

Performance Audit Report

Baltimore Police Department

A Review of Overtime Policies, Procedures, and Activity

January 2024



OFFICE OF LEGISLATIVE AUDITS
DEPARTMENT OF LEGISLATIVE SERVICES
MARYLAND GENERAL ASSEMBLY

Joint Audit and Evaluation Committee

Senator Clarence K. Lam, M.D. (Senate Chair)	Delegate Jared Solomon (House Chair)
Senator Joanne C. Benson	Delegate Steven J. Arentz
Senator Paul D. Corderman	Delegate Andrea Fletcher Harrison
Senator Katie Fry Hester	Delegate Steven C. Johnson
Senator Shelly L. Hettleman	Delegate Mary A. Lehman
Senator Cheryl C. Kagan	Delegate David Moon
Senator Cory V. McCray	Delegate Julie Palakovich Carr
Senator Justin D. Ready	Delegate Stephanie M. Smith
Senator Bryan W. Simonaire	Delegate M. Courtney Watson
Senator Craig J. Zucker	One Vacancy

To Obtain Further Information

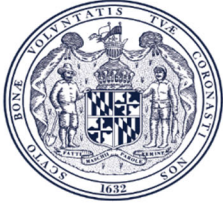
Office of Legislative Audits
The Warehouse at Camden Yards
351 West Camden Street, Suite 400
Baltimore, Maryland 21201
Phone: 410-946-5900
Maryland Relay: 711
TTY: 410-946-5401 · 301-970-5401
E-mail: webmaster@ola.state.md.us
Website: www.ola.state.md.us

To Report Fraud

The Office of Legislative Audits operates a Fraud Hotline to report fraud, waste, or abuse involving State of Maryland government resources. Reports of fraud, waste, or abuse may be communicated anonymously by a toll-free call to 1-877-FRAUD-11, by mail to the Fraud Hotline, c/o Office of Legislative Audits, or through the Office's website.

Nondiscrimination Statement

The Department of Legislative Services does not discriminate on the basis of age, ancestry, color, creed, marital status, national origin, race, religion, gender, gender identity, sexual orientation, or disability in the admission or access to its programs, services, or activities. The Department's Information Officer has been designated to coordinate compliance with the nondiscrimination requirements contained in Section 35.107 of the United States Department of Justice Regulations. Requests for assistance should be directed to the Information Officer at 410-946-5400 or 410-970-5400.



Victoria L. Gruber
Executive Director

DEPARTMENT OF LEGISLATIVE SERVICES
OFFICE OF LEGISLATIVE AUDITS
MARYLAND GENERAL ASSEMBLY

Gregory A. Hook, CPA
Legislative Auditor

January 17, 2024

Senator Clarence K. Lam, M.D., Senate Chair, Joint Audit and Evaluation Committee
Delegate Jared Solomon, House Chair, Joint Audit and Evaluation Committee
Members of Joint Audit and Evaluation Committee
Annapolis, Maryland

Ladies and Gentlemen:

We have conducted a performance audit to evaluate the effectiveness and efficiency of certain management practices of the Baltimore Police Department (BPD) as required by State Government Article, Section 2-1220 of the Annotated Code of Maryland. This is the fourth of four planned audits during the first six-year audit cycle of BPD. The scope of this audit focused on an evaluation of BPD's policies and procedures for overtime practices, activity of sworn officers, and certain related human resource and payroll functions related to overtime. Our audit covered overtime activity for the period beginning December 20, 2020 with BPD's implementation of Baltimore City's new human resource, payroll, and timekeeping system (Workday) and ending June 30, 2022.

In general, officers at the rank of lieutenant and below are eligible to receive overtime compensation at one and a half times their regular rate of pay for any time worked in excess of their scheduled shift (regardless of whether the officer works 40 regular hours in the week). There are two types of overtime available to BPD officers, Departmental Overtime and Secondary Employment Overtime. Departmental overtime accounts for the majority of BPD overtime costs and relates to officers working hours in addition to their regularly scheduled shift for the purpose of performing police duties. BPD also provides for secondary employment opportunities where BPD makes officers available to provide certain law enforcement/security duties to other entities beyond the officer's regular BPD policing duties and shift schedule. According to BPD's records, overtime payments, including both Departmental and Secondary Employment, totaled approximately \$66.5 million paid between January 2021 and June 2022.

Overtime at police departments nationwide has been an area of great public interest, attention, and scrutiny. In addition, high levels of overtime spending at police departments nationwide are commonly attributable to shortages in positions and vacancies. As shown in the background of this report, although BPD vacancies have increased from 204 to 476 positions between fiscal years 2018 and 2022, overtime generally decreased during the same period, and based on BPD records, approximately 29 percent of BPD's fiscal year 2022 overtime was directly attributable to position shortages and vacancies. However, BPD advised us that vacancies as of September 2023 have significantly increased to 753 positions, which has also resulted in increased overtime.

Although BPD implemented several new overtime policies in conjunction with Workday, the necessary corresponding procedures to control and ensure compliance with overtime requirements, especially effective oversight and monitoring, had not yet been implemented at the time of our audit and are reflected in several of the following findings.

Our audit disclosed that supervisory personnel at all levels, including front-line supervisors, command, and administrative management, did not exercise the necessary oversight and disciplinary action to effectively monitor overtime and ensure compliance with BPD's policies and procedures. We noted numerous deficiencies relating to the use, payment, and monitoring of overtime. Furthermore, these conditions occurred for extended periods without being identified and resolved and contributed to excessive overtime being paid to certain officers. BPD also did not have procedures to analyze overtime activity to evaluate the necessity and propriety of consistently high levels of overtime paid to certain officers. Our analysis disclosed 100 officers (included in Exhibit 4 of our report) who recorded more than 1,000 hours of overtime in fiscal year 2022, including 7 that earned more than \$100,000 in overtime. Additional analysis of the 10 officers with the most hours worked disclosed that overtime worked by and paid to these officers routinely violated certain key overtime requirements.

In addition, we found that BPD did not conduct required reviews to ensure that officers did not work more than 32 hours of voluntary overtime per week as required by its policy. Our analysis identified 268 individuals who exceeded the limit a total of 693 times during fiscal year 2022. Furthermore, BPD did not conduct quarterly audits of overtime activity as required by its policy. These audits are intended to provide an independent assessment and evaluation of officer and supervisor compliance with overtime requirements, ensuring that supervisory reviews were appropriately performed and that overtime recorded is associated with work products.

Our audit also disclosed that BPD did not have procedures and controls to monitor preauthorization required for certain types of overtime. Our analysis of overtime requiring preauthorization disclosed that the majority of overtime requests (71 percent) were approved after the overtime was worked. Furthermore, BPD did not have sufficient procedures for identifying, preventing, and correcting uncategorized overtime. Between January 2021 and June 2022, approximately \$16.7 million in overtime was not properly categorized. Categorizing overtime is essential to management's ability to monitor compliance with overtime requirements and for proper recordkeeping and accounting for overtime activity.

We also found several deficiencies over secondary employment procedures and controls. Specifically, our review disclosed that BPD's policies were not sufficient, current agreements with entities employing officers were not maintained, and required monitoring efforts were not performed.

Finally, as previously noted, this is the last of the four financial management practice audits for the initial six-year audit cycle of the BPD required by State law. With recent State legislation and current City actions to formally transition BPD from a State agency to full City agency status, under City control, the Committee may want to consider amending the audit statute to reflect the new nature of BPD.

BPD's response to this audit is included as an appendix to this report. We reviewed the response to our findings and related recommendations, and have concluded that the corrective actions identified are sufficient to address the audit issues. While BPD generally agrees with the recommendations in this report, we identified one statement in the response requiring an "auditor's comment" to further explain our position. Additionally, in accordance with our policy, we have edited BPD's response to remove vendor names or products.

We wish to acknowledge the cooperation extended to us during the audit by BPD and other Baltimore City government employees. We also wish to acknowledge BPD's willingness to address the audit issues and implement appropriate corrective actions.

Respectfully submitted,

A handwritten signature in black ink that reads "Gregory A. Hook". The signature is written in a cursive, flowing style.

Gregory A. Hook, CPA
Legislative Auditor

Table of Contents

Audit Scope, Objective, and Methodology	8
Audit Scope	8
Objective and Methodology	9
Conclusions	10
Fieldwork and Agency Response	11
Background Information	12
Agency Responsibilities	12
Baltimore Police Department (BPD) Positions, Expenditures, and Funding Sources	13
Workday	14
Concerns with Police Department Overtime	16
BPD Overtime	17
BPD Overtime Payments	25
Findings and Recommendations	27
Monitoring of Excessive Overtime	
Finding 1 – BPD supervisory personnel at all levels did not exercise the necessary oversight and disciplinary action to effectively monitor overtime and to ensure compliance with BPD’s policies and procedures.	27
Finding 2 – BPD did not have procedures to analyze overtime activity to evaluate the necessity and propriety of consistently high levels of overtime paid to certain officers. Our analysis disclosed 100 officers who recorded more than 1,000 hours of overtime in fiscal year 2022, including 7 that earned more than \$100,000 in overtime.	30
Finding 3 – BPD did not conduct required reviews to ensure that officers were limited to no more than 32 hours of voluntary overtime per week, and our analysis identified 268 individuals who exceeded the limit a total of 693 times during fiscal year 2022.	34
Finding 4 – BPD did not conduct quarterly audits of overtime activity as required by its <i>Policy</i> .	36

Finding 5 – BPD did not have procedures and controls to monitor preauthorization required for certain types of overtime, and our analysis disclosed that the required preauthorization was generally not obtained.	36
Finding 6 – BPD did not have sufficient procedures for identifying, preventing, and correcting uncategorized overtime, including approximately \$16.7 million in overtime paid between January 2021 and June 2022.	38
Secondary Employment	
Finding 7 – BPD’s policy on secondary employment overtime did not address certain International Association of Chiefs of Police best practices, and certain policies were not sufficiently comprehensive.	40
Finding 8 (Policy Issue) – BPD did not have approved overtime policies for its wide-load escorts program and consequently could not assess the impact of this work on officer performance and whether it contributed to officer fatigue.	41
Finding 9 – BPD did not always maintain current executed agreements with third-party entities employing officers for internal secondary employment.	43
Finding 10 – BPD performed virtually no monitoring of external secondary employment and did not maintain a complete record of officers and entities approved for external secondary employment.	44
Exhibit 1 – Steps and Tests Performed to Evaluate BPD’s Procedures and Controls for Overtime	46
Exhibit 2 – Summaries of Overtime by Activity Code – Discretionary (Voluntary) and Non-Discretionary (Involuntary) December 20, 2020 to June 30, 2022	48
Exhibit 3 – Key Requirements from BPD’s <i>Manual for Payroll Processes and Overtime Policy</i>	50
Exhibit 4 – Officers That Worked More Than 1,000 Hours of Overtime Fiscal Year 2022	51

Exhibit 5 – List of BPD Internal Secondary Employment Sites and Test Results	56
---	----

Agency Response	Appendix
------------------------	----------

Audit Scope, Objective, and Methodology

Audit Scope

Chapter 535 of the Laws of Maryland, 2020, effective July 1, 2020, requires the Office of Legislative Audits (OLA), at least once every six years, to conduct an audit or audits of the Baltimore Police Department (BPD) to evaluate the effectiveness and efficiency of the financial management practices of BPD. The law also provides that the scope and objectives of the audit or audits shall be determined by the Legislative Auditor.

OLA identified four separate audits to be conducted during the first audit cycle of BPD (in the following order).

1. Evaluation of Purchasing and Disbursement Controls and Transactions (Report issued October 19, 2021),
2. Asset Forfeiture and Property Control (Report issued November 30, 2021),
3. Surveillance Equipment (Report issued June 17, 2022), and
4. Human Resource Activities and Overtime.

The scope of this fourth audit focused on an evaluation of BPD's policies and procedures for overtime practices, activity of sworn officers, and certain related human resource and payroll functions related to overtime.¹ Our audit focused on overtime activity for the period beginning December 20, 2020 with BPD's implementation of Baltimore City's new human resource, payroll, and timekeeping system (Workday) and ending June 30, 2022.

The audit evaluated the adequacy of BPD policies and procedures for overtime and certain human resource and payroll functions that impacted BPD's overtime activity, such as scheduling. In addition, we assessed whether overtime was subject to adequate controls and was used in accordance with BPD's policies and procedures. We also assessed BPD's management of overtime as compared to applicable best practices and policy requirements. Our audit did not include an evaluation of procedures and controls over other earnings, such as bonus, penalty, and shift differential pay, compensatory leave earned in lieu of overtime payments, or reimbursements to BPD by other entities for certain secondary employment activity. To the extent it has not yet done so, it will be necessary for BPD to determine Workday's impact on those other payroll areas, which were excluded from our audit (with the exception of secondary employment).

¹ Although civilian employees can earn overtime, overtime paid to sworn officers constituted the vast majority of BPD overtime. In addition, for the purposes of this audit, overtime includes Departmental Overtime and Secondary Employment activity as described later in this report.

Our audit was performed in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

Objective and Methodology

Our audit objective was to evaluate the adequacy of BPD policy requirements, procedures, and controls for ensuring that overtime activity was appropriate, and to determine, based on this evaluation and related testing, whether overtime activity complied with these requirements, procedures, and controls.

To accomplish our objective, we reviewed applicable Baltimore City Charter and laws, regulations and other requirements, best practices, and standard operating procedures and policies established by BPD regarding overtime and related payroll and human resource activities. Additionally, we compared BPD's written policies and procedures to best practices for overtime, published by the International Association of Chiefs of Police (IACP), and to documented practices in place at certain other police departments within Maryland to evaluate the adequacy of BPD's policies and procedures.

In addition, our audit procedures included inquiries of appropriate BPD personnel at all levels of operations and management, inspection of documents and records, tests of transactions and controls, and to the extent practicable, observations of BPD's operations. Exhibit 1 further details the steps and tests performed to accomplish our objective.

We obtained several reports and extracts from Workday such as bi-weekly, monthly, and annual payroll and overtime reports, leave and scheduling reports, and user access reports for selected periods of time within our audit period. We also obtained data files of BPD's general ledger activity from the City's financial system for the period of July 1, 2013 to June 30, 2022 (for historical overtime activity). We performed various tests of the relevant data and determined these data files and reports were sufficiently reliable for the purposes used during the audit. Our testing was based on a review of available electronic and hardcopy records and data within Workday and interviews with key personnel involved in the related overtime, scheduling, and secondary employment processes.

We also obtained view-only access to Workday, which is used to process, control, and perform key scheduling, payroll, and overtime activities. This access was

used to review system controls (such as approvals) and user access; scheduling, payroll, and overtime records; and other critical information pertaining to evaluating procedures and testing specific transactions. Finally, we performed other auditing procedures that we considered necessary to achieve our audit objective.

Our assessment was based on the policies and procedures in place at the time of our fieldwork and compliance with these policies and procedures. Our tests of transactions and other auditing procedures were generally focused on the transactions occurring during our audit period of December 20, 2020 to June 30, 2022, but may include transactions before or after this period as we considered necessary to achieve our audit objectives.

Generally, transactions were selected for testing based on auditor judgment, which primarily considers risk, the timing or dollar amount of the transaction, or the significance of the transaction to the area of operation reviewed. As a matter of course, we do not normally use sampling in our tests, so unless otherwise specifically indicated, neither statistical nor non-statistical audit sampling was used to select the transactions tested. Therefore, unless sampling is specifically indicated in a finding, the results from any tests conducted or disclosed by us cannot be used to project those results to the entire population from which the test items were selected.

The reliability of data used in this report for background or informational purposes was not assessed. In addition to the conditions included in this report, other less significant findings were communicated to BPD that did not warrant inclusion in this report.

Conclusions

Our audit disclosed that supervisory personnel at all levels within BPD did not exercise the necessary oversight and disciplinary action to effectively monitor overtime incurred by officers and to ensure compliance with critical overtime requirements (Finding 1). As a result, other deficiencies relating to the use, payment, and monitoring of overtime routinely occurred for extended periods without being identified and resolved and, in our opinion, contributed to excessive overtime being paid to certain officers.

