

OFFICE OF THE INSPECTOR GENERAL CITY OF BALTIMORE



Isabel Mercedes Cumming
Inspector General

Investigative Report Synopsis

OIG Case # 19-0027-I

Issued: July 10, 2019



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



July 10, 2019

Dear Citizens of Baltimore City,

The Office of the Inspector General (OIG) conducted an investigation regarding waste and mismanagement in the Marine Unit of the Baltimore Police Department (BPD). The complaint alleged the Marine Unit's supervisor knowingly misused City resources related to the salvage of an abandoned boat in the Inner Harbor.

The mission of the OIG is to promote accountability, efficiency, and integrity in City government, as well as the investigation of complaints of fraud, financial waste, and abuse in City government. The investigation determined the salvage of the boat was ill conceived at its inception and the Marine Unit lacked the necessary equipment and skills to efficiently conduct the operation. Additionally, the investigation revealed the salvage operation was done in an unsafe manner: the tactics employed or considered during the operation created the potential for physical harm to officers, civilian personnel, and damage to City property.

Poor communication within BPD's Special Operations Division created confusion with no clear direction to ensure that the salvage operation was done effectively and efficiently. A program exists through the Maryland Department of Natural Resources (DNR) where abandoned boats are removed at no cost to the local jurisdiction. The investigation determined management within BPD was aware of this program but never utilized it. As a result of the Marine Unit's salvage operation, the boat was completely destroyed. The OIG determined a combined loss to the City for this operation to be \$30,142.25.

The OIG investigation determined BPD personnel provided contradictory statements to various entities, including senior BPD management, BPD Internal Affairs (IA), and/or OIG investigators.

In December of 2016, the Marine Unit began removing a 32' boat from the Inner Harbor adjacent to Thames Street. The removal operation took place during several days over the course of approximately three months. At the beginning of the operation, DZ was essentially intact; at the conclusion of the operation, the boat was reduced to a pile of wood and fiberglass (see attached photos). The value of the boat, intact, was estimated at \$11,700.

The OIG investigation could not determine who provided the authority for the Marine Unit to remove the boat. There were conflicting accounts between senior BPD commanders, mid-level managers, and the supervisor as to who provided the authority to conduct the boat salvage operation. In some instances, there were discrepancies in statements provided to the OIG and to investigators with IA as part of a separate investigation.

The salvaged boat was impaled on piling(s) in the water. Efforts by Marine Unit personnel included attaching a tow line from a smaller BPD boat to the salvage boat and attempting to dislodge it; attaching a tow line from a larger BPD boat to the salvage boat and attempting to dislodge it, then using a BPD utility truck and attaching a tow line from the truck on shore to the salvage boat and attempting to dislodge it. When those attempts failed, Marine Unit personnel made two separate inquiries with BPD Bomb Squad officers requesting the use of detonation cord¹ to wrap around the impaled pilings. The Bomb Squad officers denied the requests.

The OIG investigation determined an underwater chainsaw valued at approximately \$900 was purchased for the specific purpose of aiding in the salvage of the boat. Proper BPD procurement procedures were not followed for the purchase of the chainsaw. A BPD officer purchased the chainsaw with a personal credit card and was reimbursed several months later by the vendor after the requisition was approved by the City. The OIG discovered the officer provided inaccurate information to his commander regarding the purchase of the chainsaw. In an email he wrote to the commander that the vendor allowed them to borrow the chainsaw while the requisition was processed through BPD's fiscal department. The investigation determined that by the time the officer wrote the email to his commander, he had already purchased the chainsaw and the vendor confirmed they required full payment and did not allow the saw to be borrowed.

The salvaged vessel was ultimately dislodged and towed to the Boston Street pier for removal. A private tow company was contacted to remove the boat from the water when it was determined a Department of Transportation tow truck was not capable. The private company used a crane, a heavy-duty tow truck, and a flatbed tractor trailer to remove the boat from the water and tow it, at a cost to the City of \$7,367.

The OIG was made aware of a program available through the state Department of Natural Resources (DNR) where abandoned boats in public waterways are removed at no cost to the local jurisdiction. The investigation determined Marine Unit personnel, as well as BPD commander(s) were aware of the program. Contrary to statements provided during the investigation, the OIG found no information to indicate BPD personnel inquired as to the viability of the program in this instance. Based on the circumstances presented, DNR representatives confirmed the vessel in question could have been removed under the abandoned boat program, at no cost to the City.

Concerned Baltimore City residents provided the OIG with video and photos taken during the course of the salvage operation. The OIG consulted with experts in the field of vessel salvage and were provided copies of the video and pictures. In summation, their professional opinions indicated the methods used by BPD personnel were ineffective and dangerous. Specific comment was made regarding personnel not wearing life vests during the operation, the types and methods in which tow lines were attached from the BPD boats to the salvage vessel, and the strain placed on the BPD boats using ineffective towing methods.

The OIG investigation found inconsistent accounts by BPD personnel regarding the salvage operation, including attempts to contact the last registered owner of the boat, who would have been responsible for the costs associated with the salvage. Accounts provided by BPD personnel both in writing, and in statements to the OIG regarding contact with the last registered owner could not

¹ Thin, flexible tube/cord filled with high explosives.

be corroborated. In some instances, these accounts were contradicted by other current and former law enforcement personnel and there were no official records to support some of the statements made. Statements regarding attempts to contact both state DNR program personnel and private salvage companies regarding the abandoned boat could not be verified with representatives of the various entities.

In official response to OIG requests for information, BPD personnel wrote there was no overtime or compensatory time paid for officers involved in the boat salvage operation. A review of BPD records revealed at least three occasions where overtime/compensatory time was paid to officers as part of the salvage operation. Additionally, the OIG was provided with two copies of the same report related to the salvage operation where, in some instances the information provided in the reports was different.

In a response from Police Commissioner Michael Harrison, he wrote that the matter has been forwarded to the Public Integrity Bureau for disciplinary action. Additionally, he wrote the following changes have been directed:

- Management personnel visit the Marine Unit facility multiple times per week to inspect operations
- The Marine Unit supervisor is responsible for submitting a weekly calendar to management which outlines events for which the Marine Unit participates
- All personnel assigned to the Marine Unit will have the necessary skills and training to properly fulfill the Unit's responsibilities.

Sincerely,



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
Hon. Joan M. Pratt, Baltimore City Comptroller
Honorable Members of the Baltimore City Council
Hon. Andre M. Davis, City Solicitor