

REFERRAL

A question often asked the Office of the Inspector General is how do you handle all the complaints and what is meant by a referral?

The Office of the Inspector General (OIG) has seven Special Agents dedicated to investigations however the hotline complaints have been numbered over 700 for the last two years. The way the OIG has been able to manage so many complaints is the use of referrals. A referral is used when information from an OIG hotline complaint does not fall within the jurisdiction of the OIG and the complaint is referred to the appropriate agency to address. In such cases, the OIG requests a response from the appropriate agency describing how the complaint was addressed. There are two types of referrals.

Referrals to other City Agencies – The OIG uses criteria such as the following in making a referral: The complaint falls within the definition of personnel management issues or personnel administrative offenses; The complaint is of the type that is traditionally resolved and corrected by organizational supervisors, personnel officers, or employee relations officials.

Referrals to another Government Agency (federal, state or local) - Complaints will be referred to another agency when: The information does not relate to City of Baltimore government or City of Baltimore employees, but pertains to the employees, funds, or programs of another municipality or government agency; The information pertains to a City of Baltimore employee, but the program responsibility lies within another agency (e.g., misuse in office by a Liquor Board employee); The information pertains to City of Baltimore employee, but another agency has enforcement or regulatory jurisdiction or expertise.

All OIG referrals are in writing and sent from Inspector General to the referring agency. Generally, referrals will direct that the recipient report the results of their actions, if any, concerning the complaint to the OIG within 30 calendar days from the date of the referral. Safety matters will have only 14 calendar days.

Attached is an example of a recent referral and the action that was taken by both the Baltimore City Police Department and the Department of Transportation in response.

Referral Sample

Case #22-0178-C

F R O M	Name & Title	Isabel Mercedes Cumming Inspector General <i>long on time</i>	OFFICE OF THE INSPECTOR GENERAL REFERRAL	
	Agency Name & Address	Office of the Inspector General 100 N. Holliday Street, Suite 635 Baltimore, MD 21202		
	Subject:	OIG Case #22-0178-C		

TO: Eric Melancon, Chief of Staff
Baltimore City Police Department
601 E. Fayette Street
Baltimore, Maryland 21202

DATE: September 24, 2021

Subject: Abuse of Position

The Office of the Inspector General (OIG) received an anonymous complaint, alleging that Baltimore City Police Department (BPD) employees consistently abuse their position in order to park their personal vehicles illegally. According to the complainant, the BPD employees will park their personal vehicles at the [REDACTED] Police District, located on [REDACTED] in tow away zones and in front of fire hydrants. The complainant provided the OIG with numerous service requests that were submitted to the Department of Transportation (DOT) through 311, specifically for a white [REDACTED] license plate number [REDACTED]. It was alleged that the vehicle in question was parked illegally on multiple occasions and the BPD employee parking that vehicle placed a BPD police patch or placard on the dash board when leaving the vehicle. The OIG provided copies of the 311 service requests mentioned by the complainant.

This matter is being referred to you as the appropriate management official to take whatever action you deem necessary. The OIG has not verified the allegations made by complainant. Please respond in writing by October 15, 2021 indicating what you have done to address this complaint. Should you have any questions or concerns, or need further assistance from the OIG, I can be reached via telephone at 443-984-3690 or email Deputy Inspector General, Michelle Phillips at Michelle.Phillips@baltimorecity.gov

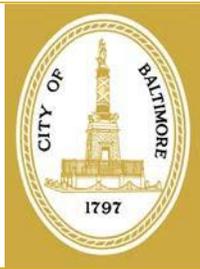
Exhibits:

1. Summary Reports for Service Requests submitted to the Department of Transportation

CC: Laetitia Griffin, Deputy Director
Department of Transportation

**Department of
Transportation Response**

Case #22-0178-C



Date: October 13, 2021

TO: Isabel Mercedes Cumming
Inspector General

The Department of Transportation has received and reviewed the alleged complaint regarding abuse of power by a BPD employee regarding parking violations in the area of [REDACTED]

During the months of January to July 2021, the Safety Division was working with limited staffing due to Covid 19. Our deployment limited the number of staff persons reporting while ensuring we were following the CDC and Baltimore City Health Department guidelines without having a large number of personnel on site at any given time. Therefore, we alternated weeks with scheduling to ensure we were in compliance with COVID-19 directives. During each shift we deployed staff to multiple area/post in an effort to service the citizens of Baltimore. However, this presented many challenges in addressing all SR complaints in a timely manner. Therefore, many service requests were held over from the morning shift and transferred to the evening shift. This is the reason at times there was a delayed response to the service request included in the complaint. We returned to full operation around July 21, 2021.

The Service Requests included in this complaint demonstrates how the staff of the Safety Division was stretched to respond to numerous complaints in a timely fashion with limited staffing scheduled due to COVID 19 and while remaining in compliance with the CUB union agreement.

During the early months of 2021, our team was deployed to multiple areas within the central business district on foot. For example, this deployment involved assigning an officer to an area from President Street to Eutaw Street, and Lombard Street to Franklin Street. One staff member would be assigned to 3-foot post to prevent a COVID 19 outbreak. Additionally, we were rotating teams every other week to ensure equitable distribution of work assignments.

