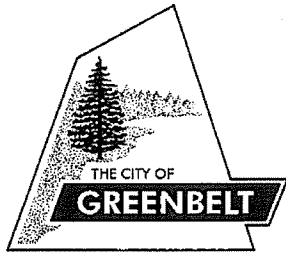


October 2014

City of Greenbelt

www.greenbeltmd.gov

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
MB – Municipal Building – 25 Crescent Road – 301.474.8000 CC – Community Center – 15 Crescent Road – 301.397.2208 Meetings subject to change Call 301.474.8000 for verification.			1 8 pm – Executive Session – Legal Counsel/ Abandoned Properties – CC	2	3	4 7:30 – Moonlit Movie – “Up”
5	6 8 pm – Work Session – Greenbelt Station South Core – MB	7	8 Walk to School Day 8 pm – Executive Session – Personnel – CC	9	10	11
12 5 pm – Advisory Board Dinner	13 8 pm – Council Meeting – MB	14	15 8 pm – Executive Session – Business Relocation – CC	16 7 pm – PGCMA – MB	17	18 9 am – 12 pm – Shredding Day – MB Parking Lot 2 pm – 5 pm – Fall Fest @ Schrom Hills Park
19	20 8 pm – Work Session – Labor Day Festival Committee – MB	21 10 am – 2 pm – Health & Wellness Fair – CC gym	22 8 pm – Work Session – Transit – CC	23 School Board Candidate Forum sponsored by ACE – MB	24	25 9 am – 12 pm – Electronics Recycling @ Public Works
26	27 8 pm – Council Meeting – MB	28	29 8 pm – Work Session – Old Greenbelt Middle School – CC	30 4 pm – 5 pm – Costume Contest & Parade – Roosevelt Center 7:30 pm – Four Cities – MB	31	



City Manager's Report Week Ending October 17, 2014

1. The Willow Oak in front of the Municipal Building will be taken down in the next two weeks. As Council has been advised, it has been in decline for a number of years. Attached is an assessment report on the tree done in July after some limbs fell. The "tilting pine" on the side of the Municipal Building will also be removed. Its roots are pulling out of the ground. The oak will be replaced by the other large Crape Myrtle in storage at Public Works.
2. Included in Council's packet are the monthly financial report and capital project update for September, and the Police statistical report for August. Revenues and expenditures are in-line with budget and the number of crimes continues to drop.
3. Attached is a letter from the Postal Service to Congressman Hoyer related to the Greenbelt Station post office issue. It notes, as the City has been advised, that Greenbelt Station will have a Greenbelt zip code.
4. Also attached is a response to a petition from John Abell. This will appear on an upcoming Council agenda.
5. Finalized response to petition regarding diversity of Police Department and forwarded it to Mr. Washington and the *News Review*.
6. Attached is the latest draft copy of the Code of Conduct for advisory group members. Unless otherwise directed, this item will be placed on the October 27 agenda for action.
7. Along with Assistant Planning Director and Acting Public Works Director, reviewed plan to relocate a water line in the rear of some homes on White Birch and Julian Courts. Matter will be brought to Council in next month or two.
8. The Greenbelt FOP Lodge #32's annual Shop with a Cop event is tentatively set for Saturday, December 13. More details to follow.
9. Along with Acting Director of Public Works and Human Resources Director, interviewed four candidates for Superintendent of Parks position.
10. Attached is a response to Council Action Request (CAR) 2014-14 about the recall process in other communities.

11. Assistant City Manager

- a. Attended the Maryland Clean Energy Center's 2014 Summit in College Park.
- b. The City Clerk, City Manager and I helped host the Joint PGCMA/MCMA meeting.
- c. Began preparing the PY 41 CDBG Application. Based on a recommendation from the County, staff is contacting an environmental consultant to perform CDBG environmental reviews which were previously done by the County.
- d. Drafted memo on County Legislation (CR-42-2014) to surplus certain properties.

12. Finance Department

- a. Completed September 2014 Financial Report.
- b. Added Equity Classifications to Note 1 in the Financial Statement.
- c. Attended SDAT workgroup on Monday and Friday. Shared email with workgroup supporting additional staff.

13. Information Technology

- a. Met with Columbia Bank and Finance regarding online bill paying.
- b. Continued working with MSP on Truck Inspection software issues.
- c. Continued work on Operating System image for new replacement PC's.
- d. Reviewed CAD upgrade plans with New World staff.

14. Prepared for executive sessions of 10/13 and 15, and work sessions of 10/20 and 22.

cc: Department Heads
David Moran, Assistant City Manager
Cindy Murray, City Clerk
Mary Johnson, Human Resources Officer
John Shay, City Solicitor

COUNCIL ACTION REQUESTS (CAR) REPORT

as of October 17, 2014

NO.	REQUESTED BY	DATE	REQUEST	DUE DATE	REFERRED TO	STATUS/COMMENT (*=COMPLETED)
2014						
35	Ms. Davis	10/06	Check CR-42 re: County surplus property and Capitol Heights.	10/30/14	David	
34	M & C Council	9/22	Report on Police Department demographics – NY Times article.	10/30/14	Jim C.	Sent to Mr. Washington and <i>News Review</i> on 10/17/14.*
33	Work Session	9/3	Get information on COG Tap-it Program.	10/30/14	Mike	
32	Work Session	8/29	Assess pros and cons of relocating Parking Enforcement, Animal Control and/ or Code Enforcement functions (Organizational Assessment).	12/30/14	Mike/ Celia	
31	Work Session	8/29	Prepare revised MOU with GATE following 7/23/14 work session.	10/30/14	Mike	
30	Work Session	8/29	Prepare report on Green Ridge House admission policies.	10/30/14	Mike	
29	Mr. Putens	8/29	Develop position description for Deputy City Manager, Management Analyst and Deputy Chief positions.	11/30/14	Mary	
27	Work Session	8/18	Revise outdoor event permit proposal following comments at 8/18 work session.	10/15/14	Joe	
26	Work Session	8/13	Check sidewalk condition and need for street tree pruning in Greenbrook Estates and Greenwood Village.	10/30/14	Kenny	
25	Work Session	8/13	Check on usage and behavior at University Square basketball court – Complaint about noise, language and hours of use.	9/30/14	Jim C.	Police Department has monitored and taken action.
24	Work Session	8/13	Check and report on operating status of crosswalk signals at Crescent & St. Hugh's and Green Ridge House.	10/30/14	Kenny	Both are working properly @ 10/15/14.*
20	M & C Meeting	8/11	Refer Schrom Hills Park fitness proposal to PRAB.	10/30/14	David/Julie	Document emailed to Julie on 8/13/14.
17	M & C Meeting	7/14	Request installation of crosswalk on Southway in vicinity of B/W Parkway Ramp.	12/30/14	Mike	Sent to SHA.

NO.	REQUESTED BY	DATE	REQUEST	DUE DATE	REFERRED TO	STATUS/COMMENT (*=COMPLETED)
16	Work Session	6/16	Draft action plan in response to Abell petition.	10/30/14	Mike	Included in 10/17/14 City Manager Report.*
15	Work Session	6/18	Update playground inventory – include surface material info and condition of equipment.	8/30/14	David	Draft included in 8/15/14 City Manager report.
14	M & C Meeting	6/4	Research the recall processes in other communities.	9/30/14	John	Response in 10/17/14 City Manager Report.*
13	Work Session	5/14	Explore with Green Ridge House the establishment of community gardens.	11/30/14	Kenny	Solicitation of interest has been placed in June/July newsletter.
12	M & C Meeting	4/28	Prepare response to petition for drinking fountain in Roosevelt Center.	7/30/14	Kenny	Getting prices for needed connections @ 9/30/14.
10	Work Session	4/23	Research whether city can/ should enforce recycling for multi-family housing.	6/30/14	John	
9	Work Session	4/2	Prepare report on impact of providing sick leave to non-classified employees.	9/30/14	David	Response in 10/10/14 City Mgr. Report. *
8	Work Session	3/26	Status of removing double poles.	4/30/14	Kenny	Email sent 4/3/14. Discussed at GHI Work Session (6/30). Letters sent to Comcast and Verizon 7/14/14. Verizon responded 7/15/14. Reminder sent to Verizon 8/14/14.
3	M & C Meeting	1/27	Implement recommendations on Police signage plan, plus add signage for Fire Station.	5/30/14	Kenny	Police signage installed @ 9/25/14.
2	M & C Meeting	1/13	Refer to PSAC request to review and update city's emergency plan – include Ms. Mach's NLC handout.	5/30/14	Jim C./ Mary	Staff briefed PSAC on 9/3/14.
2013						
50	Work Session	12/11	Check into NLC waterline insurance program.	1/30/14	Mike	Schedule a Council briefing (9/3/14).
45	M & C Meeting	10/28	Are there limitations on how long banner signs can be in use – County Zoning Code or City Covenants – Franklin Park signage issue?	1/31/14	Celia	
41	M & C Meeting	10/14	Prepare report on conditions and recent history of Greenbriar Park.	1/30/14	Kenny	

NO.	REQUESTED BY	DATE	REQUEST	DUE DATE	REFERRED TO	STATUS/COMMENT (*=COMPLETED)
39	M & C Meeting	10/14	Prepare report on pros and cons of city having CB-89 type legislation by 12/30/13.	12/30/13	John/ Mike	Awaiting response from County Executive @ 12/11/13. Email update provided 2/4/14. City Solicitor opinion provided 2/14/14.
34	Work Session	7/15	Check on history of pipe in dam - Any agreement with SHA or WSSC? Any evidence that WSSC crushed pipe in install of 96 inch main?	12/30/13	Mike	
27	M & C Meeting	7/8	What would be next steps if County proceeds on Sunnyside project?	9/30/13	John	Met with City Solicitor on 9/11/13. Awaiting response from County Executive from 12/11/13 meeting.
12	M & C Meeting	4/22	Review and respond on proposal for campfire ring at Northway Fields.	6/30/13	Celia/ Julie Kenny/ Jim C.	In 10/3/14 City Manager report.
2012						
11	M & C Meeting	5/14	Review of City Code for outdated sections including whether bikes need to be registered.	12/30/12	Cindy	Funds budgeted for full update of Code in FY 2015. Get proposals by December 2014.
5	M & C Meeting	3/12	Refer to P&CD, Rec. Dept., PRAB and YAC – Should there be a dog park in center part of city? Details in meeting minutes.	10/30/12	Celia/ Julie	Changed due date to October 2012 due to workload.
4	M & C Meeting	1/9	Refer Sustainable Land Care Policy to ACT, Green ACES, YAC and FPAB for review and comment.	3/30/12	Cindy	Referred at 1/13/12. FPAB has reviewed @ 7/19/12. YAC submitted report @ 9/19/12. ACT did detailed review in July and August 2013 and has submitted revised version @ 10/29/13. By end of 2014.
2011						
34	M & C Meeting	12/12	Begin work on Southway sign – Replace scratched glass ASAP.	6/30/12	Terri	Scratched glass replaced @ 1/6/12.