In addition, BPD did not have procedures to analyze overtime activity to evaluate the necessity and propriety of unusually high levels of overtime routinely incurred by and paid to certain officers (Finding 2). Furthermore, BPD did not ensure officers did not exceed established limits on overtime (Finding 3). We also noted

noncompliance with several policy and procedural requirements, including the failure to conduct overtime audits (Finding 4), to ensure overtime was preauthorized (Finding 5), and to properly categorize overtime (Finding 6).

Furthermore, certain procedures and controls specific to secondary employment were not adequate. Specifically, BPD's policy on secondary employment did not sufficiently address certain IACP best practices and had certain other deficiencies (Finding 7), certain overtime practices used for wide-load escorts were not formally approved, and BPD did not have procedures and controls in place to monitor this activity (Finding 8). In addition, current agreements between BPD and other entities for secondary employment were not maintained (Finding 9). Finally, BPD did not maintain a complete record of officers and entities approved for external secondary employment, and BPD performed virtually no monitoring as required (Finding 10).

Other processes reviewed and tested, such as compliance with restrictions on working overtime while on leave, use of correct overtime pay rates, and user access to Workday appeared to be appropriate and in accordance with BPD's policies and procedures and applicable best practices.

Fieldwork and Agency Response

We conducted our fieldwork from June 1, 2022 to April 14, 2023. A copy of the draft report was provided to BPD. The responses to our findings and recommendations from BPD appear as an appendix to this audit report. As prescribed in the State Government Article, Section 2-1224 of the Annotated Code of Maryland, we will advise BPD regarding the results of our review of its response.

Background Information

Agency Responsibilities

The Baltimore Police Department (BPD) is an agency and instrumentality of the State, established under Article 4 - Section 16 of the Code of Public Local Laws of Maryland. BPD safeguards the lives and properties of persons within the areas under the control of Baltimore City (City) and assists in securing protection under the law for all persons. Authority to appoint the Police Commissioner was transferred from the Governor to the Mayor of Baltimore, effective July 1, 1978. The Police Commissioner has the full authority and responsibility for directing and supervising the operations and affairs of BPD. Legislation in 2021 and 2022 was passed in the State and City and ratified by the voters of Baltimore City in the 2022 general election to transfer control of BPD to the City. As of February 3, 2022, local control is not expected to take effect until at least October 1, 2024.

As depicted in Figure 1, there are four bureaus within BPD, each of which reports to a Deputy Commissioner and includes various units or sections with distinct functions and responsibilities. The Operations Bureau is responsible for most of BPD policing efforts and accounts for the majority of overtime. The other three Bureaus perform oversight, accountability, support, and administrative functions.

Figure 1
Summary of Bureaus and Key Sections or Units

Bureau	Key Sections or Units
Operations Bureau	Patrol (including nine districts, Special Operations, and Special Events/Secondary Employment), Criminal Investigation (including Homicide/Robbery, Anti-Crime, and Special Investigations), and Data Driven Strategies (including Homeland Security & Intelligence)
Public Integrity Bureau	Public Integrity (including Special Investigations Response Team and Investigations) and Equal Opportunity & Diversity
Compliance Bureau	Technology, Consent Decree Implementation, Equity Officer, Education & Training, Performance Standards (including Audits & Inspections), and Communications & Records Management
Administrative Bureau	Finance, Recruitment & Administrative Duties, Officer Safety & Wellness, Forensic Sciences & Evidence Services, Crime Scene & Evidence Management, and Human Resources

Source: Baltimore Police Department organizational chart

BPD Positions, Expenditures, and Funding Sources

According to BPD personnel records, BPD's fiscal year 2022 appropriation provided for 3,195 authorized positions including 2,638 sworn officers and 557 civilian (non-sworn) personnel. These totals represent the maximum number of positions BPD was permitted to fill based on its fiscal year 2022 budget appropriation approved by the City. The vacancy totals noted in Figure 2 on the following page, represent the portion of those maximum positions that were unfilled as of June 30, 2022 according to BPD internal staffing records.

References to officer shortages higher than the vacancy total, such as those found in media accounts, normally include the vacancy total plus the number of additional positions needed for BPD to be considered fully staffed based on a 2020 Consent Decree hearing.

According to City records, during fiscal year 2022, expenditures totaled approximately \$529.7 million, including \$425.3 million for payroll related expenses, including overtime. BPD expenditures are primarily funded through the City's general fund.

Figure 2
BPD Positions, Expenditures, and Funding Sources

Full-Time Equivalent Positions as of June 30, 2022		
	Positions	Percent
Filled		85.1%
Sworn Officers	2,246	
Civilians	473	
Vacant		14.9%
Sworn Officers	392	
Civilians	84	
Total	3,195	
Fiscal Year 2022 Expenditures		
	Expenditures	Percent
Salaries and Other Personnel Costs	\$425,279,383	80.3%
Operating Expenses	104,443,562	19.7%
Total	\$529,722,945	
Fiscal Year 2022 Funding Sources		
	Funding	Percent
City General Fund	\$499,586,469	94.3%
State Fund	16,517,206	3.1%
City Special Fund	10,560,085	2.0%
Federal Fund	3,059,185	0.6%
Total	\$529,722,945	

Source: City financial and personnel records

Workday

In June 2019, Baltimore City awarded a contract to replace its manual and automated systems. Workday is enterprise resource planning software used by many state and local governments, including Maryland State Agencies for its human resources management, benefits and time tracking system. The Workday Project was planned to be implemented by the City government in three distinct phases as depicted in Figure 3 on the following page.

Figure 3
Workday Project Phases



Source: Baltimore City Workday website

Phase I included the replacement of Baltimore City’s human resource, payroll, and timekeeping system. The human resources component was implemented on October 6, 2020 for the entire City, including BPD, while the payroll and timekeeping component was implemented through a staggered rollout. BPD started using Workday for its payroll and timekeeping effective December 20, 2020. It is intended to enhance transparency and control by replacing activities previously performed manually. For example, Workday establishes automated controls and approvals and allows for greater accountability and monitoring of overtime through real-time data and reporting tools, such as identifying instances where employees worked outside of their approved regular work schedule.

As part of the implementation of Workday, BPD transitioned from paying based on work schedules and manually-submitted paper overtime slips to a ‘punch to pay’ model that requires officers to record actual time worked. There are generally three ways for BPD officers to record their actual time worked:

- 1) Directly in Workday through an electronic device, such as a computer, tablet, or BPD-issued cellular phone connected to a BPD network;
- 2) Biometric Time Clock located at BPD facilities where recorded time automatically interfaces with Workday; and
- 3) Manual Form submitted to and entered into Workday by supervisory or administrative personnel.

The City experienced numerous human resource and payroll related issues during the first several months after the implementation of Workday in December 2020. In response, the Baltimore City Council adopted a Resolution Bill to hold an

investigative hearing to discuss the development and implementation process of Workday; what focus groups or other workgroups were created to identify potential problems during the development process; what offline performance tests were conducted to identify potential gaps in service delivery capabilities; and what corrective processes have been put in place to remedy the countless problems that the City has faced during this implementation process. According to the Resolution Bill,

... despite soaring expectations, the rollout of Workday was flawed from the outset, with hundreds of City employees being negatively impacted... many employees have been underpaid or not paid entirely since the Workday rollout. In some cases, employees have not been paid for 6 weeks. This has caused an enormous financial strain among our city employees...

In its presentation to the Baltimore City Council, the Baltimore City Office of Information and Technology (BCIT) reported that, as of February 10, 2021, approximately one and a half months after initial rollout, there were 61 issues identified relating to data integrity, system configurations, and problems resulting from human error that were being addressed. According to BPD management, while Workday has since been stabilized, BPD was greatly impacted by the issues during the initial rollout of Workday and, as of August 2022, continued to experience issues with Workday that impacted payroll operations that have been reported to BCIT for resolution.

Concerns with Police Department Overtime

Overtime at Police Departments nationwide has been an area of great public interest, attention, and scrutiny. According to a study sponsored by the National Institute of Justice,² overtime is an unavoidable cost of policing which can be controlled through a combination of analysis, recordkeeping, management, and supervision.³ According to the report,

² A research, development, and evaluation agency of the federal Department of Justice's Office of Justice Programs.

³ Bayley, David H. and Worden, Robert E. May 1998. "Police Overtime: An Examination of Key Issues." National Institute of Justice Research in Brief.

Overtime should be viewed, within limits, as an unavoidable cost of policing. Overtime charges cannot be eliminated altogether, regardless of the number of police officers employed, because of inevitable shift extensions, court appearances, unpredictable events, and contract requirements. Concerns about overtime usage should be addressed through controlling overtime usage with improved management techniques.

Specific concerns with overtime at BPD were raised in both the media and in an October 2018 Baltimore City Department of Audits (DOA) report on BPD overtime.⁴ The audit generally concluded that BPD lacked internal controls that would allow BPD to ensure that all overtime hours were necessary, appropriate, and actually worked when recorded. Observations reported by DOA included:

- A lack of command accountability and resistance to change,
- Barriers to effective monitoring and supervision, and
- BPD's reliance on manual systems/lack of technology.

The report included 15 recommendations to increase control over overtime spending, and to move BPD toward optimized internal controls such as updating policies on leave, overtime, and accountability for non-compliance, training, monitoring and auditing, and use of technology to better control, track, and monitor overtime. Our audit did not include a review of the current status of these recommendations, as that follow-up is the responsibility of the DOA.

BPD Overtime

In general, officers at the rank of lieutenant and below are eligible to receive overtime compensation at one and a half times their regular rate of pay in the form of a payment or time off for any time worked in excess of their scheduled shift (regardless of whether the officer works 40 regular hours in the week). As depicted in Figure 4 on the following page, each day consists of three shifts, with each shift scheduled to last 8.5 hours, with certain overlap between shifts.

⁴ At the time of our reporting, the overtime audit report was at the following link: [Report on Overtime at the Baltimore Police Department](#) (this link to the report on the DOA website was active at the time of our audit report issuance, and its continued functionality cannot be guaranteed).

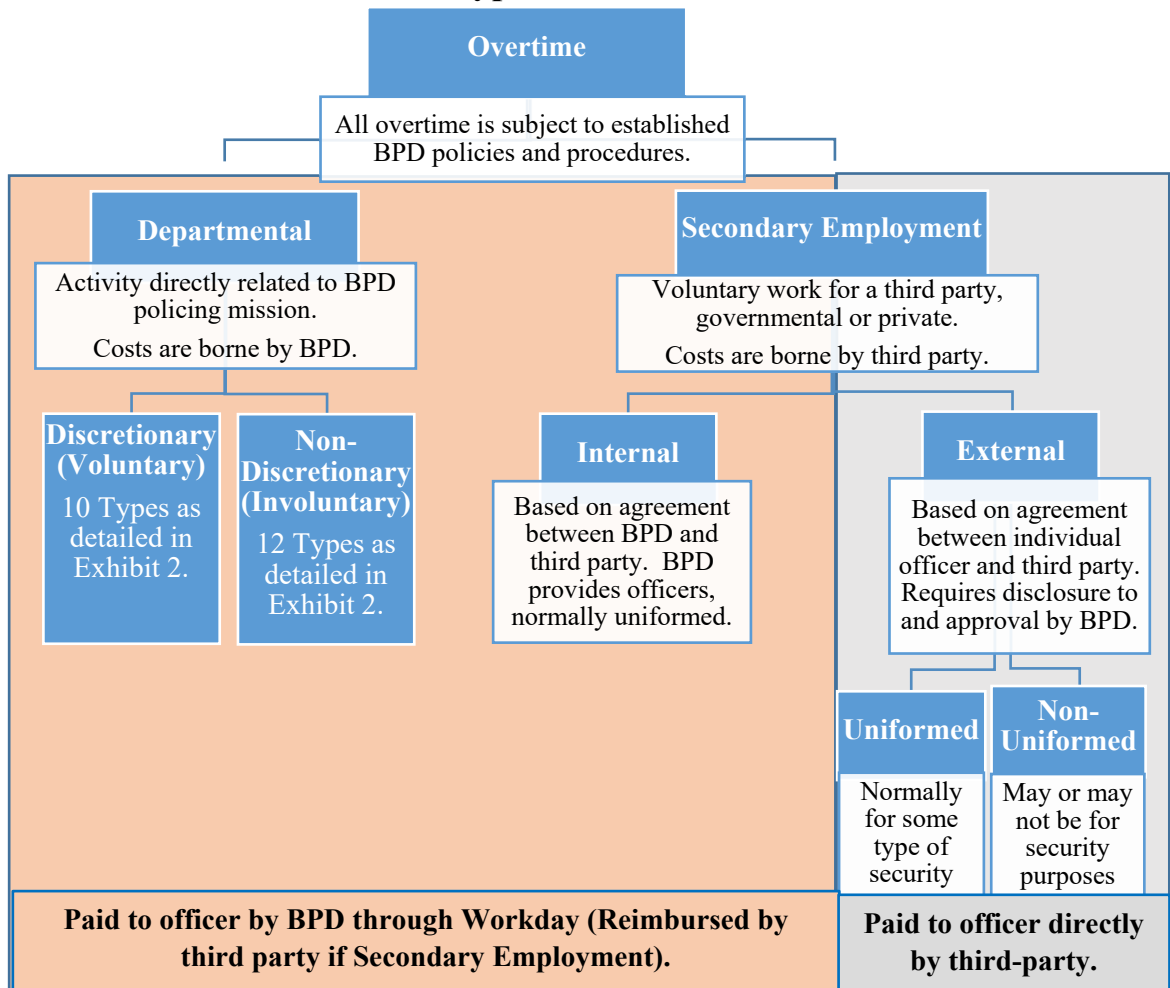
Figure 4
Daily Shift Schedules

Shift	Shift Start	Shift End	Shift Length
Day (B)	6:45 a.m.	3:15 p.m.	8.5 hours
Evening (C)	2:45 p.m.	11:15 p.m.	8.5 hours
Midnight (A)	10:45 p.m.	7:15 a.m.	8.5 hours

Source: BPD collective bargaining agreements

There are two types of overtime available to BPD officers, Departmental Overtime and Secondary Employment Overtime (see Figure 5 on the following page). Policies and procedures, as well as accounting and payment practices including who is ultimately responsible for the costs of overtime incurred differ between each type and category of overtime as further described below.

Figure 5
Overview of Types of Overtime at BPD



Source: BPD's *Manual for Payroll Processes, Overtime Policy, and Secondary Employment Policy*

Departmental Overtime

Departmental overtime accounts for the majority of BPD overtime costs and relates to officers working hours in addition to their regularly scheduled shift for the purpose of performing police duties. This overtime can be discretionary (voluntary) or non-discretionary (involuntary).⁵ Discretionary overtime occurs when the officer volunteers to work overtime when it becomes available, and non-discretionary overtime is mandated for a specific officer. This distinction is important because different overtime requirements and restrictions apply to each.

⁵ BPD also accounts for court overtime separately when officers are required to appear in court when off-duty as shown in Figure 6.

Departmental overtime is further categorized into 22 activity codes (10 different categories for discretionary and 12 different categories for non-discretionary). See Exhibit 2 in the back of this report for a breakdown of overtime hours and dollars by each code.

Any activity not assigned to an activity code is treated as uncategorized (uncategorized overtime is in fact a violation of BPD policy and is addressed in finding 6 of this report). As noted in Figure 6 below, approximately 41 percent of the departmental overtime was related to discretionary activity codes and 29 percent was related to non-discretionary activity codes. The remaining overtime was either uncategorized or related to off-duty/other overtime codes.

Figure 6
Summary of Departmental Overtime Payments
December 20, 2020 to June 30, 2022

Activity Code	Hours	Payments	Percent of Total
Discretionary (Voluntary)	397,535	\$23,807,534	41.1%
Non-Discretionary (Involuntary)	288,397	16,673,108	28.8%
Uncategorized ⁶	281,690	16,693,445	28.8%
Off-Duty Court and Other Codes	12,479	782,050	1.3%
Total	980,101	\$57,956,137	

Source: Workday payroll reports

Secondary Employment

BPD also provides for secondary employment opportunities where BPD makes officers available to provide certain law enforcement/security duties to other entities. Costs of the secondary employment are borne by the other entity, (payroll costs may be initially paid by BPD then reimbursed by the entity or the officer may be paid directly by the third-party entity). Secondary employment is normally conducted beyond the officer's regular BPD policing duties and shift schedule, such as providing certain agreed upon security services to another State or local government unit or to a private entity.

