



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



June 22, 2020

The Office of the Inspector General (OIG) Response to the Comptroller

Today, the OIG received Comptroller Joan Pratt's response to the Addendum to OIG Case #19-0084-I, which was issued publicly on March 19, 2020. The OIG thanks Comptroller Pratt and her team of attorneys from Barnes & Thornburg LLP for providing a response.

The OIG stands behind its reports.

The Addendum was based upon the factual comparison of Comptroller Pratt's List of Abstentions (LOA) and her BOE votes. The OIG also made it clear that it did not conduct further interviews for the Addendum. The OIG did not address conflicts of interest in its Addendum report. The OIG afforded Comptroller Pratt the opportunity to respond prior to issuing its report, even granting an extension.

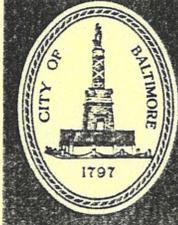
The OIG refutes an assertion by Comptroller Pratt regarding the earlier Bethel AME report. In her response, Comptroller Pratt's attorneys state, "[t]he Inspector General reached her conclusion without analyzing, or even mentioning the existence of the Ethics Law in her Report." The OIG did analyze the findings of the Ethics Board which found Comptroller Pratt's vote was a conflict of interest. The OIG has attached the written exchanges between the Ethics Board and Comptroller Pratt, which are public documents according to the Deputy Ethics Counsel (see attachment). Any violation of the Ethics Code is the sole determination of the Ethics Board.

**REPORT FRAUD, WASTE AND ABUSE**

HOTLINE: 443-984-3476/800-417-0430 EMAIL: [OIG@BALTIMORECITY.GOV](mailto:OIG@BALTIMORECITY.GOV)

WEBSITE: [OIG.BALTIMORECITY.GOV](http://OIG.BALTIMORECITY.GOV)

CITY OF BALTIMORE



BOARD OF ETHICS  
OF BALTIMORE CITY

LINDA B. "LU" PIERSON, Chair  
AVERY AISENSTARK, Director  
626 City Hall  
Baltimore, Maryland 21202

October 4, 2019

Honorable Joan M. Pratt  
Baltimore City Comptroller  
100 N. Holliday Street, Room 204  
Baltimore, Maryland 21202

Re: Conflict of Interest

Dear Comptroller Pratt:

The Baltimore City Ethics Board (the "Board") has reviewed a July 19, 2019 news article posted on the *Baltimore Fishbowl* website in which you appear to admit to voting on a matter before the Board of Estimates that constituted a conflict of interest. Specifically, according to the article, on November 1, 2017, you voted to approve a land disposition agreement between the City and the Bethel A.M.E. Church, an organization in which the article alleges that you serve as a trustee.

If accurate, the Board believes that your November 1, 2017, vote in a matter involving the Bethel A.M.E. Church constituted a conflict of interest and, as such, a violation of the Ethics Code. Specifically, § 6-6(b)(3)(ii)(A) of the Ethics Code prohibits a public servant from participating in any matter if a party to that matter is a business entity in which the public servant is a partner, officer, director, trustee, employee, or agent.

Therefore, under § 5-1(b) of the Ethics Code, the Board has initiated this complaint against you regarding these allegations. As a part of its confidential preliminary investigation required under § 5-3, the Board is soliciting your formal response explaining your alleged failure to recuse from the November 1, 2017, Board of Estimates vote involving the Bethel A.M.E. Church.

The *Baltimore Fishbowl* article quotes you as stating that the vote was an oversight and that you normally recuse from matters involving Bethel A.M.E. Church. If that is the case, the Board believes that this matter could be cured if you pledge to ensure that such an oversight does not occur again in the future. The Board could then dismiss this complaint under Ethics Code § 5-4, allowing for dismissal of complaints on cure. In any event, the Board would appreciate your response no later than **the close of business on Monday, November 4, 2019**, in order to resolve this complaint as soon as possible.

If you have any questions, please do not hesitate to let us know.

Very truly yours,

Tony DeFranco  
Deputy Ethics Counsel



COMPTROLLER

JOAN M. PRATT, CPA  
Room 204, City Hall  
Baltimore, Maryland 21202-3461



OFFICE OF THE COMPTROLLER

Department of Audits  
Department of Real Estate  
Municipal Post Office  
Municipal Telephone Exchange  
Harbor Master

October 18, 2019

Mr. Tony DeFranco  
Deputy Ethics Counsel  
Board of Ethics of Baltimore  
City  
100 N. Holliday Street, Room 626  
Baltimore, Maryland 21202

Dear Mr. DeFranco:

I received your correspondence dated, October 4, 2019. I appreciate the opportunity to respond to the complaint.

