

SENATE SIMPLE RESOLUTION 1

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By: **Senator Muse**

Constitutional Requirements Complied with for Introduction in the last 35 Days of Session

Introduced and read first time: March 8, 2007

Assigned to: Rules

SENATE SIMPLE RESOLUTION

1 A Senate Simple Resolution concerning

2 **Department of Juvenile Services – Allegations of Discrimination and**
3 **Harassment – Legislative Investigating Committee**

4 FOR the purpose of creating a legislative investigating committee in accordance with
5 Title 2, Subtitle 16 of the State Government Article, the purpose of which is to
6 investigate allegations of discrimination against and harassment of employees
7 in the Department of Juvenile Services; and generally relating to a legislative
8 investigating committee to investigate allegations of discrimination against and
9 harassment of employees in the Department of Juvenile Services.

10 WHEREAS, Diversity in the workplace is Maryland's greatest strength; and

11 WHEREAS, The State of Maryland is committed to creating and maintaining a
12 working environment that values and utilizes the contributions of its employees, all of
13 whom come from diverse backgrounds and experiences; and

14 WHEREAS, State law and personnel policies provide protections to State
15 employees to ensure that they have workplaces that operate with fairness and with
16 the objective of preserving the dignity and morale of those employees; and

17 WHEREAS, Discrimination against and harassment of State employees is a
18 violation of State law and State personnel policies and standards of conduct in force in
19 the departments, agencies, and other units of State government; and

20 WHEREAS, Allegations of discrimination against and harassment of employees
21 of the Department of Juvenile Services have come to the attention of the Senate of



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1 Maryland, and the Senate has determined that it is necessary that a legislative
2 investigating committee be created to investigate those allegations; and

3 WHEREAS, A legislative investigating committee, created in accordance with
4 the provisions of Title 2, Subtitle 16 of the State Government Article, would be granted
5 authority to issue subpoenas for the purpose of eliciting testimony; and

6 WHEREAS, With the issuance of subpoenas to those who may wish to testify,
7 the investigating committee would be assisting the employees of the Department of
8 Juvenile Services who wish to testify regarding alleged discrimination or harassment
9 to come forward do so without fear of retaliation because their testimony would be
10 under the compulsion of a subpoena; and

11 WHEREAS, The provisions of Title 2, Subtitle 16 of the State Government
12 Article states that the only method by which a legislative investigating committee may
13 be created is by a resolution of the Senate or the House of Delegates; and

14 WHEREAS, Such a resolution is required to set forth the size of the
15 membership of the legislative investigating committee and its purpose, powers, duties,
16 duration, subject matter, and scope of investigatory authority; now, therefore, be it

17 RESOLVED BY THE SENATE OF MARYLAND, That, in accordance with the
18 provisions of Title 2, Subtitle 16 of the State Government Article, a legislative
19 investigating committee is established to:

20 (1) investigate allegations of discrimination against and harassment
21 of employees of the Department of Juvenile Services;

22 (2) assist employees of the Department of Juvenile Services in
23 presenting to the investigating committee their grievances relating to discrimination
24 and harassment; and

25 (3) examine the records of the Office of Fair Practice and Equal
26 Employment Opportunity and the Office of Professional Responsibility, both within
27 the Department of Juvenile Services; and be it further

28 RESOLVED, That the legislative investigating committee established by this
29 Resolution:

30 (1) shall consist of five members of the Senate of Maryland, appointed
31 by the President of the Senate;

1 (2) shall have the powers conferred on legislative investigating
2 committees by Title 2, Subtitle 16 of the State Government Article, including the
3 power to issue subpoenas, apply for contempt citations, administer oaths, conduct and
4 record public hearings, examine witnesses, and direct witnesses to answer questions;

5 (3) shall elect a chair and vice chair, adopt rules that govern the
6 committee's procedures, including the conduct of hearings, and employ necessary staff
7 for which funds are available;

8 (4) is subject to the quorum and voting requirements of § 2-1606 of
9 the State Government Article;

10 (5) is subject to the restriction on the disclosure of evidence as
11 provided in § 2-609(i) of the State Government Article; and

12 (6) may meet both when the General Assembly is in session and when
13 it is not in session; and be it further

14 RESOLVED, That the legislative investigating committee established by this
15 Resolution shall submit a report on the committee's findings, conclusions, and
16 recommendations to the President of the Senate on or before December 31, 2007; and
17 be it further

18 RESOLVED, That a copy of this Resolution be forwarded by the Department of
19 Legislative Services to the Honorable Martin O'Malley, Governor of Maryland, and the
20 Honorable Thomas V. Mike Miller, Jr., President of the Senate of Maryland.