NO.	REQUESTED BY	DATE	REQUEST	DUE DATE	REFERRED TO	STATUS/COMMENT (*=COMPLETED)
9	Work Session	6/13	Look at need for lighting along walkways between 11 and 13 Court Ridge. Also look at condition of existing lighting, walkway and vegetation. Further survey and referral to PSAC.	9/30/11	Mike	Checking power availability at 11 - 13 Courts.
2010						
42	Work Session	10/4	Implement a city employee identification card system.	4/30/11	Mary	In development @ 9/1/11. Draft proposal submitted by Human Resources @ 8/20/12. Complete by end of September 2014.
32	Mayor Davis	6/25	Does city need its own ordinance to limit roadside solicitation per 2008 State law?	8/30/10	John	City Solicitor response in 9/3/10 City Manager Report. A city ordinance is being drafted.
28	Work Session	6/9	Draft legislation to implement new planning authority (CB-16).	9/30/10	John	County legislation approved 5/3/11. City Solicitor drafting language @ 1/25/12.
16	Work Session	4/21	Develop policy on when city will issue proclamation – Mayor’s authority?	7/30/10	Cindy	Ms. Davis has reviewed proclamations back to 2000 and working on report.
2009						
11	M & C Meeting	4/27	Should there be benches and trash cans at bus stops on Southway between Ridge & Greenbelt Road?	9/30/09	Celia/ Kenny	
9	M & C Meeting	4/13	Review Section 11 – 42 of City Code – parking - in light of Bare complaint - amend?	9/30/09	Celia	Matter discussed at 2/3/10 Work Session and continuing to be worked. Expect recommendation by mid-October 2014.

Michael McLaughlin

From: Brian Townsend
Sent: Wednesday, July 23, 2014 11:15 AM
To: Michael McLaughlin
Cc: Kenny Hall; Jim Sterling
Subject: City Municipal Building Quercus phellos (willow oak)
Attachments: CityOfficeWillowOak 07-21-14 ERpt.pdf

*SENT EMAIL TO
BRIAN TOWNSEND*

Mike,

On June 4, 2014 at 5:00 pm. a large live limb partially broke and fell on the roof of the City Municipal Building from Quercus phellos (willow oak) out front. Because of its size and location a contractor was called with a crane to remove the limb off the roof. On June 5, 2014 I contracted Bartlett Tree Experts to do a third party tree report. (see attached CityOfficeWillowOak 07-21-14 ERpt) Since June 4 three other large branches have fallen out of this tree.

This tree has lightning damage, extensive die back in branches, large amount of wood decay in main trunk and branches. It has all the signs of Photophthora Canker, Hypoxylyon Canker, and Ganoderma root rot. (defined below)

Thank you,
Brian Townsend

- Phytophthora Bleeding Canker belongs to a group of primitive fungi known as the water molds. Chlorosis will usually accompany these symptoms along with branch dieback. A furrowed appearance on the trunk and fluid exudation from a darkened canker will usually be present. Bacterial cankers produce similar symptoms on the trunk, but also produce a fermented, fruity odor.

*For the past 4 years we have contracted Bartlett to do an annual treatment of a bark application of fungicide combined surfactant to provide systemic disease suppression and attempt to prolong the tree life.

- Hypoxylon canker is a fungal disease affecting mostly oak trees in both forest and landscape settings. This Fungal disease has a look like someone painted black, brown, silver or gray blotches all over the tree bark. The fungus will spread throughout the tree, usually causing the tips of branches to turn yellow, wilt, and then die back. As the disease spreads the tree will slowly die over the course of 2-3 years. The bark of the infected tree will begin to slough off exposing the fungal fruiting bodies called stroma.
- Ganoderma, root rot fungus is a pathogen that enters openings in root systems a distinctive shelf-like fruiting structure forms singly on the wood at or near the soil line. It is brown to reddish brown on top with a cream to white margin. The brown portion appears to have been varnished. The shelf grows perennially for 5 to 10 years and may reach 8 to 12 inches across. The underside of the shelf is light colored with tiny pores in which the spores are formed. Infected trees slow in growth rate and have dying branches with small, yellowed leaves. A butt rot may take several years to kill the tree but makes the tree very susceptible to wind-throw.

Brian Townsend

Brian Townsend,
Certified Horticulturist
Certified Arborist #MA-5069A
Maryland Roadside Tree Care Expert #001306
City Of Greenbelt
555 Crescent Road
Greenbelt MD 20770
240-542-2158
btownsend@greenbeltmd.gov



1 Metropolitan Avenue, Gaithersburg, MD 20878 • 301-881-8550 (o) 301-881-9063 (f) • tzastrow@bartlett.com

City of Greenbelt
Attn: Brian Townsend, Arborist
555 Crescent Road
Greenbelt, MD 20770

July 21, 2014

240.542.2158
btownsend@greenbeltsmd.gov

Job Location – 25 Crescent Road, Greenbelt, MD 20770

TREE INSPECTION REPORT

TREES: Willow Oak, 49.2 inch diameter

LOCATION: Right front of City office.

DATE OF INVESTIGATION: 06/05/2014

ARBORIST: Timothy D. Zastrow, ISA Board Certified Master Arborist #MA-0043,
MD-DNR Tree Expert #390, Certified Tree Risk Assessor #1076

OBSERVATIONS & RECOMMENDATIONS

On June 5th I inspected this tree to check on its overall health and stability. I was told that it had dropped a large branch onto the city building late in the day on May 30th, 2014.

The foliage was of good size and density on the living portions of the crown, but lighter in color than is typical for this species. There was numerous small branches exhibiting tip dieback throughout the crown, and large dead limbs in the center of the crown. There was evidence of an old lightning strike on the upper trunk. I also observed six locations at the base of this tree with developing conks consistent with ganoderma root rot.

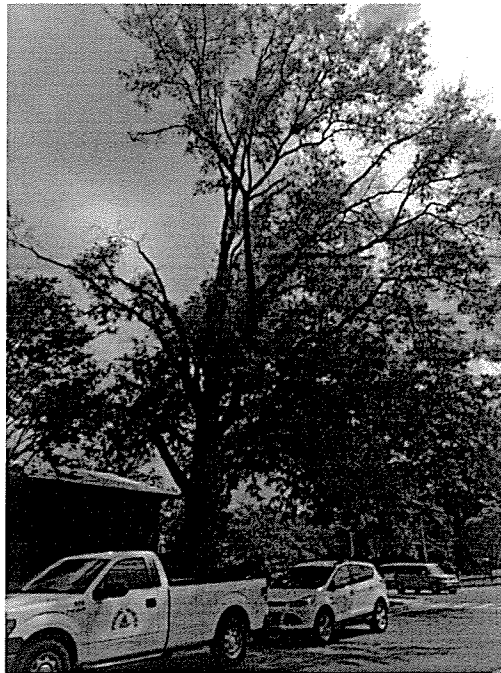
The tip dieback, large dead limbs, poor foliage color, and conks at the base all are indicative of terminal decline and increasing structural instability. Treatment to improve tree health is not likely to produce a positive result and the decay caused by the root rot will render the tree increasingly likely to uproot. Removal and replacement is the most prudent action to take with this tree.



1 Metropolitan Avenue, Gaithersburg, MD 20878 • 301-881-8550 (o) 301-881-9063 (f) • tzastrow@bartlett.com



Willow oak at City office showing crown dieback.



Willow oak showing asymmetrical crown.



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Stub from limb that appears to have recently split and fell onto building.



One of the six fungal conks that were developing around the base of this tree.



Congress of the United States
House of Representatives
Washington, DC 20515-6502

October 7, 2014

Hon. Emmett V. Jordan
Mayor
City of Greenbelt
25 Crescent Road
Greenbelt, MD 20770-1891


Dear Hon. Jordan:

Enclosed is a copy of the letter I received from the United States Postal Service (USPS) regarding an inquiry I made on your behalf.

Thank you for giving me the opportunity to assist you. If there is anything else that I can do, please contact Ms. Daryl Pennington, in my Greenbelt Constituent Services Office at 6500 Cherrywood Lane, Suite 310, Greenbelt, Maryland 20770. The telephone number is 301-474-0119. The fax number is 301-474-4697.

Wishing you the best and with kindest regards, I am

Sincerely yours,



STENY H. HOYER

SHH: dp



OCT 07 2014



September 15, 2014

The Honorable Steny H. Hoyer
Member of Congress
6500 Cherrywood Lane, Suite 310
Greenbelt, MD 20770-1287

Dear Congressman Hoyer:

This is in response to your August 27 letter on behalf of City of Greenbelt Mayor Emmett V. Jordan, regarding local mailing addresses.