⁶ Uncategorized relates to departmental overtime that was not specifically categorized when recording time worked as required. As such, BPD does not readily know what the overtime relates to without further investigation. See finding 6 for more details.

Secondary employment is primarily governed and managed through a separate BPD unit, the Secondary Employment Unit (SEU), and a specific *Secondary Employment Policy (SEP)*. The SEU is responsible for managing and monitoring secondary employment activity including approvals of employees and entities authorized to participate in secondary employment, advising officers of available secondary employment, scheduling certain secondary employment shifts, and overseeing time worked. By its nature, secondary employment is normally voluntary.

Although the SEU is responsible for managing secondary employment, there are two types of secondary employment: internal and external. SEU staff acknowledged to us that the nature of external secondary employment significantly impacts the level of oversight BPD can effectively exercise over secondary employment, as well as the level of recordkeeping and the method of payment.

- **Internal Secondary Employment** – refers to work performed by uniformed officers in law enforcement/security related activities for a third party that is conditioned on the actual or potential use of law enforcement powers. Prime examples are providing security services for the Maryland Stadium Authority at Baltimore Orioles and Baltimore Ravens home games or for a private entity, such as Johns Hopkins University. The SEU manages third-party agreements for these services, makes the work available to officers, and oversees scheduling. SEU also works with the Special Events Unit to coordinate staffing for major City special events, such as the Baltimore Marathon.

Time worked is recorded and paid through Workday, the same as departmental overtime. Officers are paid a specified rate agreed to by BPD and the third party, which may be one and a half times the officer's regular pay rate (normal overtime rate) or a different agreed-upon rate. BPD is subsequently reimbursed by the third-party for these payments. Internal secondary employment payments totaled approximately \$8.5 million for 124,000 hours between December 20, 2020 and June 30, 2022.

- **External Secondary Employment** – refers to both uniformed and non-uniformed services provided to a third party, usually a private entity, where the officer may, like with internal secondary employment, potentially use their police powers. With external secondary employment, the officer enters into their own agreement with the entity regarding services and payment, and the officer is effectively an employee of the entity. For example, an officer could

provide plainclothes security for a retail establishment, such as a grocery store.

Although the *SEP* addresses certain requirements and restrictions relating to external secondary employment, the SEU does not manage external secondary employment work schedules, and officers are paid directly by the third-party entity outside of Workday at a rate agreed to by the officer and the entity. Since this activity is outside of Workday and not otherwise captured, BPD staff advised us that the exact amount of such activity cannot be readily determined.

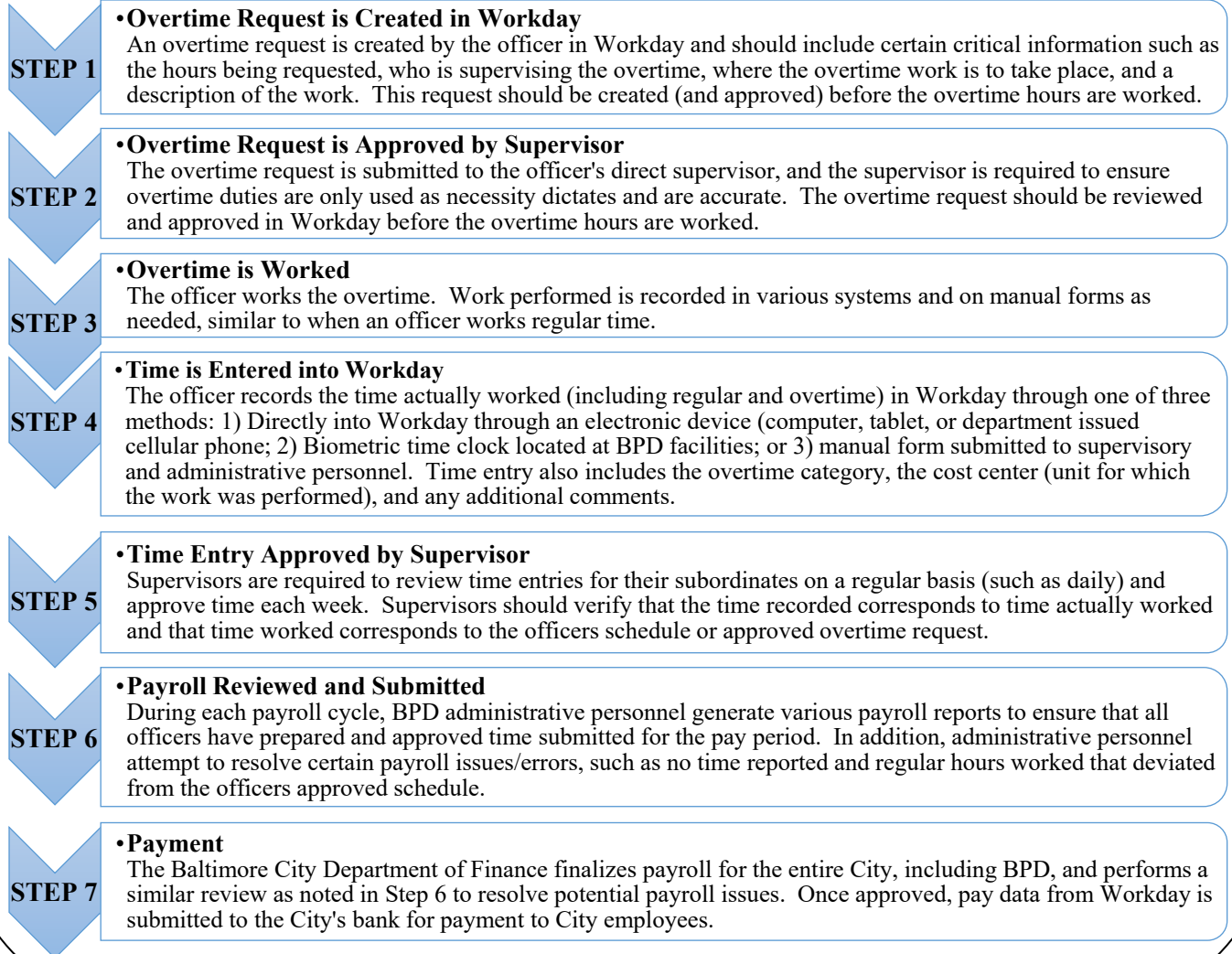
BPD does not consider or classify secondary employment, both internal and external, as overtime, in part because BPD is not responsible for the associated costs. However, there are formal provisions included in BPD's payroll and overtime policies that apply to both departmental overtime and secondary employment (such as weekly limits on the number of hours allowed to be worked), and BPD must approve an officer's suitability for secondary employment. In addition, this activity is managed and monitored at varying levels by the SEU, and the officers' police powers at these events or entities are granted through their employment with BPD.

Finally, and although we have no direct evidence of this, we believe it is reasonable to conclude that the number of extra hours worked in secondary employment (as with overtime) could negatively impact an officer's effectiveness and efficiency (such as resulting in officer fatigue) when working their regular BPD shift. Consequently, for all the aforementioned reasons, we have included secondary employment as overtime for purposes of this audit.

Overtime Request, Approval, and Payment through Workday

All overtime, except for external secondary employment, is processed through Workday. BPD's policies and procedures establish certain requirements that should be occurring relating to overtime, however the only mandated requirement proactively enforced through Workday is that overtime cannot be paid without an approved overtime request and a corresponding approved time entry in Workday. For example, the general processing of discretionary (voluntary) departmental overtime follows a seven-step process as depicted in Figure 7 on the following page.

Figure 7
Discretionary (Voluntary) Department Overtime Process



Source: BPD's *Manual for Payroll Processes and Overtime Policy*

For non-discretionary (involuntary) departmental overtime, the process is generally the same except that the overtime request may be created and approved after the hours have been worked due to the nature of the overtime (Steps 1 and 2). For internal secondary employment, since this work generally occurs outside a BPD facility, time is recorded and certified by supervisory personnel on a manual form, which is then manually entered into Workday by administrative personnel (Step 4). This time is still submitted to the officer's direct supervisor for review and approval in Workday.

External secondary employment is not processed through Workday as this is scheduled and paid directly by a third-party entity.

Overtime Policies, Procedures, and Requirements

Overtime and related human resource and payroll processes are subject to a variety of regulatory, agreed upon, and internal requirements primarily including those described in the federal Fair Labor Standards Act, various collective bargaining agreements, BPD internal directives from the Police Commissioner, and approved manuals and policies. In addition, BPD is mandated to comply with strict scheduling requirements established in the collective bargaining agreements, such as number of shifts, timing of shifts, time off requirements and procedures, and vacation bidding procedures. The purpose of these requirements is to provide scheduling consistency for officers and allow BPD to manage its entire workforce to ensure adequate resources are provided for each shift and district throughout the year.

Prior to May 2019, BPD overtime activity was primarily governed by a policy dating back more than 30 years. In 2019, BPD's Police Commissioner began to issue directives changing certain overtime policy requirements which were eventually promulgated in two documents.

- The *Manual for Payroll Processes (Manual)* took effect on March 10, 2022, and replaced BPD's prior payroll manual, which dated back to 1987. The *Manual* includes responsibilities, restrictions, requirements, and monitoring procedures relating to time entry, overtime, leave requests and other general payroll processes.
- The *Overtime Policy (Policy)* took effect on June 6, 2022 and included several of the aforementioned directives from the *Manual*, plus additional provisions that further detailed monitoring and oversight requirements from supervisory, command, and fiscal personnel, and additional details on audit requirements.

In addition, the *SEP* was updated in April 2022 and establishes requirements and restrictions for secondary employment, including eligibility for officers, authorization of entities, and oversight functions. The new directives were intended to help reduce officer fatigue and improve safety, as well as to better manage and control overtime. Key BPD *Manual and Policy* requirements are shown in Exhibit 3.⁷

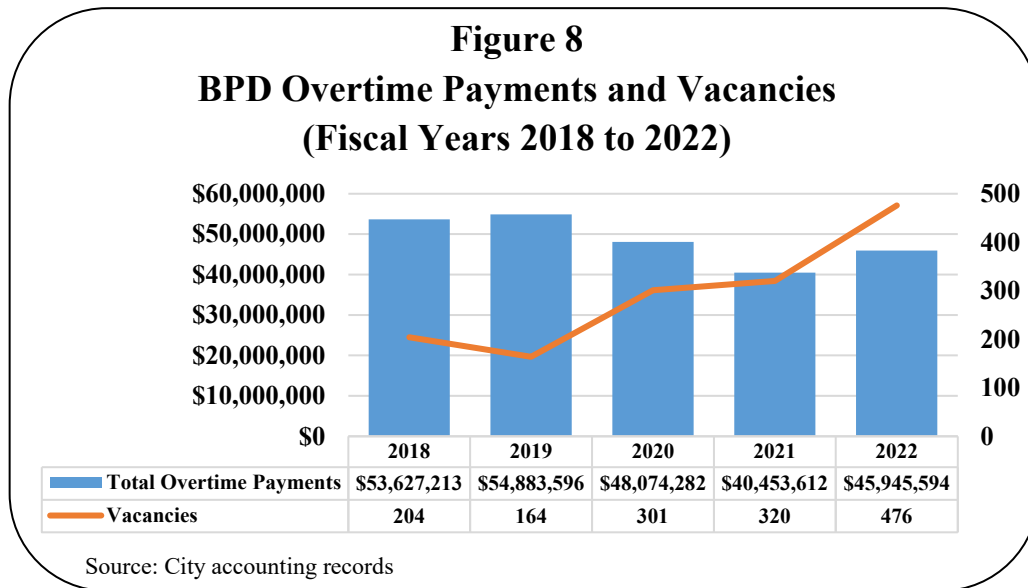
⁷ Exhibit 3 reflects the most updated version of key requirements at the time of this report. Our review relied upon requirements that were in place at the time of the activity being reviewed as there were several updates that occurred during the audit period.

It should also be noted that certain restrictions exist that can limit BPD's ability to minimize overtime. For example, the collective bargaining agreements prohibit BPD from modifying officers approved schedules in an effort to avoid overtime. According to the agreements,

An employee's scheduled days off or approved leave shall not be changed or cancelled solely for the purpose of avoiding the payment of overtime ... The Employer shall not vary or rearrange an employee's scheduled tour of duty hours to avoid the payment of overtime ...

BPD Overtime Payments

BPD's overtime fluctuated between fiscal years 2018 and 2022 with an overall decrease from \$53.6 million to \$45.9 million (see Figure 8).



According to BPD management, overtime decreased because of several significant changes to BPD's payroll operations, such as implementation of stricter payroll and overtime policies and a new payroll and timekeeping system. In fiscal year 2022, overtime increased by approximately \$5 million from fiscal year 2021, which according to BPD management primarily resulted from vacancies and initiatives for crime reduction and suppression (generally, the validation of these causes and their correlation to overtime trends was not within the scope of this audit).

High levels of overtime spending at police departments nationwide are commonly attributable to shortages in positions (appropriated positions being less than what

is needed by the department) and vacancies (appropriated positions that are not filled). As depicted in Figure 8, BPD vacancies increased from 204 to 476 positions between fiscal years 2018 and 2022 while overtime generally decreased during the same period. Furthermore, according to available overtime records, approximately 29 percent of BPD's fiscal year 2022 overtime was directly attributable to position shortages and vacancies. According to BPD management, this reverse trend is primarily the result of significant operational changes implemented by BPD to control and reduce overtime.

Findings and Recommendations

Monitoring of Excessive Overtime

Finding 1

Baltimore City Police Department (BPD) supervisory personnel at all levels did not exercise the necessary oversight and disciplinary action to effectively monitor overtime and to ensure compliance with BPD's policies and procedures.

Analysis

BPD supervisory personnel at all levels did not exercise the necessary oversight and disciplinary action to effectively monitor overtime and ensure compliance with BPD's *Manual for Payroll Processes (Manual)* and its *Overtime Policy (Policy)*. Although BPD had recently implemented several new processes, systems (including Workday), and policies to help manage and control overtime, these efforts were undermined by a lack of consistent and diligent enforcement by front-line supervisory personnel. Furthermore, command and administrative management personnel did not effectively use available overtime data to monitor the use of overtime or take disciplinary action to establish accountability and deter repeated violations when warranted.

We noted numerous deficiencies relating to the use, payment, and monitoring of overtime as noted below and in subsequent findings. These conditions occurred for extended periods without being identified and resolved and contributed to excessive overtime being paid to certain officers.

Front-Line Supervisors

Front-line supervisors routinely approved overtime that did not comply with BPD's policies and procedures. BPD's *Manual and Policy* require all overtime to be requested and approved in Workday. Approval is granted by the officer's immediate supervisor or a supervisor in the officer's chain of command. These supervisors have the authority and responsibility to prevent and deny unnecessary overtime to ensure strict adherence to requirements prior to overtime being worked or approved. Our testing and analyses disclosed a consistent departmentwide lack of effective and meaningful front-line supervisory review.

Specifically, as detailed in other findings included in this audit report, we noted that front-line supervisors:

- Did not ensure overtime was proper and was only used as necessary (Finding 2). Our review and analyses of overtime data disclosed numerous officers with excessive overtime, including 100 officers who recorded more than 1,000 hours of overtime in fiscal year 2022, 7 of whom earned more than \$100,000 in overtime pay.
- Did not ensure officers did not work more than 32 hours of voluntary overtime in a week per BPD's *Manual* (Finding 3). Our analysis of fiscal year 2022 overtime data disclosed 268 officers who exceeded the weekly hourly limit a total of 693 times.
- Did not always approve requests for voluntary overtime before overtime hours were worked as required (Finding 5). Our analysis of overtime requests made between January 1, 2021 and June 30, 2022 disclosed 71 percent of the requests were approved after the end of the officer's shift when the overtime had already occurred.
- Did not ensure overtime was properly recorded in Workday (Finding 6). Approximately \$16.7 million in overtime expenditures were not categorized in Workday between January 2021 and June 2022.

Command and Administrative Management Personnel

Command and administrative management personnel did not effectively use available Workday overtime data to monitor the use of overtime or take disciplinary action to establish accountability and prevent repeated violations. BPD's policies and procedures require BPD Commanders to monitor overtime requests in order to ensure compliance with established overtime requirements, to restrict overtime to an absolute minimum, and to ensure overtime is stringently controlled and not abused.

