
CITY OF BALTIMORE

BRANDON M. SCOTT
Mayor



DEPARTMENT OF LAW
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August 29, 2022

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

Re: City Council Bill 22-0122R – Investigative Hearing – Public Safety and
Surveillance Technology

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 22-0122R for form and legal sufficiency. This resolution calls on representatives of several agencies to appear before the City Council to discuss surveillance technology.

Any legal advice or analysis requested of the Law Department must be given to members of the committee outside of a public setting, in a manner which preserves the privileges of the legal entity of the Mayor and City Council. Md. Rule 19-301; *see also Gravel v. U.S.*, 408 U.S. 606, 616 (1972) (discussing the wide scope of legislative privilege). Anything that requires legal knowledge and skill, including analysis of how a court may interpret a law, or liability a client might face, is considered legal advice. *See, e.g., Maryland Attorney Grievance Commission v. Shaw*, 354 Md. 636, 649 (1999); 82 Md. Op. Att’y Gen. 15 (1997) (“the county attorney generally does not have an attorney-client relationship with members of the public, for they are neither the corporate entity that is the client nor agents of the county authorized by law to act on its behalf.”). An adequate, knowing waiver cannot be made in this context.

A resolution is an appropriate way for the City Council of Baltimore to express its views on a particular matter. *See, e.g., Inlet Assocs. v. Assateague House Condominium*, 313 Md. 413, 428 (1988). Therefore, the Law Department approves this Resolution for form and legal sufficiency.

Very truly yours,

Hilary Ruley
Chief Solicitor

cc: James L. Shea, City Solicitor
Nina Themelis, Mayor's Office of Government Relations
Elena DiPietro, Chief Solicitor, General Counsel Division
Ashlea Brown, Chief Solicitor
Jeffery Hochstetler, Chief Solicitor
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