
CITY OF BALTIMORE

BRANDON M. SCOTT
Mayor



DEPARTMENT OF LAW

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August 19, 2021

The Honorable President and Members
of the Baltimore City Council
Attn: Natawna B. Austin, Executive Secretary
Room 409, City Hall, 100 N. Holliday Street
Baltimore, Maryland 21202

Re: City Council Bill 21-0093 - Revising Whistleblower Rights and Responsibilities

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 21-0093 for form and legal sufficiency. The bill updates Article 1, Subtitle 8 {Whistleblower Rights and Responsibilities} of the City Code to define certain terms; require a whistleblower to report their complaint to their agency's personnel officer or to the Office of the Inspector General if the whistleblower has a reasonable and articulable belief that the personnel officer cannot competently investigate the covered disclosure; requires the Office of the Inspector General to give written notice of investigation or a notice of declination to the whistleblower within 30 days of receipt of the complaint; requires the Office of the Inspector General, if initiating an investigation, to send a Memorandum of Protected Activity to the whistleblower's supervisor; requires the Office of the Inspector General to provide recommendations for action in the Office's written findings of an investigation and to give the written findings to the City Administrator, the agency head, and the whistleblower; requires the City Administrator to hold a meeting with the agency head and the Inspector General to discuss the recommendations within a certain amount of time; provides possible remedies in case of a violation of this subtitle; and conforms and clarifies related provisions.

The Law Department was involved with the Office of the Inspector General in discussions about amendments to the existing whistleblower law and the various provisions of this bill. The Law Department foresees no legal impediments to its passage.

Sincerely,
Victor K. Tervala
Victor K. Tervala
Chief Solicitor

cc: James L. Shea, City Solicitor
Nina Themelis, Mayor's Office of Government Relations
Nikki Thompson, Director of Legislative Affairs
Matthew Stegman, Director of Fiscal and Legislative Services
Elena DiPietro, Chief Solicitor, General Counsel Division
Hilary Ruley, Chief Solicitor
Ashlea Brown, Assistant Solicitor