Our review disclosed that no procedures, such as routinely compiling and effectively analyzing overtime data, existed to ensure that command personnel met these requirements.⁸ Furthermore, administrative management personnel did not always perform certain required reviews and audits to monitor compliance with the policies and procedures (Findings 3 and 4).

Command personnel also did not consistently take required disciplinary action against those responsible for charging and approving excessive or improper overtime. BPD's policies and procedures provide that both the requestor and

⁸ Although procedures did exist at the Command level to review overtime data, this generally related to budgetary concerns for the entire District and did not constitute a formal process to evaluate officer or supervisor compliance with key overtime requirements.

approver of overtime be subject to disciplinary action for failing to meet related requirements. While there were general disciplinary policies and procedures in place when violations are identified and reported, including referral to the BPD's Public Integrity Bureau for investigation, such referrals were not common. In this regard, our review of procedures at six districts and units did not identify any formal procedures that had been implemented at the Command level to meet this requirement. As a result, the only referrals pertaining to overtime activity identified were a result of the limited weekly overtime limit reviews detailed in Finding 3.

Command personnel commonly advised us that it was the front-line supervisor's responsibility to ensure an officer's overtime was needed and not abused at an officer level through the approval process and to take appropriate disciplinary action as warranted. However, this is contrary to the written policy and procedures and nevertheless appeared to be ineffective based on the results of our evaluation of overtime activity. In addition, administrative management advised that the need to focus on certain other critical tasks associated with the implementation of the new Workday payroll system delayed its efforts to fully monitor and enforce compliance with newly established processes and policies relating to overtime.

Recommendation 1

We recommend that BPD establish effective oversight of overtime by supervisory personnel at all levels. Specifically, we recommend that BPD

- a. ensure that front-line supervisory personnel verify that *Manual* and *Policy* requirements are met before approving overtime,**
- b. establish procedures for Command personnel to effectively analyze overtime data at all levels to ensure that front-line supervisors are ensuring compliance with overtime requirements, and**
- c. take appropriate disciplinary action against those charging and approving improper overtime.**

Finding 2

BPD did not have procedures to analyze overtime activity to evaluate the necessity and propriety of consistently high levels of overtime paid to certain officers. Our analysis disclosed 100 officers who recorded more than 1,000 hours of overtime in fiscal year 2022, including 7 that earned more than \$100,000 in overtime.

Analysis

BPD did not have procedures to analyze overtime activity to evaluate the necessity and propriety of unusually high levels of overtime routinely incurred by and paid to certain officers. According to BPD's overtime reports, 1,706 officers worked 100 hours or more of overtime in fiscal year 2022 (a total of 729,104 hours of overtime). Our analysis of the overtime earned by these employees disclosed that certain officers were routinely paid excessive amounts of overtime (see Figure 9).

Specifically, our analysis disclosed that 100 officers (included in Exhibit 4 of our report) were paid for 1,000 hours or more of total overtime in fiscal year 2022. These 100 officers were paid approximately \$7.7 million in overtime during the year, 7 of whom were paid more than \$100,000. Each officer averaged approximately 20 to 36 hours of overtime every week for the entire fiscal year and between 65 and 132 percent of their base salary.

We further examined the 10 who were paid for the most overtime hours in fiscal year 2022⁹ that represented approximately \$1 million in payments for 15,504 hours of overtime

(See Figure 10 on the following page). BPD records showed that the majority of this overtime (over 90 percent) was voluntary or uncategorized.¹⁰

Figure 9
Hours of Overtime Worked by Officer
Fiscal Year 2022

Hours of Overtime per Officer	Number of Officers	Number of Total Hours	Percent of Total Hours
1,500 or more	4	6,836	1.0%
1,000 to 1,499	96	113,002	15.5%
500 to 999	418	289,737	39.7%
100 to 499	1,188	319,529	43.8%
Total	1,706	729,104	100%

Source: Workday overtime reports

⁹ Due to salary differences, the 10 with the most hours shown in Figure 10 included some, but not all of the previously noted 7 earning over \$100,000 in overtime.

¹⁰ Involuntary overtime includes departmental non-discretionary overtime for which BPD made the determination that the work was mandatory. Voluntary overtime includes departmental discretionary and internal secondary employment which is normally voluntary. Uncategorized overtime is overtime not specifically defined on time records.

Figure 10
Comparison of Overtime Earnings
to Annual Base Salary for Ten Employees with
the Highest Number of Overtime Hours
Fiscal Year 2022

Employee	Overtime Hours	Annual Base Salary	Overtime Payments	Percent of Overtime to Base Salary
Officer 1	1,938	\$114,236	\$151,373	132.5%
Officer 2	1,743	96,783	116,898	120.8%
Officer 3	1,578	113,178	124,311	109.8%
Officer 4	1,577	110,005	121,958	110.9%
Officer 5	1,481	82,442	89,556	108.6%
Officer 6	1,464	88,321	88,266	99.9%
Officer 7	1,445	82,442	83,892	101.8%
Officer 8	1,433	95,725	94,712	98.9%
Officer 9	1,423	75,183	73,707	98.0%
Officer 10	1,422	79,849	80,946	101.4%
Total	15,504	\$947,164	\$1,025,619	108.3%

Source: Workday overtime reports

For these 10 officers, we extended our review back to fiscal year 2015 using payroll data made publicly available by the City. Our review disclosed that 7 of 10 officers more than doubled their base salary three or more times during this eight-year period, including two officers who more than doubled their base salary each year for all eight years. For example, Officer 1 in Figure 10 above exceeded their annual base salary each year by approximately 127 to 152 percent resulting in a total of \$1,138,696 in overtime payments in addition to base salary earnings of \$823,808 during the eight-year period.

These 10 officers routinely violated certain key *Manual* and *Policy* requirements relating to overtime. For example, as shown in Figure 11, each of the 10 officers had exceeded BPD's weekly 32-hour voluntary overtime limit at least once during fiscal year 2022, with a combined total of 90 times. In addition, there were a combined 141 instances in which these officers were paid for 12 hours or more of overtime on the same day, including 6 instances of 20 overtime hours or more on the same day. In general, most of these officers routinely worked overtime (generally between 4 and 8 hours) after their scheduled shifts, which often resulted in more than 16 hours of total time being worked, or they worked significant amounts of overtime on scheduled days off or for hours outside of

their scheduled shifts on days when leave had also been taken (that is, not during the same hours as when leave was taken).

Figure 11
Selected Overtime Data for Ten Employees
with the Highest Number of Overtime Hours
Fiscal Year 2022

Employee	Weeks with More than 32 Hours of Voluntary Overtime	Number of Days with		
		Between 12 and 16 Overtime Hours	Between 16 and 20 Overtime Hours	Between 20 to 24 Overtime Hours
Officer 1	31	29	7	3
Officer 2	14	17	3	3
Officer 3	1	1	0	0
Officer 4	10	9	4	0
Officer 5	1	4	0	0
Officer 6	5	6	2	0
Officer 7	10	1	6	0
Officer 8	7	15	7	0
Officer 9	6	7	8	0
Officer 10	5	7	2	0
Total	90	96	39	6

Source: Workday overtime reports

The excessive overtime was not always related to the officer's primary duties. For example, despite being primarily assigned to the SWAT unit, one officer routinely worked significant amounts of overtime relating to secondary employment such as wide-load escorts and red light/speed cameras review on scheduled days off or on days when leave was taken. We also noted that this officer worked more than 20 hours of overtime on three separate days, including a 22.75-hour day as shown in Figure 12 on the following page. Although the overtime for this day was pre-approved by a supervisor and the officer had off the previous day, working more than 22 hours of overtime in one day and for the purposes noted appears, in our opinion, to be excessive and could subsequently impact the officer's performance while carrying out other assigned duties.

Figure 12
Example of 22.75-Hour Work Day for SWAT Officer
March 27, 2022

Start Time	End Time	Hours	OT Description
12:00 am	6:00 am	6	Secondary Employment – Casino Security
7:00 am	12:30 pm	5.5	Secondary Employment – Speed Cameras (review of citations, calibration of cameras)
12:31 pm	8:33 pm	8	Departmental – Crime Suppression
8:45 pm	12:00 am	3.25	Secondary Employment – Speed Cameras (review of citations, calibration of cameras)

Source: Workday

Best practices identified by the International Association of Chiefs of Police (IACP) relating to the analysis and management of overtime activity recommend that supervisory and command staff should monitor individual and summary activity reports of overtime expenditures to identify unusual, unexplained, or disproportionate expenditures in overtime. Although BPD's *Manual* and its *Policy* both included provisions pertaining to the responsibilities and monitoring efforts required from supervisory and command staff, those provisions did not address the aforementioned IACP best practices.

BPD management advised that in general such procedures had not yet been developed or implemented due to the challenges faced during the implementation of Workday, new policies and procedures, and other priorities of the department. Furthermore, BPD management relies significantly on the officers' direct supervisors to evaluate the necessity and propriety of overtime and to consider the well-being of its officers. Working too many hours without a necessary rest period has been shown to have a detrimental effect on employee health and performance. According to an article published by the National Institute of Justice,¹¹ research shows that fatigued officers:

- Use more sick leave,
- Practice inappropriate uses of force more frequently,
- Become involved in more vehicle accidents,
- Have more difficulty dealing with community members and other law enforcement agencies,
- Experience more accidental injuries, and

¹¹ National Institute of Justice. January 5, 2009. "Impact of Sleep Deprivation on Police Performance." nij.ojp.gov.

- Have a higher likelihood of dying in the line of duty.

Recommendation 2

We recommend that BPD

- a. **develop comprehensive procedures to routinely monitor overtime activity to identify employees with potentially excessive overtime and take appropriate action to prevent excessive overtime from being worked;**
- b. **modify its *Manual* and *Policy* to require the specific overtime analysis and management best practices established by IACP referenced in this finding; and**
- c. **investigate the necessity and propriety of excessive overtime, including the 100 officers noted above, and take disciplinary action against the employees and supervisors associated with any overtime earned in violation of BPD's policies, as deemed appropriate.**

Finding 3

BPD did not conduct required reviews to ensure that officers were limited to no more than 32 hours of voluntary overtime per week, and our analysis identified 268 individuals who exceeded the limit a total of 693 times during fiscal year 2022.

Analysis

BPD did not conduct required reviews to ensure that officers were limited to no more than 32 hours of voluntary overtime per week. BPD's *Manual* specifies that employees shall not work in excess of 32 cumulative hours of discretionary (voluntary) overtime and/or secondary employment (generally voluntary) in a week unless approved by supervisory personnel and the related justification is documented in Workday.¹²

BPD generated reports each pay period identifying individuals who reported more than 32 hours of total overtime in a week. Our review disclosed that, as of August 2022, BPD administrative management personnel had only reviewed the reports for 4 of the 26 pay periods during fiscal year 2022. The BPD analysis of the four reports identified a total of 36 officers with more than 32 hours of total overtime in those pay periods, including 21 officers with more than 32 hours of voluntary overtime per week without justification in Workday and were determined to be improper. However, the report excluded certain overtime, such as voluntary overtime relating to investigations and uncategorized overtime, which could have resulted in additional violations that were not identified by BPD.

¹² Non-Discretionary (Involuntary) overtime does not count towards the 32-hour weekly limit.

We confirmed with BPD management that the excluded overtime should have been included in determining if a violation had occurred. The aforementioned 21 officers were referred to the BPD Public Integrity Bureau for further investigation and potential disciplinary action, such as counseling, formal reprimand, or suspension.¹³

Our analysis of fiscal year 2022 overtime data disclosed 268 individuals who exceeded the 32-hour limit for voluntary overtime a total of 693 times (see Figure 13). Exceeding the limit does not necessarily mean a violation of policy has occurred; however, our review of 20 of the 693 instances disclosed none had the required documentation in Workday to justify exceeding the limit.

Limiting the number of overtime hours is critical to reduce officer fatigue and improving safety. Such limitations are in practice at certain other police departments we examined.

Figure 13
Officers that Exceeded the 32-Hour Limit in Fiscal Year 2022

Range of Instances	Count of Employees	Total Instances
More than 10	6	93
5 to 9	38	244
2 to 4	81	213
1	143	143
Total	268	693

Source: Workday overtime reports

Recommendation 3

We recommend that BPD

- a. review and investigate reports of potential excessive overtime to determine if policy violations have occurred,**
- b. ensure that the reviews include all applicable overtime types, and**
- c. investigate the aforementioned 268 individuals with excessive overtime and take appropriate corrective action.**

¹³ According to BPD management, supervisors responsible for allowing excessive officer overtime would be included in the Bureau's investigative process.

Finding 4

BPD did not conduct quarterly audits of overtime activity as required by its *Policy*.

Analysis

BPD did not conduct quarterly audits of overtime activity as required by its *Policy*. Overtime audits have been required by BPD policy since at least July 2019 and are an essential tool to identify improper overtime activity and ineffective supervisory review and approvals. Our review disclosed that, as of January 2023, no audits had been conducted between December 2020 and June 2022, and BPD had not developed detailed procedures and processes governing the scope and methodology of the audits, such as the number of individuals to be audited, which requirements will be examined, audit documentation to be maintained, actions required when policy violations are identified, and reporting requirements.

The audits are to be performed by officers and civilians outside the direct chain of command and are intended to provide an independent assessment and evaluation of officer and supervisor compliance with *Manual* and *Policy* overtime requirements, ensuring that appropriate supervisory reviews are performed and that overtime recorded is associated with work products. BPD management advised us that the audits had not been performed due to staffing limitations.

Recommendation 4

We recommend that BPD

- a. develop procedures and processes for quarterly audits of overtime activity,**
- b. conduct quarterly audits of overtime activity as required, and**
- c. take appropriate corrective action for any noncompliant or unsupported overtime.**

Finding 5

BPD did not have procedures and controls to monitor preauthorization required for certain types of overtime, and our analysis disclosed that the required preauthorization was generally not obtained.

Analysis

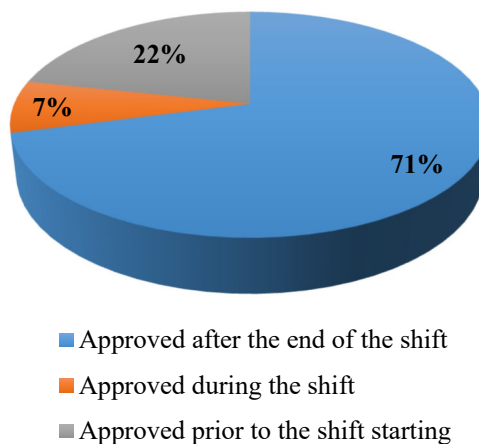
BPD did not establish procedures and controls to monitor supervisory preauthorization required by BPD for certain types of overtime, and our analysis disclosed that the required preauthorization was generally not obtained. BPD's *Manual* requires that departmental discretionary (voluntary) and secondary

employment (virtually always voluntary) overtime be preauthorized in Workday by the officer's immediate supervisor or a supervisor in the officer's chain of command before the overtime hours are worked. Other requirements exist for emergency circumstances and non-discretionary (involuntary) overtime that allow for authorization after the overtime has been worked.

Our analysis of 156,175 requests¹⁴ made between January 1, 2021 and June 30, 2022 for overtime requiring preauthorization, identified 110,704 requests (71 percent) that were approved after the end of the officer's shift, and 11,693 requests (7 percent) that were approved during the shift being worked. These requests for overtime were not preauthorized in Workday as required (Figure 14). Of these 122,397 delayed request approvals, the majority (82 percent) were caused by the officer not submitting the overtime request timely.

According to BPD management, it is common practice for supervisory personnel to preauthorize overtime verbally when they do not readily have access to Workday. However, this practice is not consistent with BPD requirements and is not auditable (for compliance with BPD policy) since these verbalized pre-approvals are not subsequently noted or supported in Workday.

Figure 14
Summary of Overtime
Request Approvals
January 1, 2021 to June 30, 2022



Source: Workday overtime reports

In August 2021, BPD took certain steps to monitor the timeliness of overtime authorizations. However, BPD identified certain reporting limitations in Workday, limiting the usefulness of this action, and BPD has not pursued further action to develop procedures to monitor overtime preauthorization, such as utilizing a combination of multiple reports from Workday or reviewing the preauthorization of overtime requests on a test basis.