I have always been diligent to avoid conflicts of interest in matters I participate in as Comptroller. It has been my practice to abstain on conflicts of interest and I have also abstained with an abundance of caution on items that potentially might be perceived as a conflict.

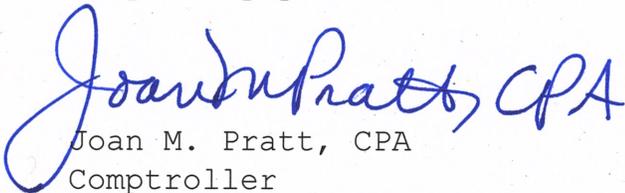
The Bethel A.M.E. Church matter on the November 1, 2017 Board of Estimates Agenda was on the routine agenda. Items on the routine agenda are not called or discussed individually for the vote. For matters appearing on the November 1, 2017 Board of Estimates routine agenda I followed my process which involved the review of the routine agenda items by staff to identify potential conflicts based upon my having previously identified an organization or a person as a conflict. I identify the conflicts of interest for staff to check in the future by my review of the Board of Estimates agenda or if a relationship I have with an organization would result in a conflict under the Ethics Code. Bethel A.M.E. Church was an organization provided to the staff many years ago. I therefore anticipated that any time it appeared on the Board's routine agenda that it would be flagged and my abstention announced for the record at the Board meeting.

When the question arose about my vote on the Bethel A.M.E. Church, it appeared incredulous that I did not abstain. However, I reviewed the record of the meeting including the minutes, met with the staff and learned that this abstention had been missed because the list they used to check did not have Bethel A.M.E Church, listed exactly as it appeared in the agenda.

Not abstaining on Bethel A.M.E. Church was unintentional and the result of an administrative oversight. Since I became aware of this oversight, I have increased the controls to assure compliance with the Ethics Code to include my review of the agenda and discussion with staff for potential conflicts, confirming prior to the Board meeting that staff have correctly identified my abstentions, and to check during the Board of Estimates meeting that the abstentions I confirmed have been reported. As described above, it is my commitment and my pledge to prevent an oversight in the future.

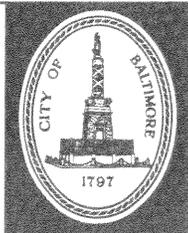
Again, thank you and I look forward to the favorable review of this response as being sufficient to dismiss the complaint on cure.

Very truly yours,

A handwritten signature in blue ink that reads "Joan M. Pratt, CPA". The signature is written in a cursive style with a large initial "J".

Joan M. Pratt, CPA  
Comptroller

CITY OF BALTIMORE



BOARD OF ETHICS  
OF BALTIMORE CITY

LINDA B. "LU" PIERSON, Chair  
AVERY AISENSTARK, Director  
626 City Hall  
Baltimore, Maryland 21202

November 12, 2019

Honorable Joan M. Pratt  
Baltimore City Comptroller  
100 N. Holliday Street, Room 204  
Baltimore, Maryland 21202

Re: Conflict of Interest

Dear Comptroller Pratt:

On or about October 4, 2019, you were notified that the Baltimore City Ethics Board (the "Board") initiated a complaint against you regarding your November 1, 2017 Board of Estimates vote to approve a land disposition agreement between the City and the Bethel A.M.E. Church, an organization in which you serve as a trustee. Indeed, according to a July 19, 2019 *Baltimore Fishbowl* article you admitted that the vote was an oversight and that you normally recuse from matters involving Bethel A.M.E. Church. The Board's letter stated that the complaint could be dismissed if you "pledge[d] to ensure that such an oversight does not occur again in the future."

The Board received your response dated October 18, 2019. In your response, you state:

Not abstaining on the Bethel A.M.E. Church was unintentional and the result of an administrative oversight. Since I became aware of this oversight, I have increased my controls to assure compliance with the Ethics Code to include my review of the agenda and discussion with staff for potential conflicts, confirming prior to the Board meeting that staff have correctly identified my abstentions, and to check during the Board of Estimates meeting that the abstentions I confirmed have been reported. As described above, it is my commitment and my pledge to prevent an oversight in the future.

The Board reviewed your response at its regularly scheduled meeting on November 6, 2019. Based on its review, the Board finds, based on your pledge, that the complaint has been adequately cured. Therefore, the Board has dismissed its complaint in this matter. Please accept this letter as notice of that dismissal.

If you have any questions, please do not hesitate to let us know.

Very truly yours,

A handwritten signature in black ink that reads "Tony DeFranco".

Tony DeFranco  
Deputy Ethics Counsel

