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POLI 204: US City & Metro Politics

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Defund or Defend? Exploring Baltimore's Budgetary Crisis and the Decision to Boost BPD 5%

“I'm a son of Baltimore. I was born here... And every other day of the year when I was growing up, I wasn't even seen as human by my own city government, right? I lived in a neighborhood where dozens of people would die every year. I saw my first shooting before my 10th birthday. I only ever had over-policing or under-policing, never the right amount of community-based policing... One, the reality that I can say that many mayors can't because it's different when you've lived it, right? It's different because I can say quite open, frankly and bluntly, that, hey, in 1993, when I was 9 years old, the city had 350-something murders, and our police department was our largest funded agency. No different than 2020. We have been beating our heads on the wall the same way.”¹

-Baltimore Mayor Brandon Scott

Introduction

In January 2021, NPR sat down with newly-elected Baltimore mayor Brandon Scott to review his incredible rise through the city's political ranks. A lifelong Charm City resident and activist, Scott began serving as the 2nd District's councilmember in 2011 at the age of 27, making him one of the youngest ever elected. His unique mix of youthful charisma, progressive 'breath of fresh air' energy, yet sage wisdom was what quickly made him one of the most popular politicians in the city, and earned him the Council Presidency in 2019. And naturally, Scott's decade in office spurred a consistent, innovative, and popular set of responses to countless city ills: increased government transparency and accessibility, a designation of the city's violence as a public health crisis, centering racial equity in conversation, as well as his

¹ Brandon Scott, interview by Michel Martin, *NPR: All Things Considered*, January 31, 2021, <https://www.npr.org/2021/01/31/962638232/baltimores-new-mayor-rethinks-police-funding>.

continuous and very public perseverance in reforming the Baltimore Police Department (BPD).² However, during his 2020 mayoral run, in the wake of the George Floyd uprisings, and in remembrance of Baltimore's own prolonged and troubled history with police brutality, he evolved his BPD reforms into calls to defund. At the national level, just 12% of all mayors embrace the notion that in most instances police department funding would be more effectively allocated if it were given to other social services.³ Demonstrating his commitment that summer, Scott led the Council charge to eliminate \$23 million from Acting-Mayor Young's proposed Fiscal Year (FY) 2021 BPD allocation.⁴

But in April 2021, when Mayor Scott debuted his Preliminary Budget Plan for FY2022 - not even a full four months after he was elected with over 70% of the vote - voters were outraged to see BPD's allocation actually increase by 5%, adding \$28 million more than FY2021 to complete a \$555 million sum - and netting a full 15% of the total \$3.6 billion budget.⁵ At a consequently raucous community budget input meeting, almost 80 residents blasted Scott and demanded he instead cut over \$100 million for reinvestment into affordable housing, substance abuse treatment, bridging the digital divide, and more. "I regret my vote for you, Mr. Mayor," said Melissa Schober, a resident of the Harwood neighborhood. Even Comptroller Bill Henry called the plan "a continuation of the status quo."⁶ In response, Mayor Scott claimed, "We

² "Mayor Brandon M. Scott," *baltimorecity.gov*, accessed April 26, 2021, <https://mayor.baltimorecity.gov/>.

³ Scott, interviewed by Martin.

⁴ Talia Richman and Yvonne Wenger, "In Baltimore budget battle, Mayor Young exerts power over City Council and Democratic nominee Scott," *Baltimore Sun*, June 15, 2020, <https://www.baltimoresun.com/politics/bs-md-ci-budget-battle-young-scott-20200615-w4tycxndyjahlhpr6xvfbtxlie-story.html>.

⁵ Emily Opilo, "Baltimore's budget plan braces for 'historic lows' in revenue with parking, hotels decimated by COVID," *Baltimore Sun*, April 7, 2021, <https://www.baltimoresun.com/politics/bs-md-pol-baltimore-budget-proposal-20210407-47fy44rxg5aetipczetcpb2fm-story.html>.

