

**CITY OF BALTIMORE
COUNCIL BILL 21-0106
(First Reader)**

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

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Finance, Office of Equity and Civil Rights, City Administrator, Baltimore City Fire Department, Department of Human Resources, Labor Commissioner

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Study and Report – Oversight of the Baltimore City Fire Department**

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

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

9 (a) No later than 120 days from the enactment of this Ordinance, the Baltimore City Fire
10 Department (“Department”), in consultation with the City Board of Fire
11 Commissioners (“Board”), the City Administrator or the Administrator’s designee,
12 the Law Department, the Department of Finance, the Labor Commissioner, the Office
13 of the Inspector General, and the Office of Equity and Civil Rights shall submit a
14 report, as fully described in subsection (b) of this Section, to the Mayor and City
15 Council setting forth a comprehensive evaluation of the cost and feasibility of
16 establishing a compliance and investigations office within the Department.

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

- 18 (1) an analysis of the legal parameters regarding the authority that Board of Fire
19 Commissioners has as an oversight body to investigate the conduct of the
20 Department as outlined in Article VII, § 51(c) of the Baltimore City Charter;
- 21 (2) an assessment of the Board’s capacity to conduct investigations and if there is
22 a need to equip it with support staff to carry out this duty;
- 23 (3) an analysis of the current internal disciplinary process used by the Department,
24 including the who is responsible for conducting disciplinary investigations;
25 who is responsible for conducting Equal Employment Opportunity
26 investigations; and an evaluation of the composition of the Department’s
27 disciplinary hearing boards;

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

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- 1 (4) an attached copy of the Department’s policies on how internal disciplinary
2 complaints against employees are submitted and investigated; how complaints
3 regarding employees are submitted by members of the public and investigated;
4 and the Department’s disciplinary matrix and point system;
- 5 (5) a comparative analysis of the strengths and weaknesses of at least 5 fire
6 departments of comparable size that currently have an “independent assessor”
7 or other similar model of an internal investigations unit;
- 8 (6) the amount of formal complaints submitted to the Office of Equity and Civil
9 Rights by Department employees in the previous 7 years, disaggregated by the
10 complaint type (if applicable), and the amount of complaints submitted to the
11 Office of Equity and Civil Rights that were determined by the Office to be
12 outside the scope of its authority;
- 13 (7) the amount of formal complaints submitted to the Office of the Inspector
14 General by Department employees in the previous 7 years, disaggregated by
15 the complaint type (if applicable), and the amount of complaints submitted to
16 the Office of the Inspector General that were determined by the Office to be
17 outside the scope of its authority; and
- 18 (8) an evaluation of the Department’s full-time data and performance
19 management program; how it is being used to monitor internal accountability;
20 alternative programs that might be used by fire departments in other
21 jurisdictions; and, if a more modern system exists, a comprehensive plan on
22 the timeline and steps that will be taken to implement one.

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