I appreciate your interest in assisting Mayor Jordan with his concerns. Mailing addresses, including the city name and ZIP Code, direct customers' mail to the proper delivery office serving that address. In some areas, these addresses correspond exactly to local municipal or community boundaries. However, there are many instances throughout the country where mailing addresses, including the assigned ZIP Code, overlap formal or informal boundaries. In some cases, a city name or five-digit ZIP Code may be shared by customers residing in different localities.

As delivery territories expand, mail delivery generally is extended based on the capability of nearby postal facilities to accommodate the growth. It would be far too costly and inefficient to establish a corresponding Post Office or unique ZIP Code in each area seeking pure community identity. We recognize that some customers might prefer a mailing address that reflects a specific community name or locally recognized area. However, we will only alter delivery boundaries when it will be of minimal adverse impact or it will improve our operations or services.

In this case, Capital District postal officials report that there are no plans to change Greenbelt residents' ZIP Code to reflect a College Park address. Further, the current jurisdictional boundaries were requested by the City of Greenbelt Manager and Assistant City Manager in 2006, with involvement from the Maryland-National Capital Park and Planning Commission. I understand that as addresses are issued, they will be given a Greenbelt address.

Thank you for writing. Please let me know if I can assist you with other postal issues.

Sincerely,

(signed)

Darrell Donnelly
Government Relations Representative

CODE OF CONDUCT FOR ADVISORY BOARD AND COMMITTEE MEMBERS (8-21-14 revision)

The City Council of Greenbelt has a number of Advisory Boards and Committees which provide advice in subject areas from planning to the environment to senior issues. These boards and committees are comprised of Greenbelt citizens volunteering their talents and time to the community. Council greatly values the service of all advisory board and committee volunteers.

This code has been created to ensure that all board and committee members have clear guidelines for carrying out their responsibilities in their relationships with each other, City Council, staff and members of the public. All board and committee meetings are conducted in accordance with the Maryland Open Meetings Act.

- Individual Advisory Board and Committee members and the collective group will perform their duties in a professional and respectful manner.
- Members are to promote confidence in the integrity of the City of Greenbelt government and always act in the public interest and not in their private interest. Members should protect the reputation of their board or committee, its members, City Council and staff. They should not engage in any activity(s) that would bring the board or committee or the City into disrepute.
- Members will respect the limitations of their individual and collective authority. The role of the Advisory Board or Committee is to advise the City Council.
- Members will strive to respect and appreciate differences in approach and point of view, whether from their colleagues, City Council, staff or members of the public.
- Each member will participate in the group’s discussions and work assignments without dominating the discussion or activity of the group.
- The board or committee chair will ensure that all members have a fair, balanced and respectful opportunity to share their knowledge and perspectives.
- The board or committee will attempt to reach consensus on issues. If consensus is not possible, strong differing opinions, such as minority opinions, should be recorded and acknowledged in the report to City Council.
- The agreement of an individual member of the board or committee must be obtained prior to the release his or her personal member information obtained through the advisory board or committee membership.
- Members communicating in public on board or committee business must clarify that he or she is not speaking on behalf of the board or committee or the City, but as an individual, unless authorized to do so by the board or committee.
- It is the responsibility of members to attend all meetings to ensure that a quorum is present to conduct board or committee business. The Chair of the board or committee will maintain accurate attendance records. Council may remove an advisory board or committee member who misses, without being excused by the majority of the advisory board or committee, three consecutive meetings or more than 25 percent of the regular meeting during any calendar year.

Violations of the Code of Conduct

Violations of one or more of the standards or requirements of this Code of Conduct may result in the immediate termination of a member’s appointment to serve on an advisory board or committee. Additionally, any member may be removed by Council action based on Council decision that removal is in the best interests of the City. Members may be removed from any advisory board or committee by a majority vote of the City Council.

Acknowledged and Agreed to:

Signature: _____

Printed Name: _____

Advisory Group: _____

Date: _____

BRENNAN McKENNA
MANZI SHAY, CHARTERED



ATTORNEYS AT LAW

6305 IVY LANE, SUITE 700
GREENBELT, MARYLAND 20770
TELEPHONE (301) 474-0044
FAX (301) 474-5730

JOHN F. SHAY, JR.
JSAY@BSM-LEGAL.COM

MEMORANDUM

TO: Michael McLaughlin, City Manager
FROM: John F. Shay, Jr., Esquire
DATE: October 14, 2014
RE: Recall of Elected Officials

You have asked that we advise the City of Greenbelt regarding its ability to provide for the recall of elected officials. To recall an elected official refers to the termination of an elected official's tenure before the end of the term as the result of a special election called by a certain percentage of voters. 80 Op. Atty. Gen. 17 (1995) citing *Poprosky v. Shea*, 573 A.2d 756, 758 (Conn. App. 1990), et. al. It is not the same as the authority given a municipality to provide for the removal or temporary suspension from office of an appointed municipal officer for: inefficiency; malfeasance; misfeasance; nonfeasance; misconduct in office; or insubordination. See *Md. Local Government Code Ann.* §5-206 (2014).

Article XVII, §3 of the Maryland Constitution provides, in pertinent part, that:

All State and county officers elected by qualified voters . . . shall hold office for terms of four years, and until their successors shall qualify.

The Attorney General has opined that the recall of elected officials is flatly inconsistent with the general principle set forth in Article XVII, §3 that once officials have been elected, they are to serve a fixed term of four years. *Id.* Note, however, that Article XVII, §3 does **not** apply to municipalities. *Id.* However, there is no constitutional or statutory authority for municipalities to adopt recall provisions either. See *Town of Glenarden v. Bromery, et al.*; *Cousins v. Brown* 257 Md. 19 (1970), citing Const. art. 11-E, § 1 et. seq.; Code 1957, art. 23A, § 1 et. seq.

There are several municipalities that have recall provisions pertaining to elected officials. All of the recall provisions require that a valid petition be submitted that is signed by a certain

percentage of the qualified registered voters of the municipality (ranging from 20% to 30%) in order to initiate a recall. The required contents of a recall petition vary widely (i.e., an attestation of the circulator, the name that must appear on the petition). The recall provisions are not uniform as to whom the petition must be presented either, i.e., the Board of Elections or the Mayor and Council. However, all of the petitions must set forth the reason for the recall petition (i.e., failing to perform the elected official's duties generally, and, as is set forth more fully below, identifying a specific charter or code provision that the person has failed to heed). If a recall petition meets all of the requirements of the municipality, then a special election is scheduled. If a majority of the voters in the special election vote in favor of recalling the officeholder in question, upon certification of the results of the election, the office is then declared vacant by the Council and is then filled by the Council in the manner prescribed by this Charter. In several jurisdictions there is also a requirement that the total number of votes cast in the special election equal at least a certain percentage of the total number of registered voters to be effective.

The Cities of Gaithersburg and Laurel, for example, provide that the following are justification for the recall of the mayor or a councilmember:

- (a) Failure to uphold the oath of office;
- (b) Conviction of a criminal offense of a felony category;
- (c) Engaging in illegal conduct involving moral turpitude, fraud, deceit or intentional material misrepresentation;
- (d) Engaging in conduct involving mismanagement or misappropriation of public funds, a gross abuse of public authority, or a substantial and specific danger to public health, safety or welfare;
- (e) The coercion of any city employee into taking an illegal or improper action or taking any retaliatory action against any city employee because of that employee's disclosure of information relating to illegal and improper action in city government;
- (f) The inability to properly perform public duties due to a permanent or chronic physical or mental ailment or other incapacitating defect;
- (g) Gross negligence or incompetence in the performance of public duties;
- (h) Engaging in personal conduct injurious to the reputation and well-being of the government of this city and its citizens; or
- (i) Failing or refusing to perform, or acting contrary to, an official duty or obligation imposed by the Charter or duly enacted law or ordinance.

Enclosed for your review are the recall provisions of the City of New Carrollton, the City of Laurel, the City of Rockville and the City of Gaithersburg. If the City of Greenbelt desires to adopt recall provisions it will be required to amend its Charter to establish recall procedures or amend its Charter to establish the authority for adopting recall provisions and adopt an ordinance containing the provisions, such as the City of Gaithersburg. If upon review thereof you have any questions, please let me know.

Enclosure

Samples of Recall Provisions

City of New Carrollton

City Charter, § C-21 Recall of elected officials.

- A. Application. The holder of any elected office of the City shall be subject to recall for failure to perform the duties of his or her office as such duties are set forth in this Charter.
- B. Petition. If a petition signed by not less than twenty-five percent (25%) of the qualified registered voters of the City shall be presented to the Board of Elections setting forth that the officeholder in question has failed to perform the duties of his or her office and specifying the instances of such failure and requesting an election to vote upon the recall of the officeholder, the Board of Elections shall immediately pass upon the legal sufficiency thereof and shall verify that the petition has been signed by the required number of qualified registered voters. Each person signing the petition shall indicate thereon their name and residence address. The Council shall consider the petition as of no effect if it is signed by fewer than twenty-five percent (25%) of the persons who are qualified to vote in municipal elections. A minor variation in the signature of a petition between his or her signature on a petition and that on the City voter registration records shall not invalidate the signature. The invalidation of one signature on a petition shall not serve to invalidate any others.
- C. Effect of petition. If the Board of Elections shall determine that the petition meets all the requirements of this section, the Council shall, by resolution, specify the day and the hours for a special election to be held, not more than forty-five (45) calendar days from the date said resolution is adopted. The resolution shall specify the exact wording of the question which is to appear on the ballot. The ballot question shall include the name of the officeholder in question and the office which he or she holds and shall request a "yes" or a "no" vote as to his or her removal from that office. The ballot question shall not specify, or in any way refer to or imply, the reasons for which removal is being sought.
- D. Results of election. If a majority of the voters in the special election vote in favor of recalling the officeholder in question, upon certification of the results of the election by the Board of Elections to the Council, said office shall thereupon be declared vacant by the Council and shall be filled by the Council in the manner prescribed by this Charter; provided, however, that if the total number of votes cast in the special election does not equal at least twenty percent (20%) of the total number of registered voters, then the results of the election shall be considered to have no effect.

