

BALTIMORE COUNTY
BLUE RIBBON COMMISSION ON
ETHICS AND ACCOUNTABILITY

Final Report

February 16, 2023

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**Baltimore County
Blue Ribbon Commission on Ethics and Accountability**

Final Report

Submitted to:

**County Executive John A. Olszewski, Jr.
and County Council Chair Julian E. Jones, Jr.**

Submitted by:

**Rev. William E. Johnson, Jr., Chair
Blue Ribbon Commission on Ethics and Accountability
blueribbonethics@ubalt.edu**

February 16, 2023

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Honorable John A. Olszewski, Jr.
County Executive, Baltimore County
400 Washington Avenue
Towson, Maryland 21204

Honorable Julian E. Jones, Jr.
Chair, Baltimore County Council
400 Washington Avenue
Towson, Maryland 21204

Dear County Executive Olszewski and Council Chair Jones:

The Blue Ribbon Commission on Ethics and Accountability (“Commission”) is pleased to present you with this Final Report. As directed by Executive Order No. 2021-025, the Commission has worked “to perform a comprehensive review and evaluation of Article 3, Title 14 and Article 7 of the County Code.” As part of that work, the Commission developed “recommendations to modernize the Public Ethics and Open Government laws and the Office of Inspector General in accordance with best practices for review by the County Executive and the County Council.” This Final Report contains recommendations consistent with the Commission’s charge and based on results from its fact-finding and deliberations.

The Commission met publicly ten times, from its first meeting on June 7, 2022, to its final meeting on February 2, 2023. At these meetings, Commission members have met with County officials including the County Administrative Officer and leadership of several agencies, the Baltimore County Inspector General, experts on offices of inspector general, and the inspectors general from Baltimore City and Montgomery County. Commission members have also heard and discussed the findings of the Ethical Climate Survey and Best Practices of Offices of Inspector General research conducted by the Schaefer Center for Public Policy at The University of Baltimore and received public comments both during a public meeting and throughout the process via email and an anonymous form on the Commission’s website.

Commission members participated in one of two subcommittees: the Organizational Structure and Accountability Subcommittee or the Policy, Process, and Procedure Subcommittee. During these meetings, subcommittee members conducted fact-finding about specific topics related to structural characteristics of the Office of Inspector General and its policies and procedures,

respectively. This included meeting with County officials and employees as well as members of the public about their relevant experiences concerning the Office of Inspector General. In line with the Maryland Open Meetings Act, these meetings and information about those who participated were not public, which provided individuals the opportunity to speak freely. Commission members also reviewed materials from the Office of Inspector General, other County offices, and offices of inspector general and other agencies outside Baltimore County that were relevant to their subcommittee. The information learned in the subcommittees was shared with the other Commission members during public Commission meetings and was the basis for discussion of the Commission's recommendations.

My fellow Commission members have worked diligently and thoroughly to consider the various issues confronting the Baltimore County Office of Inspector General and its interactions with other elements of the County's administrative structure. They have worked with the goal of producing useful recommendations that will (1) preserve the Office of Inspector General's independence now and under future administrations and (2) identify areas in which the Office of Inspector General should provide additional information to County leadership and employees about their interactions and rights, which will help establish clear communication between the parties and build relationships with an office that is still developing. As noted several times by multiple individuals who spoke to the Commission, the challenges encountered by the County with respect to this office are likely just "growing pains" as the individuals under its jurisdiction adapt to the new oversight mechanism and as the office itself grows and adjusts its policies and procedures in response to experiences and expectations. We hope these recommendations will prove useful to all parties as that relationship continues to develop.

Sincerely,

William E. Johnson, Jr.

William E. Johnson, Jr.

Chair, Baltimore County Blue Ribbon Commission on
Ethics and Accountability

Attachment

Baltimore County
Blue Ribbon Commission on Ethics and Accountability

Members

William E. Johnson, Jr., Chair

Former Inspector General for the Maryland Department of Human Resources

Joanne Antoine

Executive Director, Common Cause Maryland

Brigadier General Janeen L. Birckhead

Judge Kathleen Cox

Former Baltimore County Circuit Court Administrative Judge

Thomas X. Glancy, Esq.

Former Member at Belsky, Weinberg & Horowitz; Former Chair of the Board of Directors of the Public Justice Center and former member of the Committee on Law and Public Policy of the ACLU of Maryland

Jon Laria, Esq.

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Cynthia L. Leppert, Esq.

Law Office of Cynthia Leppert, LLC
Chair, Baltimore County Ethics Commission

Judge Joseph F. Murphy, Jr. (Retired)

Partner at Silverman and Thompson — Alternative Dispute Resolution Practice
Judge Murphy was the original chair for the Commission, but never participated in the Commission's work. He passed away in July 2022.

***The Commission was staffed by the
Schaefer Center for Public Policy at The University of Baltimore.***

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Executive Summary

Baltimore County established the Office of Ethics and Accountability in 2019 based on the structure of an office with the same name in Prince George’s County, Maryland. In its enabling legislation, the office was tasked “to provide increased accountability and oversight in the operations of the County government by identifying (1) fraud, abuse, and illegal acts in the County government; and (2) ways to promote efficiency, accountability and integrity in County government” (Baltimore County Code § 3-14-102). The office was renamed the Office of Inspector General (OIG) the following year. The OIG has received ethics complaints, investigated incidents of potential ethical misconduct, produced reports of its investigations, developed and provided ethics training for new and current County employees and members of boards and commissions, and handled financial disclosure forms from an increasing number of County employees and members of boards and commissions.

