

# **OFFICE OF THE INSPECTOR GENERAL**

## **CITY OF BALTIMORE**



**Isabel Mercedes Cumming**  
**Inspector General**

## **Investigative Report Synopsis**

**OIG Case # 21-0027-I**

**Issued: July 27, 2022**



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



July 27, 2022

Dear Citizens of Baltimore City,

The mission of the Office of the Inspector General (OIG) is to promote accountability, efficiency, and integrity in the City of Baltimore (City) government, as well as to investigate complaints of fraud, financial waste, and abuse.

From November 2019 to January 2021, the OIG received several complaints regarding personnel matters within Baltimore City Recreation and Parks (BCRP). Although the OIG investigated multiple allegations related to personnel matters, this public synopsis will only outline two issues due to privacy concerns:

- 1) A discrepancy in the background check processes between BCRP and the Department of Human Resources (DHR); and
- 2) The City's Administrative Manual (AM) policies instruct City agencies to give hiring preference to City residents.

The OIG provided the complete and final report to the appropriate management entities.

### ***DHR and BCRP Background Checks***

The OIG found a lack of coordination between DHR's and BCRP's background check processes. The OIG learned during the hiring process for one individual (BCRP Employee) that DHR and BCRP completed separate background checks. DHR's background check results for the BCRP Employee found no records, but BCRP's background check uncovered a prior federal conviction. According to a DHR Executive, the vendor who conducts background checks for DHR only performs federal background checks at the hiring agency's request.

According to DHR, they were not notified of the BCRP Employee's prior conviction. Had DHR been made aware, DHR would have initiated a panel meeting to review the criminal background findings. Subsequently, DHR would have provided a hiring recommendation to the hiring agency. City policy ultimately yields the hiring decision of a candidate to the Agency Director.

The OIG recommends that the BCRP and DHR develop standard processes to share adverse findings when the hiring agency completes background checks independently from DHR.

### ***AM Policy for City Resident Hiring Preference***

The OIG reviewed AM policies 231-1 (Exhibit 1) and 232-1 (Exhibit 2) established in 1976. Both policies state that City agencies must give preference to City residents when hiring new City employees. Agencies must submit a Non-City Resident Approval Request form for approval by the appointing officer, the agency head, and the Mayor when filling a position with a non-City resident (Exhibit 3).

#### **REPORT FRAUD, WASTE AND ABUSE**

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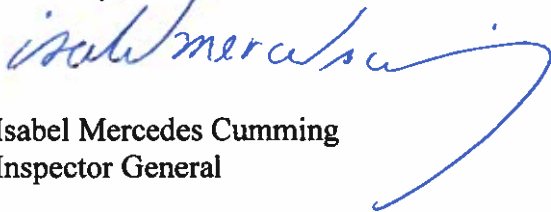
*This public synopsis is only a summary of a more comprehensive report of investigation submitted to the appropriate City management official*

During the investigation, a DHR Executive informed the OIG that DHR was reviewing the Non-City Resident Approval Request form as it has not been enforced since the 1980s or 1990s. The DHR Executive said that this non-enforcement is due to State of Maryland legislation prohibiting hiring based on residency.

The Baltimore City Law Department (Law) provided the OIG with the State of Maryland legislation regarding residency considerations. According to the Annotated Code of Maryland, Section 1-201, a county or municipality may not discriminate based on an individual's place of residence when making employment decisions. The legislation allows municipalities to have residency requirements for at-will supervisory employees reporting directly to the head of a unit within the municipality. In 2018, the Baltimore City Council passed Bill 17-0170, requiring the head of an agency who reports directly to the Mayor and any at-will supervisory employee who reports directly to the Mayor or to the head of an agency to live in the City (Exhibit 5).

The investigation determined that the City's AM policy regarding employment preference for City residents may not be applicable under Maryland Law. The OIG recommends that DHR review AM-231 and AM-232 with Law to determine if these policies require updating.

Sincerely,



Isabel Mercedes Cumming  
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

**REPORT FRAUD, WASTE AND ABUSE**

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