City of Laurel

City Charter, Sec. 612. Recall procedures.

The mayor or a city councilmember may be recalled and removed from office in accordance with the following procedure:

- (a) A petition signed by at least twenty (20) percent of the registered and qualified voters of the city must be presented to the mayor and city council at a regular city council meeting stating a desire to have the named elected official subjected to a reaffirmation by a vote of the qualified city electorate. A petition shall contain the name of only one elected city official. The qualified registered voters signing such petition shall sign the same as their names appear on the city's election records and under each signature shall be typed or printed each petitioner's name, current address and approximate length of residence in the city. At the bottom of each page of the petition, the individual circulating the petition shall sign the same and make an affidavit before a notary public that he or she circulated the petition and saw each individual whose name appears thereon sign the same in his or her presence.
- (b) The petition shall state specifically the justification for recall of the mayor or, as the case may be, a councilmember, for one or more of the reasons set forth in section 613.
- (c) Upon receipt of a petition, the mayor and council shall forthwith refer the petition to the board of election supervisors for the city for verification of the appropriate number of qualified registered voters' signatures and addresses. The board of election supervisors shall return such petition with its written findings as to required voters' signatures and addresses by certification to the mayor and council at its next regular meeting; and at that meeting, if the petition is authenticated and certified by the board, the mayor and city council shall announce that (1) within thirty (30) days from that city council meeting, a public hearing will be held on the petition, and that (2) within forty-five (45) days from the city council meeting at which the certification of the board of election supervisors was received, a special election shall be held in order to allow all qualified registered voters of the city to vote on the petition.
- (d) The voting ballot will contain the official's name and the choice of "reaffirm" or "remove" in order for the official to be removed, a majority of those voting must vote "remove."
- (e) The voting shall be conducted in the same manner as prescribed herein for general city elections; and, if removal results, the vacancy will be filled as provided in section 319 for a councilmember or section 356 for the mayor.

Sec. 613. Grounds for recall.

The justification for the recall of the mayor or, as the case may be, a councilmember, shall be only for one or more of the following:

- (a) Failure to uphold the oath of office;
- (b) Conviction of a criminal offense of a felony category;
- (c) Engaging in illegal conduct involving moral turpitude, fraud, deceit or intentional material misrepresentation;
- (d) Engaging in conduct involving mismanagement or misappropriation of public funds, a gross abuse of public authority, or a substantial and specific danger to public health, safety or welfare;
- (e) The coercion of any city employee into taking an illegal or improper action or taking any retaliatory action against any city employee because of that employee's disclosure of information relating to illegal and improper action in city government;
- (f) The inability to properly perform public duties due to a permanent or chronic physical or mental ailment or other incapacitating defect;
- (g) Gross negligence or incompetence in the performance of public duties;
- (h) Engaging in personal conduct injurious to the reputation and well-being of the government of this city and its citizens; or
- (i) Failing or refusing to perform, or acting contrary to, an official duty or obligation imposed by the Charter or duly enacted law or ordinance.

City of Rockville

City Charter, Section 6. Recall Elections; Recall of the Mayor or a Councilmember.

- a. The Mayor or Councilmember may be removed by the qualified electors of the City. The procedure to effect the removal of such persons from office shall be as set forth hereinafter.
- b. A petition signed by persons qualified to vote in City elections equal in number to at least thirty percent (30%) of the average number of ballots cast in the last three City elections, rounded up to the nearest multiple of fifty (50), shall be addressed to the Council and filed with the City Clerk. The signatures to the petition need not all be appended to one paper, but each signer shall add to his signature his place of residence, giving the street and number. The circulator of each such paper shall make affidavit before an officer competent to administer oaths, that the statements contained therein are true, and that each signature appended to the paper is the genuine signature of the person whose name it purports to be. All papers composing said petition shall be assembled and filed as one instrument, with endorsements thereon of the names and addresses of three persons designated as filing said petition.
- c. Within ten days from the filing of said petition the City Clerk shall ascertain by examination thereof and of the registration books, whether the petition is signed by the required number of qualified voters, and shall attach thereto a certificate showing the result of such examination. If the certificate shows the petition to be insufficient, the Clerk shall promptly notify, in writing, one or more of the persons designated on the petition as filing the same and the petition may be amended at any time within ten days from the date of the Clerk's notification. The Clerk shall, within ten days after such amendment, make like examination of the amended petition and attach thereto a certificate of the result. If still insufficient or if no amendment is made, the Clerk shall return the petition to one of the persons designated thereon, as filing it, without prejudice, however, to the filing of a new petition for the same purpose.
- d. If the petitions or amended petitions shall be found by the City Clerk to be sufficient, the same shall be submitted with the Clerk's certificate to the Council without delay, and the Council shall, if the officer sought to be removed does not resign within five days thereafter, thereupon order an election to be held on the date fixed by them not less than thirty nor more than forty-five days from the date of the City Clerk's certificate that a sufficient petition was filed; provided, however, that if any other municipal election is to occur within sixty days from the date of the City Clerk's certificate, the Council may, at its discretion, postpone the holding of the recall election to the date of such other municipal election.
- e. There shall be printed on the official ballot, as to every person whose recall is to be voted on, the words, "shall (name of person against whom the recall petition is filed) be recalled from the office of (title of office)?" Following such question shall be the words "Yes" and "No", on separate lines, with a blank space at the right of each, in which the voter shall indicate his or her vote for or against such recall.
- f. Any person whose recall is sought shall continue in office until a certification of the results of a recall election by the Board of Supervisors of Elections showing that such person has been

recalled is received by the City Clerk at which time such person's term in office shall thereupon terminate.

g. No recall petition shall be filed against any person until such person has actually held such office for at least two months, unless a different time is provided by ordinance; provided, that second or further recall petitions for the same person shall require signatures of qualified voters equal to at least forty-five (45) percent of the average number of ballots cast in the last three City elections, rounded up to the nearest multiple of fifty (50).

h. Any person who has been removed from office by recall, or who has resigned from such office while recall proceedings were pending against him or her, shall not be appointed to any elective office within one year after such removal by recall or resignation.

i. Any vacancy created by the recall of an elected officer shall be filled in the manner set forth in Section 5 of this Article III.

j. Except as specifically provided herein all recall elections shall be conducted in a manner conforming with other City elections to the extent practical.

City of Gaithersburg

City Charter, Sec. 22. Recall of elected officials.

Any elected official of the city may be recalled and removed from office in accordance with requirements and procedures hereafter established by ordinance as part of the Code of the city.

City Code:

ARTICLE V. RECALL OF ELECTED OFFICIALS

Sec. 6C-31. Procedures.

The mayor or a member of the city council may be recalled and removed from office in accordance with the following procedure:

(a) A petition signed by at least twenty (20) percent of the registered and qualified voters of the city must be presented to the mayor and city council at a regular city council meeting stating a desire to have the named elected official subjected to a reaffirmation by a vote of the qualified city electorate. A petition shall contain the name of only one elected city official. The qualified registered voters signing such petition shall sign the same as their names appear on the city's election records and under each signature shall be typed or printed each petitioner's name, current address and approximate length of residency in the city. At the bottom of each page of the petition, the individual circulating the petition shall sign the same and make an affidavit before a notary public that he circulated the petition and saw each individual whose name appears thereon sign the same in his presence.

(b) The petition shall state specifically the justification for recall of the mayor or, as the case may be, a councilman, for one or more of the reasons set forth in section 6C-26.

(c) Upon receipt of a petition, the mayor and council shall forthwith refer the petition to the board of supervisors of elections for the city for verification of the appropriate number of qualified registered voters' signatures and addresses. The board of elections shall return such petition with their written findings as to required voters' signatures and addresses by certification to the mayor and council at its next regular meeting; and at their meeting, if the petition is authenticated and certified by the board, the mayor and city council shall announce that (i) within thirty (30) days, a public hearing will be held on the petition, and that (ii) within forty-five (45) days a special election shall be held in order to allow all qualified registered voters of the city to vote on the petition.

(d) The voting ballot will contain the official's name and the choice of "reaffirm" or "remove." In order for the official to be removed a majority of those voting must vote "remove." The voting shall be conducted in the same manner as prescribed in the City Charter for regular city elections; and, if removal results, the vacancy will be filled as provided in section 35 of the City Charter.

Sec. 6C-32. Grounds for recall.

The justification for the recall of the mayor or, as the case may be, a councilman, shall be for one or more of the following:

- (a) Failure to uphold the oath of office.
- (b) Conviction of a criminal offense of a felony category.
- (c) Engaging in illegal conduct involving moral turpitude, fraud, deceit or intentional material misrepresentation.
- (d) Engaging in conduct involving mismanagement or misappropriation of public funds, a gross abuse of public authority or a substantial and specific danger to public health, safety or welfare.
- (e) The coercion of any city employee into taking an illegal or improper action or taking any retaliatory action against any city employee because of that employee's disclosure of information relating to illegal and improper action in city government.
- (f) The inability to properly perform public duties due to a permanent or chronic physical or mental ailment or other incapacitating defect.
- (g) Gross negligence or incompetence in the performance of public duties.
- (h) Engaging in personal conduct injurious to the reputation and well-being of the government of this city and its citizens.
- (i) Failing or refusing to perform, or acting contrary to, an official duty or obligation imposed by the Charter or duly enacted law or ordinance.