Baltimore County Executive John A. Olszewski, Jr., established the Blue Ribbon Commission on Ethics and Accountability (“Commission”) in October 2021 to provide an external, neutral assessment of the office and the County’s Public Ethics and Open Government Laws. The Commission was charged with “formulat[ing] recommendations for streamlining and improvement of policies, functions and outcomes in order to align processes and procedures for ethics training and compliance and the Office of the Inspector General with national best practices.”

The Commission met publicly 10 times in 2022 and 2023 to discuss more than a dozen issues related to the OIG and ethics training. It received information from a variety of sources, including the following: the current Inspector General (IG); County Executive and agency leadership; County employees and others who interacted with the OIG; national experts on OIGs; the Inspectors General for Baltimore City and Montgomery County; and members of the public. It also reviewed the following written documents: policies and procedures for the Baltimore County OIG and other OIGs in Maryland; Standards and Practices for the office, produced by the National Association of Inspectors General; multiple research reports and books on the history of OIGs and common practices; written comments from members of the public; and the results of an Ethical Climate Survey and research on Best Practices for Offices of Inspector General commissioned as part of the project.

Overall, the Commission found that many of the tensions experienced with the Baltimore County Office of Inspector General (OIG) were a function of the newness of the office. County employees and others are still adjusting to this new oversight. Policies and procedures are still being developed, and miscommunications have occurred as protocols evolved. Efforts to clarify

concerns were perceived as attempts to limit the OIG's independence and oversight function, which exacerbated tensions between the OIG and the agencies and individuals over which it had oversight. These problems are not unique to Baltimore County.

After the conclusion of this research, the Commission discussed and finalized more than a dozen recommendations for the Baltimore County Office of Inspector General or the County as a whole. These recommendations are summarized in this executive summary and detailed in the body of this report. In many cases, the Commission did not feel the need to recommend revisions to the County's charter or code. Rather, the recommendations mostly focus on improvements to the office's policies and procedures. The Commission did not want to impose recommendations that would ultimately restrict how the OIG could pursue its work. The natural tensions between an oversight agency and those under its investigatory purview have created friction in Baltimore County around the OIG. The Commission's recommendations are provided to help document and communicate how these oversight activities occur, lessen this tension, and improve an already productive working relationship to continue improving accountability, transparency, and ethical behaviors in Baltimore County's government.

Guiding Principles

The independence of the Inspector General (IG) must be maintained. However, independence should be distinct from seemingly arbitrary or inconsistent policies. A lack of clear and consistent expectations regarding IG practices can undermine trust and confidence in the office. Therefore, although the Commission is not dictating specific protocols, it recommends that the IG adopt and publish clear policies. These should be reviewed periodically with County leadership as part of a collaborative commitment to support the role of the IG within County government.

Recommendations

Commission recommendations are listed below and discussed in detail in the body of this report.

Structural Characteristics of the Office of the Inspector General

- **Independence of the OIG**

The Commission recommends that the provisions of the Inspector General ordinance (Baltimore County Code § 3-14-101 et seq.) be added to the County Charter at the earliest opportunity.¹

¹ If the Office of Inspector General is moved to the County Charter per this recommendation, the changes to the County Code in the following recommendations would also need to be made to the Charter language.

- Financial Independence of the OIG

The Commission recommends that, when the provisions of the Inspector General ordinance are added to the County Charter, there should be language assuring adequate funding of the Office of the Inspector General. That language, as added to the Charter, should be amended to read:

(1) The County Executive and County Council shall ensure that the budget for the Office of Inspector General is sufficient to provide the services outlined in § 3-14-106, as the same may be amended from time to time; and

(2) Any decrease in appropriations for the Office of the Inspector General from the prior fiscal year, in either the proposed or adopted budget, shall be accompanied by a written justification for the decrease, which shall be publicly posted in time for public hearings on the budget to permit public comment and input on such reductions.

- OIG Scope of Responsibility

The Commission recommends that Baltimore County maintain the current division of responsibility, with the Office of Inspector General maintaining the responsibility for investigations only and the audit function remaining separate from the Office of Inspector General.

- Placement of the Ethics Commission

The Commission recommends that Baltimore County separate the Ethics Commission from the Office of Inspector General and hire a new Executive Director for the Ethics Commission. Baltimore County Code § 3-3-1004(d)(1) should be amended to read: “The [Ethics] Commission shall be headed by an Executive Director, appointed by the County Executive and confirmed by the County Council.” The new Executive Director should assess the additional staffing needs of the Ethics Commission, if any, and request additional staffing as needed.

The Commission recommends that the Baltimore County Code be expanded to provide for an annual training program containing three modules:

(1) one module provided by the Ethics Commission pursuant to the current provisions of the Baltimore County Code § 7-1-203(a);

(2) one module to be provided by the Ethics Commission regarding the lobbying provisions of the Baltimore County Code pursuant to the provisions of § 7-1-203(b); and

(3) a new third module to be provided by the Office of Inspector General about its operations, functions and procedures, how to report fraud, waste and abuse, the Office of Inspector General's investigative duties, and the duty of County employees and elected officials to cooperate in investigations. All trainings should be in full compliance with ADA-accessibility requirements.