¹⁴ These requests were for at least one hour of overtime and included departmental discretionary overtime (voluntary), secondary employment (virtually always voluntary), and uncategorized overtime, which we are including as voluntary overtime absent a record of the type of overtime. The requests resulted in approximately 760,000 hours of overtime totaling \$48.8 million.

Recommendation 5

We recommend that BPD

- a. establish procedures to monitor the preauthorization of overtime, such as developing a comprehensive report to identify instances of untimely preauthorization or using available data on a test basis; and**
- b. establish and take appropriate corrective action for officers and the related supervisors that routinely do not comply with preauthorization requirements.**

Finding 6

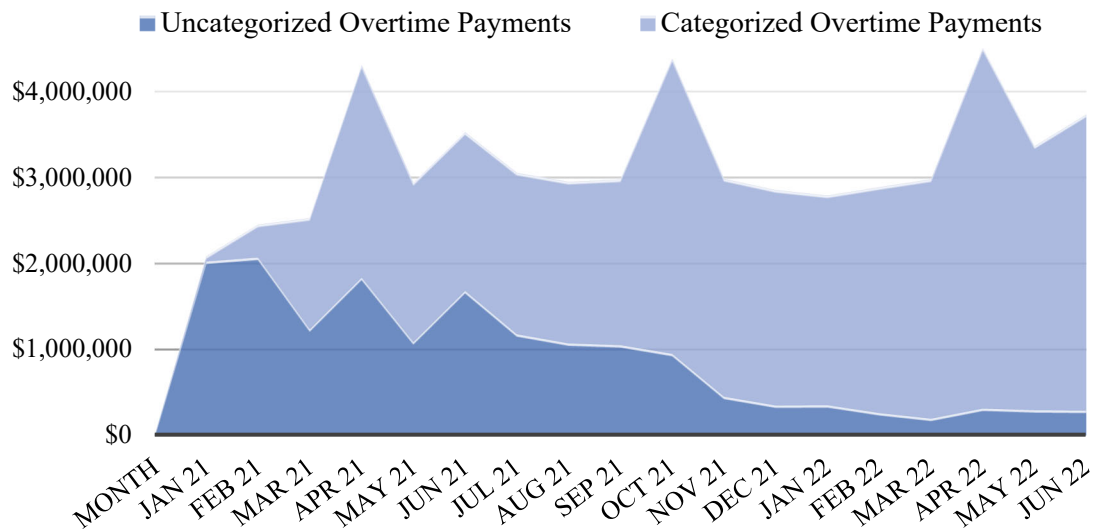
BPD did not have sufficient procedures for identifying, preventing, and correcting uncategorized overtime, including approximately \$16.7 million in overtime paid between January 2021 and June 2022.

Analysis

BPD did not have sufficient procedures for identifying, preventing, and correcting uncategorized overtime. BPD's *Manual* requires employees to categorize departmental overtime into one of 22 activity codes when recording time worked. Properly categorizing overtime is essential if management is to monitor compliance with related *Manual* and *Policy* requirements and for proper recordkeeping and accounting for overtime activity. We noted that categorization of overtime is a common practice at certain other police departments we examined, and ensuring that overtime is properly categorized when recorded, in accordance with agency procedures, is a best practice according to the IACP.

While evaluating procedures at five BPD districts and one unit, we noted two common causes for overtime not being categorized as required: confusion by officers over which activity code should be used and supervisory personnel having difficulty navigating Workday to identify overtime that had not been categorized. As depicted in Figure 15 on the following page, BPD has made significant improvement ensuring that overtime activity is categorized. However, approximately \$16.7 million of \$57.3 million in overtime paid between January 2021 and June 2022 was still not categorized as required. For example, in June 2022, approximately \$290,000 in overtime was not categorized accounting for eight percent of total overtime paid during that month.

Figure 15
Categorized and Uncategorized Overtime Payments
January 2021 to June 2022



Source: Workday overtime reports

BPD management advised that initial non-compliance was primarily attributable to the implementation of Workday in December 2020 and to the fact that categorizing overtime was a new process and *Policy* requirement. Since the inception of Workday, BPD implemented procedures during its payroll process to identify and resolve instances where overtime was not categorized and to bring more awareness to employees of this requirement. However, as noted above BPD is still recording uncategorized overtime and has not resolved the uncategorized overtime recorded prior to the change.

Finally, BPD management advised that it had considered imposing a blocking action in Workday that would have eliminated the ability of recording uncategorized overtime (which is not permitted by BPD's policies). However, BPD believed such a strict action would have resulted in further unanticipated consequences and chose to implement an aggressive post review process instead.

Recommendation 6

We recommend that BPD

- a. enhance procedures for identifying, preventing, and correcting uncategorized overtime, such as by implementing automated alerts and restrictions in Workday and providing additional training to employees; and**

- b. consider the cost benefits of investigating the aforementioned \$16.7 million in overtime paid between January 2021 and June 2022 that was not categorized as required.

Secondary Employment

Finding 7

BPD's policy on secondary employment overtime did not address certain IACP best practices, and certain policies were not sufficiently comprehensive.

Analysis

BPD's policy on secondary employment overtime did not address several IACP best practices, and certain policies were not sufficiently comprehensive. Our comparison of BPD's *Secondary Employment Policy (SEP)* and related procedures to IACP best practices on secondary employment overtime disclosed that many IACP best practices had been addressed by BPD policy (although they may not have been effectively implemented as noted in other findings). However, BPD's policy and procedures did not adequately address the following best practices meant to help provide for additional oversight and transparency regarding key requirements and restrictions over secondary employment.

- Encourage situational awareness of off-duty officer locations among on-duty supervisors when officers are *engaged* in off-duty employment¹⁵ (awareness of off-duty employment is important for the safety of officers who are working in a security capacity and may be more likely to be involved in an incident that is being responded to by on-duty officers);
- Schedule extra-duty employment in a manner that ensures fair and equitable selection of officers for assignments;
- Require allegations of misconduct during off-duty employment to be reported to the primary employer (in this case BPD); and
- Impose restrictions on soliciting, requesting, suggesting, or recruiting any business owner for the purposes of hiring officers for extra-duty employment.

In addition, certain provisions of the *SEP* were not sufficiently clear or detailed. For example, the *SEP* did not require that documentation of required approval for external non-uniformed secondary employment be submitted to the Secondary Employment Unit (SEU) for recordation, thereby restricting BPD's ability to

¹⁵ The terms "off-duty employment" and "extra-duty employment" are used in IACP publications, but would include secondary employment as referenced in this report.

monitor this requirement.¹⁶ In this regard, we also noted a lack of specificity in the *SEP* relating to required annual audits of officers' secondary employment eligibility by the SEU, such as what records and sources should be examined, required audit documentation, and required follow-up and corrective action.

Recommendation 7

We recommend that BPD

- a. modify its *SEP* to address the IACP best practices, including the four identified in this finding; and**
- b. ensure that the *SEP* clearly, and in sufficient detail, specifies management's intended policies and procedures for secondary employment.**

Finding 8 (Policy Issue)

BPD did not have approved overtime policies for its wide-load escorts program and consequently could not assess the impact of this work on officer performance and whether it contributed to officer fatigue.

Analysis

BPD did not have approved overtime policies for its wide-load escorts¹⁷ program nor did BPD track actual time spent on wide-load escorts. Consequently, BPD could not assess the impact of this work on officer performance and whether it contributed to officer fatigue.

According to BPD records, BPD paid 31 officers approximately \$684,000 (funded by third parties) in secondary employment overtime for working wide-load escort duty between January 2021 and June 2022, including six officers paid more than \$50,000 (See Figure 16 on the following page). In addition, two of the six officers with the most material overtime were assigned to units other than Traffic and Special Events, which is not prohibited, but in our opinion supports the need for better analysis of who is performing wide-load escorts and the potential impact on their regularly assigned duties.

BPD's wide-load escort duty overtime practices provide that officers are paid for at least three hours of overtime for each wide-load escort performed, regardless of the actual time worked. We noted that certain officers often worked multiple escorts on the same day, receiving at least three hours of overtime for each escort. For example, our analysis of the aforementioned six officers (See Figure 16 on the following page) disclosed that the two highest paid officers were paid for 3 or 4

¹⁶ Recordkeeping concerns relating to secondary employment are further addressed in Finding 10.

¹⁷ Overtime incurred to escort over-sized vehicles and shipments through City streets.

escorts (a minimum of 9 or 12 hours of overtime) on the same day a combined 55 times. Because officers were not required to record their actual time worked for escorts conducted, we could not determine the actual time worked by these officers for comparison to the overtime hours paid.

Figure 16
Six Officers Paid More than \$50,000 in Wide-Load Escort Overtime From January 2021 to June 2022

Employee	Primary Assigned Unit	Wide-Load Escort Overtime		Number of Hourly Minimums Received on the Same Day				
		Hours	Payments	1	2	3	4	Total
Officer 1	SWAT	1,048	\$81,690	89	82	26	5	202
Officer 2	Traffic & Special Events	1,026	78,842	114	80	19	5	218
Officer 3	Traffic & Special Events	914	72,273	63	114	5	0	182
Officer 4	Mobile Metro	616	62,605	87	38	11	2	138
Officer 5	Traffic & Special Events	657	55,820	113	50	4	0	167
Officer 6	Traffic & Special Events	854	55,533	103	62	15	3	183
Total		5,115	\$406,763	569	426	80	15	1,090

Source: Workday overtime reports

While the use of hourly minimums for certain police activities is a common practice in police departments, overuse of this type of overtime could contribute to officer fatigue and should require strict policy requirements and monitoring. BPD management was unaware of and did not approve the aforementioned practices that have been in effect since at least 2011, plus had never conducted any analyses of escort overtime.

Subsequent to our inquiries, the BPD Police Commissioner issued a directive, effective January 1, 2023, significantly altering current practice. This new directive authorized an officer to be paid overtime for a minimum of two hours for the first wide-load escort performed in each 24-hour period (or for actual hours worked, if greater). If additional wide-load escorts were performed during the same 24-hour period, the officer would be paid overtime for the actual hours worked with no guaranteed minimum. In addition, the directive mandated that, in all cases, actual time worked be recorded by the officer.

Recommendation 8

We recommend that BPD

- a. incorporate the aforementioned Police Commissioner's directive on wide-load escorts into a formal policy and procedure, and**

- b. establish procedures and controls to periodically analyze and evaluate overtime paid for wide-load escorts to ensure that overtime worked and paid complies with the Police Commissioner's directive.

Finding 9

BPD did not always maintain current executed agreements with third-party entities employing officers for internal secondary employment.

Analysis

BPD did not always maintain current executed agreements with third-party entities employing officers for internal secondary employment.¹⁸ According to BPD management, as of June 2022, BPD made off-duty officers available to 28 private, State, and City sponsored locations or activities (see Exhibit 5). Our review disclosed that BPD could not provide current written agreements for 7 of the 17 locations or activities tested. Specifically, BPD could not locate a current executed agreement for 5 of the items tested and could only provide agreements that had expired in 2016 and 2018 for 2 others.

For example, BPD could not provide a current agreement with the Maryland Stadium Authority to provide security at Baltimore Orioles and Baltimore Ravens home games, and according to overtime records where such secondary employment was specified, officers received approximately \$748,000 and worked approximately 11,600 hours in fiscal year 2022. Furthermore, five of the agreements that were on file were not signed and/or omitted critical information, such as the effective date; therefore, we considered them to have not been executed.

Agreements with sponsor entities are important to establish critical provisions pertaining to the services being provided, financial arrangements, authority and liability, and term. According to City payroll records, BPD officers were paid approximately \$5.8 million in fiscal year 2022 for internal secondary employment.

Recommendation 9

We recommend that BPD maintain current and fully executed agreements with entities employing officers for internal secondary employment.

¹⁸ BPD initially pays for internal secondary employment and is subsequently reimbursed by the third party for these payments; however, a Baltimore City Department of Audits report covering fiscal years 2018 and 2019 activity disclosed control deficiencies over secondary employment reimbursement procedures.

Finding 10

BPD performed virtually no monitoring of external secondary employment and did not maintain a complete record of officers and entities approved for external secondary employment.

Analysis

BPD performed virtually no monitoring of external secondary employment and did not maintain a complete record of officers and entities approved for external secondary employment. The *SEP* requires that BPD conduct monitoring of external secondary employment through annual audits of employee eligibility, background investigations of entities employing the officers, and annual site visits of those entities after entering into formal agreements allowing officers to work external secondary employment.

Our review disclosed these audits, investigations, and site visits were not performed as required. Authorization and monitoring of employee and entity eligibility for external secondary employment is needed due to restrictions outlined in the *SEP* to ensure organizational integrity and public trust. According to the *SEP*,

Secondary employment shall not constitute a threat to the status or dignity of law enforcement as a professional occupation.

Employment shall not present a potential for conflict of interest, or the appearance of a conflict of interest, between a member's duties as a law enforcement officer and duties for the secondary employer.

We further noted that BPD's database used to record external secondary employment information was not complete or reliable which prevented BPD from implementing effective monitoring procedures. For example, the database did not include a complete record of entities authorized by BPD for its officers to work external secondary employment.

According to BPD management, the missing information was due in part to the fact that an officer's request for working external secondary employment had to be approved at several different levels of BPD Command, and documentation of those approvals was not always returned to SEU for recordation. However, we found that the database was not always updated when approved forms were returned to SEU.

As a result of these recordkeeping deficiencies, BPD could not readily determine the actual number of officers and entities authorized for external secondary employment.

Recommendation 10

We recommend that BPD implement effective monitoring procedures over external secondary employment as required in the SEP. Specifically, we recommend that BPD

- a. conduct annual audits of employee eligibility for external secondary employment,**
- b. conduct background investigations and annual site visits of entities at which officers work external secondary employment, and**
- c. maintain a complete and accurate record of officers and entities approved for external secondary employment.**

Exhibit 1
Steps and Tests Performed to Evaluate BPD's
Procedures and Controls for Overtime (page 1 of 2)

To accomplish our objective to determine whether overtime was subject to adequate controls and used in accordance with BPD policies, we performed the following:

- Interviewed key BPD personnel to help us determine and evaluate processes for the administration, management, and control of overtime (departmental and secondary employment), scheduling, and other related human resource activities. Specifically, we interviewed key personnel within the Administrative and Compliance Bureaus responsible for processing, tracking, reporting, and auditing payroll and overtime activity. We also interviewed front-line supervisors, as well as administrative/fiscal and command personnel at six districts/units with material overtime activity to evaluate how overtime is controlled, and how key policy requirements and restrictions are adhered to at the district/unit level.
- Obtained an understanding of payroll and timekeeping procedures, functionality and online controls within Workday, training, and other payroll and human resource activities that impact overtime.
- Analyzed overtime payment and request data from Workday between December 20, 2020 and June 30, 2022 to evaluate compliance with the following requirements:
 - Timeliness of overtime requests and approvals,
 - Categorizing overtime worked in Workday, and
 - Use of the comment field to record required information pertaining to overtime being requested and worked.
- Tested hourly limit inspections performed by BPD and analyzed overtime payment data from Workday for fiscal year 2022 to evaluate the sufficiency of the inspections performed and compliance with the 32-hour weekly limit for discretionary (voluntary) and secondary employment overtime.
- Analyzed and tested overtime activity for the 10 officers with the most overtime hours worked in fiscal year 2022 to identify unusual trends, questionable activity, and evaluate compliance with certain overtime related requirements.

Exhibit 1
Steps and Tests Performed to Evaluate BPD's
Procedures and Controls for Overtime (page 2 of 2)

- Tested 100 overtime payments to evaluate whether the overtime and time entry were approved by the employee's immediate supervisor or a supervisor in their chain of command, as required.
- Tested leave usage for the period between January 1, 2021 and June 30, 2022 for 20 officers with material overtime worked to determine whether overtime was improperly earned while the officer was on leave.
- Tested 25 overtime payments to ensure overtime rates were computed accurately by Workday.
- Tested users with critical user access to Workday and Human Capital Resource System (the system used to create and approve work schedules) to ensure access was necessary and appropriate.

