



BALTIMORE POLICE DEPARTMENT



BERNARD C. "JACK" YOUNG
Mayor

MICHAEL S. HARRISON
Police Commissioner

September 9, 2020

Honorable President and Members of the Baltimore City Council
Room 400, City Hall
100 N. Holliday Street
Baltimore, Maryland 21202

**RE: City Council Bill #20-0496
Records Management, Modernizing, Correcting, and Conforming**

Dear Council President Scott and Members of the City Council:

The Baltimore Police Department (BPD) has reviewed City Council Bill 20-0496. The purpose of the bill is to repeal and replace City Code provisions regarding Baltimore City records management program to conform to State law requirements and to reflect modern practices in records management; establish the position of City Records Management Officer to coordinate citywide records management; sets forth certain duties of the City Records Management Officer; requires City agencies to provide certain cooperation to the City Records Management Officer; provides for the manner of the proper disposal of certain City records; defines certain terms; and generally relates to the management of the records of Baltimore City government.

While BPD defers to the Baltimore City Department of Law as to the inclusion of the Baltimore Police Department as an "affiliated entity" required to adhere to the requirements of the bill, we do want to raise a few issues that we believe should be addressed in order to ensure the successful implementation of the records management system contemplated by the legislation.

First, we are concerned that the requirements in the bill would prevent us from complying with the CJIS Security Policy which mandates the Department to adhere to strict requirements associated with the creation, viewing, modification, transmission, dissemination, storage and destruction of Criminal Justice Information (CJI). Failure to comply with these requirements could lead to the revocation of our access to federal CJI.

Second, each agency will be required to conduct an inventory of all the records they currently maintain. That survey of all records, both paper and digitally based, could be an extremely lengthy and costly process. Prior to commencing this process, the City Records Management Officer should caucus with agencies and agree on recommendations for scope and timelines associated with the mandatory assessment with focus on each agency's unique records structure. Agencies will also need to determine what level of additional resources may be required to execute the inventory process and how the effort will be funded.

Third, while every agency is required to cooperate with the City Records Management Officer to develop an agency-specific "Record Retention and Disposition Schedule," there should be universal, city-wide retention standards that specify what platform(s) can be utilized to store both paper-based records and digital records, how long the records must be kept, and a plan developed for how the storage platforms and/or services will be acquired.

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Finally, a conversion program of paper to digital records should be included as part of this Bill. The continued storage of paper-based records will severely limit the potential benefits of this Bill. The reality is that the conversion process is manually intensive in the front-end as numerous privacy and security standards (e.g., CJIS, HIPAA, PII, etc.) must be considered as well as indexing metadata. In the end, however, a higher level of digitization will produce greater cost-savings and transparency for the future.

In conclusion, BPD would like to recommend that the City appoint a multi-agency task force to study the requirements needed to comply with this Bill and then present numerous consensus recommendations concerning retention standards, storage, digitization of paper-based records, and compliance with State requirements.

Thank you for the opportunity to comment. If you should have any questions, feel free to contact me at 443-915-3155 or via email at michelle.wirzberger@baltimorepolice.org.

Sincerely,



Michelle Wirzberger, Esq.
Director of Government Affairs

cc: Natwana Austin, Executive Secretary of the Baltimore City Council
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