Note: The separation of the OIG from the Ethics Commission will require amendments of ordinances that identify the Inspector General as the Executive Director of the Ethics Commission. For example, Baltimore County Code § 3-14-104 should be amended to read: "The Inspector General shall supervise the operations of the Office of Inspector General, including the hiring, direction, and discharge of all Office of the Inspector General staff members in accordance with the County personnel laws." Other amendments will involve deleting existing language stating that the Inspector General shall "also serve as the Executive Director of the Ethics Commission..."

- OIG Staffing

The Commission recommends that the Office of Inspector General and the Ethics Commission should be sufficiently staffed to perform the functions and provide the services outlined in Baltimore County Code § 3-14-106 (Inspector General) and § 7-1-201 (Ethics Commission) and to otherwise comply with best practices.

- OIG Access to Materials and Records

The Commission recommends that the Office of Inspector General have direct access to government records/materials whenever possible.

(1) In instances where the Office of Inspector General is unable to have direct access due to statutory, contractual, or regulatory barriers, requests for production should be directed through the Office of Information Technology or a relevant agency head. Office of Inspector General requests for production of materials shall be maintained in confidence by the Office of Information Technology or agency staff, except to the limited extent required to obtain and produce the requested materials.

(2) The Commission recommends that Memoranda of Understanding be developed between the Office of Inspector General and Office of Information Technology and other County agencies to formalize policies concerning record production. These should include protocols for access, preservation of documents, confidentiality of requests for information, and any limitations on re-disclosure of requested materials.

- OIG Subpoena Authority and Waiting Period

Baltimore County Code § 3-14-107(c) currently restricts the Inspector General from issuing a subpoena for documents until 90 days after a request for production of those documents. The Commission recommends that this provision be amended to:

(a) Eliminate the waiting period for subpoenas issued to individuals who are not County employees or to outside entities for production of records not maintained by Baltimore County; and

(b) Reduce to 30 days the waiting period for subpoenas issued to a Baltimore County employee for records in the employee's possession or control that are not produced or maintained by Baltimore County, or for County records requested but not produced in a timely manner.

The Commission believes the different policies are appropriate since the Inspector General has a statutory right in Baltimore County Code § 3-14-107 (1) "to obtain full and unrestricted access to all records, information, data, reports, plans, projections, matters, contracts, memoranda, correspondence, and any other materials, including electronic data, of the county government." Similarly, Baltimore County employees have a duty to cooperate with a request by the Inspector General to produce records within their possession or control. The Commission believes the Office of Inspector General should seek cooperative production of these records. If records are not provided within 30 days, the Inspector General can issue a subpoena for records, which can be judicially enforced. Reasonable requests for extension of that 30-day period can be granted within the discretion of the Inspector General.

The Commission believes that no policy objective is advanced by delaying the ability to subpoena records from individuals or entities who are not subject to a duty to cooperate with the Office of the Inspector General.

The Commission therefore recommends that §3-14-107(c) be amended as follows:

"(c) Subpoenas:

"(1) The Office may issue a subpoena to compel compliance with a request issued under subsection (a) of this section for records in the possession or control of Baltimore County or any County employee if the recipient of the request has not complied with the request within 30 days after the request.

“(2) The Office of the Inspector General is authorized to issue a subpoena for production of documents that are not maintained by Baltimore County, and are not within the possession or control of a County employee, at any time during its investigative process.

“(3) Subpoenas issued by the Office may be judicially enforced.”

- Oversight of the OIG and Accountability Mechanisms

Consistent with other jurisdictions and best practices examined, the Commission is not recommending creation of an oversight board, in deference to the need to protect the independence and decision-making of the Inspector General. However, the Commission recognizes that the Inspector General cannot and should not be immune from complaints that do not necessarily rise to the level of potential termination or which could, in rare instances, eventually lead to potential termination pursuant to the County Code. The Commission has been advised by the Office of Law that, since the Inspector General and Inspector General staff are County employees, they are subject to the County’s Human Resources disciplinary procedures. It is not within the Commission’s scope or capacity to review the County’s Human Resources process, but so long as an equitable Human Resources process is available to address such complaints, the Commission believes that the existing Human Resources procedures and remedies should apply.

The Commission recommends that the County Code be amended to make explicit that the Inspector General and Inspector General staff are subject to the Human Resources process and that complaints may be filed pursuant to that process, so that they do not reside in merely in a policy manual which is published solely by the Inspector General and subject to change in his or her discretion. Importantly, regardless of the Human Resources process, the Commission does not recommend changes to the statutory requirements for removal of the Inspector General.

It is also important to have regular review of the Inspector General’s Office, policies, and procedures against best practices in the profession. The current County Code provides for such a review by an “appropriate, professional, non-partisan, objective group every three to five years.”

The Commission recommends the County Code be amended to specify a review take place every three years, so every Inspector General has at least one such review during each of his or her terms and the report be made available for review by the County Executive, County Council, and public, as currently required by the County Code.

The Commission recommends the appointment of another Blue Ribbon Commission in no less than five years to again assess the Office of Inspector General as it continues to evolve.

