

OFFICE OF THE INSPECTOR GENERAL
CITY OF BALTIMORE



Isabel Mercedes Cumming
Inspector General

Investigative
Report Synopsis

OIG Cases # 23-0044-I

Issued: May 16, 2024



OFFICE OF THE INSPECTOR GENERAL
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May 16, 2024

Dear Citizens of Baltimore City,

The mission of the Office of the Inspector General (OIG) is to promote accountability, efficiency, and integrity in City government, as well as to investigate complaints of fraud, financial waste, and abuse. The following synopsis is a condensed version of the full report provided to City management officials and does not contain all investigative information.

EXECUTIVE SUMMARY

The OIG received a complaint that alleged the Mayor's and State's Attorney's Offices were not budgeting for the Executive Protection Unit (EPU) that the Baltimore Police Department (BPD) provides. According to the allegation, the BPD absorbs the costs for the separate entities. The complaint also alleged that the costs for these EPUs have significantly increased during the tenure of the current Mayoral administration and former State's Attorney.

The OIG determined the Mayor's Office and the State's Attorney's Office budgets do not account for their EPU protection details as a line item. The BPD Commissioner's Office budget includes EPU expenditures since Fiscal Year (FY) 2021. The investigation also showed that the EPU budget expenditures have increased by over a million dollars from FY 2021 to FY 2023. The 2023 EPU expenditures amounted to approximately \$2.9 million. These expenditures do not include residence protection costs. Evidence indicates that the estimated costs for one residence protection detail are between \$400,000 and \$600,000 annually. The City of Baltimore (City) officials receiving EPU protection can also choose to be provided a uniformed officer and patrol vehicle that provides residence security 24 hours daily. The local BPD district that happens to hold the residence must administer the residence protection personnel and absorb the cost in their budget.

The OIG learned that EPU personnel work a Monday through Friday schedule, and overtime is required when a protectees work on weekends. Lastly, based on the OIG's review of records and interviews of past and present EPU members, the EPU does not appear to have formal policies to regulate and guide its operations.

BACKGROUND

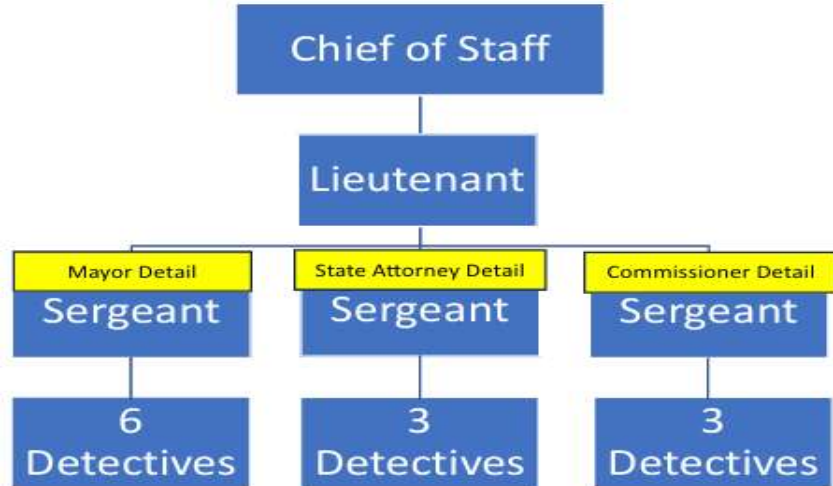
BPD's Executive Protection Unit (EPU) is responsible for the daily protection of the City's Mayor, Police Commissioner, and the State's Attorney. The EPU falls under the Police Commissioner's Office in the current BPD organizational structure. The EPU has 16 sworn members. Seven are assigned to the Mayor's detail, four to the State's Attorney's detail, and four assigned to the Police Commissioner's detail. A BPD Sergeant supervises each detail and reports to an administrative supervisor, which is currently a lieutenant. The EPU administrative supervisor reports to the Police Commissioner's Chief of Staff, as shown in Figure 1 below.

REPORT FRAUD, WASTE AND ABUSE

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Figure 1: Executive Protection Organizational Chart



METHODOLOGY

The OIG interviewed current and former EPU employees to learn about the EPU's operation, structure, and controls. These included interviews with a former EPU Administrative Supervisor (Former EPU Administrative Supervisor). The OIG analyzed BPD budgeting, expenditure information, and staffing plans from 2017 to 2023. The investigation also included, but was not limited to, reviews of correspondence, historical EPU information, and background information provided by EPU. Lastly, the OIG researched and obtained information about similar city markets for EPU units.

