

# BALTIMORE CITY OFFICE OF THE INSPECTOR GENERAL

## 2023 ANNUAL REPORT



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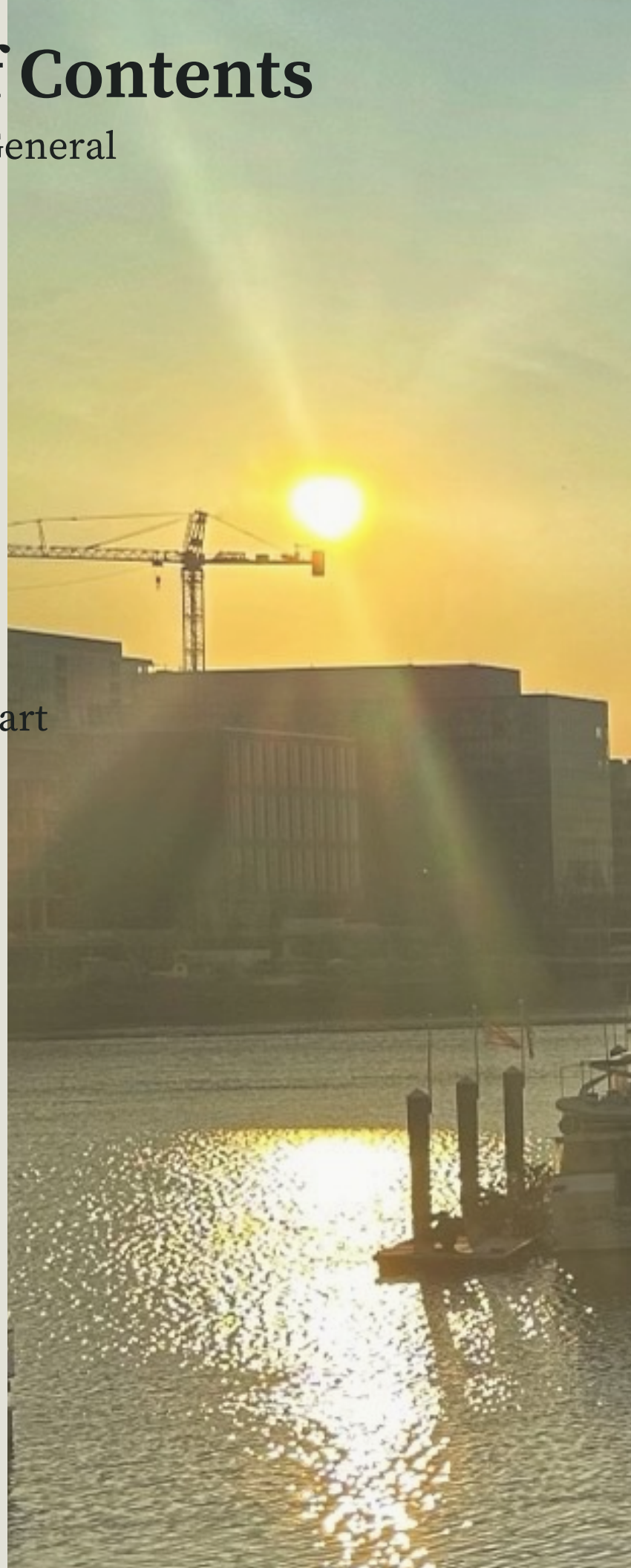
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# A Message from the Inspector General

Dear Citizens of Baltimore,

Once again, the Office of the Inspector General (OIG) owes the voters of Baltimore City a heartfelt thank you for voting in support of Question I. The purpose of Question I was to change the composition of the OIG Advisory Board from four elected officials to a group representing citizens from seven of the fourteen districts. The vote passed with an overwhelming majority of 86% of the vote! Thanks to the citizens of Baltimore, the new, truly independent board is up and running!

The OIG has steadfastly continued to be the Citizens' Watchdog. This year, the OIG received a recording-breaking 1,073 complaints. This number is a far cry from the 72 prior to this administration. Please know that Hotline complaints are the major source of our investigations.

At slightly more than \$2 million, the OIG's budget represents a mere .054% of the City's \$4.4 billion budget. Yet this year, our Office identified almost \$7 million in waste and/or savings. On behalf of the citizens, the OIG works tirelessly to hold government officials accountable and make governmental processes transparent.

As the Inspector General, I am, by Charter, also the Chief Ethics Officer for the City. I delegate the position to a highly qualified member of the staff, so full focus is on this key position. This year, the Board of Ethics had its first judicial hearing in history, and its position was upheld by a Circuit Court judge. The OIG strongly believes that without strong Ethics and Integrity, citizens cannot have effective government.

As I enter my sixth year as your Inspector General, I sincerely thank you for placing your trust in not only me but this entire Office. The OIG team will continue to move forward on the path to a stronger Baltimore.



With sincere gratitude,

A handwritten signature in cursive script, appearing to read "Isabel Mercedes Cumming".

Isabel Mercedes Cumming

# Our Mission

**The mission of the Office of the Inspector General is to promote accountability, efficiency, and integrity in City government by identifying waste, fraud, and abuse to ensure public trust in City government. Citizens have the right to expect effectiveness and honesty from responsive City leaders and qualities that are best fostered when the government polices itself and implements improvements in operational efficiency. The OIG contributes to these objectives through unbiased and independent investigations.**

## OIG Investigative Code

**As the OIG, our duty is to seek the truth with an objective mind, without the interference of prejudice, and regardless of politics**