In addition, for secondary employment, we performed the following:

- Obtained and evaluated the completeness and reliability of BPD's internal database and shared drive used to maintain critical secondary employment information and supporting documentation such as agreements with entities and employee authorization forms.
- Tested 17 agreements between BPD and entities for internal secondary employment activity to evaluate the sufficiency of agreements.
- Tested 25 secondary employment eligibility forms to ensure forms were properly approved annually, as required.
- Tested 16 wide-load escorts to evaluate whether secondary employment activity was authorized, worked, and adequately supported.
- Analyzed overtime payment data for the period between December 20, 2020 and June 30, 2022 to identify instances where multiple hourly minimums were paid for wide-load escorts on the same day.

Exhibit 2
Summary of Overtime by Activity Code – Discretionary (Voluntary)
December 20, 2020 to June 30, 2022

Activity Code	Description of Overtime Activity	Hours	Payments (in dollars)	Percent of Total Overtime
Staff Shortages	This Activity is for officers who freely work shifts when there are not enough officers for adequate and efficient post coverage. This includes training outside of normal hours.	172,316	\$ 9,719,972	16.8%
Investigation	This Activity is to be used when additional examination or research is required in order to complete cases.	113,281	7,350,152	12.7%
Crime Suppression	This Activity should be used for short-term operations related to preventing crime and/or securing communities (normally targeted to a specific district).	46,428	2,809,977	4.8%
Administrative (Pre/Post-Shift)	This Activity should be used for any work related to supporting or completing paperwork or administrative duties outside of normal shift hours.	37,168	2,096,446	3.6%
Building Security	This Activity should be used for vacant posts for securing certain municipal buildings.	17,009	1,128,949	1.9%
Jail Calls	This Activity is to be used when listening to Jail Calls outside of normal shift. When using this code, you are required to include the Jail Call Tracking Number in the Comment section.	4,980	352,346	0.6%
Command Crime Initiative	This Activity requires approval of Lieutenant Colonel and above and is for special, short or long-term objectives.	2,528	166,406	0.3%
Transcription	This Activity is to be used for transcriptions to include creating transcriptions of interview tapes to written record.	3,397	156,996	0.3%
Honor Guard Ceremonies	This Activity is to be used for Honor Guard related events only, to include funeral and special ceremonies.	230	15,579	0.0%
Special Project Fiscal Authorized	Activity requires the Fiscal Section's pre-approval for use. In general, it is to be used for projects that have to meet a specified deadline that involve subject matter expertise (such as project implementation, auditing, special investigations).	198	10,810	0.0%
Discretionary (Voluntary) Totals		397,535	\$23,807,534	41.1%

Exhibit 2 (continued)
Summary of Overtime by Activity Code – Non-Discretionary (Involuntary)
December 20, 2020 to June 30, 2022

Activity Code	Description of Overtime Activity	Hours	Payments (in dollars)	Percent of Total Overtime
Investigation	This Activity is to be used for an immediate time-sensitive need where an investigative function needs to occur outside of normal shift hours to include time critical activities related to on-call status. Examples would include suspect captured, witness located, and other related situations.	74,621	\$ 4,656,572	8.0%
Non-Patrol Staffing Shortages	This Activity is to be used only for Non-Patrol Assignments. For example, a post has to be filled but not through drafting or a post being filled because there are not enough officers.	79,579	4,246,381	7.3%
Administrative (Post-shift)	This Activity is to be used for Emergency situations that require administrative functions to be fulfilled. Examples would include use of force and auto accident investigations.	48,963	2,760,937	4.8%
Drafting Patrol Staffing Shortages	This Activity is to be used for Patrol only related to the patrol constant. It is to be used in drafting when there are not enough officers for adequate and efficient post coverage.	34,062	1,921,840	3.3%
Arrest	This Activity is to be used for arrests that extend outside of normal shifts.	17,554	997,166	1.7%
Commissioner Days	This Activity is to be used for the five cancelled leave days as selected by the Police Commissioner annually.	10,309	619,909	1.1%
Protest	This Activity is to be used for major disturbances of the peace as directed by Management.	6,357	383,236	0.7%
Special Events	This Activity is to be used for Special Events such as parades, festivals, and community events.	5,801	366,541	0.6%
State's Attorney	This Activity is to be used only for executive functions related to the State Attorney's office to include security of residence and personal protection.	5,134	349,789	0.6%
Building Security	This Activity is for emergency use only as declared by Asset Management or for hospital security for an injured officer.	4,859	307,692	0.5%
Holiday Deployment	This Activity is to be used for details for holidays that are not one of the Commissioner Days.	998	52,718	0.1%
Elections	This Activity is for Mayor, Governor, and Presidential details surrounding voting events.	160	10,327	0.0%
Non-Discretionary (Involuntary) Totals		288,397	\$16,673,108	28.8%

Source: Workday payroll reports

Exhibit 3
Key Requirements from BPD's
Manual for Payroll Processes and Overtime Policy

Item	Requirement	Manual	Policy
General			
1	All days and hours of paid leave shall be treated as days and hours worked.		X
2	BPD shall not rearrange an employee's scheduled tour of duty hours to avoid payment of overtime.		X
Restrictions and Officer Responsibilities			
3	No employee shall work in excess of 75 hours per week, including regular time worked, all overtime, and internal secondary employment.	X	
4	No employee shall work in excess of 32 cumulative hours of discretionary (voluntary) overtime and/or internal secondary employment in a week.	X	
5	Officers who are on vacation or absent with permission shall not be authorized daily overtime during their regularly scheduled shift.	X	
6	Officers cannot work overtime within 24 hours of taking sick leave.	X	
7	Overtime requests in Workday shall include in the comment field the number of hours being requested, description of work to be performed, supervising officer, and location of the overtime being worked.	X	
8	Officers are required to enter the cost center and activity codes for overtime worked.	X	
9	Employees found to be in violation of the <i>Manual</i> may be subject to disciplinary action.	X	
Supervisory Approval, Monitoring, and Oversight			
10	All discretionary (voluntary) overtime and internal secondary employment must be preapproved in Workday before hours are worked.	X	X
11	Pre-approval is granted by the officer's immediate supervisor or a supervisor in the officer's chain of command.	X	X
12	Supervisory personnel shall review all overtime requests in Workday daily.	X	X
13	Supervisors should monitor overtime reports in Workday for compliance with <i>Manual</i> directives.	X	
14	Supervisors shall ensure overtime duties are only used as necessity dictates, will review overtime requests for accuracy, and will request supporting documentation to justify/verify time worked.		X
15	Commanders must monitor the health and wellness of subordinates by monitoring overtime requests and ensuring compliance with the <i>Manual</i> directives.	X	
16	Commanders shall monitor and restrict overtime to an absolute minimum and ensure overtime is stringently controlled.		X
17	Commanders shall ensure overtime is not abused and monitor overtime through monthly Workday reports.		X
18	Fiscal Services shall monitor Workday overtime reports and communicate any areas of concern to unit commanders.		X
19	Overtime audits will be conducted.	X	X

Source: BPD's *Manual for Payroll Processes and Overtime Policy*

Exhibit 4
Officers That Worked More Than 1,000 Hours of Overtime
Fiscal Year 2022

	Rank	Unit	Hours of Overtime	Avg. OT Hrs per Week	Total Overtime Payments ¹⁹	Annual Base Salary as of 7/1/2022	Overtime Percent of Base Salary	Departmental Non-Discretionary (Involuntary)	Departmental Discretionary (Voluntary)	Secondary Employment	Uncategorized
1	Sergeant	SWAT	1,938	37.3	\$151,373	\$114,236	132.5%	\$21,348	\$13,612	\$90,698	\$25,715
2	Officer	Homicide	1,743	33.5	116,898	96,783	120.8%	44,136	62,891	6,466	3,406
3	Sergeant	Patrol	1,578	30.4	124,311	113,178	109.8%	10,774	107,127	869	5,540
4	Sergeant	Traffic and Special Events	1,577	30.3	121,958	110,005	110.9%	8,188	-	68,232	45,538
5	Officer	Patrol	1,481	28.5	89,556	82,442	108.6%	6,967	76,692	-	5,897
6	Officer	Patrol	1,464	28.1	88,266	88,321	99.9%	961	81,949	-	5,356
7	Officer	Patrol	1,445	27.8	83,892	82,442	101.8%	1,843	77,741	-	4,309
8	Officer	Patrol	1,433	27.6	94,712	95,725	98.9%	1,366	57,381	-	35,966
9	Officer	Patrol	1,423	27.4	73,707	75,183	98.0%	10,197	59,043	-	4,467
10	Officer	Major Case	1,422	27.3	80,946	79,849	101.4%	1,995	65,686	2,330	10,934
11	Emergency Dispatcher	Dispatcher Operations	1,421	27.3	60,949	58,643	103.9%	60,667	-	-	283
12	Sergeant	Auto Theft Task Force	1,411	27.1	111,112	113,178	98.2%	31,591	78,171	-	1,349
13	Officer	Patrol	1,398	26.9	79,958	81,405	98.2%	79,241	717	-	-
14	Sergeant	Patrol	1,377	26.5	92,225	93,330	98.8%	32,812	4,001	9,474	45,938
15	Officer	Homicide	1,376	26.5	92,087	96,783	95.1%	18,622	69,022	-	4,443
16	Officer	Homicide	1,373	26.4	83,494	88,321	94.5%	30,316	50,086	-	3,091
17	Sergeant	Patrol	1,361	26.2	95,859	99,428	96.4%	37,852	50,385	1,742	5,880
18	Officer	CitiWatch	1,353	26.0	95,579	99,956	95.6%	42,529	8,211	27,370	17,468
19	Officer	Detective Unit	1,350	26.0	64,711	71,553	90.4%	6,955	56,957	-	799
20	Officer	Patrol	1,348	25.9	81,911	88,321	92.7%	12,167	69,740	-	4

¹⁹ Total overtime payments may not foot to the sum of amounts for each overtime category due to rounding.

Exhibit 4
Officers That Worked More Than 1,000 Hours of Overtime
Fiscal Year 2022

	Rank	Unit	Hours of Overtime	Avg. OT Hrs per Week	Total Overtime Payments¹⁹	Annual Base Salary as of 7/1/2022	Overtime Percent of Base Salary	Departmental Non-Discretionary (Involuntary)	Departmental Discretionary (Voluntary)	Secondary Employment	Uncategorized
21	Sergeant	Command Admin. Support	1,336	25.7	107,470	113,178	95.0%	4,468	83,681	7,777	11,544
22	Officer	Mobile Metro Unit	1,322	25.4	91,676	99,956	91.7%	11,714	63,477	-	16,486
23	Officer	Admin. Staff	1,315	25.3	77,470	85,148	91.0%	16,310	49,592	2,877	8,691
24	Emergency Dispatcher	Dispatcher Operations	1,313	25.2	55,084	58,643	93.9%	53,474	-	-	1,611
25	Officer	Homicide	1,291	24.8	86,575	95,725	90.4%	10,950	55,573	-	20,053
26	Officer	Criminal Intelligence	1,282	24.7	88,262	99,956	88.3%	52,712	17,515	7,310	10,725
27	Officer	Training Unit	1,266	24.3	86,246	97,841	88.1%	1,150	77,991	3,940	3,165
28	Lieutenant	Executive Officer	1,256	24.1	100,845	119,525	84.4%	1,756	18,738	70,035	10,316
29	Officer	SWAT	1,249	24.0	62,059	71,553	86.7%	5,010	31,331	16,212	9,505
30	Officer	Patrol	1,241	23.9	85,458	99,956	85.5%	6,754	58,925	1,154	18,626
31	Sergeant	Patrol	1,234	23.7	91,365	105,774	86.4%	61,882	16,806	-	12,677
32	Officer	Detective Unit	1,223	23.5	81,268	95,725	84.9%	23,992	22,389	24,393	10,495
33	Officer	Executive Protection	1,222	23.5	82,059	96,783	84.8%	11,290	53,955	5,174	11,641
34	Officer	Patrol	1,221	23.5	69,413	79,849	86.9%	4,945	4,197	52,748	7,523
35	Sergeant	Investigations	1,221	23.5	83,876	104,716	80.1%	22,055	33,923	27,734	164
36	Sergeant	Patrol	1,204	23.2	73,553	101,543	72.4%	3,117	54,734	10,694	5,009
37	Officer	Homicide	1,203	23.1	76,594	90,437	84.7%	22,991	46,726	1,461	5,417
38	Officer	Booking	1,203	23.1	60,842	71,553	85.0%	8,009	39,603	386	12,843
39	Sergeant	Patrol	1,203	23.1	97,486	113,178	86.1%	3,034	86,780	-	7,672
40	Officer	Patrol	1,198	23.0	57,707	71,553	80.6%	5,709	43,752	-	8,247

Exhibit 4
Officers That Worked More Than 1,000 Hours of Overtime
Fiscal Year 2022

	Rank	Unit	Hours of Overtime	Avg. OT Hrs per Week	Total Overtime Payments ¹⁹	Annual Base Salary as of 7/1/2022	Overtime Percent of Base Salary	Departmental Non-Discretionary (Involuntary)	Departmental Discretionary (Voluntary)	Secondary Employment	Uncategorized
41	Officer	Admin. Staff	1,196	23.0	80,092	96,783	82.8%	40,319	7,969	19,081	12,723
42	Officer	Command Admin. Support	1,196	23.0	70,484	85,148	82.8%	40,503	18,310	3,720	7,950
43	Sergeant	Anti-Crime	1,196	23.0	94,436	113,178	83.4%	16,129	68,751	2,769	6,788
44	Officer	Patrol	1,188	22.8	64,398	76,738	83.9%	43,142	14,685	-	6,571
45	Sergeant	Traffic and Special Events	1,187	22.8	93,350	112,120	83.3%	13,745	1,717	47,552	30,336
46	Sergeant	Patrol	1,183	22.7	94,462	114,236	82.7%	51,357	12,144	15,987	14,974
47	Sergeant	Communications	1,183	22.7	87,444	114,236	76.5%	16,675	-	54,585	16,183
48	Officer	Patrol	1,180	22.7	59,504	71,553	83.2%	18,097	8,202	2,344	30,861
49	Officer	Evidence Control Section	1,179	22.7	80,042	98,899	80.9%	700	51,947	24,882	2,514
50	Officer	Patrol	1,172	22.5	58,934	71,553	82.4%	12,040	38,164	-	8,730
51	Officer	Lexington Market Unit	1,164	22.4	65,892	79,849	82.5%	19,822	20,380	729	24,962
52	Officer	Detective Unit	1,151	22.1	65,337	78,294	83.5%	5,753	57,415	-	2,169
53	Officer	Homicide	1,147	22.1	77,941	98,899	78.8%	40,500	31,351	-	6,090
54	Officer	Auto Theft Task Force	1,140	21.9	75,785	95,725	79.2%	5,772	67,250	-	2,763
55	Officer	Patrol	1,137	21.9	68,085	87,264	78.0%	3,810	44,264	-	20,010
56	Emergency Dispatcher	Dispatcher Operations	1,117	21.5	47,000	57,776	81.3%	47,739	-	-	(739)
57	Officer	Special Investigations	1,115	21.4	74,233	93,610	79.3%	7,409	13,645	44,345	8,834
58	Officer	Neighborhood Coordination	1,114	21.4	60,314	76,738	78.6%	10,212	29,823	3,810	16,468
59	Sergeant	Patrol	1,112	21.4	74,332	103,659	71.7%	9,118	30,719	24,485	10,010
60	Sergeant	Child Abuse Unit	1,111	21.4	78,412	103,659	75.6%	13,317	50,991	3,570	10,534

Exhibit 4
Officers That Worked More Than 1,000 Hours of Overtime
Fiscal Year 2022

