

## MARYLAND CAREY LAW CLINICAL LAW PROGRAM STATEMENT ON THE DOJ MOTION TO DELAY CONSENT DECREE HEARING

April 4, 2017

After a Department of Justice investigation found that the City of Baltimore's Police Department had engaged in a pattern and practice of unconstitutional policing, the City in early 2017 reached a consent decree agreement with the federal government to develop the reform process. As part of that agreement, a public hearing is scheduled in federal court this Thursday, April 6th to solicit input from Baltimore's residents. Yesterday, however, the DOJ asked the federal judge to put the process on hold so that DOJ's leadership can "review and assess" whether the agreement aligns with current presidential priorities.

The Clinical Law Program at the University of Maryland Francis King Carey School of Law is dismayed by the Department of Justice's motion to postpone Thursday's Public Fairness Hearing. This hearing is to provide Baltimore's residents an opportunity to be heard in federal court on whether the proposed consent decree, filed jointly by the DOJ and the City of Baltimore on January 12, 2017, is "fair, adequate and reasonable." Through its motion, DOJ seeks to silence residents at a critical phase in the process. Even more troubling, the motion sends a clear signal that DOJ is backing away from the consent decree and its role in ensuring that BPD officers serve and protect the residents of Baltimore in a non-discriminatory manner. The consent decree follows the DOJ's investigative findings that BPD officers routinely violate the First, Fourth, and Fourteenth Amendment rights of Baltimore's Black men, women and children, as well as a long collaborative process between the DOJ and the City of Baltimore that produced a thoughtful and expansive consent decree. The consent decree is needed to begin the process of reforming unlawful BPD practices. It is also necessary to establishing the interdependent relationships between BPD officers and impacted communities – relationships that are necessary to fostering trust and enhancing public safety. Tellingly, the Mayor, the City of Baltimore and the BPD have not consented to the DOJ's motion to continue Thursday's hearing. These local institutions understand the importance of moving forward now. The Clinical Law Program at Maryland Carey Law shares this recognition of urgency. We are committed to working with all to advance police reform.