

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 21-0106

Introduced by Councilmembers Burnett, Cohen, Dorsey, Bullock, Porter, Torrence
Introduced and read first time: July 19, 2021
Assigned to: Public Safety and Government Operations Committee
Committee Report: Favorable with amendments
Council action: Adopted
Read second time: January 10, 2021

AN ORDINANCE CONCERNING

Study and Report – Oversight of the Baltimore City Fire Department

FOR the purpose of requiring that the Baltimore City Fire Department, in consultation with certain other agencies, submit a report to the Mayor and City Council evaluating the policies, practices, and internal control systems of the Department and evaluating the potential establishment of an office dedicated to compliance and investigations within the Fire Department; and providing for a special effective date.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That:

(a) No later than ~~±20~~ 150 days from the enactment of this Ordinance, the Baltimore City Fire Department (“Department”), in consultation with the City Board of Fire Commissioners (“Board”), the City Administrator or the Administrator’s designee, the Law Department, the Department of Finance, the Labor Commissioner, the Office of the Inspector General, and the Office of Equity and Civil Rights shall submit a report, as fully described in subsection (b) of this Section, to the Mayor and City Council setting forth a comprehensive evaluation of the cost and feasibility of establishing a compliance and investigations office within the Department.

(b) The report required by this section shall include:

~~(1) an analysis of the legal parameters regarding the authority that Board of Fire Commissioners has as an oversight body to investigate the conduct of the Department as outlined in Article VII, § 51(c) of the Baltimore City Charter;~~

~~(2)~~ (1) an assessment of the Board’s capacity to conduct investigations and if there is a need to equip it with support staff to carry out this duty;

~~(3)~~ (2) an analysis of the current internal disciplinary process used by the Department, including the who is responsible for conducting disciplinary investigations; who is responsible for conducting Equal Employment Opportunity investigations; and an evaluation of the composition of the Department’s disciplinary hearing boards;

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.
Underlining indicates matter added to the bill by amendment.
~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from existing law by amendment.

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- 1 ~~(4)~~ (3) an attached copy of the Department’s policies on how internal disciplinary
2 complaints against employees are submitted and investigated; how
3 complaints regarding employees are submitted by members of the public
4 and investigated; and the Department’s disciplinary matrix and point
5 system;
- 6 ~~(5)~~ (4) a comparative analysis of the strengths and weaknesses of at least 5 fire
7 departments of comparable size that currently have an “independent
8 assessor” or other similar model of an internal investigations unit;
- 9 ~~(6)~~ (5) the amount of formal complaints submitted to the Office of Equity and
10 Civil Rights by Department employees in the previous 7 years,
11 disaggregated by the complaint type (if applicable), and the amount of
12 complaints submitted to the Office of Equity and Civil Rights that were
13 determined by the Office to be outside the scope of its authority;
- 14 ~~(7)~~ (6) the amount of formal complaints submitted to the Office of the Inspector
15 General by Department employees in the previous 7 years, disaggregated
16 by the complaint type (if applicable), and the amount of complaints
17 submitted to the Office of the Inspector General that were determined by
18 the Office to be outside the scope of its authority; and
- 19 ~~(8)~~ (7) an evaluation of the Department’s full-time data and performance
20 management program; how it is being used to monitor internal
21 accountability; alternative programs that might be used by fire departments
22 in other jurisdictions; and, if a more modern system ~~exists~~ is not currently
23 being used, a comprehensive plan on the timeline and steps that will be
24 taken to implement one.

25 **SECTION 2. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the date it is
26 enacted.

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Certified as duly passed this 24 day of January, 2022



President, Baltimore City Council

Certified as duly delivered to His Honor, the Mayor,

this 24 day of January, 2022

Hatanna B. Austin

Chief Clerk

Approved this 7 day of March, 2022



Mayor, Baltimore City

Approved for Form and Legal Sufficiency
This 20th day of February, 2022

Elena R. DiPietro

Chief Solicitor