⁶ Emily Opilo, "Baltimore Mayor Brandon Scott defends slow approach to police spending reform following outcry from public over budget," *Baltimore Sun*, April 22, 2021, <https://www.baltimoresun.com/politics/bs-md-pol-baltimore-taxpayer-night-20210422-3cdlxup4rmbnhizl7bc6i45gny-story.html#nt=related-content>.

understand that in a city that's budgeted as it has in my entire lifetime, it's going to take more than one fiscal year and it's going to take tough work,” and announced a task force designed to reimagine public safety and recommend a five-year BPD budget reduction plan.⁷ But for the progressive mayor, two complicated problems stand in the way of his simple campaign promise: an entrenched BPD, and an increasingly fragile tax base.

The BPD Problem

Freddie Gray, Anton Black, and Tyrone West were just three among the several young, unarmed Black men murdered by the Baltimore Police Department in the last 20 years which reached high-profile coverage. Between 2012 and 2018, the department’s budget grew 42%, while the city’s population fell from 640,064 in 2005 to 593,490 in 2019, currently making the city’s \$965 per resident expense on police by far the highest in the nation.⁸ And despite the cost, Baltimore continues to rank among one of the most violent cities in the country, already poised in 2021 to hit its seventh straight year of 300+ reported homicides.⁹ Partly, the cause stems from a lack of community understanding and trust between the police and the citizens. Approximately 75% of police officers live in wealthier areas outside of the city,¹⁰ and when citizens feel racially profiled or unfairly treated by outsiders, they grow what is known as ‘legal cynicism,’ becoming

⁷ Emily Sullivan, “City Residents, Comptroller Henry Slam Mayor Scott’s Proposed BPD Budget Increase At Taxpayers’ Night,” *WYPR*, April 22, 2021, <https://www.wypr.org/wypr-news/2021-04-22/city-residents-comptroller-henry-slam-mayor-scotts-proposed-bpd-budget-increase-at-taxpayers-night>.

⁸ Nabeedah Azeez, “‘Baltimore’s bloated police budget is bleeding the city dry’ | COMMENTARY,” *Baltimore Sun*, April 26, 2021, <https://www.baltimoresun.com/opinion/op-ed/bs-ed-op-0426-baltimore-police-budget-20210426-hylgt2a7mnacphuqt6x4zqx4aa-story.html>.

⁹ Phil Davis and Phillip Jackson, “Baltimore homicides are up more than 17% this year, with seven dead since Saturday as mayor vows to find a solution,” *Baltimore Sun*, May 3, 2021, <https://www.baltimoresun.com/news/crime/bs-md-ci-cr-shooting-homicide-man-20210503-veqbf4a5t5hepchr63gfns c4y4-story.html>.

¹⁰ Tim Prudente, “In West Baltimore, a verdict and impending reforms stir memories of injustice and hope for better police relations,” *Baltimore Sun*, April 24, 2021, <https://www.baltimoresun.com/news/crime/bs-md-ci-cr-west-baltimore-police-reform-20210424-76qrejnbx5amze7p dnjcbqk2zm-story.html>.

more reluctant to call 911 in the future, and feeling more inclined to get personally involved - if necessary using violence to quell the dispute.¹¹

And that race-based policing is well documented. Following the death of Freddie Gray in 2015, the federal Justice Department conducted a months-long probe into the BPD which uncovered ample evidence that Baltimore police routinely violated the Constitutional rights of residents - especially of Black and Brown residents. Police engaged in discriminatory stops and searches, downplayed reports of sexual assault, applied excessive force onto protestors, and commonly used racial slurs. The department failed to properly oversee and train its officers, lacked basic technology, and were unable to effectively track and retain data.¹² Just a few months later, another revelation exposed how eight of the elite nine-officer Gun Trace Task Force spent years robbing and terrorizing citizens, planting drugs or weapons at crime scenes, abusing overtime, and falsifying reports. In total, they stole over \$300,000 in cash, thousands more in expensive jewelry, and kilograms of cocaine, heroin, and marijuana, which they sold right back to drug dealers.¹³ Both events prompted in 2017 a legally-binding consent agreement between the city and U.S. Justice Department to reform BPD. The mandates demanded restrictions on when officers could engage suspected criminal activity, and required de-escalation training for youth, protestors, and those with mental illness; investments in better technology and equipment; as well as greater transparency and enhanced citizen oversight.¹⁴

¹¹ German Lopez, “8 cops allegedly used an elite Baltimore police team to plunder the city and its residents,” *Vox*, February 13, 2018, <https://www.vox.com/policy-and-politics/2018/2/2/16961146/baltimore-gun-trace-task-force-trial>.