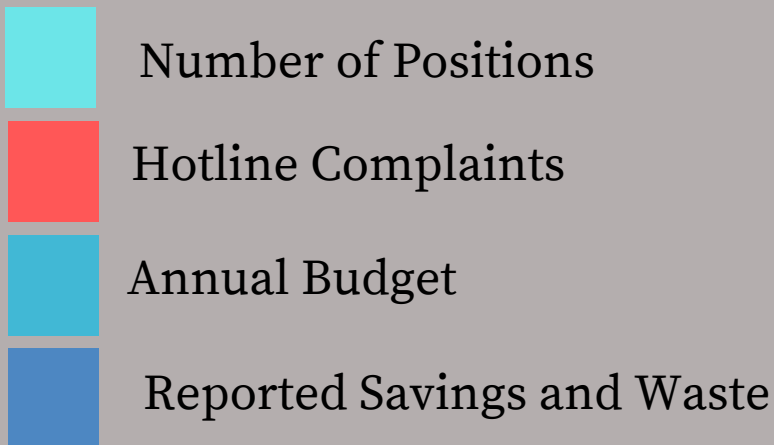
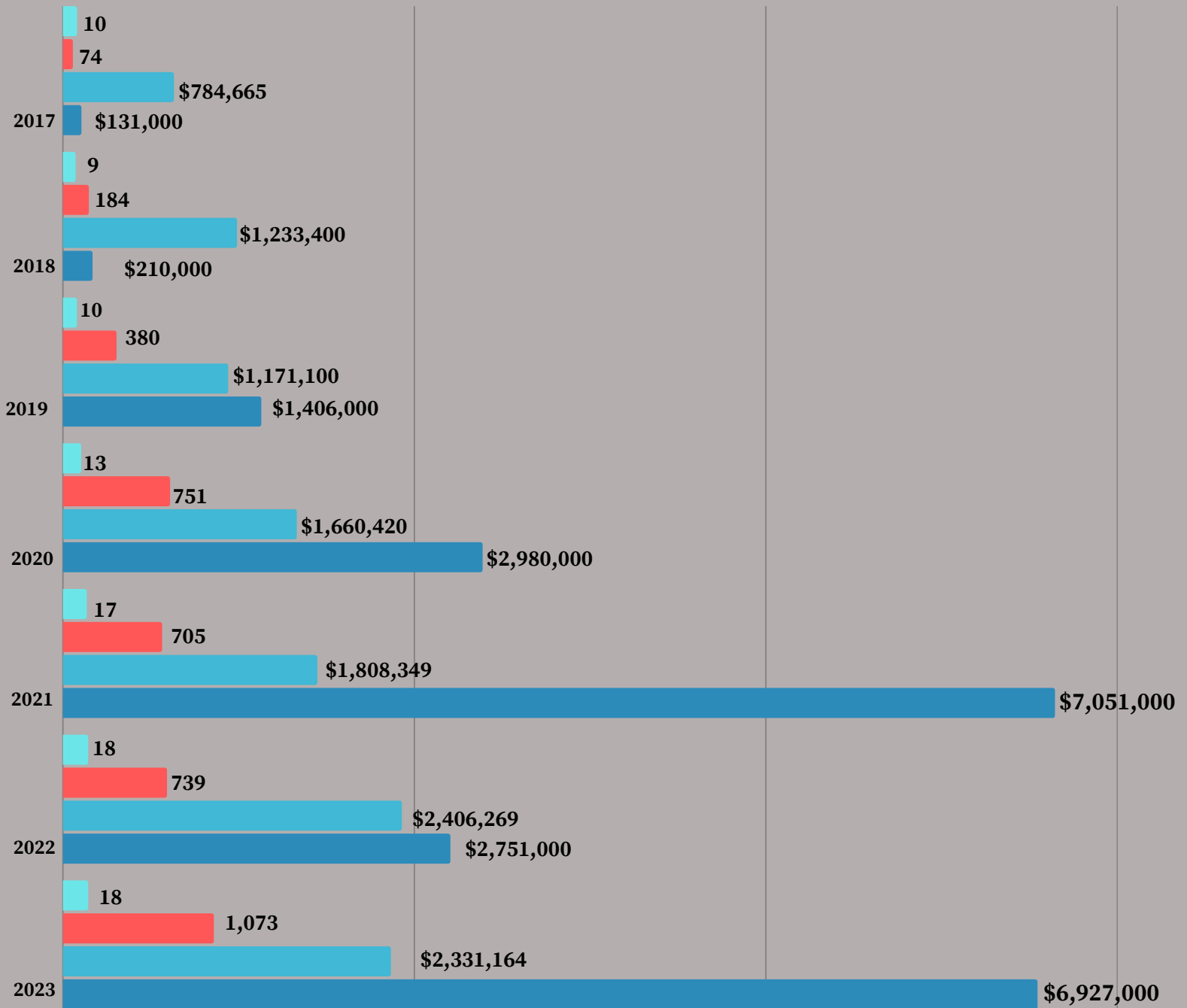
# The People's Highlights

**TOTAL SAVINGS:**

**\$ 6,927,062**

- **\$6,927,062.73  
Identified Savings or  
Waste**
- **1,073 Hotline Complaints**
- **16 Reports Issued**
- **92 Referrals**
- **27 Outreach  
Activities**