City of Greenbelt, Maryland

Memorandum

To: City Council
From: Michael McLaughlin, City Manager *MPM*
Date: October 14, 2014
Re: Response to Petition from John Abell

This memo is follow-up to the June 16, 2014, work session on the petition from John Abell for a policy on reporting crime and special procedures for child pornography.

Based on the June 16 discussion, three directives were given to staff – 1) review the Police Department policy on the release of information; 2) research a training program offered by the Darkness to Light organization titled “Empower People to Prevent Child Sexual Abuse;” and 3) develop a city policy on handling a situation where a city employee is accused/ found guilty of child sexual abuse.

1. Police Department Policy on Release of Information

The Police Department’s policy on the release of information gives the department the discretion to not divulge information if the offense is related to domestic or child abuse, if doing so may result in harm to a victim or witness or release of the information may jeopardize an investigation. In the case related to this petition, information was not made public until after the suspect was convicted in a court of law because no individuals were thought to be threatened as the subject was viewing images of child pornography on a computer.

Following review of the matter by two City Advisory Boards, discussion of the topic with the petitioner, Mr. Abell, and a special work session which provided input from subject matter experts, the Police Department will modify its policy in respect to the release of information regarding child pornography related offenses. As long as the above established criteria are met regarding no harm coming to specific victims or witnesses, or the investigation not being compromised, the Police Department will provide information in the Police Blotter/Weekly Crime Report detailing the arrest of any suspects involved in child pornography related offenses. A broader, regional Press Release will subsequently be issued only if a finding of guilt is reached. The proposed modified policy (General Order) is attached.

2. Darkness to Light’s Training Program

Greenbelt CARES has researched a training program provided by the Darkness to Light organization as noted in the attached August 19, 2014, memo from Liz Park, Greenbelt CARES Director. This program “raises awareness of the prevalence and consequences of child sexual abuse by educating adults to prevent, recognize and react responsibly to the reality of child sexual abuse.” This program has been recognized as a model by the federal Office of Juvenile Justice and Delinquency Prevention. The YMCA of Greater Washington has staff to conduct this training at an affordable cost, \$10 per person.

It is recommended the city host/fund an initial training of CARES staff and up to 25 persons, as an initial effort.

3. City Policy

A survey of other county and municipal governments which are members of the Metropolitan Washington Council of Governments has determined that no one has a policy on this specific issue. However, Greenbelt, like other governments, does have a policy that if an employee is convicted of “a felony or any offense involving moral turpitude” (City Code section 13-163) the employee can be dismissed or suspended. The City Code further allows for an employee to be suspended while “an investigation, hearing or trial of an employee for any civil or criminal charge is occurring” (City Code section 13-75).

The above language provides the city sufficient authority and direction to act in a case where an employee is accused or convicted of child pornography or sexual abuse. However, if Council feels a more specific policy is necessary, attached is draft policy direction for review and consideration.



/amb

Suggested Policy on Child Pornography or Child Sexual Abuse by City Employee

If a city employee, classified or non-classified, is arrested and/ or charged with possessing or engaging in child pornography or sexual abuse, it shall be reported immediately to their department head or the city's Human Resources Department. If as part of his or her position, an employee comes into contact with children, the employee will be immediately transferred to a position where he or she is not in contact with children. Suspension of an arrested or charged employee may also be considered regardless of whether he or she has contact with children in his or her job.

If the employee is found guilty of possessing or engaging in child pornography or sexual abuse, the employee will be terminated.

Greenbelt Police Department – General Orders

	Title: Media Relations		Order #: 621	
	Effective Date: June 14, 2011 Original Issue: January 5, 2004	Review Date: May 11, 2011		
	<input type="radio"/> New	<input checked="" type="checkbox"/> Amends	<input type="checkbox"/> Rescinds	
Approved by: Chief James Craze			CALEA 5 th Edition	
CALEA Standard: 54.1.1 54.1.2 54.1.3			Pages: 6	

01 PURPOSE: To establish policy and guidelines for the release of information to the media.

02 POLICY: The Greenbelt Police Department recognizes that citizens must be informed about public safety issues and the activities of the police. The Department wishes to develop and maintain a flow of information to the news media with minimum disruption of police activity. A cooperative, open relationship with the media is mutually beneficial to the media and the police. The Department will actively seek to establish a climate in which the media may obtain information in a manner which does not hamper police operations. The Department will make information on its policies, programs and daily activities available to the media on a regular basis. The Department as an agency of government is open to any reasonable and timely examination by the media that does not disrupt its normal activities, jeopardize its investigations, or otherwise reveal information protected by law. The only other restraints normally placed on the release of information by the Department to the media will be related to the safety of persons involved in a police incident, information that might jeopardize an investigation, the right of defendants to a fair trial, protection of citizens against unwarranted invasions of privacy. The Department will not purposely supply misinformation or “disinformation” to the media. Information will be disseminated in such a manner as to ensure that first release information is equally available to all reporters.

03 INFORMATION WHICH MAY BE RELEASED:

- A. Most **teletype messages**, accident reports, incident reports, and arrest reports will be made available to the media upon request. Certain exclusions prohibiting the release of specific types of information are listed in Section 04 of this Order.
- B. Investigation information which may be released includes the following:
 1. The type or nature of any incident;
 2. The location, date and time, any injuries sustained, any property damage sustained, and a description of how any incident occurred;
 3. The amount and type of property taken, including its value, if known, rounded to the nearest hundred dollars. The case investigator will so notify the Press Information Officer (PIO) if these facts are not to be released;
 4. The address (hundred block) of adult victims;
 5. The name of a homicide victim after the next-of-kin has been notified;
 6. The number of officers or other persons involved in an incident and the length of an investigation;
 7. The name of the officer investigating the incident, his/her supervisor and their work unit; and,

8. Request for aid in locating evidence, a suspect or a complainant.
- C. Arrest information which may be released includes the following:
1. The name, age, description, residence, employment, marital status and similar background information of adult arrestees or of juveniles charged as adults;
 2. The substance or text of the charge as contained in a warrant, indictment or other charging document;
 3. The circumstances immediately surrounding an arrest including time and place, pursuit, resistance, any injuries sustained, possession or use of weapons by the arrestee or the police, and description of any property or other items seized; and,
 4. Amount of bond and/or place of detention if known.
- D. The Department will acknowledge that a juvenile arrest has been made including the sex, age, general area of residence of the arrestee and the substance of the charge (Arrested for...).
- 04 INFORMATION WHICH MAY NOT BE RELEASED:**
- A. The name of an arresting officer;
- B. The names of undercover officers;
- C. The names of suspects involved in domestic violence (victim protection);
- D. The home address or telephone numbers of Departmental personnel;
- E. Investigative information which may not be released includes the following:
1. The identity of the victim of child abuse or of any sex crime, or related information which, if divulged, might lead to the victim's identification;
 2. The identity of any juvenile who is a suspect or defendant in an incident over which the juvenile court has jurisdiction;
 3. The contents of any suicide note;
 4. Results of investigative procedures (line-ups, polygraphs, fingerprinting, etc.). The fact that such procedures have been or will be performed may be acknowledged;
 5. The identity of a victim or witness if such disclosure would significantly prejudice an investigation;
 6. Information regarding the specific identity or location of a suspect unless an arrest warrant exists; and,
 7. The amount of money stolen in a robbery.
- F. Confidential intelligence information will not be disclosed without the express permission of a supervisor having authority over the incident or investigation in question.
- G. The pretrial disclosure of the following information may jeopardize a defendant's right to a fair trial and will not be released:
1. Observations about an arrestee's character;

2. Statements, admissions, confessions, or alibis attributable to an arrestee;
3. The refusal or failure of an arrestee to make a statement or to participate or allow investigative procedures such as polygraph examinations, etc.
4. Statements concerning the credibility, character, or testimony of a victim or prospective witnesses;
5. Any opinion as to an arrestee's guilt, or the possibility of a plea of guilty to the offense charged;
6. Statements concerning evidence or arguments in the case, whether or not it is anticipated that such evidence or argument will be used at trial;
7. Mug shot or other photographs of arrestees will not be released until after conviction, unless a valid law enforcement function is served; and,

H. The medical condition or medical facility to which a victim/suspect has been transported.

05 INTERNAL AFFAIRS MATTERS:

- A.** Internal investigations are personnel matters. The Department and its personnel are prohibited by law from releasing information to the media about such matters unless the involved employee waives the privilege of confidentiality.
- B.** An employee may request waiver of the confidentiality of his/her case by forwarding a memorandum to the Chief of Police via chain of command.
- C.** An employee who releases information about his/her case to the media will be deemed by the Department to have waived confidentiality.

- D.** An employee who elects an open trial board or other open hearing, or who appeals a decision to the Circuit Court, will be deemed by the Department to have waived confidentiality.
- E.** The Department may comment to the media in those cases where confidentiality has been waived. In such cases, comments will only be made after receiving explicit consent of the Chief of Police.

06 MEDIA ACCESS TO POLICE SCENES AND POLICE HEADQUARTERS: (CALEA 54.1.1.a)

- A.** Departmental personnel will recognize valid identification from all local, national and international news organizations in accordance to appropriate privileges to individuals holding such identification.
- B.** Employees will extend every possible courtesy to accredited media personnel at a police incident scene.
 1. Media personnel will not be restricted from a scene beyond what is necessary for crime scene preservation.
 2. Media personnel will be permitted closer access (generally providing an opportunity to view the scene) than that which is granted the general public. However, the media will not be given access to an area where their presence would interfere with law enforcement operations.
 3. Access arrangements will:
 - a. Be restricted until the officer in charge determines the area is safe; and,
 - b. Allow press vehicles and equipment to be located closer than the general public so long as those arrangements do not interfere with the police mission at hand.