OIG INVESTIGATION

BPD Budgeting for EPU

A review of budgetary documents and data provided by BPD showed that the Mayor's Office and the State's Attorney's Office budgets do not fund their respective EPU details. Ledger transfers are commonplace for City agencies to transfer expenses from one entity to another. The investigation did not yield evidence of any ledger transfers for the costs of the EPU details.

The Former EPU Administrative Supervisor said that BPD fiscal personnel establish EPU's yearly budget and do not consult with EPU's supervisory or command personnel. EPU's expenses were included in the Office of the Police Commissioner's (OPC) overall budget in FY 2017 through FY 2020 (Table 1). The OPC budget increased throughout this period, but the EPU costs were not added as a budget line item within the OPC until FY 2021. Since then, EPU's actual budget expenditures have increased by \$1,174,860, equating to a 68% increase (Table 2). In FY 2023, the total cost amounted to \$2,895,102.

Table 1: Office of Police Commissioner Budget Expenditures before EPU became a separate line item

Actual FY 2017	Actual FY 2018	Actual FY 2019	Actual FY 2020
\$8,285,7777	\$8,859,053	\$10,042,887	\$12,547,830

Table 2: Executive Protection Unit Budget Expenditures

Actual FY 2021	Actual FY 2022	Actual FY 2023	Budget FY 2024
\$1,720,242.41	\$2,735,471.70	\$2,895,102.38	\$2,686,492

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Residential protection is also available to protectees, which BPD’s patrol division administers. EPU is not utilized in residential protection and does not incur these costs in its budget. This detail operates within the BPD Patrol District, which is local to the protectee’s residence. It operates on a 24-hour basis outside of a protectee’s residence.

The residential protection is available for all three officials. Currently, only one official is utilizing uniformed BPD personnel for protection. The funding for the five officers encompassing the official’s detail is charged to the local BPD Patrol District. The details incur two overtime shifts per week and three to four shifts during the summer because of leave required due to contracted schedules. Based on the five officers assigned and a review of BPD salaries, including employee benefits and potential overtime, the residential protection detail costs can be estimated to be approximately \$400,000 to \$600,000 annually.

Comparison to other Cities

The OIG reviewed 2022 Census Bureau population estimates to identify other municipalities with population sizes similar to the City. The OIG contacted these municipalities and reviewed publicly available information to obtain the costs of the protective services provided for their city’s officials (Table 3).

Table 3: Similar Size City Comparison of Protection Funding

City	Population	Size Rank	City Danger Ranking	Agency Providing Protection	# of Protection Personnel	# of Officials with Protection	Funding	Funding Notes
Boston	650,706	25	unranked	Police	11	3 (Mayor, Police Commissioner, & City Hall Security)	\$2.9M	Funding from police budget and includes salaries and benefits but does not include overtime or operating costs. The District Attorney also has a team but they are assigned to the District Attorney’s office, serve in an investigative role, and are not assigned by the police.
Portland	635,067	26	unranked	Private Security	3	1 (Mayor)	\$661K	Funding from City Hall and cost established as city ordinance.
Memphis	621,056	28	1	Police	7	2 (Mayor & Police Chief)	\$485K	Line-item budget was not made available but information shows \$486K is only based on a salary of 5 officers and 2 lieutenants. It does not include benefits, overtime, or unit operating costs.
Detroit	620,376	29	2	Police	23	3 (Mayor, City Council while in session, & Chief of Police)	\$2.2M	Funding from police budget but does not include overtime or operating costs.
Baltimore	569,931	30	6	Police	16	3 (Mayor, State’s Attorney, & Police Commissioner)	\$2.9M*	Funding from police budget and includes benefits, overtime and operating costs. *Does not include Residence Protection estimated to approx. \$400,000 to \$600,000. Totaling \$3.4M - \$3.6M
Milwaukee	563,305	31	8	Police	3	1 (Mayor)	\$786K	Funding from police budget. Includes overtime but not overtime or operating costs.
Tucson	546,574	33	unranked	Police	16	1 (Mayor)	\$196K	No specific budget for the security detail but is funding by the police. \$197K is the estimated salary expense and % additional stipend. It does not include overtime or the operating expenses.
Oakland	430,553	45	7	Police	Part-time Assignment As Needed	1 (Mayor)	\$360K	Funding from police budget. \$360K is only based on salaries for 3 officers and does not include benefits, overtime, or unit costs.

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EPU Overtime Use, Scheduling, and Staffing

According to information provided by BPD Fiscal Services, EPU overtime expenditures and budgeting have increased from FY 2021 to FY 2023 (Table 4).