	Rank	Unit	Hours of Overtime	Avg. OT Hrs per Week	Total Overtime Payments ¹⁹	Annual Base Salary as of 7/1/2022	Overtime Percent of Base Salary	Departmental Non-Discretionary (Involuntary)	Departmental Discretionary (Voluntary)	Secondary Employment	Uncategorized
61	Officer	Patrol	1,111	21.4	73,161	94,668	77.3%	2,819	65,480	-	4,862
62	Officer	Homicide	1,110	21.4	76,311	99,956	76.3%	33,429	42,567	-	316
63	Sergeant	Admin. Support	1,109	21.3	85,221	111,063	76.7%	52,741	17,884	5,392	9,204
64	Officer	Executive Protection	1,104	21.2	72,680	94,668	76.8%	20,023	39,798	-	12,859
65	Sergeant	Homicide	1,101	21.2	83,539	108,947	76.7%	27,510	50,937	-	5,092
66	Officer	Homicide	1,099	21.1	67,030	86,206	77.8%	8,235	42,362	631	15,802
67	Report Reviewer	Central Records	1,098	21.1	34,302	42,273	81.1%	14,788	19,773	-	(259)
68	Sergeant	Patrol	1,091	21.0	87,668	114,236	76.7%	6,216	64,880	7,468	9,104
69	Officer	Auto Theft Task Force	1,091	21.0	67,033	86,206	77.8%	2,050	63,309	-	1,674
70	Sergeant	Patrol	1,090	21.0	87,104	114,236	76.2%	9,150	72,407	-	5,547
71	Officer	Patrol	1,089	20.9	65,608	87,264	75.2%	626	63,837	-	1,146
72	Emergency Dispatcher	Dispatcher Operations	1,088	20.9	45,801	57,776	79.3%	44,637	-	-	1,165
73	Officer	Patrol	1,087	20.9	52,776	71,553	73.8%	7,623	39,045	-	6,108
74	Officer	Patrol	1,077	20.7	42,940	61,183	70.2%	32,020	10,530	-	390
75	Officer	Homicide	1,074	20.6	73,928	99,956	74.0%	20,930	44,692	-	8,306
76	Officer	Patrol	1,071	20.6	65,831	89,379	73.7%	41,644	22,020	-	2,167
77	Officer	Evidence Control Section	1,062	20.4	73,151	99,956	73.2%	5,898	13,281	32,599	21,374
78	Officer	Applicant Investigations	1,060	20.4	69,112	93,610	73.8%	1,519	61,956	908	4,729
79	Officer	Neighborhood Coordination	1,059	20.4	73,157	98,899	74.0%	3,344	1,852	58,830	9,132
80	Sergeant	Investigations	1,059	20.4	81,268	110,005	73.9%	67,121	5,124	-	9,024

Exhibit 4
Officers That Worked More Than 1,000 Hours of Overtime
Fiscal Year 2022

	Rank	Unit	Hours of Overtime	Avg. OT Hrs per Week	Total Overtime Payments ¹⁹	Annual Base Salary as of 7/1/2022	Overtime Percent of Base Salary	Departmental Non-Discretionary (Involuntary)	Departmental Discretionary (Voluntary)	Secondary Employment	Uncategorized
81	Officer	Major Case	1,057	20.3	61,672	82,442	74.8%	2,083	25,123	19,378	15,087
82	Officer	Neighborhood Coordination	1,051	20.2	68,672	93,610	73.4%	5,639	41,020	13,647	8,366
83	Officer	Building Security	1,046	20.1	62,855	87,264	72.0%	288	59,106	-	3,461
84	Officer	Patrol	1,045	20.1	71,965	99,956	72.0%	27,521	42,258	-	2,185
85	Officer	Warrant Apprehension Task Force	1,045	20.1	71,946	99,956	72.0%	11,326	30,106	25,598	4,916
86	Officer	Neighborhood Coordination	1,039	20.0	71,542	99,956	71.6%	39,590	15,798	12,566	3,589
87	Officer	Investigations	1,039	20.0	53,885	75,183	71.7%	270	39,208	1,830	12,577
88	Sergeant	Homicide	1,038	20.0	72,014	95,882	75.1%	21,253	47,685	-	3,076
89	Officer	Investigations	1,035	19.9	70,411	98,899	71.2%	6,262	-	46,083	18,066
90	Officer	Traffic and Special Events	1,035	19.9	61,198	85,148	71.9%	21,246	999	28,597	10,357
91	Officer	Homicide	1,033	19.9	65,518	90,437	72.4%	62,721	1,257	-	1,541
92	Officer	Investigations	1,033	19.9	62,744	88,321	71.0%	23,041	34,992	-	4,710
93	Sergeant	Executive Officer	1,033	19.9	82,075	114,236	71.8%	2,987	73,570	-	5,518
94	Officer	Command Admin. Support	1,030	19.8	70,846	96,783	73.2%	19,513	33,997	14,458	2,878
95	Lieutenant	Executive Officer	1,026	19.7	89,230	129,044	69.1%	30,507	19,282	26,299	13,141
96	Officer	Patrol	1,023	19.7	46,548	66,887	69.6%	39,565	5,703	-	1,279
97	Officer	Patrol	1,016	19.5	40,667	62,220	65.4%	32,638	144	-	7,885
98	Officer	Command Admin. Support	1,016	19.5	69,947	99,956	70.0%	48,323	20,543	-	1,081
99	Officer	Patrol	1,015	19.5	54,850	76,738	71.5%	52,842	155	-	1,854
100	Officer	Traffic and Special Events	1,009	19.4	65,699	93,610	70.2%	2,911	-	46,676	16,112

Source: Workday payroll reports

Exhibit 5
List of BPD Internal Secondary Employment Sites
and Test Results

Item	Site/Location	Sponsor/Entity Name	Agreement Status Based on Testing
Private Sponsors			
1	100 E. Pratt Street	T. Rowe Price	No Agreement Provided
2	Horseshoe Casino	Horseshoe Casino	Agreement Not Executed
3	Johns Hopkins Emergency Room	Johns Hopkins	No Agreement Provided
4	Marriott Hotel Inner Harbor	Marriott	Agreement Not Executed
5	Marriott Hotel Waterfront	Marriott	Agreement Not Executed
6	New Psalmist Baptist Church	New Psalmist	Active
7	Power Plant Live	Cordish Office	Active
8	Shoppers	Shoppers Food and Pharmacy	Active
9	R Adams Cowley Shock Trauma Center	University of Maryland Medical System	Active
10	South Street	ABB South St Assoc.	Expired in Sept 2016
11	Kennedy Krieger	Kennedy Krieger	Expired in July 2018
State Sponsors			
12	Oriole Park at Camden Yards (Orioles)	Maryland Stadium Authority	No Agreement Provided
13	M&T Bank Stadium (Ravens)	Maryland Stadium Authority	No Agreement Provided
14	St. Paul Garage	Maryland Insurance Administration	Agreement Not Executed
City Sponsors			
15	Speed and Red Light Camera Review	Baltimore City	Active
16	Wide-Load Escorts	Baltimore City	Agreement Not Executed
17	Visitation Center	Baltimore City	No Agreement Provided
18	CFG Bank Arena	Baltimore City	Not Tested
19	Citywide Swimming Pools	Baltimore City	Not Tested
20	Baltimore Convention Center	Baltimore City	Not Tested
21	Health Clinic at Fayette Street	Baltimore City	Not Tested
22	Health Clinic at North Avenue	Baltimore City	Not Tested
23	9 Hour Impound Lot	Baltimore City	Not Tested
24	4 Hour Impound Lot	Baltimore City	Not Tested
25	Baltimore Municipal Building	Baltimore City	Not Tested
26	Pier 6 Pavilion	Baltimore City	Not Tested
27	Landfill at Quarantine Road	Baltimore City	Not Tested
28	Landfill at Reisterstown Road	Baltimore City	Not Tested

Source: Secondary Employment Unit Management

APPENDIX



Brandon M. Scott
Mayor



Richard J. Worley, Jr.
Police Commissioner

BALTIMORE POLICE DEPARTMENT

January 10, 2024

Gregory A. Hook, CPA
Legislative Auditor
Department of Legislative Services
301 West Preston Street, Room 1202
Baltimore, Maryland 21201

Dear Mr. Hook:

Enclosed please find responses from the Baltimore Police Department (BPD) to the performance audit report evaluating BPD's policies and procedures for overtime practices, activity of sworn officers, and certain related human resource and payroll functions related to overtime from the Office of Legislative Audits for the period beginning December 20, 2020, and ending June 30, 2022.

As noted, at the beginning of the audit period, the City of Baltimore and BPD implemented a new HR/Payroll System called Workday. This was a substantial and challenging implementation that touched on every aspect of HR and Payroll processes across the city. Because the prior payroll system allowed for poor oversight and a lack of accountability, BPD took the initiative to configure Workday to provide more robust internal controls. The implementation required a comprehensive overhaul of BPD's administrative policies, practices, and procedures relating to time entry, overtime, and leave. Timekeeping activities went from poorly managed paper-based processes to digital time entry with employee self-service tools, requiring hourly non-exempt employees to enter time in a "pay to punch" system.

BPD believes it is important to note that the audit was conducted right at the time of deployment and during the stabilization period for the new HR/Payroll system. The agency continues to ensure our employees are compliant with all payroll policies and procedures and has developed a plan to implement the audit recommendations.

If you have any additional questions or issues, please contact the BPD's Chief Financial Officer, Ms. Shallah Graham, at 443-602-4280 or Shallah.Graham@BaltimorePolice.org. Thank you for all of your hard work and collaboration throughout this process.

Sincerely,

Richard J. Worley, Jr.
Commissioner
Baltimore Police Department

Monitoring of Excessive Overtime

Finding 1

Baltimore City Police Department (BPD) supervisory personnel at all levels did not exercise the necessary oversight and disciplinary action to effectively monitor overtime and to ensure compliance with BPD's policies and procedures.

We recommend that BPD establish effective oversight of overtime by supervisory personnel at all levels. Specifically, we recommend that BPD

- a. ensure that front-line supervisory personnel verify that *Manual* and *Policy* requirements are met before approving overtime,
- b. establish procedures for Command personnel to effectively analyze overtime data at all levels to ensure that front-line supervisors are ensuring compliance with overtime requirements, and
- c. take appropriate disciplinary action against those charging and approving improper overtime.

Agency Response	
Analysis	
Please provide additional comments as deemed necessary.	<p>The audit was conducted during a time when the City had just implemented a new city-wide HR/Payroll System called Workday. This new system went “live” on December 20, 2020, with the first paycheck for BPD being processed in January 2021. This was a challenging implementation that touched on every aspect of HR and Payroll processes across the City. Because of the complexity of BPD's workforce (e.g., both sworn and professional staff, multiple union representation, complicated supervisory organization structure, multiple shift times, distributed personnel over several locations, frequent movement of personnel to cover operational need), BPD required additional configurations and more substantial and targeted training than perhaps other agencies. BPD also had to revamp its policy and employee guidance documents regarding time tracking, leave requests, and overtime to bring them into alignment with the way the Workday system processed data related to these activities and to ensure compliance with established BPD policies and union contracts.</p> <p>The payroll system in use prior to Workday had multiple inherent weaknesses that allowed for employee abuse of time, leave tracking and overtime documentation. As part of this response, BPD would like to highlight that the audit found no weaknesses with the BPD requested configuration of internal controls and policies within Workday. The</p>

	<p>following highlights some of the major changes that BPD requested as part of the Workday implementation (the go-live and stabilization period of which coincided with the audit period):</p> <ol style="list-style-type: none"> 1. BPD advocated diligently to ensure that the city would move from paying hourly employees “to schedule” to paying hourly employees “to punch,” meaning that hourly non-exempt employees would be required to punch in at the beginning of their work shift and punch out at the end of their work shift in order to be paid for time worked. 2. The following methods of punching in/out were configured and made available to employees: biometric time clocks, Workday app on mobile phone (with geofencing enabled), computer, kiosks with Workday application installed, and a manual time entry form for when employees could not enter time via a digital means. If an employee completes a manual time entry form, their manager must enter their time in Workday. 3. BPD required that the Overtime pre-approval and Overtime Slip (paper processes) be replaced by a digital Overtime Request process and emphasized in policy that an employee’s manager had to approve the Overtime Request in Workday prior to the time being worked. 4. BPD requested that certain policy items be coded in the system (where doable) to reduce the ability to circumvent policy restrictions regarding time entry and overtime approval. 5. BPD reviewed and rewrote all payroll-related policies (creating a BPD Manual for Payroll Processes) to ensure greater internal controls, accountability and transparency. 6. Since the Workday implementation, BPD has requested numerous reports and tools from the City (such as an Overtime dashboard for managers) to create greater access to time tracking and approval data. 7. At the time of the Workday deployment and for many months afterwards, BPD developed training guides, job aids and tutorial videos to assist BPD employees in complying with BPD time tracking and payroll policies. 		
Recommendation 1a	Agree	Estimated Completion Date:	05/31/2024
Please provide details of corrective action or explain disagreement.	<p>The BPD agrees that it is imperative that all employees follow department-wide policies. Currently, all supervisors have electronically certified the acknowledgment of the payroll related policies through BPD’s online document control platform. In addition, all non-sworn</p>		

	<p>supervisors have the option to go through sergeant training with a Workday/ payroll component.</p> <p>As a result of the finding, BPD will initiate the following:</p> <ol style="list-style-type: none"> 1. Re-train supervisors on responsibilities for end-of-pay-period close to include: <ol style="list-style-type: none"> a. Reviewing end-of-pay-period close check list. b. Using the Workday Overtime Dashboard (will also update the training video to focus on finding policy violations such as 32-hr overtime cap and no cost center/ activity code). 2. BPD will mandate that supervisors utilize 30 mins within scheduled work hours at the end of every pay period to review payroll policy compliance of their respective direct reports. 3. Offer monthly ongoing in-person training open to all supervisors. <p>Mandate attendance to monthly training for repeat policy non-compliance offenders identified via audits and command review. The BPD Performance Standards Section (PSS), which is responsible for Departmental audits and inspections, has experienced staffing shortages, which limited the section's ability to cover the required workload. However, PSS will revise its financial auditing methodology to most effectively address these audit findings. This quarterly audit plan will have written methodology and include coverage of the following topics:</p> <ol style="list-style-type: none"> 1. Excessive earners 2. 32-hour rule 3. No activity code 4. Wide Load 5. External secondary employment 6. Pre-authorization 		
Recommendation 1b	Agree	Estimated Completion Date:	05/31/2024
Please provide details of corrective action or explain disagreement.	<p>The command staff currently have several tools to manage overtime to include an Overtime Report Dashboard in Workday and the bi-weekly overtime reports.</p> <ol style="list-style-type: none"> 1. BPD will enhance the bi-weekly overtime reports that are completed at the end of the payroll close. Today they are currently provided as Excel files. BPD had been planning on converting them to a dashboard making it easier and more dynamic for commanders to use. <ol style="list-style-type: none"> a. BPD will work with the City to see if the Overtime Dashboard (used while the pay period is open) can be expanded to allow access to the administrative Sergeants 		

	<p>and Lieutenants to help the Command Staff oversee compliance to the overtime policies.</p> <p>b. Since the time period of the audit, Timekeepers currently pull compliance reports and address as needed. However, BPD will strengthen this process and utilize command to help disseminate when corrective action is needed.</p> <p>2. BPD will discuss non-compliance with individual commanders at the weekly Comstat meeting.</p> <p>a. Commanders will be expected to take corrective action as needed to include Public Integrity referral if necessary.</p> <p>3. In FY 2024, BPD's Fiscal Unit initiated one-on-one Quarterly Meetings with Commanders to review General Fund budgets inclusive of Overtime budgets.</p>		
Recommendation 1c	Agree	Estimated Completion Date:	05/31/2024
Please provide details of corrective action or explain disagreement.	The OT Audit Plan to be developed by PSS will include a referral process to Public Integrity and Command Staff will be expected to refer employees for non-compliance to Public Integrity.		

<p>Finding 2</p> <p>BPD did not have procedures to analyze overtime activity to evaluate the necessity and propriety of consistently high levels of overtime paid to certain officers. Our analysis disclosed 100 officers who recorded more than 1,000 hours of overtime in fiscal year 2022, including 7 that earned more than \$100,000 in overtime.</p>
--

We recommend that BPD

- a. develop comprehensive procedures to routinely monitor overtime activity to identify employees with potentially excessive overtime and take appropriate action to prevent excessive overtime from being worked;
- b. modify its *Manual* and *Policy* to require the specific overtime analysis and management best practices established by IACP referenced in this finding; and
- c. investigate the necessity and propriety of excessive overtime, including the 100 officers noted above, and take disciplinary action against the employees and supervisors associated with any overtime earned in violation of BPD's policies, as deemed appropriate.