- C. Media personnel will be allowed to photograph, film and videotape officers, suspects, witnesses or victims under any circumstances where a member of the public would be permitted to view the same.
- D. Officers will neither encourage nor prevent the photographing of defendants in public places. However, in no case will posing for photographs of defendants be allowed.
- E. Persons in custody will not be permitted to be interviewed nor will officers be interviewed while an arrestee or prisoner is present.
- F. Officers will not instruct or warn victims or witnesses not to talk to media personnel, although officers may caution victims or witnesses about disclosing specific evidentiary information.
- G. Media personnel will be afforded cooperation when visiting police headquarters.

07 ROLE AND FUNCTION OF THE PUBLIC INFORMATION OFFICER:

- A. The Chief of Police will designate an appropriate number of officers to fulfill the Public Information function.
- B. One full time employee assigned to be the Public Information Officer (PIO) will be responsible for scheduling all officers assigned to the PIO function to ensure a duty PIO is on-call and available twenty-four (24) hours a day. (CALEA 54.1.1.b)
- C. The full-time PIO is directly responsible to the Special Operations Commander and is the primary media spokesperson for the Department. Statements to the media concerning major cases or incidents will generally only be made by the full time PIO. The PIO is also responsible for: (CALEA 54.1.1.c)

- 1. Preparing and distributing media releases;

- 2. Preparing or promoting image building features about the Department;
- 3. Assisting media personnel covering route stories or at police incident scenes;
- 4. Being available for on-call responses to newsworthy incidents;
- 5. Arrange for, and assisting at, news conferences; (CALEA 54.1.1.d)
- 6. Coordinating and authorizing the release of information about victims, witnesses and suspects; and, (CALEA 54.1.1.e)
- 7. Coordinating and authorizing the release of information concerning confidential agency investigations and operations; (CALEA 54.1.1.e)
- 8. Preparing a weekly crime report and releasing it to the proper news medias. (CALEA 54.1.1.c)

- D. Supervisors will keep the PIO informed of developments in major cases. The PIO will be informed of anticipated major events such as raids and/or multiple arrests.
- E. Employees will only discuss incidents with media personnel, prepare media releases, or otherwise provide information to media personnel, in compliance with this Order, and will make the PIO aware of all such contacts or informational releases.
- F. Employees are prohibited from making statements or releasing further information to the media when a media release specifically states the Department will not release any further information or when other limitations have been imposed by the PIO, Special Operations Commander or Chief of Police.
- G. Media personnel routinely make "rounds" by telephoning the Department to learn of any newsworthy occurrences. All such calls will be

referred to the on-duty Shift Supervisor if the PIO is not working, who will provide information from prepared releases. Such callers may also be provided with the nature, time and location of any incident as well as a general description of the police response.

H. The Communications Specialist will ensure that the on-duty or on-call PIO is immediately notified of each of the following incidents:

1. Any felony resulting in death or serious injury;
2. Any shooting incidents involving an officer of the Department;
3. Any incident involving serious injury to an officer of the Department, or serious injury to another which may have been caused by an officer;
4. Any incident requiring an unusual police commitment, (i.e., special team, large number of officers, etc.).
5. Any incident which is receiving unusual media attention (media personnel at a scene, repeated inquires, etc.).
6. Any incident likely to arouse an unusual level of public interest;
7. Any incident where a Shift Supervisor requests the assistance of the PIO; or
8. Any fatal or near fatal motor vehicle collision.

I. Employees who experience difficulties with media personnel will report that fact to the PIO.

08 WEEKLY CRIME REPORT GUIDELINES:

A. Incidents that are normally included in the Weekly Crime Report:

1. All crimes, especially if an arrest is made, **to include** DWI/DUI arrests (**check daily log**), and incidents (both criminal and non-criminal in nature) that attract media attention, except:

- a. When the release of the information may jeopardize an investigation or the safety of a victim, witness or defendant, or cause embarrassment to a victim. (CALEA 54.1.1.e)
- b. Suicides and attempt suicides.
- c. Domestic assaults, child abuse, and sexual child abuse. (**Child pornography will however be reported to the media under certain conditions – (see 08 A 2. d.)**)
- d. Certain non-criminal incidents, such as emergency psychiatric evaluations, runaway juveniles and traffic collisions, unless fatal.
- e. Traffic offenses, unless involved in a fatal collision, or the person was also charged with criminal violation(s).
- f. Shopliftings (unless the suspect is charged with another criminal offense, such as assault, resisting arrest, possession of CDS, etc.).
- g. Theft of unattended property such as purses, cell phones, bicycles, law furniture, computers/equipment from office suites, unless an arrest is made. However, if there is a rash of thefts, then an alert can be put in the header before “Center City.”

2. Arrest Information:

- a. Generally, the names of all adults and juveniles charged as adults in connection with an entry shall be included, unless

it may jeopardize an investigation or put the defendant at risk of serious bodily harm or death, with the exception of domestic assault related arrests unless a homicide is involved. (CALEA 54.1.1.e)

- b. The names of juveniles charged as juveniles shall not be released, unless by court order.
- c. Auto related crimes where we make an arrest are to be listed under the section of the City in which they occur, not the automotive crime section. If the arrest is made out of jurisdiction by another agency, list the information in the sector the crime-related incident occurred.

d. Arrest information related to child pornography will be included in the Weekly Crime Report as long as the identity of victims and/or witnesses are not compromised. Upon a finding of guilt, a follow up press release will be issued.

- 3. Miscellaneous: Commercial burglaries-do not include means of entry.

09 OTHER AGENCY MATTERS:

- A. The Department is sometimes jointly involved with other agencies in newsworthy incidents where the Department does not have primary jurisdiction. In those cases the primary public information function will not be provided by the Department. Although the PIO may assist, all media requests will be referred to the agency having primary responsibility.
- B. Fire Scenes are under the jurisdiction of the Prince George's County Fire Department (PGFD). Officers will not allow media access to these scenes until

authority is granted by the PGFD scene commander or PGFD PIO.

- C. Federal laws prohibit the photographing of classified defense material, including selected aircraft, documents and hardware. In the event of an incident involving military aircraft in Greenbelt, military authorities may ask that officers enforce these federal laws. Supervisors will comply with all reasonable requests by the military in such matters.

10 REVIEW OF AGENCY'S POLICY:

When the Department policies and procedures relating to media relations are developed and/or revised, a review of the developments and collecting of suggestions from local news media will be sought after. This spirit of cooperation with the media should make the Department's relationship with news media a partnership in public relations and not an adversarial relationship.(CALEA 54.1.2)

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INTEROFFICE MEMORANDUM

TO: MICHAEL MCLAUGHLIN, CITY MANAGER *MM*
FROM: LIZ PARK, GREENBELT CARES *LP*
SUBJECT: RESPONSE TO JOHN ABELL PETITION
DATE: AUGUST 19, 2014
CC:

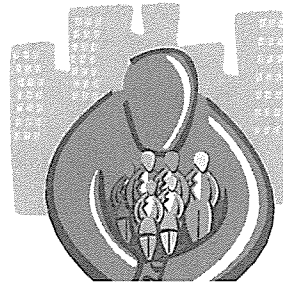
Greenbelt CARES supports the efforts of Mr. Abell to ensure that all children are safe from sexual abuse. In researching programs that offer training on this topic, the Darkness to Light organization was found. Their mission is to “Empower People to Prevent Child Sexual Abuse”. On their website they state, “Our programs raise awareness of the prevalence and consequences of child sexual abuse by educating adults about the steps they can take to prevent, recognize and react responsibly to the reality of child sexual abuse.” This organization offers both online and in person trainings. Their trainings have been recognized by the Office of Juvenile Justice and Delinquency Prevention (OJJDP) as a Model Program to help prevent child sexual abuse.

Currently the closest training agency is the YMCA of Greater Washington. I have contacted them and they are willing to conduct trainings for the City.

It is the recommendation of CARES that the City of Greenbelt post on their website the link to the online training (\$10 cost) and that the City host an initial training for the Greenbelt Community. The training cost is \$10 per person. The City could consider hosting the first training for 25 Community members (cost of \$250) or the training could be offered at the cost of \$10 per participant with some scholarships available.

The Darkness to Light website is www.d2l.org

CITY NOTES



Greenbelt CARES

Week Ending October 16

The Caregivers Support Group continued to meet on the second Wednesday of the month from 6:15 pm to 7:45 pm at the Community Center, co-led by Helen Barnes, R.N. and Tom Patota, MSW. We have been joined recently by Andrew Waldron, social work intern.

The GAIL program has been collecting the results from the annual Green Ridge House Satisfaction Resident Survey. All surveys will be tabulated and the data compiled within the next few weeks and a report will be available for review by November 1, 2014.

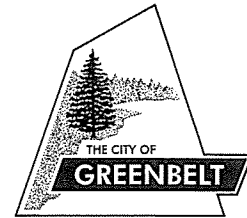
Shireen Blair attended training including two courses: Individual Crisis Intervention and Peer Support and Critical Incident Stress Management Group Crisis Intervention sponsored by UMBC and Emergency Response System of the National Capital Region-Maryland from September 24 to September 26.

Tom Patota, LCSW-C, attended a free ProAging Network training, "Person-Centered Technologies for Healthy and Connected Aging" with Dr. Helena Mentis on October 10 at UMBC.

Judye Hering attended the Internship Recruitment Fair at the University of Maryland's School of Public Health on Wednesday. The purpose of the fair was to introduce students to various internships and have them become aware of viable career paths after they graduate. Judye spoke with more than 30 students and received resumes from 15 students who expressed an interest in an internship with the Vocational/Educational program.