Table 4: Executive Protection Unit Overtime Expenditures

Actual FY 2021	Actual FY 2022	Actual FY 2023
\$188,788	\$488,844	\$600,711

A BPD Fiscal Executive (Fiscal Executive) confirmed approximately \$600,000 was coded as EPU overtime in FY 2023. The Fiscal Executive confirmed that this amount includes EPU overtime worked by non-EPU personnel. They explained that if someone was assigned to the Northeast district but worked hours for EPU, it would be coded to EPU.

In response to the OIG's request for the amount of overtime that EPU personnel worked for EPU-related assignments, BPD's Fiscal Services compiled a document showing the 16 EPU personnel worked approximately 4,678 overtime hours in FY 2023. The overtime hours totaled \$331,131.15, which was charged to the EPU cost center code. EPU employees are permitted to work secondary assignments for overtime. These assignments include but are not limited to professional sporting events, traffic camera reviews, and building security. The BPD Fiscal Services overtime information indicates that the 16 EPU personnel worked roughly 3,325 hours for assignments not coded to EPU, totaling approximately \$236,288.85.

The Former EPU Administrative Supervisor stated overtime occurs when the protectee's day runs longer than the scheduled hours of coverage. This overtime mainly happens with the SAO and the PC units. The Mayor has overlapping shifts, so overtime is less common. Regarding the overtime costs, the Former EPU Administrative Supervisor reported that the three Administrative Non-Patrol Schedules for the EPU detectives only allow for weekday assignments. They explained that unit members cover all weekend shift assignments at their overtime rate. The Former EPU Administrative Supervisor acknowledged they are reviewing having the EPU staff be available to work on the weekends. Witnesses explained that there is a 32-hour maximum limit of overtime each week. The OIG examined both Fraternal Order of Police Unit I and II Memorandums of Understanding (MOU) with the City and could not identify any prohibition against weekend schedule assignments.

Regarding staffing levels, the Former EPU Administrative Supervisor said there is no written guidance on how many detectives or sergeants for each unit. The Former EPU Administrative Supervisor stated that while working through several protectee transitions, no official threat assessment determined the staffing level needs of the protectee.

Standard Operating Procedures and Training

The Former EPU Administrative Supervisor and another former supervisor reported that the EPU does not have formal standard operating procedures. Witnesses could not provide a definitive number of staffing requirements because there was no established staffing level standard. The EPU Former Administrative Supervisor reported identifying the need for operating procedures when they arrived at the EPU in late 2022. During their interview, the Former EPU Administrative Supervisor explained that they were developing a standard operating procedure for the EPU, but it had not yet been completed. New EPU staff receive on-the-job training directed by senior EPU members. Formal training classes are also completed with Federal law enforcement agencies and other local jurisdictions.

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INVESTIGATIVE FINDINGS

The OIG found that the EPU's operating budget has significantly increased between 2021 and 2023, going from \$1,720,242 to \$2,895,102. EPU has been a line item in the BPD budget under the Police Commissioner's Office since 2021. Before this, EPU's operating costs were a part of the BPD budget but not listed as a specific line item. The Mayor's and State's Attorney's Offices budgets do not account for EPU costs through ledger transfers. BPD absorbs the costs, which is consistent in other similarly sized cities with smaller expenditures. Moreover, the costs for the local BPD district's provided residential protection are not included in the EPU budget, and when factored in, the reported overall protection costs increase.

According to the BPD fiscal information reviewed, overtime costs have also increased within the EPU budget, totaling \$600,711 in FY 2023. A contributory factor for increased overtime use is that EPU's scheduling only allows for weekday assignments, and any overtime worked on the weekends would be at the overtime rate. Additionally, the OIG learned that the EPU did not have standard operating procedures or policies to regulate and guide its operations.

The OIG recommends that the EPU develop formal standard operating procedures for protection, including the optimum number of EPU staff needed and scheduling to promote efficient and effective use of EPU resources. Moreover, due to the 68% increase in EPU expenditures within recent years, the OIG encourages the Mayor's Office, State's Attorney Office, and BPD to collaboratively review protection processes to identify any cost-saving opportunities within the EPU budget.

Sincerely,



Isabel Mercedes Cumming
Inspector General

CC: Hon. Brandon M. Scott, Mayor of Baltimore City
Hon. Nick Mosby, Baltimore City Council President
Hon. Bill Henry, Baltimore City Comptroller
Honorable Members of the Baltimore City Council
Hon. Ebony Thompson, Baltimore City Solicitor