Finally, the Commission recommends that the County Code be amended to require that the Inspector General shall hold, at the time of appointment or be required to obtain at first opportunity after appointment, certification as a Certified Inspector General.

Office of Inspector General Policies and Procedures

- Access to Independent Legal Counsel for the OIG

The Commission recommends that independent legal counsel be provided to the Office of Inspector General when necessary to avoid a conflict of interest for the County's Office of Law, which would otherwise represent the Office of Inspector General. The independent counsel should be outside counsel promptly procured by the County according to its standard processes and procedures, and the County should assume the cost with no reduction in the Office of Inspector General budget unless allowance or reserve has previously been made in the Office of Inspector General budget. Either the County Attorney or the Inspector General should have the right to determine when a preclusive conflict exists such that independent counsel must be retained.

- Communication About New Investigations

The Office of Inspector General should promote an atmosphere of cooperation within County government where doing so does not impede an investigation. The Commission recommends that the Office of Inspector General not be obligated to notify supervisors or agency heads before conducting interviews. The Office of Inspector General should consider whether to share information concerning an investigative referral with County leadership to help secure cooperation and assistance to ensure information relevant to the investigation is received by the Office of Inspector General. However, the decision whether to share information rests within the sound discretion of the Office of Inspector General. The Commission believes policies that would require the Office of Inspector General to clear interviews in advance or schedule through agency heads would undermine the independence of the Office of Inspector General.

- County Employees' Duty to Cooperate

The Commission recommends distribution of the Code of Conduct Revision 2021-007 to County employees and that the requirement for training be mandatory for all employees. Following this initial training, the Commission recommends that training on the role of

the Office of Inspector General and the employee's duty to cooperate be added to new employee onboarding requirements.

The Commission also recommends that the Code of Conduct Revision be amended to clarify that it is a violation of the Code of Conduct for an employee to obstruct or attempt to interfere with an investigation or action by the Office of Inspector General.

- Written Policies and Procedures for the OIG

The Commission recommends that Baltimore County Code § 3-14-106(8) be amended to require the Office of Inspector General establish written policies and procedures. These should be published on the Office of Inspector General website and otherwise available to County employees so the expectations for interactions with the Office of Inspector General are clear.

Policies and procedures should be written in language that is clear for an average reader, and multilingual translations should be available. Policies and procedures should be definitive whenever possible and should avoid generic characterization or phrases like "as a general rule." These policies and procedures should reinforce the existing duty to cooperate with the Office of Inspector General.

The Commission recommends that written policies and procedures should include, but not be limited to, the following:

- Intake policies;
- Investigative priorities;
- Defining investigations and other interview formats;
- Interview protocols:
 - Duty to cooperate,
 - Policy on recording interviews,
 - Who may be present at interviews,
 - Policy on outside counsel,
 - Note-taking, and
 - Requests for copies of investigative materials or recordings;
- Confidentiality and whistleblower protection;
- Case outcomes; and
- Report distribution and publication.

The Commission is not dictating specific policies and procedures. However, the lack of clear and consistent expectations, particularly with respect to investigative interviews, undermines trust and confidence in Office of Inspector General operations. Similarly, the Commission believes the Office of Inspector General should adopt a written protocol that establishes its investigative priorities, similar to that employed by the Baltimore City Office of Inspector General.

The Commission received requests for comment about several specific practices. These include:

1. ***Protocols for meetings with Office of Inspector General staff:*** The Commission believes the Office of Inspector General should clarify distinctions it makes between investigative interviews and other informal interactions to obtain background information or input. The subject of an investigative interview should know in advance that an interview is being scheduled so they may familiarize themselves with the practices for those interviews.
 2. ***Policy on recording interviews:*** The current Office of Inspector General procedural manual states: “As a general rule, interviews of witnesses ... are to be recorded.” The Commission supports this practice, as recording interviews is consistent with best practices. The Commission suggests the policy should be stated definitively as: “Investigative interviews will be recorded unless consent to record is withheld or recording is unavailable. In those instances, the interview will proceed with contemporaneous notes taken.”
 3. ***Requests to record by subject:*** The Commission concurs with the policy of the Office of Inspector General to deny requests by an interviewee to record an investigative interview. The presence of an outside recording may undermine a legitimate investigative purpose.
 4. ***Requests for copies of recordings or interview notes:*** Similarly, the Commission finds that the policy of the Office of Inspector General to deny requests for copies of recordings or interview notes serves to promote legitimate investigative purposes.
- **Draft Report Notification and Response Period**
The Commission recommends that the Office of Inspector General adopt a written policy outlining the investigative report process. Although the Commission recognizes that a

process currently exists, a written protocol will ensure all appropriate staff have a clear understanding of the complete process.

The Commission believes the Office of Inspector General should maintain its current process of sharing draft reports in confidence with the County Administrative Officer, Chief of Staff, County Attorney, and relevant agency heads, as well as Office of Human Resources if dealing with personnel issues. The County Administrative Officer is given 30 days to respond, unless additional time is requested and granted for good cause. The response is intended to allow the County Administrative Officer to request corrections to the report, to provide additional information relevant to the Office of Inspector General inquiry, or to request that the Office of Inspector General conduct additional investigations. The Office of Inspector General maintains the discretion to either finalize its report as drafted, modify the report, or continue its investigation.