¹² Del Quentin Wilber and Kevin Rector, “Justice Department report: Baltimore police routinely violated civil rights,” *Baltimore Sun*, August 9, 2016, <https://www.baltimoresun.com/maryland/baltimore-city/bs-md-ci-doj-report-20160809-story.html>.

¹³ Lopez, “8 cops.”

¹⁴ Jessica Anderson, “What you need to know about the Baltimore Police consent decree,” *Baltimore Sun*, April 6, 2018, <https://www.baltimoresun.com/news/crime/bs-md-ci-consent-decree-explainer-20180403-story.html>.

But progress still remains slow, uneven, and incredibly expensive. Police Commissioners have been fired, their chiefs covering the consent agreement have resigned,¹⁵ the independent monitoring team costs \$1.475 million per year, and the total cost of reforms is anticipated to bill tens of millions more.¹⁶ In addition, new training and body camera requirements handed down from the 2021 Maryland state legislative session will also cost millions.¹⁷ At a personnel level, the former Maryland state Chief Medical Examiner recently testified at the trial of Derek Chauvin that George Floyd's death was 'undetermined' and was likely influenced by the carbon monoxide from a nearby idling tailpipe. In response, 431 medical professionals wrote a public letter claiming malpractice concerns, and called for thousands of cases from his 17-year long tenure to be reviewed - including the deaths of Freddie Gray, Anton Black, and Tyrone West, which he had also ruled as 'undetermined.'¹⁸ And looking at BPD itself, the department is still criminally understaffed and overworked - and another scandal erupted last February when an analysis on two years of police overtime reports showed continued widespread abuse. Officers commonly worked more than 12 hours a day, everyday, for weeks, far exceeding the 32 hours per week maximum, and costing BPD millions of dollars.¹⁹ A study from Washington state's King

¹⁵ Kevin Rector and Jessica Anderson, "One year into consent decree, Baltimore Police reforms move forward slowly and behind the scenes," *Baltimore Sun*, April 6, 2018, <https://www.baltimoresun.com/news/crime/bs-md-ci-consent-decree-year-20180403-story.html>.

¹⁶ Jessica Anderson, "Aspects of the national 'defund the police' movement can fit into Baltimore's consent decree reforms, federal judge says," *Baltimore Sun*, April 30, 2021, <https://www.baltimoresun.com/maryland/baltimore-city/bs-md-ci-consent-decree-hearing-20210430-aokkb2hyizbvjzch3jwqtqhhba-story.html>.

¹⁷ Jessica Anderson and Tim Prudente, "Maryland lawmakers passed sweeping police reform. Now, how to implement it?," *Baltimore Sun*, April 15, 2021, <https://www.baltimoresun.com/politics/bs-pr-md-pol-ga-leobr-changes-20210415-h7zfpsszvnamtz7dq5hhxnsq-story.html>.

¹⁸ Phillip Jackson and Justin Fenton, "In-custody death reports under former Maryland medical examiner to be reviewed after he testified Chauvin did not kill George Floyd," *Baltimore Sun*, April 23, 2021, <https://www.baltimoresun.com/news/crime/bs-md-ag-office-review-20210423-l2oamj3ixnhwznd4545f7pjcau-story.html>.

¹⁹ Jessica Anderson and Christine Zhang, "Baltimore police racked up overtime by working long hours with little oversight in past 2 years, records show," *Baltimore Sun*, February 7, 2020, <https://www.baltimoresun.com/maryland/baltimore-city/bs-md-ci-police-overtime-20200207-z4312amv3vf3lb4rtgsvfey6i-story.html>.

