

OFFICE OF THE INSPECTOR GENERAL CITY OF BALTIMORE



Isabel Mercedes Cumming
Inspector General

Investigative Report Synopsis

OIG Case # 19-0071-I

Issued: November 24, 2020



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



November 24, 2020

Dear Citizens of Baltimore City,

The Mission of the Office of the Inspector General (OIG) is to promote accountability, efficiency, and integrity in City government, as well as to investigate complaints of fraud, financial waste, and abuse. The OIG received an anonymous complaint alleging that a Baltimore City Police (BPD) officer was abusing medical and sick leave. Since the officer's employment began with BPD in 2007, they have initiated ten (10) separate worker's compensation claims. Two claims were from two motor-vehicle accidents in 2016 and 2017. Both accidents were in BPD vehicles when the officer was on-duty. From 2008 to 2019, the City has paid for three surgeries, physical therapy, numerous medical appointments, and several months of accident/medical leave, in all totaling \$332,454.62.

Despite alleging knee, wrist, and back injury from the motor vehicle accidents, having gone through physical therapy and at least one surgery, and having been assigned to light duty work activities, the OIG learned that in 2018 the officer travelled to South Carolina and went skydiving. The officer also went on a similar skydiving trip in Florida in 2017, just weeks before a scheduled knee surgery. Before skydiving, the officer signed a medical waiver with the skydiving company indicating that they had no back injury or orthopedic problems. Medical professionals told the OIG that they would not authorize a patient with the same injuries as the officer to go skydiving.

The OIG discovered a pattern of the officer abusing BPD medical leave. The investigation showed that for more than two years the officer used their "line of duty" injuries to call out sick prior to scheduled vacation, medical/accident, or compensatory leave to extend their time off. For example, the officer used 44 sick days in 2018, on several instances the OIG confirmed the officer was out of town, a violation of the sick leave policy. Additionally, the officer was paid overtime to attend medical appointments and physical therapy at a rate of \$65.505 an hour, because they were assigned to the night shift and went to appointments during the day.

According to *BPD Medical Leave Policy (General Order Q-13)*, BPD employees who use excessive sick and medical leave may be placed in the Medical Leave Abuse Control Program. In the program, all uses of medical leave must be certified by a doctor, the BPD employee may not hold secondary employment, and no overtime compensation is allowed for attending medical appointments. The officer was not placed in the Medical Leave Abuse Control Program because their injuries occurred "in the line of duty."

The BPD Public Integrity Bureau (PIB) worked jointly with the OIG on the investigation and issued their own findings. The PIB sustained one allegation of conduct unbecoming of a police officer and one allegation of general misconduct against the police officer for skydiving in 2018 while assigned to light duty and for signing the skydiving waiver stating they had no injuries. In reviewing the findings of the PIB investigation, the OIG learned that the PIB only investigated the 2018 skydiving issue. The PIB did

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not investigate the officer's abuse of sick days, overtime pay for medical appointments, the 2017 skydiving trip, or medical leave abuse. The OIG is unaware if the BPD has conducted any hearings for this matter.

The OIG does not make a conclusive finding on the officer's injuries, only that the officer could have exacerbated their injuries by skydiving and that the officer abused BPD's medical leave policies resulting in financial waste to the City. At the time of this public synopsis, the officer is still employed by BPD and is currently out on medical leave.

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
Dana P. Moore, Acting City Solicitor

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