WEEKLY REPORT

Planning and Community Development
Week Ending: Friday, October 17, 2014



The following items highlight the various activities of the staff of Planning and Community Development for the past week.

CODE ENFORCEMENT

-
- Commercial Properties:** Hanover Office Parkway, Belle Point Office Park, parking lot behind Dunkin Donut, six Mack Cali commercial buildings and Greenbriar Community building were inspected.
-
- Rental Property:** Three rentals were inspected.
-
- Apartments:** Franklin Park at Greenbelt Station and Jane Apartments were inspected.
-
- Permits:** Twenty-nine permits were issued – twenty-two electrical residential, five commercial electrical, one commercial interior alteration and one residential solar panel.
-
- Complaints:** Three complaints were logged regarding tall grass, mold, electric sockets not working properly, flooring buckles, water leak, holes in floor and inoperable dish washer; and Two prior complaints were re-inspected.
-
- Windshield Inspection:** Franklin Park at Greenbelt Station common area was observed; and 7427 Morrison Drive and 7509 Mandan Road were observed regarding POD's in the City right-of-way;
-
- Construction Sediment Erosion Control:** Reviewed plans from Northern Pipeline for construction in the right-of-way at 111 Centerway to install gas line.
-
- Animal Control:** Investigated possible cruelty case;
Assisted resident with feral cat;
One stray cat impounded;
Four cats trapped – three were neutered and released; one cat euthanized due to cancer;
Blue Heron was found in lake with a broken leg contacted wildlife rehab and bird was transported for evaluation;
Raccoon was removed from dumpster; and
One cat and one dog were adopted;
-
- Alarms:** One new commercial alarm license was issued;
Four false alarm warning notices were mailed; and
Three false alarm invoices mailed.
-

Meetings: *Staff Attended:*

Theater projection equipment meeting;

City Council Executive Session;

City Council meeting to present presentation on General Service Administrations Environmental Impact Statement for potential FBI site and the NASA Goddard Space Flight Center Historic Impact survey;

Advisory Planning Board meeting; and

Greenbelt Station transportation progress report meeting at State Highway Administration's District Three office;

Staff Met With:

Forest Preserve Advisory Board regarding pumpkin walk;

GHI staff and Pepco to review right-of-way vacation;

City of Bowie and City of College Park Directors of Planning to discuss State legislation related to gaining planning authority; and

Greenbelt Station developers to discuss progress, review revisions to detailed site plans and tour the model homes/new construction areas on site.

Planning Projects: *Reviewed pay requests from GTM Architects and G & G Construction regarding the Greenbelt Theater;*

Reviewed staff memo regarding pedestrian safety at Springhill Lake Elementary School;

Prepared agenda and minutes for Forest Preserve Advisory Board meeting;

Coordinated with staff regarding Greenbelt Station permit release;

Responded to FOIA request;

Conducted common area inspection at Franklin Park;

Responded to zoning inquiries;

Reviewed a request for an electric car charging station to be placed adjacent to GHI designated parking space in city right-of-way;

Reviewed submittals for Springhill Drive Safe Routes to School project;

Drafted position letter on Draft FY 2015-2020 Consolidated Transportation;

Reviewed State Legislation;

Updated Planning work program;

Prepared City Council comment letters for Area Development Plan for Goddard NASA Section 106 process and FBI General Service Administration's Environmental Impact Statement;

Reviewed preliminary Phase 2 detailed site plan for Greenbelt Station and prepared bond release letters for completed rough grading of roadways;

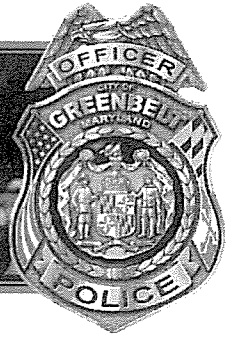
Continued with evaluation of pedestrian safety, volume, and flow at Springhill Lake Elementary School's free breakfast program;

Continued preparation of recommendations for managing flow and bus traffic conflict;

Continued to organize permit status management files for closed and active city permits; and

Prepared minutes and agenda for the advisory planning board meeting.

Other Items of Interest: *Delinquent fees audit and collection.*



CRIME REPORT

OCTOBER 16, 2014

This activity report is provided as a public service to the community. It is intended to give an overview of the criminal activity within Greenbelt and is not a complete listing of all events and crime reported to the Greenbelt Police Department. The Weekly Activity Report is also available online at:

www.greenbeltmd.gov/police

The Greenbelt Police Department and Crime Solvers are offering a reward of up to \$1,000 for information leading to the arrest and conviction of the person(s) responsible for any of the unsolved crimes reported in this report. Call **1-866-411-TIPS** to report any information you may have. You can remain anonymous.

Additionally, you can anonymously report suspected drug activity in your neighborhood by calling our Drug Tip Line: 240-542-2145.

CENTER CITY

See Automotive Section

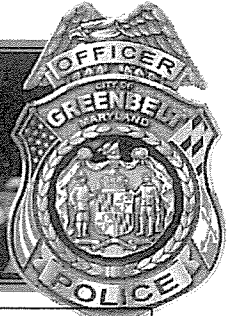
FRANKLIN PARK/BELTWAY PLAZA/GREENBELT METRO/CAPITOL OFFICE PARK

10/08 10:02 P.M.	6200 block Breezewood Drive. Burglary arrest. Rayshawn Antonio Tillery, 20, of Upper Marlboro, MD was arrested and charged with 4 th Degree Burglary, Trespass and Peeping Tom after he was observed on the patio of a residence peering into windows. The suspect fled the scene and was apprehended nearby. The suspect was transported to the Department of Corrections for a hearing before a District Court Commissioner.
10/09 8:11 A.M.	6100 block Breezewood Drive. Burglary. The victim advised that on October 5 th unknown person(s) used unknown means to enter his residence and take a laptop computer.
10/09 11:10 P.M.	Area of Springhill Lane and Market Lane. Assault. The victim advised that he was walking down the street when he observed the suspect approaching him from behind. The suspect displayed a handgun, at which time the victim 'slapped' the gun away and fled the scene. The victim then heard what sounded to be a gunshot. The victim, who was not injured, ran to a nearby residence and police were called. The suspect is described as a black male, 5'8" to 6', 140 pounds, wearing a blue hooded coat.



A NATIONALLY ACCREDITED LAW ENFORCEMENT AGENCY

GREENBELT POLICE DEPARTMENT



10/10 6:42 A.M.	5800 block Cherrywood Lane. Trespass arrest. Delonte Derrick Hamilton, 20, of Bryans Road, MD was arrested and charged with two counts of False Statement and Trespass by an officer responding to a report of a suspicious person. The suspect was transported to the Department of Corrections for a hearing before a District Court Commissioner and for the service of four open arrest warrants through the Charles County Sheriff's Department.
10/12 11:30 A.M.	6000 block Greenbelt Road. Theft. Unknown person(s) removed a wallet from an unattended shopping cart at the Giant Supermarket.
10/14 9:15 P.M.	5900 block Cherrywood Terrace. Vandalism. Unknown person(s) used a rock to break out the bedroom window of a residence.
10/15 4:21 P.M.	6100 block Breezewood Court. Burglary arrest. A 16 year old Washington, D.C. youth was arrested for 4 th Degree Burglary after he was observed inside a vacant apartment. The youth was released to apparent pending action y the Juvenile Justice System.

GREENBELT EAST/GREENWAY SHOPPING CENTER

10/14 8:45 P.M.	7400 block Greenbelt Road. Theft. Unknown person(s) used unknown means to break into three lockers at LA Fitness and take cash and a wallet.
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Automotive Crime - City Wide

10/08	100 block Centerway. Theft auto. Unknown person(s) a possibly unsecured vehicle and removed money from a wallet.
10/09	7600 block Mandan Road. Theft from auto. Handicap placards were taken from two vehicles after unknown person(s) broke a window to gain entry into each vehicle.
10/09	6900 block Hanover Parkway. Theft from auto. Handicap placards were taken from three vehicles after unknown person(s) broke a window to gain entry into each vehicle.
10/09	200 block Lakeside drive. Vandalism to auto. Unknown person(s) vandalized a vehicle by scratching the paint and entering the possibly unsecured vehicle and cutting the interior of the vehicle with an unknown sharp object.



A NATIONALLY ACCREDITED LAW ENFORCEMENT AGENCY

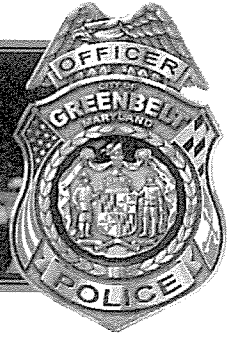
GREENBELT POLICE DEPARTMENT



10/10	5700 block Greenbelt Metro Drive. Stolen auto. The victim, a taxi driver, advised that he was at the Greenbelt Metro Station when he was approached by the suspect, who asked for a ride to the Laurel area. The suspect got inside the vehicle, at which time the driver and suspect got into a verbal dispute. The victim told the suspect to get out of his cab, then exited the cab and opened the back door to let the suspect out. The suspect got out of the back seat but then got into the driver's seat and drove away in the victim's cab. The suspect is described as a black male approximately 25 years of age, with black hair in deadlocks, wearing a hooded jacket. The vehicle was recovered October 12 th by the Prince George's County Police Department in the 5100 block of College Avenue, College Park, MD. No arrests were made.
10/11	7600 block Greenbelt Road. Theft from autos. The victim advised that she entered the Greenbelt Road Exxon to pay for gas and when she returned to the vehicle she observed that someone had broken out the front passenger window and removed her purse. A second victim advised that she had also entered the station to pay for gas and came out to find her purse missing from her unsecured vehicle. A witness described a possible suspect seen running to a waiting vehicle and fleeing the scene as a black male, wearing a grey hooded sweatshirt.
10/11	5 court Eastway. Theft from auto. Unknown person(s) removed an iPod and a laptop computer from a possibly unsecured vehicle.
10/12	7500 block Mandan Road. Vandalism to auto. Unknown person(s) vandalized a vehicle by scratching the paint and cutting two tires.
10/13	9100 block Edmonston Road. Tampering arrest. Marcus Mandela Robinson, 24, of Capitol Heights, MD was arrested and charged with Tampering, Theft, Possession of Burglary Tools and Rogue and Vagabond after he was observed breaking into a vehicle and taking a laptop computer. The suspect was located a short time later still in possession of the victim's property. The suspect was transported to the Department of Corrections for a hearing before a District Court Commissioner.
10/13	7800 block Walker Drive. Theft from auto. Unknown person(s) used unknown means to remove the catalytic converter from the undercarriage of the vehicle.
10/13	6 court Hillside. Attempt theft from auto. Unknown person(s) entered the victim's unsecured vehicle and rummaged through the glove box. Nothing was taken.