# Budget & Results History



# CITIZEN ADVISORY BOARD



Secretary/  
Certified Public Accountant  
**James Godey**



**CHAIRPERSON**

**Gayle Guilford**



Certified  
Fraud Examiner  
**Raymond White**



UB LAW DEAN  
**Ronald Weich**



UM LAW DEAN  
**Renee  
McDonald Hutchins**



MEMBER  
**Brittany Banks**



MEMBER  
**Gary Williams**



MEMBER  
**Lauren  
DiMartino**



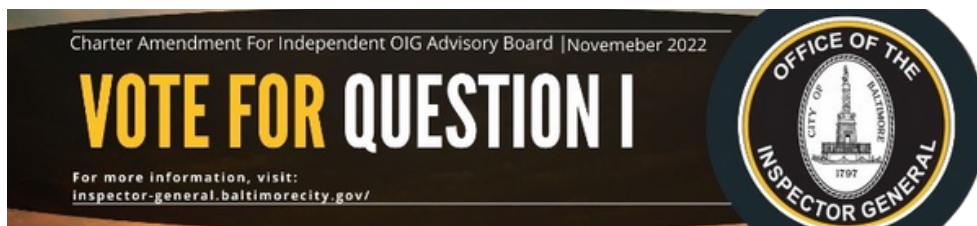
MEMBER  
**Michael Dowd**



MEMBER  
**Nicole Brehon**



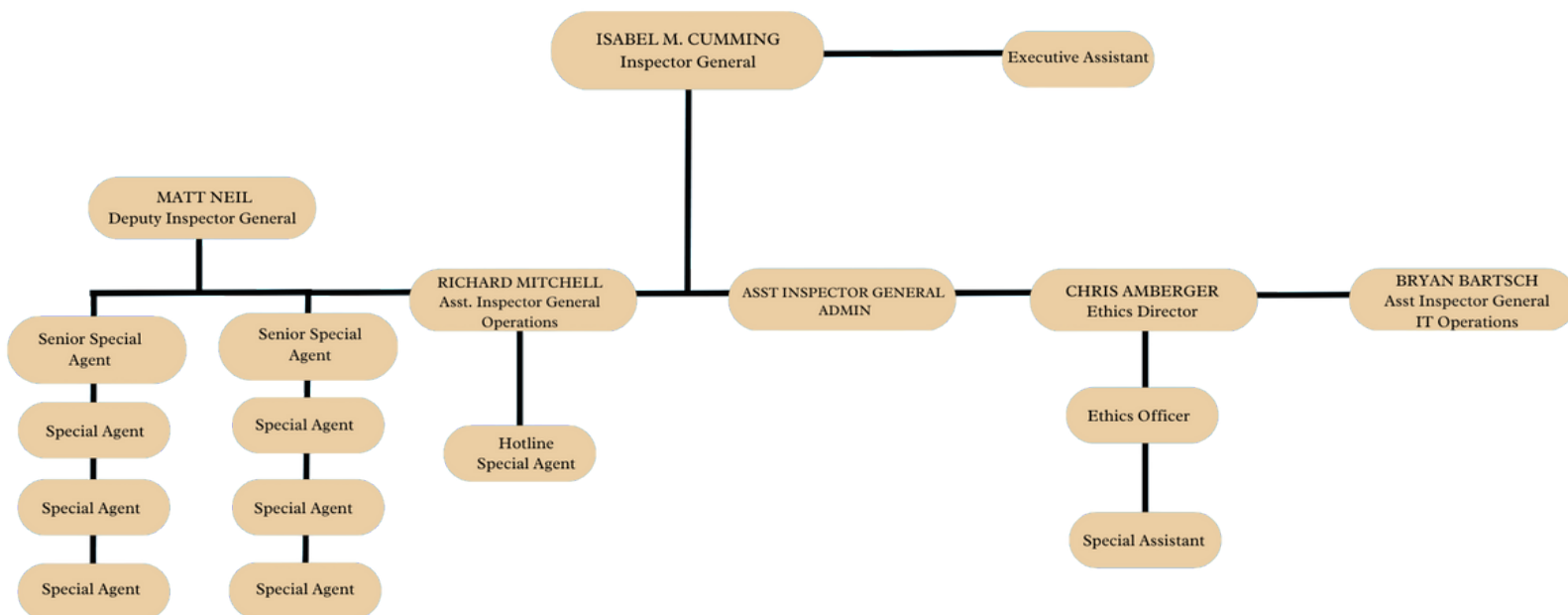
MEMBER  
**Ralph Brisueno**



**We often hear that our vote does not matter and that government is too entrenched to change. But in November, your vote did indeed count, and you changed government for the better: Eighty-six percent (86%) of Baltimore voters cast their vote in overwhelming support of Question I, which proposed to establish a new citizens-based advisory board to oversee the Office of the Inspector General (OIG). That means Baltimore citizens amended the City Charter only one year after the fundamental flaw of the original board was pointed out!**

**As a direct result of your vote, the new OIG Advisory Board is the citizens' voice in the OIG's budgeting process and, down the road, will select the next Inspector General. This Board is diverse and truly represents the citizens of Baltimore. The Board's mandate is to provide a voice for the citizens of our beloved City and to help make it a better place, with a strong and independent OIG leading the way!**

# Office of the Inspector General Organizational Chart





# Senior Leadership

## **Matthew Neil - Deputy Inspector General**

Deputy Inspector General, Matthew Neil, is a lifelong Baltimore City resident and leads the investigations unit and directs investigations of fraud, waste, financial abuse, and misconduct related to City programs, operations, and employees. He coordinates with City prosecutors and law enforcement agencies to leverage resources and fraud-fighting efforts. Matthew holds Certified Fraud Investigator (CFE) and Certified Inspector General Investigator (CIGI) certifications.

## **Bryan Bartsch - Assistant Inspector General of IT Operations**

Bryan Bartsch oversees and directs the day-to-day activities of the Office's information technology (IT), ensuring that systems, services, and infrastructure work reliably and securely. He also gathers and analyzes relevant data in support of investigations. Bryan has worked for the City for over 14 years and has been with the OIG for over five years.

## **Richard E. Mitchell - Assistant Inspector General of Operations**

Richard E. Mitchell is the Assistant Inspector General of Operations (AIGO). Before joining the OIG, Richard was a Staff Investigator for the Baltimore City Public School system from January 2013 to February 2020. While at the OIG, Richard held the positions of an OIG Special Agent, OIG Senior Special Agent, OIG Lead Agent, and Assistant Inspector General of Investigations. In those roles, Richard was responsible for completing complex investigations regarding allegations of fraud, waste, and abuse of City of Baltimore resources and the mentoring and leadership of other OIG Special Agents. He is certified as a CFE and CIGI.

