

**CITY OF BALTIMORE
COUNCIL BILL 10-0190R
(Resolution)**

Introduced by: Councilmember Holton, President Young, Councilmembers Reisinger, Welch,
Conaway, Middleton, Spector, Branch, Clarke, Henry, Kraft

Introduced and read first time: February 8, 2010

Assigned to: Judiciary and Legislative Investigations Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Inspector General, Department of
Public Works, Department of Human Resources, Labor Commissioner

A RESOLUTION ENTITLED

1 A COUNCIL RESOLUTION concerning

2 **Investigative Hearing – Baltimore City Government -**
3 **Criteria for Continued Employment**

4 FOR the purpose of requesting the City Solicitor, the Acting Inspector General, the Director of
5 Public Works, the Director of Human Resources, and the Labor Commissioner to address the
6 City Council on departmental and administrative policy governing the continued
7 employment of persons convicted of criminal offenses or acts of moral turpitude.

8 **Recitals**

9 On January 14, 2010, it was reported that a man had been arrested that morning for sexually
10 assaulting a woman near Goucher Boulevard in Towson the night before. The man was charged
11 with a fourth-degree sex offense, impersonating a police officer, and false imprisonment and was
12 being held at the Baltimore County Detention Center on a \$350,000 bond.

13 The next day the media buzz was that this man was a registered sex offender who has been
14 employed for 10 years as a utility repairman by the City’s Department of Public Works, earning
15 \$25,000 a year and \$4,508 in overtime in 2008, while serving out the balance of his sentence and
16 a 5-year probation for 7 counts of sexually abusing a minor.

17 By Saturday, the press reported a confused bureaucracy that did not know if persons
18 convicted of certain crimes can remain in City employ, if persons who are given jail time can use
19 accumulated leave time while incarcerated, and if there is a specific prohibition against persons
20 convicted of certain crimes interacting with the public.

21 The next week brought even more damning reports and speculations – that Department
22 supervisors threatened a fellow employee into silence about the repairman’s sex offender status
23 and that the offender was allowed not only to keep his job while serving 8 months in jail, but was
24 allowed to enter private homes and work at schools while on the Maryland Sex Offender
25 Registry.

26 Since the story broke it has been reported that several investigations are underway. There is
27 purportedly an investigation by Department of Public Works officials to determine if there has
28 been abuse of sick leave authorized for use by employees “who are required to be absent from

EXPLANATION: Underlining indicates matter added by amendment.
~~Strike out~~ indicates matter deleted by amendment.

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1 duty because of personal sickness whether physical or mental, injury, or prenatal or postnatal
2 disability”, if supervisors had knowledge of the breach of protocol, and if the offending
3 employee had assistance from other employees to falsify attendance and leave records.

4 Officials of AFSME Local 67, the union that represents the largest number of City
5 employees, have launched their own investigation to determine if the union’s sick leave bank
6 was used fraudulently to give the offender the extra days needed to remain in pay status during
7 his incarceration and to prevent his sex-offender status from being discovered by supervisors.

8 According to the latest media reports, the questions and confusion incited by this incident
9 have prompted the City Solicitor to announce a comprehensive review of several key
10 employment polices that will result in recommendations for change in several weeks.

11 City government has on obligation to the taxpayers whose hard work provides the foundation
12 of the City budget. When City employees enter citizens’ homes or interact with the general
13 public, there has to be a valid expectation of integrity and safety. To further that goal, the
14 questions engendered by this incident must be thoroughly and expeditiously addressed.

15 **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE,** That the City
16 Solicitor, the Acting Inspector General, the Director of Public Works, the Director of Human
17 Resources, and the Labor Commissioner are requested to address the City Council on
18 departmental and administrative policy governing the continued employment of persons
19 convicted of criminal offenses or acts of moral turpitude.

20 **AND BE IT FURTHER RESOLVED,** That representatives of AFSME, Local 67; CUB; MAPS;
21 Baltimore Teachers Union, Local 340; Baltimore Paraprofessional’s Union, Local 340; PSASA,
22 Local 25; Baltimore City Firefighters Local734; and Baltimore City Fire Officer’s Association,
23 Local 964 are invited to attend the hearing on this Resolution.

24 **AND BE IT FURTHER RESOLVED,** That a copy of this Resolution be sent to the Mayor, the
25 City Solicitor, the Acting Inspector General, the Director of Public Works, the Director of
26 Human Resources, the Labor Commissioner, the Executive Director of AFSME, Local 67, the
27 President of CUB, the President of MAPS, the President of Baltimore Teachers Union, Local
28 340, the President of Baltimore Paraprofessional’s Union, Local 340, the President of PSASA,
29 the President of Baltimore City Firefighter’s Local 734, the President of the Baltimore City Fire
30 Officer’s Association, Local 964, and the Mayor’s Legislative Liaison to the City Council.