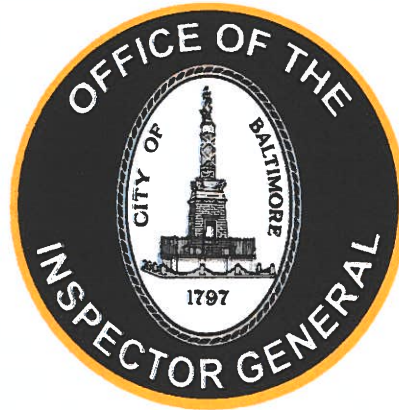


OFFICE OF THE INSPECTOR GENERAL CITY OF BALTIMORE



Isabel Mercedes Cumming
Inspector General

Investigative Report Synopsis

OIG Case # 21-0011-I

Issued: October 1, 2020



OFFICE OF THE INSPECTOR GENERAL
Isabel Mercedes Cumming, Inspector General
City Hall, Suite 635
100 N. Holliday Street
Baltimore, MD 21202



October 1, 2020

Dear Citizens of Baltimore City,

The Office of the Inspector General (OIG) received a complaint alleging inappropriate behavior by a Baltimore City Recreation and Parks (BCRP) employee (Employee 1). The complaint alleges that Employee 1's destruction and removal of a Black Lives Matter (BLM) art exhibit from Patterson Park (the Park) on July 31, 2020 was racially motivated. The complaint also states that multiple concerns about Employee 1's behavior have not been addressed by BCRP management.

The OIG interviewed Employee 1, former and current BCRP employees, and BCRP middle and upper managers. The BCRP Human Resources department assisted with the interviews. The OIG could not substantiate the allegation that Employee 1's removal of the BLM exhibit was racially motivated. Also unsubstantiated are the portions of the complaint alleging that BCRP management failed to address other alleged instances of Employee 1's racially and culturally insensitive behavior. However, the OIG does find that Employee 1 engaged in other behaviors that violated BCRP protocols and that BCRP management may not have properly addressed those behaviors.

Concerns about Employee 1's Behavior

Two BCRP employees informed the OIG that Employee 1 was heard using a homophobic slur referring to members of the LGBTQ¹ community, but neither employee reported the incident to BCRP management. The employees also alleged that Employee 1 is racist based on their removal of the BLM art exhibit, discussed below, and on their offensive statements about individuals of Latinix² decent. The two employees claimed they informed BCRP management of Employee 1's offensive statements about Latinix individuals, but BCRP management denied being informed.

Another BCRP employee (Employee 2)³ initially thought Employee 1 was racist based on the opinions of other BCRP employees and because Employee 2 heard Employee 1 used an offensive word when referring to a Latinix place of business. However, Employee 2 reversed their opinion of Employee 1 after working closely with them for over a year. Employee 2 now believes Employee 1 is uneducated about cultural and racial differences and unaware that certain comments and behaviors can be offensive to individuals from other ethnic groups, cultures,

¹ "LGBTQ" stands for Lesbian, Gay, Bisexual, Transgender, or Queer.

² Latinix describe a person of Latin American origin or descent and is a gender-neutral or non-binary alternative to the terms "Latino" or "Latina".

³ Employee 2 is African American and is a member of the LGBTQ community

REPORT FRAUD, WASTE AND ABUSE

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and the LGBTQ community. Employee 2 stated when they educated Employee 1 about the insensitivity of some of their comments or actions, the behaviors stopped.

Some BCRP employees informed the OIG that Employee 1 would, at times, engage in behaviors that were beyond his scope of duties. The OIG determined BCRP management was informed of these behaviors, but it could not determine whether corrective actions were taken.

In response to the above allegations, Employee 1 denied making any homophobic or racist remarks and denied engaging in any racist behaviors. Employee 1 confirmed they are engaged to an African-American individual and are a member of the LGBTQ community. Employee 1 further denied working beyond their scope of employment.

The Removal of BLM Artwork

On July 31, 2020, Employees 1 and 2 were partnered together. At the beginning of their shift, Employee 1 reviewed the BCRP permit list and informed Employee 2 that a BLM art exhibit was not on the authorized artwork permit list.⁴ Employee 2 reviewed the list and confirmed the BLM exhibit was not on the permit list.

Employees 1 and 2 jointly decided to review the exhibit once they arrived at the Park. The employees decided to remove the art, based on BCRP regulations, and loaded five pieces into their vehicle before leaving the Park. According to BCRP policy, if artwork or exhibits are displayed in a public park without authorization, it should be removed. Around 9:30 a.m., BCRP management contacted Employee 1 and informed them to stop dismantling the BLM artwork and to reinstall the previously removed pieces. The two employees returned to the Park and reinstalled the artwork with the assistance of another BCRP employee.

Employee 2, who is African-American, explained to the OIG they were a willing participant in the removal of the BLM artwork because the artwork was not on the permit list provided by BCRP management. Accordingly, removing the exhibit was consistent with BCRP Rules and Regulations §VI, Rule #27 and was within the scope their job duties. According to Employee 2, the removal of the BLM art exhibit was not racially motivated but resulted from a lack of communication.

OIG Findings

With regard to Employee 1's July 31, 2020 removal of BLM artwork in the Park, the OIG is unable to substantiate the allegation that the removal was racially motivated. The OIG also did not find any substantial and independent evidence to corroborate other allegations that Employee 1 is racist and/or homophobic. Furthermore, based on a lack of credible and corroborating statements or written documentation, the OIG is unable to substantiate the allegation that BCRP management was made aware of Employee 1's alleged racist and/or homophobic remarks and failed to take appropriate action.

⁴ By Sunday of each week, these BCRP employees receive a permit list for the upcoming week that lists all items, events, and activities permitted within a City park. In this instance, the BLM artwork was not on the initial permit list but was subsequently included on an updated list that Employees 1 and 2 had not received.

However, the OIG did substantiate the allegation that on at least two occasions, Employee 1 engaged in actions while on-duty that were outside the scope of their authority. The OIG found that BCRP management was made aware of these actions and BCRP provided the attached response.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Isabel Mercedes Cumming', written over a thin blue horizontal line.

Isabel Mercedes Cumming, Inspector General
Office of the Inspector General

Cc: Hon. Bernard C. "Jack" Young, Mayor of Baltimore City Hon.
Brandon Scott, President, City Council
Honorable Members of the Baltimore City Council
Hon. Dana P. Moore, Acting City Solicitor
Hon. Joan M. Pratt, Baltimore City Comptroller

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