A NATIONALLY ACCREDITED LAW ENFORCEMENT AGENCY



CRIME REPORT TALLY SHEET

WEEK OF OCTOBER 16, 2014

The following list is comprised of the actual numbers of offenses reported during the week. Not all reports are included as narratives, only incidents of interest, unusual or public safety related items are included.

<u>GENERAL CRIMES</u>		<u>GENERAL CRIMES (CON'T)</u>	
Carjacking		Animal Bite	
Rape		Disruption of School Activities	
Armed Robbery		Transporting a Handgun in a Vehicle	
Attempt Armed Robbery		Reckless Endangerment	
Strong Armed Robbery		Emergency Commitment Petition	2
Attempt Strong Armed Robbery		Missing Person	
Burglary	2	Fraud	
Attempt Burglary		Unattended Death	
Assault	1	Alcohol Violation	
Domestic	1	False Report	
Drugs		Harassment	
DUI/DWI		Field op (suspicious person)	
Theft	5	Notification for other agency	
Vandalism	2	Sexual Assault (In two of the cases the suspect was known to victim. See WCR for the other incident)	3
Child Abuse		<u>VEHICLE RELATED CRIMES</u>	
Unattended Child		Stolen Vehicles	1
Trespass	1	Recovered Stolen Vehicles	1
Disorderly Conduct		Recovered Stolen Tags	2
Failure to Obey Lawful Order		Theft From Vehicles	10
Credit Card Offense		Attempt Theft From Vehicles	1
Telephone Misuse		Attempt Theft of Vehicle	
Counterfeit Money		Vandalism to Vehicles	2
Suspicious Person		Accidents	4



Department of Public Works

Week ending October 17, 2014



ADMINISTRATION

- Continued project management and oversight of the theater project.
- Met with the Assistant Director of Recreation and the Mechanical Engineer regarding the HVAC project at the Community Center.
- Met with the Assistant Director of Planning and City Manager regarding proposed WSSC work in the right-of-way.
- The Human Resource Director, the City Manager and the Acting Director conducted interviews for the Superintendent of Parks position.

HORTICULTURE/PARKS

- Removed and chipped branches at citizens' requests and used for recycling at the Northway Fields composting area.
- Collected trash in parks and playgrounds areas.
- Delivered picnic tables to GHI and Schrom Hills Park for Fall Fest.
- Raked mulch chips and pulled weeds in playgrounds around the City.
- Cut back limbs growing over the fence line at the tennis courts on the back side of the lake.
- Made repairs to a parks crew trucks bed.
- Pruned low branches on street trees on Mathew Street, Schrom Hills path, Ryan Way, Spring Manor Drive, Spring Crest Drive, Springshire Way and Greenwalk Court.
- Continued weeding and removing leaves from landscape beds in the City.
- Planted pansies and bulbs at Buddy Attic Park, Police Station and Boxwood village.
- Supervised contractor for landscaping maintenance in East and West Greenbelt.
- Prepared soccer, baseball and football fields for league play.
- Worked on repairing the wood pavilion at the 73 Court Ridge playground. The roof structure will be replaced and new post mounts will be installed.
- Repairs were made to a wooden bench at Schrom Hills. The pavilion was pressure washed in preparation for Fall Fest on Saturday.
- A hay wagon was picked up from the City of Laurel for use at Fall Fest.

FACILITIES MAINTENANCE

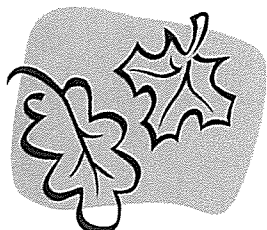
- Replaced the grease trap at the Community Center.
- Repaired the entrance door in the Adult Day Care Center and two doors at the Community Center.
- Performed annual fire inspection in all buildings.
- Continued assisting the contractor at the theater.
- Started the upstairs painting at the theater.

REFUSE/RECYCLING/SUSTAINABILITY

- Collected 34.21 tons of refuse and 13.57 tons of recyclable material.
- William Smith attended the PESA Conference.
- Distributed Shredding Day fliers throughout the City.
- Attended Maryland Multi City Boards and Commissions (MMC) meeting. In attendance from the Green Team and Green ACES were John Lippert and Michael Hartman, Jane Young and Lore Rosenthal.
- Attended COG's Built Environment and Energy Advisory Committee (BEEAC) meeting on Thursday.
- Helped coordinate a Lake Path cleanup and English Ivy removal at Buddy Attick Park on Friday. Sub-group Green Team leader Kim Knox led the effort and Erin Josephitis provided support.
- Started coordination of Win with your Bin – Recycle Right contest for America Recycles Day. Contacted REI and MOMs about donations. Picked up materials from REI on Friday.
- Attended weekly meeting with VMC Erin and Jeannie.
- Started composing Green ACES/Green Team agenda.

STREET MAINTENANCE/SPECIAL DETAILS

- Checked for graffiti and took down unwanted signs.
- Pushed debris at the Northway Fields compost site.
- Cleaned storm drains throughout the city.
- Repaired pot holes throughout the city.
- Put out barrels for the Farmers' Market.
- Removed all of the salt and sand from the salt dome, pressure washed the side walls and replaced several pieces of plywood on the walls in preparation for painting.
- Repaired a banner that had come down in the wind.
- Prepared a burial plot at the Cemetery for a Saturday service.



Greenbelt Recreation Department **Weekly Report**

Week Ending October 17, 2014

ADMINISTRATION:

- Department staff attended the National Recreation and Park Congress.
- Staff attended PRAB meeting.
- Met with engineering firm to discuss HVAC project at the Community Center.
- Researched pricing to repair/replace score board control boxes for the score boards at the Youth Center and Springhill Lake Recreation Center.

YOUTH CENTER/ SPRINGHILL LAKE/PARK RANGERS:

- Completed final preparations for Fall Fest being held on Saturday, October 18 (2pm-5pm) at Schrom Hills Park.
- The Youth Center gym will be closed beginning Monday, October 20th for annual floor maintenance. The Youth Center gym will re-open Monday, October 27th.
- The Springhill Lake Recreation Center gym will be closed beginning Monday, November 3rd for annual floor maintenance. The Springhill Lake Recreation Center gym will re-open Monday, November 10th.
- Received and processed a variety of park and facility permit requests.
- Staff is finalizing the Greenbelt Boys and Girls Club basketball permit.

ARTS:

- Met with representatives of CHEARS and alight dance theater to select artists for the pending Three Sisters Demonstration Gardens public/art signage commission. All parties are currently collaborating in the preparation of a selection committee report.
- Conducted multiple artist studio visits as part of ongoing efforts to recruit artists for Greenbelt's Community Center art gallery and for Recreation Department instructional programs.
- Attended the City's annual Advisory Board Banquet.
- Closing this week at the Greenbelt Community Center Art Gallery: aerial photography of the Chesapeake Bay's eastern shore by Peter Stern, along with cardboard sculptures of hives and rock formations by David Purcell. Preparations are being made for the installation of a new exhibition next week featuring collages by Julie Maynard and paintings by Julia Niederman.
- Ongoing activities this month include: editing of the Winter Activity Guide; preparations for the Festival of Lights Juried Art and Craft Fair; preparations for the next Artful Afternoon on Sunday, November 2, which will include the annual Greenbelt Dances! Expo; and design work for the Winter Youth Musical.

AQUATIC AND FITNESS CENTER:

- Attended National Recreation & Parks Congress in Charlotte, NC.
- Ordered materials for employee identification badge project.
- Made edits to winter brochure.
- Working with Public Works on winterizing the outdoor pool.

COMMUNITY CENTER:

- Staff supported the Advisory Board Banquet this past Sunday with logistics. This included an extensive set up, scheduling of bar staff and clean up. Thanks to Public Works for their assistance.
- Facility coordinators edited and managed the progress of the Winter Recreation guide.
- Updated part-time timesheets to reflect the new minimum wage.
- Supervisor attended the National Recreation and Park Association Conference in Charlotte, North Carolina. She was able to attend due to a Maryland Recreation and Parks Association scholarship. Educational sessions and networking were the focus with one+ continuing education credit earned. Session topics included leadership, employee management, creativity and marketing.
- 2015 renewal notices for pattern renters were emailed.
- There were 3 facility permits processed.
- There were 4 private rentals and 11 pattern rentals.
- The following groups received free space: Greenbelt Concert Band, Golden Age Club, Greenbelt Writers Group, Charlestowne Village, Greenbelt Volksmarchers, Greenwood Village and Widowed Persons Support Group.
- The following City groups received space: Be Happy, Be Healthy Yoga & Volleyball, CARES, City Council, PRAB and Advisory Planning Board.