## **Ivan A. Quinones - Senior Special Agent**

Ivan Quinones is a Senior Special Agent for the Inspector General. Prior to joining the OIG, he worked for the West York (PA) Area School District as Director of Safety & Security. Previously, he was the Director of Public Safety for Harrisburg (PA) Area Community College and performed the chief administrative role of the Department of Public Safety. SSA Quinones retired from the Maryland State Police (MSP) after twenty-two years of service, where he served as one of the top Commanders in the department. SSA Quinones received a degree in Criminal Justice from the University of Maryland and a Master's in Public Safety Administration and Leadership from Arizona State University. SSA Quinones is a veteran of the United States Marine Corps.

## **Ericka Spencer - Senior Special Agent**

Ericka Spencer is a Senior Special Agent. Before joining the OIG, she worked for five years at the Department of Public Safety Pretrial Trial Release, three years as an Investigator, and two years as a Case Agent. There, she managed a caseload of up to 90 defendants at a time, participated in the court unit, and, most importantly, contributed to public safety. She earned an undergraduate degree in Criminal Justice with a certificate in Investigative Forensics from Coppin State University and a graduate degree in Digital Forensics from the University of Baltimore.

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# RETURN ON INVESTMENT

The OIG serves a city with a workforce of more than 12,000 employees, and that is home to nearly 577,000 residents.

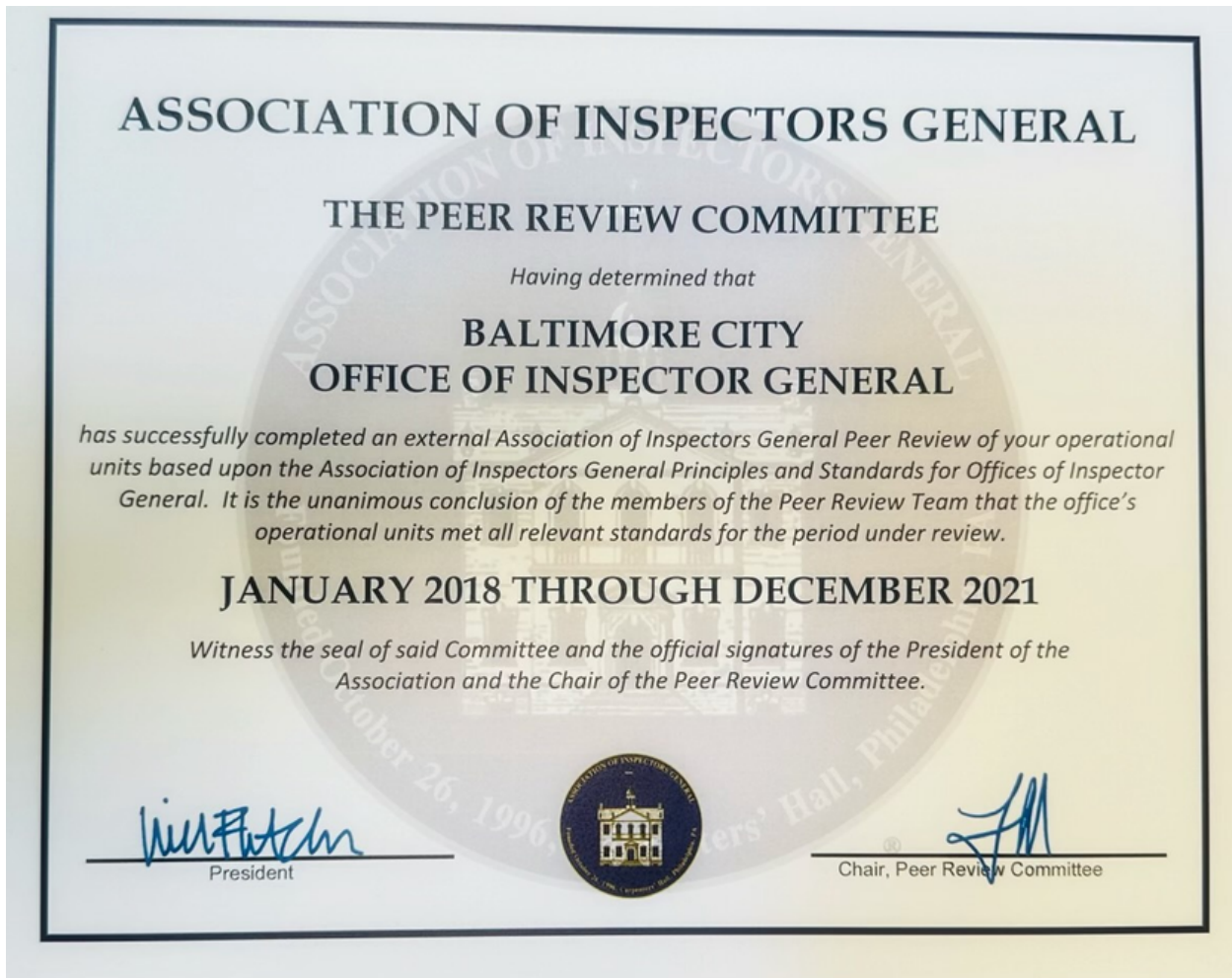
Most of the OIG's budget is dedicated to salaries and training. OIG investigations require competent investigators. All investigators are required to obtain their Certified Inspector General Investigator certification as well as Certified Fraud Examiner certification within three years.

With over 1,000 hotline calls and each agent carrying between three to four active cases, the challenge of addressing all investigations in a timely manner remains. The remaining portion of the budget is dedicated to operating costs, including case management software, computer hardware and maintenance, and two fleet vehicles. In an ongoing effort to act as good financial stewards of citizens' hard-earned tax dollars, we source all of our furniture needs from the City and State Department of General Services' surplus supply of used items and design our Annual Reports in-house.



**What is the cost for each resident of Baltimore City in relation to our budget? \$4.04 per person (OIG FY23 Budget \$2,331,165 divided by the population of Baltimore City 576,498)! Almost the same price as a large bag of UTZ Crab Chip Potato Chips!**

# First Peer Review in Baltimore OIG History - Overwhelming SUCCESS!



The Peer Review Team conducted in-depth reviews of completed investigations. They reviewed personnel files, meticulously scanned staff qualifications, and examined training records.

