

Department of Legislative Services
Maryland General Assembly
2012 Session

FISCAL AND POLICY NOTE

House Bill 363

(Delegate Anderson, *et al.*) (By Request - Baltimore City Administration)

Environmental Matters

Judicial Proceedings

Baltimore City - Police Department - Appointments

This bill reconstitutes the rank of captain as an appointed, at-will rank in the Baltimore City Police Department. It also codifies the current practice of the rank of lieutenant as the highest civil service rank in the department.

Fiscal Summary

State Effect: None.

Local Effect: None. The rank of captain is recreated in practice and replaces the use of deputy major within the Baltimore City Police Department. There is no operational or fiscal impact on Baltimore City.

Small Business Effect: None.

Analysis

Current Law: Under Public Local Laws for Baltimore City, authority vested with the Baltimore City Police Commissioner includes the following:

- to appoint without examination and to serve at his pleasure during satisfactory performance, deputy commissioners and other ranks and positions above the rank of captain which the commissioner has determined require the experience of a police officer as a prerequisite in order to insure the effective and efficient staffing and operation of the major functional subdivisions of the department; and

- to make any appointment to the department above the rank of captain, without examination, except that no such position may be filled by a police officer within the department of a rank less than lieutenant, and the appointed police officer must, upon the termination of his or her service in the position, be returned to the rank from which they were elevated, or to any higher rank to which the officer is eligible.

Background: The rank of captain in the Baltimore City Police Department was phased out of use beginning in 1994 by Commissioner Frazier, though the rank continued to exist in the Public Local Laws for Baltimore City. In 2003, Commissioner Clark established the rank of deputy major (which does not appear in statute) to perform the command functions formerly performed by captains prior to 1994.

The current police commissioner plans to eliminate the rank of deputy major and return to the use of the rank of captain as a command position. This bill codifies the current practice of the rank of lieutenant as the highest ranking civil service rank in the department and specifies that the rank of captain is an appointed at-will command position in the department.

Additional Information

Prior Introductions: None.

Cross File: SB 409 (Senator Jones-Rodwell, *et al.*) (By Request - Baltimore City Administration) - Judicial Proceedings.

Information Source(s): Baltimore City, Department of Legislative Services

Fiscal Note History: First Reader - February 9, 2012
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