternatives to police use of force.

A check-list of action items should include:

- AS TO GENERAL VIOLENCE REDUCTION
 - [Banned use of deadly force except when every alternative has been exhausted and when strictly required to protect life](#)
 - -Statutory limits as to all violent techniques and revised training for police as to nonviolent alternatives
 - [Ban use of military weaponry and machinery against unarmed civilians](#)
 - [De-escalation training for police and more active use of trained mental health professionals](#)
 - [Eliminate no-knock search warrants, unless judicially approved on probable cause for deadly weapons' use](#)
 - Requirement for respectful, non-destructive searches and [reasonable compensation for property damaged by searches](#)
- AS TO [OVERPOLICING](#) AND COMMUNITY POLICING
 - Transition to community policing responsive to [civilian-appointed and civilian-led community councils](#)
 - Revision to the LEOBR requiring transparency, [civilian](#) leadership, speed and victim participation
 - Development of a [process to identify and remove repeat offenders for police misconduct](#)
- AS TO TRAFFIC and "STOP-AND-FRISK"

- elimination of [racial profiling](#), related [pretext stops, unsupported demands for consent searches](#)
- banning of [high-speed traffic chases](#) and deadly [PIT stops](#)
- AS TO DRUGS
 - [legalization of marijuana & use of all related tax revenue for restorative justice purposes](#)
 - [decriminalization of other drugs' simple possession](#) &, relatedly,
 - [increased community public health services](#) and a “Marshall Plan” for the [failed “War on Drugs”](#)
- AS TO ARRESTS
 - [citations use instead of arrests whenever practical](#);
 - implement [systems to provide dispute resolution without arrest and charging](#) whenever possible;

Will this work?

[European nations' police standards involve substantially less use of force, lower rates of arrests, and less incarceration than the U.S. Yet their communities have lower crime rates.](#)

[In a 2002 poll, 71.1 percent of surveyed chiefs of police, sheriffs and prosecutors agreed that providing more educational and after-school programs would make the greatest impact in reducing youth crime and violence](#), as opposed to 17.8 percent who said more police were required.

[From 1995 to 1999, Oklahoma City reduced its police force by 16 percent. Despite this decline in the number of police, the city also saw a dramatic 32.5 percent decrease in the number of violent crimes reported.](#)

[Camden, New Jersey, reformed its police use of force, adopted community policing, and crime statistics dropped by 42% over 10 years.](#)

What are other states doing?

Minnesota, where the unarmed George Floyd was killed by police chokeholds, has enacted [comprehensive reform](#) including restrictions on use of force, independent police oversight, and many other measures.

[Many other state legislatures had begun discussion by mid-June 2020 as to overhauling police standards with bills already enacted in including Colorado, Connecticut, Delaware, Iowa, Nevada, New Hampshire, New Mexico, New York, Oregon, Utah, Vermont, and Virginia.](#)

Status of the legislation

Maryland legislative leaders have announced, as discussed above, that they intend to act in 2021. However, law enforcement stakeholders and “Tough-On-Crime” legislators can be expected to oppose these efforts. Active support for police and racial justice reform by Marylanders will be indispensable to any real change.

Learn More!

See text of bills enacted by sister states: <https://www.ncsl.org/research/civil-and-criminal-justice/legislative-responses-for-policing.aspx>

Here is a link to a good collection of recent research on policy issues:
<https://www.prisonpolicy.org/blog/2020/08/28/policingresources/>

The Maryland Alliance for Justice Reform (MAJR) is a nonpartisan association of over forty community organizations and churches with members in every part of the state, formed to support justice reinvestment. Individual supporters include judges, attorneys, corrections professionals, as well as returning citizens, victims, and service providers. To access the links in this document, go to <https://www.ma4jr.org/police-powers/>