In addition, the Peer Review Team interviewed every member of the OIG staff as well as several stakeholders, both internal and external to the city.

It was a unanimous conclusion of the Peer Review Team that the OIG met all relevant AIG standards for the period under review.

The Association of Inspectors General (AIG) Conducted the first peer review in history within the Baltimore City Office of the Inspector General in November 2022.

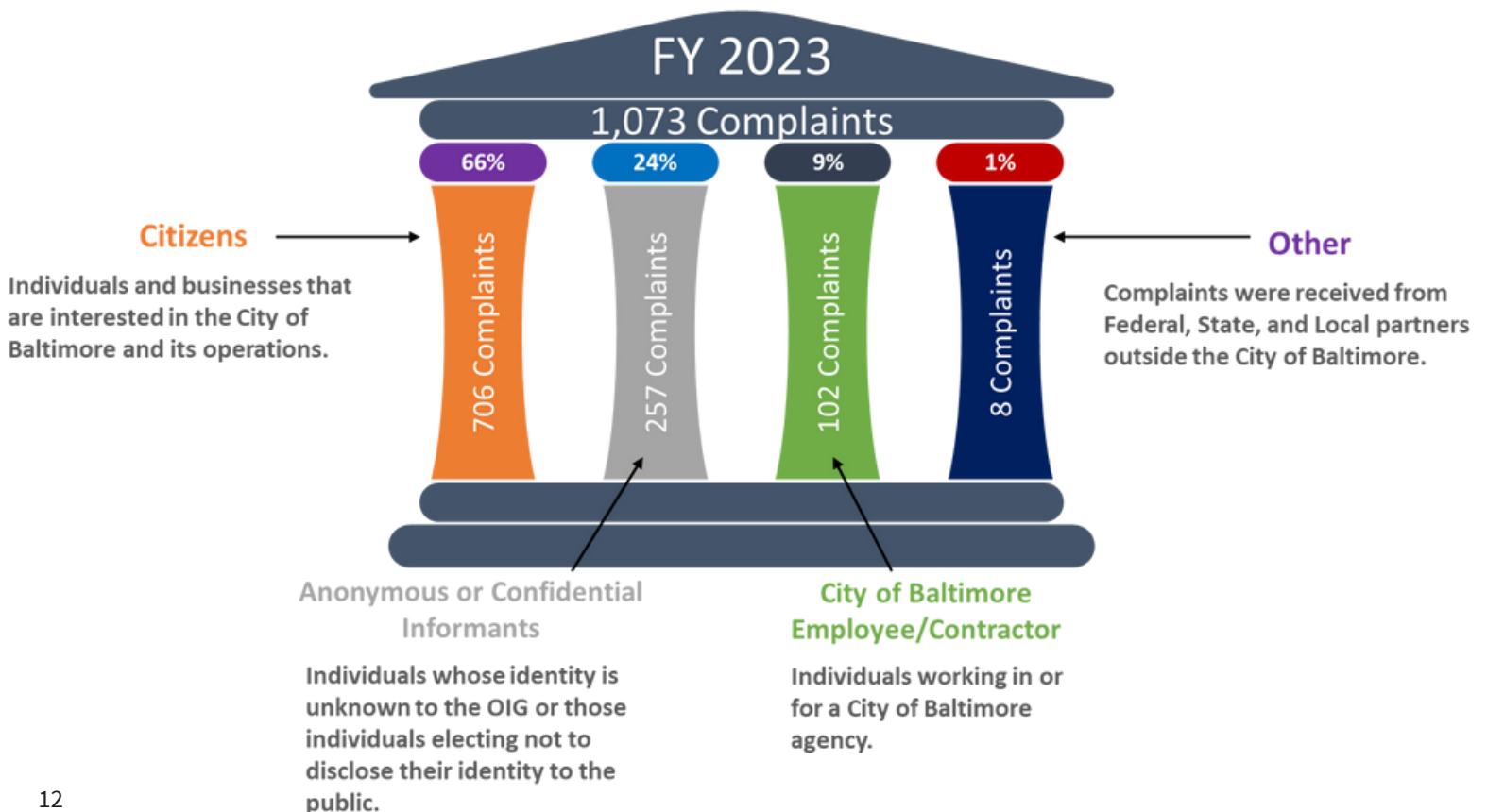
# FILING A COMPLAINT



The OIG receives numerous complaints every month. All complaints are carefully vetted to ensure they fall within the authority of the OIG in accordance with its mandate of rooting out fraud, waste, and abuse of the City’s financial resources.

Complaints made to the OIG hotline often involve issues related to Human Resources, such as personnel matters, employment-related decisions, or discrimination. The OIG does not normally investigate such claims unless the claims involve financial matters. However, every attempt will be made to assist a complainant by answering their questions and/or referring them to the proper agency.

## 2023 COMPLAINT STATISTICS



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# OIG OVERVIEW

## INVESTIGATIONS

The Investigations Division is responsible for conducting investigations into a broad range of alleged misconduct, including but not limited to fraud, bribery, theft, extortion, public corruption, waste of public funds, mismanagement, self-dealing, and nepotism. While the OIG is an investigatory agency, the Office is not an accredited law enforcement agency and consequently lacks jurisdiction with the power of arrest. Most of the investigations within the OIG are administrative in nature, but the OIG also conducts criminal investigations in cooperation with our law enforcement partners when appropriate.

## WHISTLEBLOWER

The Whistleblower Rights and Responsibilities Act went into effect on March 15, 2020. This law protects any City employee who makes a "covered disclosure" related to fraud, gross misuse or waste of public resources, violations of law, and abuse of authority. The scope of the covered disclosure is not limited to what was listed above, but personal grievances or policy disagreements do not qualify an employee to be protected. The law also requires the OIG to implement rules and regulations to enforce the law and aid the Department of Human Resources in training employees about the law.

