

Editorial from The Baltimore Sun  
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## **A course correction**

An aggressive policing strategy in Baltimore has had the unintended consequence of leaving thousands of citizens with arrest records even though they were never charged with a crime. The record of that arrest, however, can have serious consequences - the inability to get a job or a mortgage, for example - and the onerous task of trying to expunge an arrest record has left many unfairly tainted.

The state legislature has decided to correct this inequity. And while it shouldn't require a change in the law to fix a flawed policy, fairness demands some corrective action in this matter.

The expunction law proposed by Baltimore Del. Keith E. Haynes cleared its last legislative hurdle Tuesday with a unanimous vote by the state Senate. Gov. Martin O'Malley has said he will sign it into law. And beginning Oct. 1, an arrest that results in no criminal charge will be expunged automatically. The law is not retroactive, which means that many people whose complaints led to the new law remain with records that must be formally expunged.

It was during Mr. O'Malley's mayoralty that the arrest record issue became a source of contention between city police and Baltimore State's Attorney Patricia C. Jessamy. Mrs. Jessamy's prosecutors found that thousands of arrests by police for minor crimes lacked legal grounds or probable cause, and they declined to file charges. That meant people who had been arrested, brought to the local detention center and held there for hours or longer wound up with no charges but an arrest record.

The arrests for "quality of life" crimes such as loitering, disorderly conduct, public urination and minor drug possession were part of a tough New York policing strategy embraced by Mayor O'Malley. It resulted in tens of thousands of arrests, as many as a third of which the city never prosecuted. The policy tied up police, crowded the jail and led to complaints that it targeted young black men.

The human cost of the policy was compelling. A citizen had to either wait three years or waive his right to sue police before he could seek an expunction.

City police have defended their arrests and denied they were targeting African-Americans. The situation has improved with arrests for these minor crimes declining. But the prosecutor's office continues to see arrests that it says lack the basics to support a criminal charge - and that's a disconnect no law can fix.