County Sheriff's Office proves how detrimental to efficacy and safety this can be: just one “additional hour of overtime per week increased the chances that an officer would be involved in a use-of-force incident the following week by 2.7%, and increased the odds of ethics violations by 3.1%.”²⁰ And, the U.S. Justice Department report affirms that BPD officers “were arrested at a higher rate than those in any major city in the country except New Orleans.”²¹ Even though the Council slashed the overtime budget in response to the study, BPD, still lacking adequate staff to alleviate the reliance, continued to spend \$100,000-\$200,000 over budget per week on overtime.²²

BPD is really anything but graceful, but some citizens in the most dangerous parts of town are reluctant to see police presence shrink - in West Baltimore, many simply want to be policed by their own. Others want police where the crime is, reallocating officers there from the safer north and southeast neighborhoods.²³ And because the mayoral position is elected at-large, Scott must balance these concerns from across all city zip codes.²⁴ Dr. Daniel Webster of Johns Hopkins, who has intensely studied BPD, comments, “If you are living in parts of West Baltimore for example, where they’ve been so resource-deprived, yet they see more and more increases [in spending] for the police, they say, ‘This isn’t fair, and this is not what we want.’ But at the same time, those same communities are really struggling with violent crime, and for public or private dollars to be invested in those communities, you need violence to go down.”²⁵ Judge

²⁰ Ibid.

²¹ Ibid.

²² Opilo, “Ugly.”

²³ Tim Prudente, “In West Baltimore, a verdict and impending reforms stir memories of injustice and hope for better police relations,” *Baltimore Sun*, April 24, 2021, <https://www.baltimoresun.com/news/crime/bs-md-ci-cr-west-baltimore-police-reform-20210424-76qrejnxb5amze7p dnjcbqk2zm-story.html>.

²⁴ Baltimore Sun Editorial Board, “Baltimore police spending: the intersection of politics and pragmatism | COMMENTARY,” *Baltimore Sun*, April 22, 2021, <https://www.baltimoresun.com/opinion/editorial/bs-ed-0423-por-police-budget-20210422-tmy44enqxjcabgfgsl5ol5 dem-story.html>.

²⁵ Justin Fenton, “Call to ‘defund’ police in Baltimore and elsewhere raises the question: What would that look like?,” *Baltimore Sun*, June 10, 2020,

Bredar, who negotiated the consent agreement with the city, agrees that defunding would alleviate some problems with BPD, but clarifies, “It is fantasy to think that we would make progress on this issue by simply reducing the Police Department’s budget today, thereby reducing their current capacity to respond to behavioral health calls, when there is not yet another entity in place to pick up and handle those same calls.”²⁶

The Tax Problem

“Ugly” was the word Baltimore’s Budget Director used to describe the city’s financial outlook this fiscal year.²⁷ Even before the coronavirus pandemic ravaged the coffers, local author and political insider M. Hirsh Goldberg outlined two reasons why Charm City’s budget has faltered for years. First, size - at a meager 81 square miles in area, Baltimore is one of the smallest major cities in the country and hasn’t annexed more land since 1918, severely restricting the amount of revenue it can generate from property taxes. Second, independence - since 1851, Baltimore has been the largest urban area to not be part of a larger county, denying it the ability to experience county-level financial aid.²⁸ And how that would help the dire outlook - Baltimore County is significantly wealthier than the city, and expects to end its fiscal year in June with a \$63 million surplus, even after it granted record-large public school allocations;²⁹ Baltimore City instead expects a \$30 million deficit.³⁰ Another pre-pandemic difficulty, both the city’s income

<https://www.baltimoresun.com/news/crime/bs-md-ci-cr-defund-police-in-baltimore-20200610-byimgqapvknc3bg7pos6irpaiiii-story.html>.

²⁶ Anderson, “Aspects of the national ‘defund the police.’”

²⁷ Emily Opilo, “‘Ugly’: The Baltimore budget director’s word for the city’s financial outlook amid the coronavirus pandemic,” *Baltimore Sun*, February 9, 2021, <https://www.baltimoresun.com/politics/bs-md-pol-baltimore-budget-ugly-20210209-wgw465m5kzh15jeg5hrmqpc35y-story.html>.

