

January 26, 2021

The Honorable President and Members
of the Baltimore City Council
Room 409, City Hall
100 N. Holliday Street
Baltimore, Maryland 21202

Re: City Council Bill 20-0014 – Baltimore City Fire Department – Reporting
Requirements

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 21-0014 for form and legal sufficiency. It is the same as the Third Reader version of City Council Bill 20-0627, which was not enacted during the last term of the Mayor and City Council.

The bill would add Section 1-9 in Article 9 of the City Code. The new Section would require the Fire Department to report unidentifiable statistics on certain fire department programs and operations in a way that is disaggregated by race and gender.

The Mayor and City Council have the power to enact all laws that promote the general welfare of the public. City Charter, Art. II, § (47). This bill would fall within this broad legislative power. As written, there is no state law prohibition on the release of this type of unidentifiable aggregate data. Md. Code, Gen. Prov., § 4-101 *et. seq.* It would violate state law on keeping personnel matters confidential if the City were to identify (by name, employee ID number, home address, etc.) individual employees. Md. Code, Gen. Prov., §§ 4-310, 311, 331. Since this bill takes care NOT to make such identifications, it would not violate state law.

Therefore, the Law Department can approve the bill for form and legal sufficiency.

Very truly yours,



Hilary Ruley
Chief Solicitor

cc: Nina Themelis, Mayor's Office of Government Relations
Elena DiPietro, Chief Solicitor, General Counsel Division
Victor Tervalo, Chief Solicitor
Ashlea Brown, Assistant Solicitor