



Fraternal Order of Police
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An Open Letter

April 3, 2019

Mr. Andre M. Davis
Baltimore City Solicitor
City Hall
100 N. Holliday Street
Baltimore, MD 21202

Dear Mr. Solicitor:

You are Mayor Pugh's closest and most trusted advisor in City Hall. We are certain that you are aware of the fact that the Baltimore Police Department is currently short over 500 police officers. Throughout the Catherine Pugh/Andre Davis Administration, the Baltimore Police department has been unable to recruit and retain qualified police officers and BPD officers have been forced to work massive amounts of overtime that the city cannot afford to pay. Our officers are tired, and it is no wonder that we are losing many of them, in record numbers, for improved working conditions. More importantly, officers report that they cannot work, any longer, for a city where administration officials such as yourself continue to vilify the rank and file officers who patrol this city. And then, of course, there is the 10 year old lawsuit, filed by the three public safety unions, regarding the breach of our pension contract; a suit that persists under your watch. The Pugh/Davis Administration never accepts responsibility for the mismanagement of the BPD; rather, you consistently blame the officers who are struggling, against all odds, to keep Baltimore safe.

Mr. Davis, to say that your comments in the recent Baltimore Sun article ("Baltimore's city solicitor presses case to get taxpayers off hook for Gun Trace Task Force misconduct claims") are concerning is an understatement. It is apparent that you have a remarkably obvious disdain for our organization; an opinion to which you are entitled. We, however, question your reasoning behind attacking Baltimore City FOP#3. Your temper tantrum in Court, this past Monday, was pathetic and beneath the position of the City Solicitor of Baltimore. It sounded like, "I'm taking my ball and going home". Really, Mr. Solicitor?

For three years we sat in contract negotiations with the City; two of which were under your supervision. The City chose to bargain in bad faith with Baltimore City FOP#3 by exploiting a gap in our binding arbitration rights which are restricted solely to compensation while excluding working conditions. The City allows the Fire Department to proceed to binding arbitration on both monetary issues and working conditions. We had hoped to correct this inequity during the current session of the Maryland General Assembly, by introducing legislation that calls for Binding Arbitration for Working Conditions. The Police Commissioner, with the blessing of both you and the Mayor, testified in opposition to this Bill, causing the City Delegation to forego a vote which would have gone in favor of the FOP. The term “chokehold” should be used on those persons, such as yourself, who have the power to keep our elected officials from voting on a Bill that would greatly benefit the hard-working men and women of the Baltimore Police Department. It is our opinion that you and the City have a “chokehold” on the FOP with regard to limiting binding arbitration to compensation issues.

Let me remind you, Mr. Solicitor, that the Law Enforcement Officers’ Bill of Rights, which was enacted in 1974 and amended many times since its original enactment creates a uniform due process procedure for investigating and disciplining all law enforcement officers throughout the State of Maryland and not just officers employed by the Baltimore Police Department.

The Law Enforcement Officers’ Bill of Rights provides for hearing boards made up of law enforcement officers to hear cases involving officers accused of misconduct. You have been quoted as stating that the hearing boards in Baltimore are “outrageous” and that citizens will be serving on future boards. Let me remind you that these outrageous Hearing Boards were made up of sworn members of the Baltimore Police Department selected by the Police Commissioner or his designee and not Baltimore City FOP, Lodge #3. The Baltimore Police Department employs several thousand sworn officers that the Police Commissioner or his designee could appoint to hearing boards while the FOP had at most four (4) strikes per case to be used against officers appointed by the Police Commissioner or his designee.

As for personnel records not being disclosed to the public, we question your obvious belief that the personnel records of law enforcement officers should be any less classified than your own, or any other citizen for that matter. We suggest that you look to the Public Information Act and not Baltimore City FOP #3 as the reason why records of Hearing Boards and discipline have not been disclosed to the public. The law enforcement officers of Baltimore City are not a separate class of citizens and are entitled to the restrictions imposed by the Public Information Act, just as you are.

Mr. Davis, we are a city in crisis and this crisis has only gotten worse under the Mayor Pugh/Solicitor Davis administration. As we move forward, and before you blame Baltimore City FOP #3 for anything else that is wrong in Baltimore, we would hope that your future comments are based on facts.

Mike Mancuso
President