

Department of Legislative Services
Maryland General Assembly
2019 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 818 (Senator Hayes, *et al.*)

Judicial Proceedings and Education, Health,
and Environmental Affairs

**Baltimore City – Office of the Inspector General – Authority Over Police
Department of Baltimore City and Baltimore City Public Schools**

This bill specifies that the Baltimore City Office of the Inspector General (OIG) has the same authority over the Baltimore Police Department (BPD) and Baltimore City Public Schools (BCPS), including any employee of BPD and BCPS, that OIG has over a department of city government or any city employee.

Fiscal Summary

State Effect: None.

Local Effect: None. The bill codifies existing authority for OIG. Baltimore City advises that employees of BPD and BCPS are city employees.

Small Business Effect: None.

Analysis

Current Law:

Baltimore City Office of the Inspector General

Baltimore City Charter Amendment X, ratified by voters in November 2018, established OIG and provides for the appointment, qualifications, and term of the Inspector General. Before the amendment, OIG was part of the Executive Branch of government for

Baltimore City and administratively under the Baltimore City Law Department with the Inspector General reporting to the city solicitor.

The Inspector General supervises and directs OIG. OIG is responsible for investigating complaints of fraud, financial waste, and abuse in city government and promoting efficiency, accountability, and integrity in city government. OIG may investigate allegations that involve city government and potential violations of laws or regulations by any:

- city elected official;
- city employee;
- member of a board or commission established or governed by the city charter, city code, or an executive order issued by the mayor;
- city contractor or person negotiating a contract with the city;
- person seeking certification to provide goods or services to the city; or
- external recipient of city funds, benefits, or services.

To perform the duties of office, the Inspector General may issue a subpoena to require any person to appear under oath as a witness or the production of any information, document, report, record, account, or other material. The Inspector General may enforce any subpoena issued in any court of competent jurisdiction, as specified.

The administrative and operational procedures of OIG may be established by law or by rule or regulation adopted by the Inspector General.

Office of Education Accountability

Governor Hogan, by Executive Order 01.01.2018.21, established the Office of Education within the Office for Children to enhance and promote integrity and accountability in Maryland's public school systems. Among the duties of the office, the director must identify systemic concerns related to fraud, abuse, waste, and unethical conduct within the State's public school systems and provide to the Maryland State Board of Education and local boards of education recommendations, solutions, and strategies for improving the State's public school systems and communication between schools and parents.

Background: Although BPD is a State agency, the State does not control the appointment or removal of the police commissioner and is not responsible for providing funding for the operations of the police department. However, the State retains the ability to amend the law relating to BPD in order to implement policy changes.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Baltimore City; Baltimore City Public Schools; Department of Legislative Services

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