## ETHICS

In April of 2020, the City Council voted for Baltimore's Inspector General to become the Executive Director of the Baltimore City Board of Ethics ("Ethics Board"). The Ethics Board is an independent entity that oversees the Baltimore City Public Ethics Law ("Ethics Law"), contained in Article 8 of the City Code. The Ethics Law ensures that City officials and employees serve the public with fairness and impartiality by prohibiting conflicts of interest, among other provisions.

The Inspector General designates staff to assist the Ethics Board in carrying out the Board's duties, which include investigating ethics complaints, promoting awareness of the Ethics Law, overseeing the financial disclosure and lobbying systems and processes, and answering all ethics-related questions from City officials, employees, and members of the public.



## Notable Cases

2023

### Crammed City Hall

The OIG began an investigation after receiving numerous complaints about a large number of people and lack of proper notification of a Council of the Whole (COW) City Council meeting held on April 26th, 2022, to discuss the Urban Homesteading Bill. At 10 a.m. on April 26, the CEO of Neighborhood Assistance Corporation of America (NACA) alerted Baltimore Police Department (BPD) officers to the large crowd expected to attend the meeting that evening. BPD began arranging for additional officers. However, the Department of General Services (DGS) Emergency Operation Coordinator did not start preparing more security until learning of the meeting at 1:00 p.m. that day. The OIG counted over 500 people attending that night, well over the posted capacity of 80 for the City Council chambers. The OIG confirmed it was the two Baltimore City Fire Department (BCFD) Fire Inspectors' job to do a head count and maintain the set capacity levels, which they did not do. The security measures at the entrance to City Hall also failed, with the ID system quickly being jammed, leaving a multitude of people whose identities could not be verified easily. If there had been an emergency, such as a fire or the crowd turning unruly, the size of the crowd would have created difficulties in mitigating the situation. Based on the results of this investigation, the OIG recommended that the City develop Standard Operating Procedures for larger City Hall meetings and a defined timeframe for notice to BCFD, BPD, and City Hall staff to allow for adequate event planning and safety for the citizens that attend.

### The Mummified Rat

The OIG went back to visit the Baltimore City Health Department's (BCHD) Druid Hill Sexual Health Clinic (Druid SHC) 19 months after the first visit, when BCHD promised to clean/fix certain areas. There is still evidence of rodents, insects, unsecured points of entry, non-operational camera systems, broken ceiling tiles, cardboard near electrical panels, and maintenance concerns regarding the women's restroom. The dead rodent observed in the basement window on the first visit in 2020 was still present in the same spot. The BCHD did make a few improvements; the dumpster overflowing situation has been resolved with a fence installation around the access area. The temperature control issue also appeared to have been resolved, with the temperature in the room matching the temperature on the thermostat. Additionally, the unsecured and damaged door reported after the first visit has been repaired and is secure.



## Notable Cases

2023

### No (Double) Degree

The Bureau of Accounting and Payroll Services (BAPS) hired an employee for a position that required a college degree. The employee later applied for two promotional positions within BAPS. One of these positions was a managerial position requiring a master's degree. On the first and following applications, the employee claimed to have received a bachelor's degree from a college in the Baltimore metropolitan area. The applications required confirmation that the information provided was correct and informed the applicant that any false or incomplete answer may be grounds for termination. The resume submitted included transcripts and a photo of the diploma for the master's degree, which was allegedly received in May 2001. The OIG interviewed a BAPS Chief who told investigators that the employee said they were enrolled in a master's program over 20 years ago but failed to complete their education. The employee also told the BAPS Chief that when they contacted the college, the registrar said they did graduate, but the degree was "never mailed." The OIG contacted the local college regarding this employee. The local college responded, revealing that the employee never completed a single semester and no transcripts were available. The employee is no longer employed by the City.

### One Person - Two Jobs at Same Time



The OIG received a complaint alleging a Mayor's Office of Minority & Women-owned Business Development (MWOBD) employee also was employed by the Baltimore City Public School System (BCPSS) between March and October 2022. The employee's scheduled telework hours for MWOBD were Monday through Friday, 9:00 a.m. to 5:00 p.m., with weekly hour-long meetings on Mondays and Thursdays. In February 2022, the same employee was hired by BCPSS in the Office of the Chief Technology Officer and was given a start date of March 14, 2022. The employee was scheduled to work Monday through Friday, 8:00 a.m. to 4:00 p.m., on-site until two days of teleworking from home began in May 2022. In October 2022, an administrator realized the employee held two jobs simultaneously and confronted the employee, who immediately resigned to keep their job at BCPSS. During the eight months, the employee received bi-weekly paychecks from the City and BCPSS, totaling \$35,665.88 from the City and \$68,688.75 from BCPSS, a combined gross of \$104,354.63. The employee is no longer employed by the City.

## Notable Cases

2023

### Amazonian Tax Evasion

The OIG received a Hotline complaint that a Mayor's Office of Neighborhood Safety & Engagement (MONSE) employee was placing orders on the City's Amazon account for personal items delivered to the employee's home address. The City of Baltimore maintains Amazon Business Prime accounts to allow agency cardholders to order products that fall within the City Purchase Cards (P-Cards) policy purchase requirement. P-Cards, according to policy, are the only payment method approved for these Amazon accounts, and the accounts are only used for urgently needed items and office supplies. The OIG reviewed records of all MONSE orders between May 2021 and December 2022. Investigators discovered that, between October 8th, 2021, and December 22, 2022, the employee purchased 23 personal items through the City's Amazon account. The purchases were charged to the employee's personal card that had been added to the account. All were self-approved. Due to the City's tax-exempt status, the employee did not pay Maryland sales tax for all 23 items. During the OIG interview, the employee admitted to knowingly avoiding paying taxes and delivery costs. The employee is no longer employed by the City.

