

OFFICE OF THE INSPECTOR GENERAL
CITY OF BALTIMORE



Isabel Mercedes Cumming
Inspector General

Investigative
Report Synopsis

OIG Case # 21-0050-I

Issued: March 30, 2022



OFFICE OF THE INSPECTOR GENERAL
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City Hall, Suite 635
100 N. Holliday Street
Baltimore, MD 21202



March 30, 2022

Dear Citizens of Baltimore City,

The Baltimore City Office of the Inspector General (OIG) received a complaint alleging a Baltimore Police Department (BPD) officer (Ofc. #1) may not have followed BPD procurement processes between March 2020 and December 2020 when Ofc. #1 procured multiple pieces of equipment (equipment) designated for BPD's use. Specifically, the complaint alleged that Ofc. #1 failed to report the procurement to BPD administration, as required by BPD policies and procedures, and retained custody of the equipment at their residence without the knowledge and/or approval of BPD command personnel.

In its investigation, the OIG reviewed the federal grant documents used for financing the equipment and communications between Ofc. #1 and other BPD personnel. The OIG also interviewed Ofc. #1, other BPD personnel, and personnel from the Annapolis, Maryland Fire Department (AFD).

The investigation revealed that although Ofc. #1's actions in procuring the equipment were permissible, Ofc. #1 may have neglected their duty to report those procurements as required by BPD General Order 01-87 *Control, Inventory and Accountability of Property*, which requires a BPD officer to report in writing to the BPD Property and Fiscal divisions upon receipt of property not originating from within the BPD. The OIG investigation did not reveal any evidence that Ofc. #1 adhered to this requirement.

Further, the investigation revealed that as a condition of procuring the equipment, BPD should have submitted a set of standard operating procedures (SOP) on the use of the equipment to the grant authority that funded the purchase. If such an SOP was not provided, BPD would be required to reimburse the grant authority for the costs of the equipment. The OIG investigation revealed that an SOP was submitted for one of the pieces of equipment, but not the second piece, for which BPD was forced to reimburse an unbudgeted \$1,374 to the grant authority.

Background

In July 2020, a BPD administrator (Ofc. #2) learned that Ofc. #1 procured the equipment from two sources outside of BPD, the Baltimore City Office of Emergency Management (OEM) and AFD. Both of these agencies use grant funding provided by the State Homeland Security Program (SHSP) through the United States Federal Emergency Management Agency (FEMA) and the United States Department of Homeland Security's (DHS) Urban Area Security Initiative (UASI). UASI funding is available to all emergency management entities in the United States for the procurement of materials and training that will meet certain cybersecurity and physical security needs.

REPORT FRAUD, WASTE AND ABUSE

HOTLINE: 443-984-3476/800-417-0430 EMAIL: OIG@BALTIMORECITY.GOV WEBSITE: OIG.BALTIMORECITY.GOV

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In March 2020, Ofc. #1 requested an OEM administrator to purchase the first piece of equipment for BPD's use through SHSP grant funding. OEM purchased the equipment for \$1,374. The OEM administrator informed Ofc. #1 that BPD could not use the equipment until it provided OEM with a written SOP covering the equipment's use. The administrator also explained that the SOP was required to justify the procurement under the terms of the SHSP grant.

Despite OEM's direction, an SOP was never developed and, in August 2020, the equipment was destroyed during use. BPD subsequently reimbursed the SHSP \$1,374 because, by failing to provide a written SOP, the purchase did not meet the requirements for grant funding.

In June 2020, Ofc. #1 requested AFD to procure the second piece of equipment for BPD's use, which AFD completed in November 2020. Ofc. #1 acknowledged keeping the equipment in their BPD-issued take-home vehicle, as well as assembling and training on the equipment while it was at their residence.

BPD Procurement Requirements

Typically, BPD procures its equipment following the City's Bureau of Procurement (BOP) process, but sometimes obtains equipment outside this process. To better understand BPD's procurement practices, the OIG interviewed Ofc. #2 and multiple members from BPD's fiscal division (BPD Fiscal).

According to Ofc. #2, in December 2020, they requested Ofc. #1 to produce an inventory of equipment in Ofc. #1's possession. Ofc. #1 provided the inventory list, which included the two pieces of equipment procured by Ofc. #1 from the OEM and AFD.

Ofc. #2 did not have previous knowledge of the two pieces of equipment and opined that all equipment for BPD's use, regardless of the funding source, should follow BPD's procurement policies and procedures. According to Ofc. #2, Ofc. #1 did not follow BPD best practices by failing to inform any BPD authorities about the equipment procurement.

BPD Fiscal informed the OIG that BPD General Order 01-87 *Control, Inventory and Accountability of Property*¹ Item #6 clearly states that although a BPD officer can procure resources outside of the BOP process, they must report such procurements in writing to the BPD Property and Fiscal divisions. BPD Fiscal explained it was never notified of Ofc. #1's equipment procurement as required by this General Order.

Investigative Findings

The OIG investigation did not substantiate the portion of the complaint alleging that Ofc. #1 did not have the authority to procure equipment for BPD's use. At the time of the procurements, Ofc. #1 was authorized to obtain equipment from resources outside of the City's BOP process.

However, the OIG investigation substantiated the portion of the complaint alleging that Ofc. #1 procured the two pieces of equipment without the knowledge of BPD personnel. Moreover, Ofc. #1 acknowledged that an SOP was required under the terms of the grant funding but that an SOP was not provided and, consequently, BPD incurred an unbudgeted \$1,374 reimbursement expense.

¹ BPD General Order 01-87 was enacted on March 25, 1987.

Additionally, the OIG investigation indicates that Ofc. #1 may have violated BPD General Order 01-87, which required them to report equipment procured outside of BPD's procurement process and document the equipment as BPD assets. Ofc. #1 acknowledged they did not communicate with BPD personnel about procuring the equipment. Further, once they obtained the equipment, they did not take any actions to document the equipment as BPD assets.

Sincerely,



Isabel Mercedes Cumming, Inspector General
Office of the Inspector General

Cc: Hon. Brandon M. Scott, Mayor of Baltimore City
Hon. Nick Mosby, President, City Council
Hon. Bill Henry, Baltimore City Comptroller
Honorable Members of the Baltimore City Council
Hon. Jim Shea, City Solicitor

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