

CITY OF BALTIMORE

STEPHANIE RAWLINGS-BLAKE, Mayor



DEPARTMENT OF LAW

GEORGE A. NILSON, City Solicitor
101 City Hall
Baltimore, Maryland 21202

September 30, 2015

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 15-0252R – Request for State Action – Baltimore City
Police Commission

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 15-0252R for form and legal sufficiency. This resolution calls on the General Assembly to enact and the Governor to sign state legislation “authorizing Baltimore City to establish a Police Commission composed of City residents and appointed by the Mayor and confirmed by the City Council to oversee the Baltimore City Police Department.”

Currently, there is a Civilian Review Board of Baltimore City that is established to review both the policies of Law Enforcement Units as well as certain types of complaints against them. *See* Public Local Law, §16-42. These Law Enforcement Units include the Police Department of Baltimore City, which is an “an agency and instrumentality of the State of Maryland,” as well as other state and local law enforcement entities. *See* Public Local Law, §§16-2; 16-41(g). Modifying these or other relevant sections of the Public Local Law must be done by the General Assembly of Maryland. *See, e.g., Mayor and City Council of Baltimore v. Hart*, 395 Md. 394, 404, 406-07 (2006); *Herman v. Mayor and City Council of Baltimore*, 189 Md. 191, 196 (1947). A resolution is an appropriate way for the City Council of Baltimore to request these changes in state law. *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,

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Chief Solicitor

cc: George Nilson, City Solicitor
Angela C. Gibson, Mayor’s Legislative Liaison
Elena DiPietro, Chief Solicitor
Victor Tervalá, Chief Solicitor
Jennifer Landis, Assistant Solicitor