### Old Building New Uses

In July of 2022, a Hotline complaint alleged that the Baltimore City Health Department (BCHD) leases the Hebrew Orphanage Asylum (HOA) for \$600,000 per year while only employing a single person to work in the building. The HOA was abandoned in 1989 and severely dilapidated until 2017, when the Coppin Heights Community Development (CHDC) and other community organizations began to restore it. The restoration was completed in 2019, and the City entered a 15-year lease paying around \$300,000 annually in rent that will increase by 3% each year. The building hosted multiple COVID-19 teams that worked two days a week, in addition to a community stabilization center (with the opportunity for a Tuerk House expansion). Currently, the rent, along with all taxes and operating expenses, are covered by the American Rescue Plan Act, which will end in 2025. The OIG found that at no time was there just one employee working at the HOA. It recommended that City work with the CHDC to use the space for City agencies and/or sublease unused parts of the building to offset the cost of the lease.





## Notable Cases

2023

# WATER WOES



The OIG received a complaint alleging that Department of Finance's (DOF) Bureau of Accounting and Payroll Services (BAPS) and Department of Public Works (DPW) employees neglected to pay a DPW vendor for a critical chemical used in the water treatment process. Without this chemical, an expert wrote that Baltimore could end up like Flint, Michigan. The failure to pay occurred when the vendor informed both DPW and BAPS in May and June 2022 that it would pause deliveries because of past due invoices of \$77,317.48 and a lack of response regarding price escalation requests for an increase of \$10.89 per unit. The OIG found that DPW coordinated with DOF and BAPS to receive an emergency procurement authorization and had most invoices paid on June 15, 2022. Due to these deliveries being disrupted, the Montebello water treatment plants I and II had critically low supplies of the chemical, which, if depleted, could possibly have caused a public health crisis. The OIG discovered miscommunication between BAPS and DPW, resulting in invoices not being paid. An email sent on November 19, 2021, regarding the price escalation was never addressed. The OIG recommended that these agencies strengthen communication processes to ensure that information is shared properly to avoid potential interruptions in these services, especially those with public health implications.

## Contract Confusion ? ?

This investigation began after the OIG received an anonymous complaint alleging that a Baltimore City Health Department (BCHD) vendor increased rates for services before work began, that a particular software added was not cost-beneficial, and that the vendor was billing for software at a higher rate than the actual cost. The OIG found that the vendor was granted a retroactive price increase on four items about six months after the Board of Estimates (BOE) approved the contract and before performing contract services. The reason given was that the vendor claimed the agreed-on terms were not financially viable given a decrease in service volume, although the contract explicitly stated that BCHD does not guarantee specific service volumes. Furthermore, the contract did not allow for a price increase during the initial term. Due to this price increase, the City paid an extra \$3,543,056. The OIG also found that the vendor then offered to provide 17 user licenses for software to BCHD for an annual cost of \$122,400 or \$10,200 monthly. The prior vendor provided the same service at no cost. The vendor used a third-party company's software and split the monthly payment, with \$4,335 for the third party and the vendor retaining \$5,865 for "overhead" costs. The OIG recommended that the City consider supplementing existing contract increase policies by establishing clear and comprehensive guidelines regarding the change order approval process for non-construction contracts and, specifically, when BOE approval for change is required.

# Notable Cases

2023

## KEEPING EMAILS CONFIDENTIAL

This investigation involved a division within the Department of Transportation (DOT). The OIG discovered emails from a DOT employee that potentially violated the City of Baltimore's Administrative Manual. From 2020 to 2022, the DOT employee sent numerous emails to an individual who was not an employee of the City. Using their City email account, the DOT employee sent emails containing DOT budget, financial, personnel, and operational information as well as potentially inappropriate personal correspondence. The OIG uncovered these emails and sent them to DOT management to determine if these emails violated policy for sensitive information, confidential information, and personal messages. The DOT found that the employee violated policy and reported to the OIG that the employee is no longer working with the City.



## Contract troubles

In 2018, the Department of General Services (DGS) began soliciting vendors to bid on a construction contract. The contract required bidders to sub-contract Minority Business Enterprise (MBE) and Women's Business Enterprise (WBE) contractors at a percentage that equaled or exceeded the established participation goals. To bid, a vendor is required to sign a Statement of Intent and an affidavit for MBE and WBE participation. According to the documents, the vendor who won the bid reported to DGS that they paid \$350,000 to MBE subcontractor 1, \$162,583 to MBE subcontractor 2, and \$120,000 to its WBE subcontractor. This was short of participation goals, so the vendor applied and was granted a waiver from the Minority and Women's Business Opportunity Office. The OIG obtained financial records that revealed that the vendor paid a total of \$17,000 to MBE subcontractor 1, \$177,747 to MBE subcontractor 2, and \$50,000 to the WBE subcontractor. The vendor paid a total of \$403,000 less than what was originally reported. The OIG turned over the investigation to law enforcement and referred the matters to the Law Department to review the findings for potential civil, administrative, or criminal violations of the City Charter.

## Notable Cases

2023

### Refund the refund

The OIG investigated a referral from the City's Department of Finance (DOF) regarding the DOF's Bureau of Revenue Collections (BRC) division's issuance of an erroneous \$2,014,571.63 refund to an incorrect party. A City vendor who processes multiple City bill payments improperly processed a payment that was supposed to satisfy a company's property tax. The vendor accidentally applied the payment to the wrong organization, and the owner of that organization then deposited the check into their bank account. The OIG, after subpoenaing the owner's bank information, discovered that the owner had spent approximately \$58,000 on purchases. The DOF, with the OIG's help, was able to have the bank return \$1,956,216.08 to the City. However, \$58,355.55 was not able to be recovered. This matter has been referred to the appropriate law enforcement entities for a criminal investigation against the owner.