I have reviewed each SR and offer the following:

1. [REDACTED] – This SR was never dispatched to TEO on the street, according to the 311 supervisors. The comment “The area is cited by police” was recorded by the 311 dispatcher and not communicated by the TEO to the dispatcher. The supervisor has assured me that this matter has been addressed internally, and that all SRs must be dispatched and to only record the TEO’s response and not that of the 311 call taker.
2. [REDACTED] – This SR was dispatched at 3:45 pm and the officer responded at 7:38 pm. During the pandemic the service request calls being left over from the morning shift are handed over to the evening shift. The evening shift attempted to answer and close out all previous shift work and then proceed to investigating the evening shift SRs.

3. [REDACTED] This SR according to the comments within the SR was never dispatched to a specific officer only a post. Most often if the dispatcher cannot acknowledge an officer for a specific post they will contact the on-duty supervisor. Additionally, this SR has not indicated who the officer was that reported the vehicle was Gone on Arrival (GOA). I can only suggest that an officer possibly responded to this location and the vehicle was GOA upon arrival. The SR does not indicate who communicated this information.
4. [REDACTED] – This SR states that a SUV [REDACTED] is parked in a tow away zone at [REDACTED] District Police Station however, the officer responded to a Reserved Parking/Posted ordinance #519 Complaint at 10:45 at [REDACTED] in front of the [REDACTED] building on [REDACTED] and issued a citation. This citation was issued due to a complaint communicated via 311 communications. The comments associated with this particular SR stated [REDACTED] on the front and the Black [REDACTED] SUV being dispatched at 11:00 am and a citation (21146114) being issued. No information related to the [REDACTED] is recorded on the comments section of this particular SR.
5. [REDACTED] – These Sr request for a White [REDACTED] and a pickup truck at the [REDACTED] District Station, which was located at 500 E. Baltimore Street. Both of these SR's were issued for [REDACTED] District. The white [REDACTED] was not located on Baltimore Street, however, the SR ending in 002 was for a Police Department pickup truck (Marked vehicle) no citation issued. The SR ending with 010 was recorded as “agency-specific” with no TEO in the outcome.
6. [REDACTED]-This SR was never dispatched to TEO on the street, according to the 311 supervisors. The comment “The area is cited by police” was recorded by the 311 dispatcher not communicated by the TEO to the dispatcher. The supervisor has assured me that this matter has been address internally, that all SR must be dispatched and to only recorded the TEO's response and not their own.

In reviewing this matter, we have determined that the vehicle assigned license plate number [REDACTED] has been cited six (6) times during the present calendar year. This vehicle was cited on the following listed dates for parking violation in the area of the [REDACTED].

January 14, 2021
March 17, 2021
April 14, 2021
May 17, 2021
May 28, 2021
June 11, 2021

October 13, 2021
Page 3
OIG CASE 22-0178-C

DOT Safety Division has focused on ensuring that the [REDACTED] Unit Block of [REDACTED] is clear as an emergency route in case of an emergency in the downtown central business district. We have placed an emphasis on this particular roadway daily to ensure traffic flow is without interruption.

The Transportation Enforcement officers (TEO) have been instructed to cite all violation found unless they encounter an emergency and to extend curiosity to all personnel involved in the particular matter. We have also communicated with BPD to inform staff that parking violators will be cited.

The Safety Division management will re-emphasis to staff that all illegal violation in accordance with Baltimore City Transportation Article must be investigated and cited if found in violation.

The Department has shared this response with the Baltimore Police Department.

We thank you for bringing this matter to our attention and it is our hope that our team will follow all instructions provided regardless of the behavior of drivers.

Respectfully,

Laetitia Griffin

Laetitia Griffin
Deputy of Administration
Department of Transportation

Cc: Steve Sharkey
Tavon Braxton
Marshall Goodwin

Baltimore Police Department Response

Case #22-0178-C



BALTIMORE POLICE DEPARTMENT



Brandon M. Scott
Mayor

Michael S. Harrison
Police Commissioner

October 15, 2021

Isabel Mercedes Cumming
Office of the Inspector General
City Hall, Room 635
100 North Holliday Street
Baltimore, MD 21202

RE: BPD Response to Illegal Parking along [REDACTED] (outside of BPD HQ) (22-0178-C)

Dear Ms. Cumming,

Thank you for your referral of the compliant outlined in OIG Case #22-0178-C. Upon receiving the original notice from your office, my Chief of Staff immediately referred the matter to the Public Integrity Bureau to assist in investigating whether the owner of the vehicle in question was, in fact, a BPD employee. After completing an initial investigation, the owner of the vehicle was actually identified as a member of the Fire Department who works in the 9-1-1 center (which is located on the 4th floor of the BPD Headquarters).

Upon learning of this, the matter was brought to the attention of the BCFD Captain assigned to the 9-1-1 who has addressed the issue with the employee, who has been directed to discontinue parking illegally around HQ. The matter was also brought to the attention of the BCFD Chief of Staff for her awareness.

BPD has also sent out notices to its own employees to remind members that illegal parking around HQ will not be tolerated, and that personal vehicles found to be illegally parking will be ticketed or towed at the expense of the member. BCFD has also put out a similar notice to its own employees.

If any further information is needed, please do not hesitate to reach out to me or my Chief of Staff. Thank you for your continued partnership with the Baltimore Police Department.

Sincerely,

Michael Harrison
Police Commissioner
Baltimore Police Department