Once the Office of Inspector General report is finalized, the County Administrative Officer should be provided the opportunity to issue a final response for publication with the Office of Inspector General report, if he or she chooses. To avoid public confusion where a response from the County Administrative Officer results in changes to the draft report, the Office of Inspector General should publish only the final report reflecting changes from the County Administrative Officer, along with any final response. The Office of Inspector General and/or County website should include easily accessible separate links to the final report and response.

If an investigation does not ultimately demonstrate conduct constituting fraud, abuse or waste, the Office of Inspector General can elect to produce an internal report. Internal reports should be shared with the County Administrative Officer, Chief of Staff, County Attorney and appropriate agency head. Such reports are not published.

Other

- Reimbursement of Employee Legal Expenses

The Commission recommends against adopting a policy that would require the County to reimburse personal legal expenses incurred in connection with an Office of Inspector General investigation.

- Ethical Climate in Baltimore County — Promotion of and Assessment of Ethical Climate in Baltimore County Government

The Commission recommends that the Ethical Climate Survey should be conducted by an external body at regular, fixed intervals.

- Consistent Language in Code

The Commission recommends that references in the County Code to the purposes of the Office of Inspector General be made consistent. Current language references include “fraud, abuse, and illegal acts in county government” in § 3-14-106 (5) and “alleged abuse, fraud, and service deficiencies including deficiencies in the operation and maintenance of facilities” in § 3-14-106 (5). The Commission recommends that references such as these be changed to “fraud, waste, and abuse” or other similar language, so the statutes are consistent.

Commission Process

The Blue Ribbon Commission on Ethics and Accountability (“Commission”) was established by Executive Order No. 2021-025, which was signed by County Executive John A. Olszewski, Jr., on October 26, 2021.² The ultimate goal of the Commission was to “develop recommendations to modernize the Public Ethics and Open Government laws and the Office of Inspector General in accordance with best practices for review by the County Executive and the County Council.” The individuals asked to serve on the Commission had a range of experiences related to offices of inspector general, government transparency, and public laws. The Commission’s chair was a former inspector general (IG) for the State of Maryland, and two other Commission members also had experience with the IG process at the federal and state level. In addition, Commission members included two judges and four lawyers. The County also contracted the Schaefer Center for Public Policy (Schaefer Center) at The University of Baltimore to staff the Commission and produce research reports on best practices by OIGs across the country and on the ethical climate in Baltimore County workplaces, which included boards and commissions.³

Commission members met publicly 10 times from June 2022 to February 2023.⁴ The meetings were held via The University of Baltimore’s Zoom webinar system, and members of the public were invited and did attend each meeting. Recordings of the meetings were posted on the University’s College of Public Affairs YouTube page, and links were provided on the Commission’s website (<https://blueribbonethics.ubalt.edu/>) approximately two to three days after the meeting, with the delay due to the time needed for the closed captioning to become available. Approved minutes of the meetings were made available on the Commission’s website at <https://blueribbonethics.ubalt.edu/>.

Research and Fact-Gathering

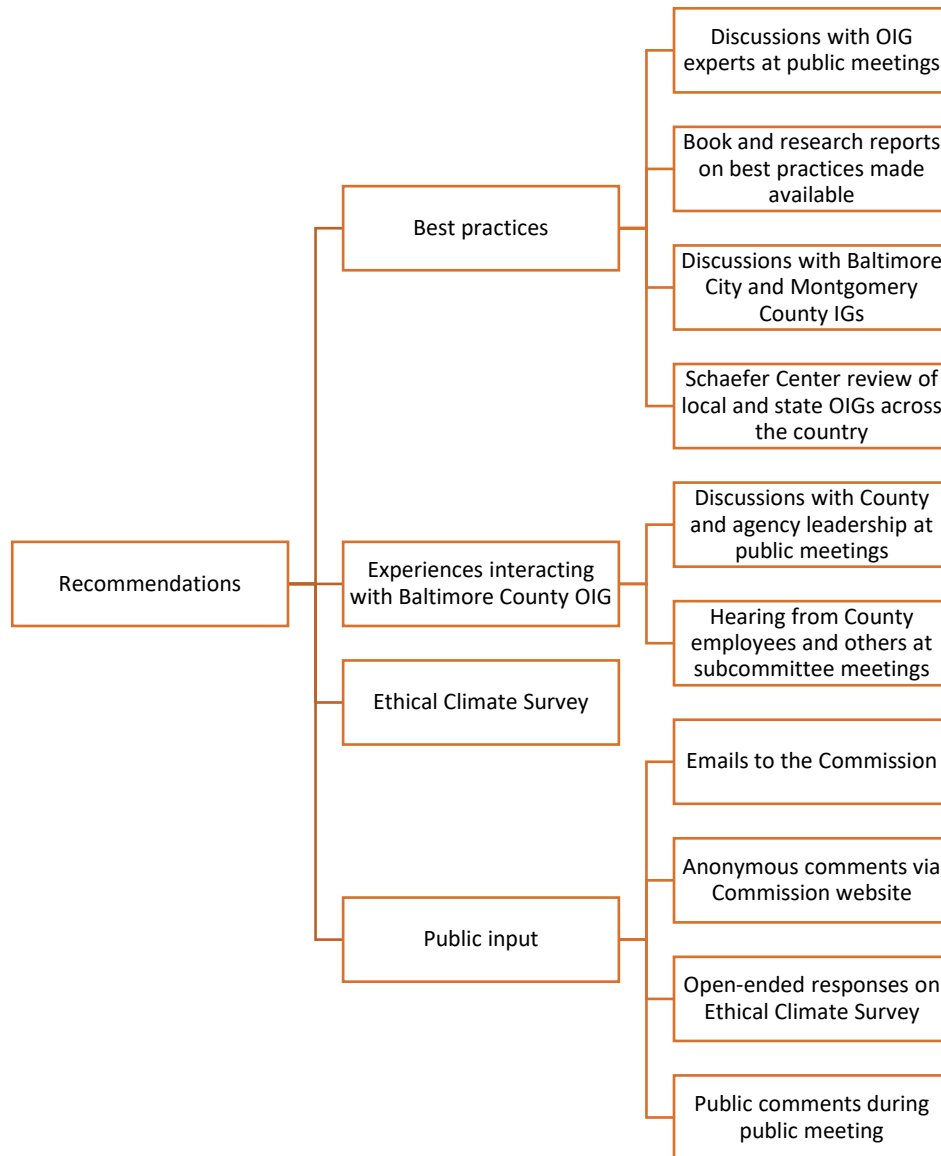
Commission members were tasked by the County Executive “to develop recommendations to modernize the Public Ethics and Open Government laws and the Office of Inspector General in accordance with best practices for review by the County Executive and the County Council.” To do so, Commission members conducted fact-finding using a variety of sources, as shown in Figure 1.