ERS/EOS

EMPLOYEES' & ELECTED OFFICIALS RETIREMENT SYSTEMS

### Retroactive retirement payments

Implementation of the new payroll system and low staffing levels within the Bureau of Accounting and Payroll Services (BAPS) have caused a number of issues that were brought to the OIG's attention. For example, after the City reached new agreements with multiple labor unions, which contained wage increases, payment increases needed to be made retroactively as lump-sum payments. When BAPS began issuing these retroactive payments, they forgot to deduct retirement contributions totaling over half a million dollars. Baltimore City's Employees' Retirement System and its actuarial vendor determined that 4,341 employees did not have their retirement contributions deducted, totaling \$533,548.68. The investigation also found overpayments of 279 employees totaling \$4,390,464.68. The Department of Finance was able to reverse numerous payments, with over a million dollars remaining unaccounted for.

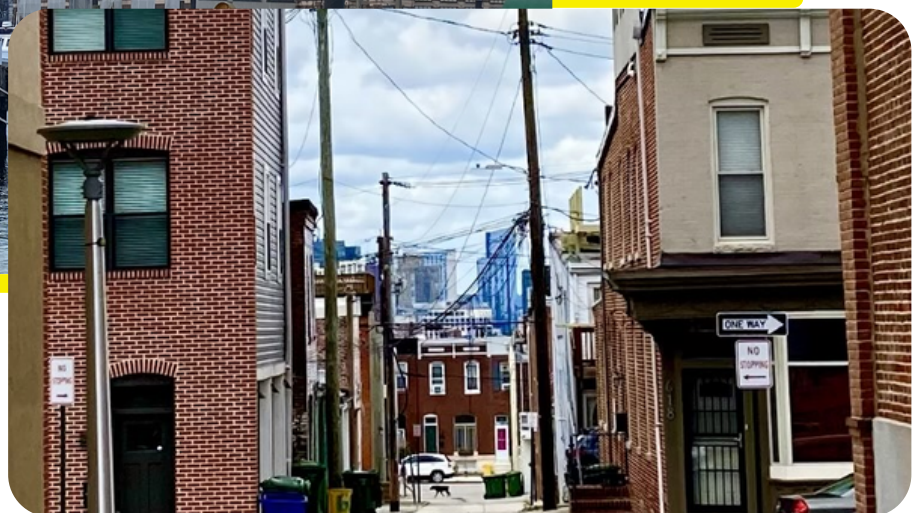
## Notable Cases

2023



# Pre-Signing Without Verification

The OIG investigated a complaint alleging that a Department of General Services (DGS) employee was signing service reports for a vendor before the work was completed. The investigation confirmed that allegation. The employee said there was only one instance where they pre-signed 27 service reports but admitted there were multiple occasions when completed service reports were signed without verifying that the work was actually done. During this investigation, the OIG uncovered a significant revenue and work assignment disparity between the vendor and other vendors on the contract. The vendor who the employee was signing for received approximately 80% of the contract's revenue, equating to \$5,808,839.27. The other four vendors on the contract received 13%, 5%, 1%, and 1%, respectively. The employee was disciplined by DGS, and a Standard Operating Procedure was created, presented, and signed by the staff.



# Ethics Report 2023

The Ethics Board is an independent body comprised of five members that oversee the Ethics Law, contained in Article 8 of the City Code. The Ethics Law ensures that officials and employees serve the public with fairness and independence by guarding against conflicts of interest and other improper conduct connected with City employment. The Ethics Law governs lobbyist registration and activity in the City.

The Inspector General serves as the ex officio Executive Director of the Ethics Board and designates an Ethics Director, Ethics Officer, and Special Assistant to staff the Board. The Board and its staff are committed to carrying out all of the Board's important duties, including investigating ethics complaints, promoting awareness of the Ethics Law, overseeing the financial disclosure and lobbying systems and processes, and answering all ethics-related questions from City officials, employees, and members of the public.

## FY23 ETHICS HIGHLIGHTS

**13** Ethics Complaints

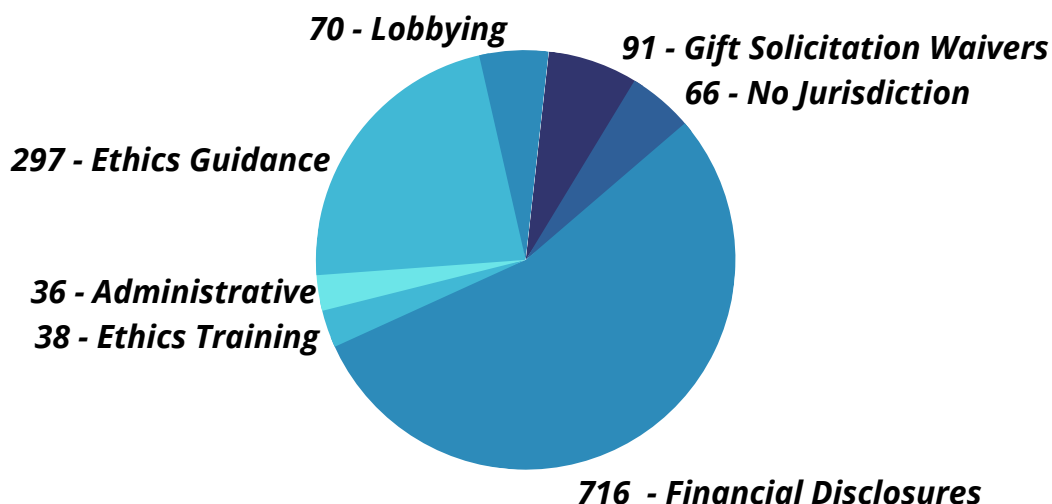
**465** Ethics Training Attendees

**146** Registered Lobbyists in 2022 and **105+** so far in 2023

**2,878** Financial Disclosures Filed in 2022 and **2,931+** so far in 2023

**1,314** Help Desk Requests

### HELP DESK REQUESTS BY CATEGORY



# CONTACT US



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Baltimore City  
Office of the  
Inspector General

Special thanks  
to our interns  
Catelyn Godey &  
Wyatt Gentner