

October 25, 2021

Baltimore City Council
City Hall
100 N. Holliday Street, Suite 400
Baltimore, Maryland 21202

Dear Council Members:

On behalf of thousands of taxpayers across the city of Baltimore and the country, the undersigned organizations urge a truly independent Advisory Board to oversee the work of Baltimore City's Inspector General (IG). Set to convene again soon, the Advisory Board is comprised of the Mayor, City Council President and the Comptroller or as currently comprised, their designees.

The Advisory Board can serve a valuable function in furthering the work of the Baltimore City IG, but only if Board members are independent citizens.

Our organizations do not profess any expertise in, or any desire to interfere in, the political dynamics of Baltimore City. We do, however, have a broad range of experience in the design of effectively functioning IG structures from the federal down to the local levels. One of us, the National Taxpayers Union, advocated for continuation of funding for the Office of Inspector General of Montgomery County, Maryland.

From this perspective, we find the situation in Baltimore to be well outside of the norms. The IG Advisory Board is responsible for appointing the IG, conducting an annual performance review, and reviewing, revising, and approving the IG's budget. That is it. In just two meetings, the Board has already overstepped its bounds. At the panel's inaugural meeting in July, Chairman Solicitor Shea said he wants the Board to "delve into particulars" of the IG's investigations, request public comment and interview the OIG employees. We are not aware of any other City agency being subject to it. This is an inappropriate use of the Board, and such sentiments indicate why it is critical to keep the Board independent.

Five of the members of this board are under the investigative jurisdiction of the IG. A plain reading of attached Baltimore City Charter Article X shows the Advisory Board as a political board with all five members being elected or the designee of an elected official. There is no independence in that composition.

Having a politicized Advisory Board also impacts the selection of the next IG. Strength of character and moral fortitude are characteristics the public wants in an IG; but are those characteristics this political Advisory Board will want in their selection? No IG should have to balance investigating a complaint against a Board member and the potential impact on their job. The Board should be comprised of citizens outside the investigative jurisdiction of the IG.

A politicized Advisory Board stands to undo the excellent work done by the IG. From the start, the IG let the city know, "nobody is off limits. Overtime situations, theft of time, purchase cards.

There are so many areas that need to be looked at.” And she has remained true to those words – documenting over \$11 million in waste or saving since she spoke those words over three years ago.

Baltimore City has precedent for such a change in the composition of a Board when this same issue arose in 2010 with the Ethics Board. With that equally important board, the law was changed so that no person working in City government could sit on that Board. The original law gave both the Mayor and the Solicitor voting rights and the ability to select persons who worked in City government to sit on the Board. The potential for conflict was obvious then, just as it is obvious now.

This Council is elected, and in 2018, the citizens clearly voiced their preference for an independent IG. Even prior to the first meeting of the Advisory Board, the IG sent a letter identifying the issues and was dismissed. When invited to speak at the next meeting, she was again dismissed. The taxpayers and citizens of the city need not, and should not, have to endure such indifference to these fundamental independence issues from the elected City Council. Baltimore deserves better.

Sincerely,

David Williams
Taxpayers Protection Alliance

Pete Sepp
National Taxpayers Union

Christopher Summers
The Maryland Public Policy Institute

Bishop Dr. Angel Nuñez
ACT Now Baltimore