

---

CITY OF BALTIMORE

CATHERINE E. PUGH,  
Mayor



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

---

November 6, 2018

Robin R. Cockey, Esq.  
Cockey, Brennan & Maloney, PC  
313 Lemmon Hill Road  
Salisbury, MD 21801

Re: Civilian Review Board v. Baltimore Police Department  
Circuit Court for Baltimore City

Dear Mr. Cockey:

Although I have not yet seen evidence that the captioned lawsuit has been actually filed with the court and served on the Acting Police Commissioner of the Police Department of Baltimore City, I write now in the hope to avoid a deeply disturbing and unseemly dispute between our offices. You are an attorney I have admired for many years and I take no pleasure in some of the content of this letter.

As the City Solicitor of Baltimore City, and under the plain language of the City Charter, I am the sole authority by which the legal business of the Mayor and City Council of Baltimore is conducted. This includes the legal business of City agencies, boards, commissions, and departments, whether they are created by ordinance, public local law, or otherwise. No exception exists for the Civilian Review Board, even assuming that the Civilian Review Board is an entity sufficiently distinct from the municipal corporation known as the Mayor and City Council of Baltimore so as to be legally capable of suing or being sued in its own name. In blatant contradiction of this fundamental legal reality, you have purported, in a public forum, to have signed a pleading and to have entered an appearance on behalf of the Civilian Review Board in the captioned case.

***You have no authority to act as an attorney on behalf of any agency, board, commission, or department of the Mayor and City Council of Baltimore in any capacity, not least of all in representing to the courts of this state that such authority exists.*** Accordingly, I respectfully ask that, on or before Friday, November 9, 2018, if in fact you have already filed such a lawsuit, you strike your appearance as counsel for the Civilian Review Board and thereby correct the misrepresentation created by your actions. On the other hand, if you have none done what is widely reported, then please treat this letter as my respectful request that you desist from any suggestion that such an act on your part would be properly authorized by the Baltimore City Law Department.

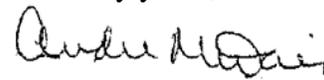
Any failure to comply with my requests will compel me to take all appropriate action to protect fully the interests and the legal prerequisites of the Mayor and City Council of Baltimore. Such action might include the filing of a complaint with the Attorney Grievance Commission of Maryland against you and your firm. I look forward to your prompt response.

All that said, if your real aim and motivation in injecting yourself into this intramural difference of opinion between the members of a Baltimore City board and the Law Department that provides the board legal advice is to provide a bridge to understanding and cooperation, then I certainly welcome you to the fray. It might be useful to have someone such as yourself, someone of sound judgment from outside the City who has no desire to foment pointless public outrage over a statutory regime that all agree needs revision, to serve as a truth-teller who can smooth out the edges of different points of view and bring closure to this ongoing debate. I have no doubt it is a role you could fill admirably. The people of Baltimore might well benefit from your appropriate involvement.

If you wish to give me a call to schedule a meeting, with an eye to resolving the Civilian Review Board's state of dissatisfaction with the legal parameters set out by the Law Department, I would welcome that call. Perhaps, thereby, you might enable the Board's members to receive the many documents sitting at the police department and ready for delivery to the Office of Civil Rights for their use. Again, this would constitute *a voluntary role for you, not as an attorney representing the Board, but as an experienced facilitator of calm and respectful dialogue who cares about good governance and, more particularly, positive police/community relations.*

As stated, I would welcome that call.

Sincerely yours,



Andre M. Davis  
City Solicitor

AMD/