² This Executive Order is available in Appendix 1. The Commission’s work was delayed due to the County’s difficulty in identifying an external party to staff the Commission, and the Executive Order reflecting the new deadlines for the Commission’s work is available in Appendix 2.

³ The results of these research projects — a Report on Best Practices for Offices of Inspector General and Report on Ethical Climate Survey — are available in Appendix 4 and 5, respectively.

⁴ Agendas for these meetings are available in Appendix 6.

Figure 1: Commission Process



First, Commission members explored best practices for offices of inspector general (OIGs). They did this through three primary pathways: (1) conversations with national experts on OIGs, (2) scholarly research and reports on OIGs, and (3) discussion with OIGs for Baltimore City and Montgomery County. During two separate public meetings, Commission members spoke with national experts on OIGs. These experts included the following: Dr. Robin Kempf, University of Colorado-Colorado Springs; Stephen B. Street, Jr., State Inspector General for State of Louisiana and National President of the Association for Inspectors General; and Gregory Hill, JD, Executive Director of the Association of Inspectors General. These experts talked about how OIGs around the country operate and have changed structures, policies, and procedures as needed. Commission members were also provided with a copy of Dr. Kempf’s book on common or best

practices of OIGs if they requested one, and they were provided with research reports on OIGs or links to such reports. Some of these materials were initially provided to the Commission by members of the public via the Commission's general email address. Additionally, the OIGs for Baltimore City and Montgomery County spoke to the Commission at the meeting on October 20, 2022. These IGs discussed how their offices were structured within the city or county government, their policies and procedures, their experiences as IGs, and other matters. Fourth, the Schaefer Center conducted a review of best practices of state and local OIGs across the United States and presented the results at Commission meetings.

Second, Commission members heard from County officials, employees, and others about their experiences with the OIG or other ethics-related matters. The purpose of these meetings was to learn about past interactions and how tensions between the OIG and the individuals and entities over which it has oversight could be lessened. The County Administrative Officer (CAO) and Inspector General both spoke at the first public meetings of the Commission and attended one of the last public meetings to respond to the Commission's specific questions; other County agency directors also attended the same meeting for the same purpose. Baltimore County employees were also invited to speak privately to the Commission's subcommittees to discuss their personal experiences with the OIG or related ethics issues. These employees included County leadership and contractors who spoke in their personal capacities about their personal experiences. Individuals were invited to speak to the subcommittees if they requested such an opportunity via email to the Commission's general email account or on the Ethical Climate Survey administered by the Schaefer Center. Commission members did not and were not tasked with investigating the OIG or these interactions. These were simply opportunities to learn what had happened in the past.

Third, Commission members reviewed the results of the Ethical Climate Survey conducted by the Schaefer Center. Over 1,700 individuals responded to the survey, or approximately 19.25% of those invited to participate. Survey respondents provided information on their experiences reporting or being interviewed as part of investigations into possible ethical misconduct by the Baltimore County OIG, Ethics Commission, and County Auditor, as well as their knowledge of the Public Ethics Law and ethical behaviors in their specific agency, board, or commission. The results of this survey were presented by the Schaefer Center at the Commission's public meetings.

Finally, Commission members also received comments from the public on the issues under consideration. Individuals could submit these comments via the Commission's email address or anonymously via a form on the Commission's website, through three open-ended questions on the Ethical Climate Survey, or during a public comment period during the full Commission's public meeting on November 29, 2022.

Topics Considered by the Commission

The Commission explored a number of topics that were either initially developed from the Commission's charge or through the research detailed above. These topics were largely concerned with the structural characteristics of the OIG or the policies and procedures of the OIG (as shown in Figure 2), which was reflected in the two Commission subcommittees. The subcommittees presented their findings to the Commission and the public at the full Commission's meeting on November 29, 2022, and the Commission discussed potential recommendations reflecting their findings at that and the remaining meetings.⁵ The results of these discussions are presented in the following section.