²⁸ M. Hirsh Goldberg, “Baltimore’s big problem: It’s a small island,” *Baltimore Sun*, August 13, 2019, <https://www.baltimoresun.com/opinion/op-ed/bs-ed-op-0814-baltimore-island-20190813-13kwdosnaf4noiicdna2ojcfi-story.html>.

²⁹ Taylor Deville, “Baltimore County Executive Olszewski releases \$4.2 billion spending plan with record school funding,” *Baltimore Sun*, April 15, 2021, <https://www.baltimoresun.com/maryland/baltimore-county/bs-md-co-2022-budget-baltimore-county-20210415-jy6wz5fvtjae3cpfqsdicj2gii-story.html>.

³⁰ Opilo, “Ugly.”

and property taxes remain inefficient and regressive - it levies a flat 3.2% income tax rate against all citizens, and property assessments systematically overvalue low-income households and undervalue high-income households, both creating a disparate tax burden on the city's poor residents. Pile on top of that a crumbling infrastructure and an exodus which recently caused the city's total population to hit a 100-year low,³¹ and the budget was bleak before the pandemic made it bleaker.

Even though Baltimore still desperately depends upon income and property taxes after most cities have shirked them, it followed the national trend towards hidden user fees and tourism taxes as a means to generate revenue.³² This year with the pandemic, that money never materialized, and likely will not for some time. Parking revenue is anticipated to be even less than half the amount it was last year at just \$13.9 million, and hotel revenues have decreased by 8% to just \$19.6 million. Hotel tax increment financing districts (TIFs), another source of income, have also dried up as the businesses struggle with bankruptcies.³³ These costs may never be recouped as the city extends contracts and considers purchasing the hotels as permanent non-congregate living spaces for the homeless population during the pandemic. To date, the Federal Emergency Management Agency (FEMA), will only reimburse 75% of these expenses.³⁴ And in addition, the 19% unemployment rate holds steady amongst hotel and hospitality workers (whose unemployment checks are tax-exempt). The economic rebound determines when these

³¹ Alison Knezevich, "Baltimore population drops below 600,000, the lowest total in a century, census estimates show," *Baltimore Sun*, March 26, 2020, <https://www.baltimoresun.com/maryland/baltimore-city/bs-md-ci-population-estimates-20200326-nebck2k2anbwrcf-sbknphsfzwi-story.html>.

³² Annika M. Hinze and Dennis R. Judd, "The Metropolitan Battleground," in *City Politics: The Political Economy of Urban America* (New York: Routledge, 2019).

³³ Opilo, "Historic lows."

³⁴ Phil Davis, "Baltimore extends contracts with hotels to house homeless residents through March," *Baltimore Sun*, December 31, 2020, <https://www.baltimoresun.com/maryland/baltimore-city/bs-md-ci-baltimore-homeless-plan-update-20201231-g73fzry56nh2rfrc4fbwkpjfu-story.html>.

streams kick back to normal operating levels, which some predict may not occur until 2024 at the earliest.³⁵

The only thing staving off looming threats of bankruptcy has been federal aid in the form of the CARES Act, which provided \$103 million, as well as the forthcoming American Rescue Plan (ARP), which will provide an unprecedented \$600 million. Both may be used only for COVID-related reimbursement spending, such as on PPE, or providing hotspots and devices for students currently facing online classes. FEMA may pick up any uncovered costs, but the application process might take until after the fiscal year for reimbursement.³⁶ But even if CARES, ARP, and FEMA were to succeed in reimbursing all COVID-related expenses, there are still several areas which will go uncovered, such as at least a \$3 million shortfall due to fire and police spending.³⁷

Conclusion

Baltimore has been a leaky ship for a long time - not just because of climate change, which will eventually submerge the city - but because every elected leader since 1965 has voted to plug the holes with their fingers and toes the exact same way: by increasing police funding.³⁸ But to defund the police means to acknowledge your hands and feet ache - and moving them represents the risk of either sinking further or slowing the flow. Mayor Scott's answer for the \$28 million increase was price hikes on health care and an obligatory pension raise, further demonstrating how even his hands in a way are tied by the police department.³⁹ And the meek

³⁵ Alison Knezevich, "It could take years for Baltimore's hotel industry to recover from the pandemic. Longtime workers are looking for a livelihood," *Baltimore Sun*, January 28, 2021, <https://www.baltimoresun.com/maryland/baltimore-city/bs-md-hotel-workers-20210128-ul74ownnubckfgfp4awy7vz6mi-story.html>.

