
CITY OF BALTIMORE
BERNARD C. “JACK” YOUNG
Mayor



DEPARTMENT OF LAW
ANDRE M. DAVIS, CITY SOLICITOR
100 N. HOLLIDAY STREET
SUITE 101, CITY HALL
BALTIMORE, MD 21202

January 30, 2020

Dear Mayor Bernard C. “Jack” Young, Council President Brandon Scott, and Council Members:

Attached please find the Law Department’s first Semi-Annual Reports required by Council Bill 19-0409. Enacted on December 2, 2019, the bill became effective on January 2, 2020. As required, the Law Department is posting these reports on its website on or before January 31, 2020. We submit them to you directly, as a courtesy.

The report titled “Civil Actions Regarding the Police Department,” responds to Section 5-2 of the Ordinance. That section requires the posting of certain information concerning “civil actions filed in state or federal court involving allegations of police misconduct,” as defined in the Ordinance. The report titled “Civil Actions Regarding Unlawful Discrimination,” responds to Section 5-3 of the Ordinance. That section requires the posting of certain information concerning state and federal court cases alleging unlawful discrimination.

The Ordinance requires posting information about “civil actions filed in state or federal court”. Our reports do not include claims, or pre-suit settlements. Thus, the pre-suit settlement with the Estate of Freddie Gray for \$6.4 million is not included in the Police Department report.

The Law Department has endeavored to provide complete, accurate and fully responsive reports. Indeed, our attorneys and staff have robustly undertaken this obligation, spending collectively, more than 100 hours assembling the reports. The reports reflect our best effort to comply with the new reporting requirements under a short deadline with limited IT capacity.

Two Law Department Practice Groups handle cases responsive to the Ordinance. Those Practice Groups are Legal Affairs, which represents the Police Department of Baltimore City (“BPD”), and Labor and Employment, which defends all other City agencies with respect to employment discrimination. Neither Practice Group currently has case management software capable of generating the required reports. The Law Department is working to address this. We expect that when these Practice Groups have upgraded case management systems, we will be able to more efficiently and reliably tailor case list reports to the requirements of the Ordinance.

To produce the “Civil Actions Regarding Unlawful Discrimination Report”, we relied on spreadsheets the Labor and Employment Group maintains to support the reporting required by the City’s budget process. As a result, the report is organized by fiscal year (July 1 through June 30), and not by calendar year. Labor and Employment’s lists include all cases pending during the fiscal year. They are not limited to cases newly filed in that year. The Practice Group no longer possesses the list from FY2015. Further, given the short deadline by which the report needed to be published, we were not able to search aged dockets to reconstruct that list. We manually added the few discrimination cases against the BPD.

The “Civil Actions Regarding the Police Department Report” is organized by calendar year. The report lists only those cases that were newly filed in each calendar year. To construct the report, we spent considerable time pulling data from public dockets and accounting reports in order to supplement the case assignment lists we maintain in the normal course of business. Undoubtedly these lists are imperfect, but again they reflect our best effort in this short time frame with limited IT capacity. We will work to resolve the challenges we have identified.

The Law Department looks forward to addressing any questions or concerns you might have, individually and/or collectively. And of course, given the intended purpose of this effort, we will share commentary and feedback that we receive and know that you will do the same. We welcome your feedback about the utility of these first reports. As always, our goal is to be as responsive as possible. We trust that we have accomplished this.

Sincerely,

Dana P. Moore

Deputy City Solicitor Dana P. Moore