Agency Response	
Analysis	

Please provide additional comments as deemed necessary.			
Recommendation 2a	Agree	Estimated Completion Date:	05/31/2024
Please provide details of corrective action or explain disagreement.	<p>As of September 2022, BPD has reported on the Top 10 users of overtime for both dollars and hours on the bi-weekly overtime reports. Although not required by this audit finding, BPD plans on enhancing the reporting by:</p> <ol style="list-style-type: none"> 1. Migrating the reporting to a new Overtime dashboard making it easier for commanders to view and analyze. 2. Reporting the high earners of overtime at Comstat where additional transparency and justification can be provided. <p>To supplement the data review, BPD's Performance Standards Section (PSS) will develop a quarterly sampling audit plan to include:</p> <ol style="list-style-type: none"> a) Excessive earners b) 32-hour rule c) No activity code d) Wide Load e) External secondary employment f) Pre-authorization 		
Recommendation 2b	Agree	Estimated Completion Date:	05/31/2023
Please provide details of corrective action or explain disagreement.	<p>BPD's current <i>Manual</i> and its <i>Policy</i> include provisions pertaining to the responsibilities and monitoring efforts required from supervisory and command staff. However, BPD will clarify current policy language as identified by the International Association of Chiefs of Police (IACP) relating to analysis and management of overtime activity and the recommendation that supervisory and command staff should monitor individual and summary activity reports of overtime expenditures to identify unusual, unexplained, or disproportionate expenditures in overtime.</p>		
Recommendation 2c	Agree	Estimated Completion Date:	05/31/2023
Please provide details of corrective action or explain disagreement.	<p>In order to efficiently and effectively address the policy violation concerns on specific individuals identified within the BPD's staffing constraints, PSS will cross reference the 100 employees that were the highest earners of overtime with the 286 individuals identified in violation of the 32-hour OT cap. PSS will conduct a deep dive review of individuals identified on both lists to determine if any policy was violated and a referral to PIB is required.</p> <p>Additionally, recognizing that earning excessive overtime alone is not a policy violation, but may be an indication of other unequitable processes within the department, BPD will conduct an Equity analysis of the top</p>		

	100 high earning employees. This analysis will help to determine if the approved overtime was based on workload needs, if it was equitably offered to other team members, and if any policy/process improvements are needed going forward.
--	--

Finding 3

BPD did not conduct required reviews to ensure that officers were limited to no more than 32 hours of voluntary overtime per week, and our analysis identified 268 individuals who exceeded the limit a total of 693 times during fiscal year 2022.

We recommend that BPD

- a. review and investigate reports of potential excessive overtime to determine if policy violations have occurred,
- b. ensure that the reviews include all applicable overtime types, and
- c. investigate the aforementioned 268 individuals with excessive overtime and take appropriate corrective action.

Agency Response			
Analysis			
Please provide additional comments as deemed necessary.			
Recommendation 3a	Agree	Estimated Completion Date:	05/31/2023
Please provide details of corrective action or explain disagreement.	<ol style="list-style-type: none"> 1. BPD is implementing a replacement to the bi-weekly pay period reports provided in Excel format with a BPD overtime dashboard. This will allow Command Staff to easily identify their employees who have worked more than 32 hrs. 2. BPD's Performance Standards Section (PSS) will develop a quarterly sampling audit plan to include excessive earners and those violating the 32-hour cap. <ol style="list-style-type: none"> a. This will include a referral process to Public Integrity 		
Recommendation 3b	Agree	Estimated Completion Date:	05/31/2024
Please provide details of corrective action or explain disagreement.	PSS will document the audit methodology in the audit plan for auditors to ensure consistency of evaluating the voluntary 32-hrs and what hours result in the policy violation.		
Recommendation 3c	Agree	Estimated Completion Date:	05/31/2024

Please provide details of corrective action or explain disagreement.	For efficiency purposes, PSS will take a targeted approach to address the policy violation concerns on specific individuals identified. PSS will cross reference the 100 employees that were the highest earners of overtime with the 286 individuals identified in violation of the 32 hour OT cap. PSS will conduct a deep dive review of individuals identified on both lists to determine if any policy was violated and a referral to PIB is required.
---	---

Finding 4 BPD did not conduct quarterly audits of overtime activity as required by its <i>Policy</i>.
--

We recommend that BPD

- a. develop procedures and processes for quarterly audits of overtime activity,
- b. conduct quarterly audits of overtime activity as required, and
- c. take appropriate corrective action for any noncompliant or unsupported overtime.

Agency Response			
Analysis			
Please provide additional comments as deemed necessary.	<p>The BPD Performance Standards Section (PSS) has experienced staffing shortages, which limited the section's ability to cover the required workload. To assist with this finding BPD is implementing the following:</p> <ol style="list-style-type: none"> 1. Currently hiring for additional new grant funded positions to create a financial audit team to build out capacity. 2. Once staff are hired, the PSS Teams will amend the scope of their audits to address higher risk items called out in the audit and expand the sampling methodology. 		
Recommendation 4a	Agree	Estimated Completion Date:	5/31/2024
Please provide details of corrective action or explain disagreement.	<p>PSS will revise its financial auditing methodology to address these audit findings. This quarterly audit plan will have written methodology and include coverage of the following topics:</p> <ol style="list-style-type: none"> 1. Excessive earners 2. 32-hour rule 3. No activity code 4. Wide Load 5. External secondary employment 6. Pre-authorization 		

Recommendation 4b	Agree	Estimated Completion Date:	5/31/2024
Please provide details of corrective action or explain disagreement.	Policy 1801 will be updated to require that PSS conducts quarterly overtime audits.		
Recommendation 4c	Agree	Estimated Completion Date:	5/31/2024
Please provide details of corrective action or explain disagreement.	The Audit Plan to be developed by PSS will include a referral process to Public Integrity		

Finding 5

BPD did not have procedures and controls to monitor preauthorization required for certain types of overtime, and our analysis disclosed that the required preauthorization was generally not obtained.

We recommend that BPD

- a. establish procedures to monitor the preauthorization of overtime, such as developing a comprehensive report to identify instances of untimely preauthorization or using available data on a test basis; and
- b. establish and take appropriate corrective action for officers and the related supervisors that routinely do not comply with preauthorization requirements.

Agency Response			
Analysis			
Please provide additional comments as deemed necessary.			
Recommendation 5a	Agree	Estimated Completion Date:	12/31/2023
Please provide details of corrective action or explain disagreement.	BPD had been working with City partners since Workday Go Live in early 2021 to have a report developed for voluntary overtime worked before pre-approval was approved. In late 2022, BPD was informed that Workday was not able to provide this report and had been working on an alternative manual spot-checking approach. Additionally, BPD has been working to be granted report writer access in Workday – this will enable more sophisticated data pulls of the OT data for BPD to directly analyze the authorization process.		
Recommendation 5b	Agree	Estimated Completion Date:	05/31/2024
Please provide details of corrective action or explain disagreement.	PSS will incorporate the authorization process into their quarterly auditing plan and will take applicable corrective action based on the severity of the findings: <ol style="list-style-type: none">1. Mandate attendance to monthly training for repeat policy non-compliance offenders.2. Refer to PIB if needed.		

Finding 6

BPD did not have sufficient procedures for identifying, preventing, and correcting uncategorized overtime, including approximately \$16.7 million in overtime paid between January 2021 and June 2022.

We recommend that BPD

- a. enhance procedures for identifying, preventing, and correcting uncategorized overtime, such as by implementing automated alerts and restrictions in Workday and providing additional training to employees; and
- b. consider the cost benefits of investigating the aforementioned \$16.7 million in overtime paid between January 2021 and June 2022 that was not categorized as required.

Agency Response			
Analysis			
Please provide additional comments as deemed necessary.			
Recommendation 6a	Agree	Estimated Completion Date:	05/31/2023
Please provide details of corrective action or explain disagreement.	<p>BPD had been working with City partners since Workday Go Live in early 2021 to have a pay restriction when there is no cost center or activity code entered for the overtime. BPD had requested that the overtime without a cost center or activity code does not get paid until the officer adds the required data. There were three options presented:</p> <ol style="list-style-type: none">1. Soft warning, where there is a warning to the employee entering the time that there is no activity code entered for the overtime. BPD requested this be implemented immediately and it was in 2021.2. Hard stop, where no overtime <u>or regular pay</u> will be paid out after the date that the overtime was not entered correctly (with the missing cost center and activity code). BPD felt with the staffing shortages and the value on retaining employees that this would have a consequential negative impact on morale.3. Medium stop, where the associated overtime will not be paid (no cost center and activity code) but all other pay properly submitted and approved would be paid. This was the path that was being explored. However, in late 2022 BPD was informed that this restriction was not available in Workday, and BPD had been working on an alternative approach via auditing. <p>BPD will implement the following:</p>		

	<p>4. BPD is implementing a replacement to the bi-weekly pay period reports provided in Excel format with a BPD overtime dashboard. This will allow Command Staff to easily identify their employees who have no cost center or activity code.</p> <p>5. Since the audit, Timekeepers currently pull compliance reports and address as needed. However, BPD will strengthen this process and utilize command to help disseminate when corrective action is needed.</p> <p>6. BPD's Performance Standards Section (PSS) will develop a quarterly sampling audit plan with documented methodology to include flagging applicable time entries with no cost center or activity code.</p>		
Recommendation 6b	Disagree	Estimated Completion Date:	N/A
Please provide details of corrective action or explain disagreement.	<p>BPD agrees that the Cost Center and Activity code must be entered per Policy, and the compliance trend has been moving in a positive direction since the audit period.</p> <p>The audit period concurred at the same time as the go live date to BPDs first ERP system called Workday (January 2021 to June 2022) and there were monumental changes to payroll processing for the employees. The biggest change is that the time reporting moved to the employees, and the employees became responsible for recording all time worked. As a result of the facts that BPD employees were learning a new system, and the age of the data BPD does not feel that auditing the data would be an efficient use of resources. As to audit the data would be a enormous task involving millions of transactions and thousands of employees. BPD does not have the resources to support this historical lookback and would like to dedicate resources to ensuring compliance going forward. In addition, the timeframe for taking correcting action for misconduct has ended.</p>		

Auditor's Comment: Although the response indicates disagreement, BPD's related comments indicate that it has considered the costs and other resources that would be necessary to investigate the \$16.7 million in uncategorized overtime referenced in the finding as recommended. At this time, the actual conclusion reached by BPD on whether an investigation was warranted or practicable, is beyond the focus of the related recommendation.

Secondary Employment

Finding 7

BPD's policy on secondary employment overtime did not address certain IACP best practices, and certain policies were not sufficiently comprehensive.

We recommend that BPD

- a. modify its *SEP* to address the IACP best practices, including the four identified in this finding; and
- b. ensure that the *SEP* clearly, and in sufficient detail, specifies management's intended policies and procedures for secondary employment.

Agency Response			
Analysis			
Please provide additional comments as deemed necessary.	<p>The Baltimore Police Department (BPD) has been working on transitioning the management of secondary employment to a third party at no cost to the City. This has been underway since the beginning of this audit in 2021 and BPD had self-identified that the program could be more efficiently managed by a focused third party. A contract for the management of third-party secondary employment is in place with a vendor and the outsourcing transition is underway. When fully outsourced the vendor will manage all uniformed third-party secondary employment assignments. BPD will continue to manage any secondary employment assignments for other city agencies, and these will be processed through Workday.</p> <p>For internal secondary employment, BPD has followed the IACP best practice of requiring allegations of misconduct during off-duty employment to be reported to BPD. In addition, BPD has imposed restrictions on soliciting, requesting, suggesting, or recruiting any business owner for the purposes of hiring officers for extra-duty employment.</p>		
Recommendation 7a	Agree	Estimated Completion Date:	05/31/24
Please provide details of corrective action or explain disagreement.	BPD has pro-actively been addressing these matters. The third party under contract to manage BPD secondary employment will be ensuring that all IACP best practices are implemented. In addition, all uniformed third-party secondary employment will go through the vendor (previously internal vs external).		
Recommendation 7b	Agree	Estimated Completion Date:	05/31/24
Please provide details of corrective action or explain disagreement.	BPD has pro-actively been addressing these matters and has contracted with a third party vendor to manage all off-duty work. Using a third party will contribute to treating all uniformed secondary employment the same.		

Finding 8 (Policy Issue)

BPD did not have approved overtime policies for its wide-load escorts program and consequently could not assess the impact of this work on officer performance and whether it contributed to officer fatigue.

We recommend that BPD

- a. incorporate the aforementioned Police Commissioner's directive on wide-load escorts into a formal policy and procedure, and
- b. establish procedures and controls to periodically analyze and evaluate overtime paid for wide-load escorts to ensure that overtime worked and paid complies with the Police Commissioner's directive.

Agency Response			
Analysis			
Please provide additional comments as deemed necessary.			
Recommendation 8a	Agree	Estimated Completion Date:	12/31/2023
Please provide details of corrective action or explain disagreement.	<p>BPD implemented a PCM for Wide-Load Escorts in January 2023 (updated in August 2023) that corrected this matter. The department is in the process of updating the <i>Manual</i> and its <i>Policy</i>, which will include the guidance for Wide-Load Escort assignments.</p> <p>BPD management was unaware of and did not approve the aforementioned practices that have been in effect since at least 2011. The BPD Police Commissioner issued a directive, effective January 1, 2023, significantly altering current practice. The directive authorized a two-hour minimum overtime rate to be paid and if the actual time worked on escorts during the period exceeded two hours, the officer would be paid overtime for the actual hours incurred. In addition, the directive mandated that, in all cases, actual time worked be recorded by the officer.</p>		
Recommendation 8b	Agree	Estimated Completion Date:	05/31/24
Please provide details of corrective action or explain disagreement.	<p>BPD will be implementing the following:</p> <ol style="list-style-type: none">1. Using the third party vendor scheduling for certified employees to sign up for the Wide-Load escort assignments.2. Training more employees to be eligible to escort wide loads.3. PSS will audit the Wide-Load overtime earned in conjunction with other policy violations.		

Finding 9

BPD did not always maintain current executed agreements with third-party entities employing officers for internal secondary employment.

We recommend that BPD maintain current and fully executed agreements with entities employing officers for internal secondary employment.

Agency Response			
Analysis			
Please provide additional comments as deemed necessary.			
Recommendation 9	Agree	Estimated Completion Date:	05/31/24
Please provide details of corrective action or explain disagreement.	BPD has pro-actively been addressing these matters by engaging a third party to manage secondary employment, and they will be handling any agreements with the vendors and certifying that they meet the BPD terms and conditions. BPD has an active written agreement with the third party vendor managing secondary employment. Agreements with other police departments to work BPD secondary employment as backup will be stored on BPD's online document control platform.		

Finding 10

BPD performed virtually no monitoring of external secondary employment and did not maintain a complete record of officers and entities approved for external secondary employment.

We recommend that BPD implement effective monitoring procedures over external secondary employment as required in the SEP. Specifically, we recommend that BPD

- a. conduct annual audits of employee eligibility for external secondary employment,
- b. conduct background investigations and annual site visits of entities at which officers work external secondary employment, and
- c. maintain a complete and accurate record of officers and entities approved for external secondary employment.

Agency Response			
Analysis			
Please provide additional comments as deemed necessary.			
Recommendation 10a	Agree	Estimated Completion Date:	05/31/24
Please provide details of corrective action or explain disagreement.	<p>BPD has pro-actively been addressing these matters by engaging a third party to manage secondary employment for the department. The third party under contract to manage BPD's secondary employment will be handling what was considered external secondary employment.</p> <p>BPD will export an employee demographic file on a regular basis to the third party vendor that will provide a list of employees who are at non-full duty status and are prohibited from working secondary employment. This information will restrict ineligible employees from signing up for job postings.</p>		
Recommendation 10b	Agree	Estimated Completion Date:	02/23/24
Please provide details of corrective action or explain disagreement.	BPD will establish an inspection process for secondary employment sites to be managed by the Secondary Employment Unit		
Recommendation 10c	Agree	Estimated Completion Date:	02/23/24
Please provide details of corrective action or explain disagreement.	<p>The full-duty status information (employees eligible to work secondary employment) is saved as employee demographic data within Workday. In addition, SEU will keep a list of approved and compliant "customer" entities with the inspection/approval report.</p>		