Figure 2: Topics of Recommendations Made by Commission

Structural Characteristics of the Office of the Inspector General

- Independence of the OIG
- Financial independence of the OIG
- OIG scope of responsibility
- Placement of the Ethics Commission
- OIG staffing
- OIG access to materials and records
- OIG subpoena authority and waiting period

Office of Inspector General Policies and Procedures

- Access to independent legal counsel for the OIG
- Communication about new investigations
- County employees' duty to cooperate
- Written policies and procedures for the OIG
- Draft report notification and response period
- Oversight of the OIG and accountability mechanisms

Other

- Ethical climate in Baltimore County (Promotion of and assessment of ethical climate in Baltimore County Government)
- Reimbursement of employee legal expenses
- Consistent language in code

⁵ The Commission Chair requested and received approval from the County Executive for a one-month extension in providing the Interim Report and Final Report of the Commission. The Executive Order reflecting the revised deadlines is available in Appendix 3.

Commission Findings

Overall, the Commission found that many of the tensions experienced with the Baltimore County Office of Inspector General (OIG) were a function of the newness of the office. County employees and others are still adjusting to this new oversight. Policies and procedures are still being developed, and miscommunications have occurred as protocols evolved. Efforts to clarify concerns were perceived as attempts to limit the OIG's independence and oversight function, which exacerbated tensions between the OIG and the agencies and individuals over which it had oversight.

These problems are not unique to Baltimore County. The experts who spoke to the Commission made clear that new OIGs frequently experience "growing pains" as the subjects of the new oversight adjust either when the office is new or when new OIGs or agency heads come into office. OIGs and their jurisdictions then pursue one of two paths: (1) adjust or (2) remove or limit the OIG.

Commission members developed the following recommendations to improve the working relationship with the OIG in Baltimore County. While some tensions are inherent in an oversight relationship, limited structural changes to the County's code or charter and improved communications should assist in building a more collaborative atmosphere to support the work of the OIG.

The members of the Commission recommend that the relationship between the OIG and the County and the operations of the OIG be guided by the following: The independence of the Inspector General (IG) must be maintained. However, independence should be distinct from seemingly arbitrary or inconsistent policies. A lack of clear and consistent expectations regarding IG practices can undermine trust and confidence in the office. Therefore, although the Commission is not dictating specific protocols, it recommends that the IG adopt and publish clear policies. These should be reviewed periodically with County leadership as part of a collaborative commitment to support the role of the IG within County government.

Structural Characteristics of the Office of the Inspector General

The Baltimore County OIG was initially established as the Office of Ethics and Accountability, modeled on the same office in Prince George’s County, Maryland. After Kelly Madigan was hired as the first head of the office, the office was renamed as the Office of Inspector General, but no additional changes were made to the structure of the office. Therefore, as the office has moved forward, policies and procedures have been implemented and investigations have been conducted, there have been questions about how the structure should change to meet the duties of an Office of Inspector General rather than an Office of Ethics and Accountability.

The Commission’s Organizational Structure and Accountability Subcommittee conducted fact-finding concerning many of the questions about structural characteristics of the office, and the full Commission discussed those findings as they relate to a series of specific topics. They held conversations with the leadership from other County agencies to understand the relationships between those agencies and the OIG, including potential points of disagreement. They also spoke with Baltimore County employees and others who had experiences relevant to the topic and explored other sources of information as necessary. Their research contributed to the full Commission’s recommendations below.

Independence of the OIG

OIGs need to be free to pursue investigations of potential ethical misconduct wherever they may lead within the office’s legal remit (i.e., specific agencies or parts of a government). OIGs cannot effectively perform their oversight duties if their work is restricted for political or personal reasons. Baltimore County’s OIG currently has full independence to pursue cases at its discretion. However, because this freedom is not documented in the office’s enabling legislation, it could be changed by Baltimore County’s political leadership in the future. Placing the office in the County’s Charter would make it much more difficult for future County leadership to eliminate the office as a method of reducing oversight and transparency.⁶

Recommendation: The Commission recommends that the provisions of the Inspector General ordinance (Baltimore County Code § 3-14-101 et seq.) be added to the County Charter at the earliest opportunity.

⁶ If the Office of Inspector General is moved to the County Charter per this recommendation, the changes to the County Code in the following recommendations would also need to be made to the Charter language.

Financial Independence of the OIG

One of the basic elements of local, state, and national governments is that activities are funded either via mandatory or discretionary spending. Mandatory spending is that required by law either for all eligible for the program or as a set amount or set percentage. Discretionary spending, in contrast, can change as part of the jurisdiction's appropriations process and can be adjusted by the Executive and/or Legislative entities as part of that process in response to political, budgetary, or other pressures. Because the Executive and/or Legislative actors can adjust an agency's budget, an agency's budget could be decreased solely as a response to activities considered undesirable by the appropriating authorities. For OIGs and other investigatory agencies, this can take the form of Executive and/or Legislative authorities decreasing or threatening to decrease the agency's budget if the investigatory agency conducts investigations or produces findings critical of the appropriating authority. Conversely, the investigatory agency could be steered to investigations or findings that positively reflect on the appropriating agency or negatively reflect on its antagonists. Commission members heard about examples of state or local OIGs having their budgets cut or eliminated or attempts to do so by those unhappy with their oversight work.