³⁶ Melody Simmons, "Baltimore's proposed FY 2022 budget includes big hits to parking, entertainment revenue," *Baltimore Business Journal*, April 7, 2020, <https://www.bizjournals.com/baltimore/news/2021/04/07/baltimore-fy-2022-budget-reflects-covid-19-impact.html>.

³⁷ Opilo, "Ugly."

³⁸ Azeez, "Baltimore's bloated police budget."

³⁹ Opilo, "Historic lows."

budget for a violent city on the verge of bankruptcy leaves such little wiggle room to start building equitable public safety infrastructure.

Still, Baltimore has proven its mettle as a city for dreamers against all odds - State's Attorney Marilyn Mosby last year ended the War on Drugs in the city, permanently ceasing such low-level prosecution as drug possession/usage and prostitution. Already the risk has paid off, with violent crimes in 2020 dropping by 20% and property crimes dropping 36%.⁴⁰ In April 2021, Scott's administration released [Open Checkbook](#), a tool for citizen watchdogs to hawk government allocation and spending. Perhaps transparency is the cop-out answer no one needs right now, but perhaps it's also an invitation to reimagine the complex freedoms and restraints of Charm City budgeting. At any rate, there will be more hands on deck.

⁴⁰ Justin Fenton, "Can Baltimore end the War on Drugs? With move to decriminalize, Marilyn Mosby leads way while going out on a limb," *Baltimore Sun*, May 1, 2021, <https://www.baltimoresun.com/news/crime/bs-prem-md-ci-cr-baltimore-drug-legalization-20210430-rm3qk7dyfjhsvm4wx5xgo3jjg4-story.html>.

EDITS:

- Accept Prof. Lavery's revisions
- More strongly emphasize the size of BPD
 - **Baltimore's budget already exceeds per resident spending on police in 72 of the biggest cities in the U.S.** Fiscal Year 2021 was the first year in recent memory when Baltimore police spending actually went down instead of up.
 - **Baltimore's spending on police increased 173% between 1965 and 2005, even when adjusting for inflation, accounting for a larger and larger share of the city budget. Between just 2012 and 2018, the police department budget grew 42%. Meanwhile, the city's population has declined, from 939,024 in 1960 to 640,064 in 2005 to 593,490 in 2019.**
 - **A 25% cut would bring Baltimore's police spending in line with the next most expensive city departments nationwide. As important, a 25% cut (about \$137 million) is significant enough to help Baltimore meet its local increase in school funding (\$161.5 million by 2030) required to receive almost \$585 million more in state school funding, as promised under the Blueprint for Maryland's Future.**
- More strongly emphasize the division in opinion
 - In some respects, what is happening to Mayor Scott is something that happens to everyone who rises in the political ranks from outsider-critic to occupying the desk where the buck stops. He must represent the interests of all city neighborhoods and all city residents. One strongly suspects that a survey of the broader community would find relatively few who want police to never show up at their doorstep, even if they encounter an armed intruder or burglary in progress.
 - **Think Baltimore struggles economically now? Imagine a future where city leaders make severe cutbacks in public safety at a time of high rates of gun violence and then matters growing worse. Much of the nation understands that something is fundamentally amiss in urban policing. It would be unwise to fumble this generational opportunity to set matters right because protesters at a budget hearing can't abide the prospect of a properly-funded health care plan and pension for one year.**
- Add reasons why BPD is not trusted in the community, and the consequential effects of increased violence
 - Justice Department report
 - Gun Trace Task Force
 - Maryland medical examiner, Freddie Gray, Anton Black, Tyrone West
- Consent agreement costs a lot of money, expensive legislation passed by the state legislature
 - Slow progress
 - [Aspects of the national 'defund the police' movement can fit into Baltimore's consent decree reforms, federal judge says](#)