According to the Schaefer Center's best practice research, as is the case with most local, general government OIGs, the Baltimore County OIG's budget is currently subject to the discretionary budgeting powers of the Baltimore County Executive and County Council as part of the annual appropriations process. However, in the office's enabling legislation, there is a requirement that any decrease in the appropriation amount must have a written justification, although there are no other requirements for what this justification would entail. While the Commission heard from County leadership that all budget requests from the OIG have so far been provided and the expectation is that this will be continued for the length of the current administration, the Commission was concerned that this situation may change in the future.

Relevant Baltimore County Code:

§ 3-14-105. OFFICE FUNDING.

(a) Funding.

(1) The Office of the Inspector General shall be funded as a separate budget entity in the Annual Budget and Appropriation Ordinance.

(2) Any decrease in appropriations from the prior fiscal year, in either the proposed or adopted budget, shall be accompanied by a written justification for the decrease.

(b) Expending funds. The office may expend funds derived from private grants, the State or the United States to carry out its functions and activities, and to cooperate with any agency of the State or the United States in carrying out its functions and activities.

Recommendation: The Commission recommends that, when the provisions of the Inspector General ordinance are added to the County Charter, there should be language assuring adequate funding of the Office of the Inspector General. That language, as added to the Charter, should be amended to read:

(1) The County Executive and County Council shall ensure that the budget for the Office of Inspector General is sufficient to provide the services outlined in § 3-14-106, as the same may be amended from time to time; and

(2) Any decrease in appropriations for the Office of the Inspector General from the prior fiscal year, in either the proposed or adopted budget, shall be accompanied by a written justification for the decrease, which shall be publicly posted in time for public hearings on the budget to permit public comment and input on such reductions.

OIG Scope of Responsibility

OIGs are often provided with the responsibility of conducting investigations, audits, or both types of analysis with respect to the operations of the government entity in which they are based (i.e., they may be able to investigate and audit all government functions or functions of a specific agency, program, or funding source). Investigations normally focus on obtaining factual evidence for use in determining whether criminal, civil, or administrative actions should be initiated. Audits function as independent, objective assessments of an organization's operations that are designed to add value. The best practices research by the Schaefer Center found that approximately 32% of OIGs that have oversight of all functions of a local government have both responsibilities, although it is unknown what proportion of the other 68% of local, general government OIGs have responsibility for either investigations or audits but not both.

The Baltimore County OIG is currently limited to conducting investigations only, while the County Auditor is responsible for conducting audits of Baltimore County operations. The Auditor is part of the Legislative Branch of government in Baltimore County, and Commission members heard from Inspector Madigan that the two offices work well together.

Relevant Baltimore County Code:

§ 3-14-106. RESPONSIBILITIES OF OFFICE.

The Office of the Inspector General may:

- (1) Evaluate, investigate and inspect the activities, records, and individuals with contracts, procurements, grants, agreements, and other financial or programmatic arrangements undertaken by or on behalf of the county government and any other function, activity, process, or operation conducted by county government;*
 - (2) Conduct criminal, civil, and administrative investigations;*
 - (3) Provide information and evidence that relates to criminal acts to appropriate law enforcement officials;*
 - (4) Initiate such reviews of operations of the county government as deemed appropriate;*
 - (5) Receive and investigate complaints from any source or upon its own initiative concerning alleged abuse, fraud, and service deficiencies including deficiencies in the operation and maintenance of facilities; [and]*
 - (6) Conduct joint investigations and projects with the County Auditor and other oversight or law enforcement agencies...*
-

Recommendation: The Commission recommends that Baltimore County maintain the current division of responsibility, with the Office of Inspector General maintaining the responsibility for investigations only and the audit function remaining separate from the Office of Inspector General.

Placement of the Ethics Commission

Maryland state law requires each county-level jurisdiction to have its own Ethics Commission. In Baltimore County, the Ethics Commission provides advice on ethical issues to County employees and members of boards and commissions and can provide advisory opinions on ethical issues. The Baltimore County IG serves as the Executive Director of the Ethics Commission, and the OIG provides staff support to it. While the OIG and Ethics Commission have separate telephone numbers and email addresses, calls and emails are received by Inspector Madigan or her staff. As part of the duties related to the Ethics Commission, the Baltimore County OIG is also responsible for ethics training for County employees and members of boards and commissions and for administering the annual financial disclosures required of some County employees and members of boards and commissions. Prior to its location in the OIG, the Baltimore County Ethics Commission was situated in the Office of Law for budgetary and staff support purposes.

Relevant Baltimore County Code:

§ 3-14-104. RESPONSIBILITIES OF INSPECTOR GENERAL.

The Inspector General shall also serve as the Executive Director of the Ethics Commission, and shall supervise the operations of the administrative staff of the Office of the Inspector General, including the hiring, direction and discharge of all Office of the Inspector General staff members in accordance with the County personnel laws.

§ 3-14-106. RESPONSIBILITIES OF OFFICE.

The Office of the Inspector General may:
...

(9) Provide support to the County Ethics Commission established under Title 3, Subtitle 10 of this article;

The best practices research by the Schaefer Center suggests this is an unusual arrangement — in 29 of the 32 local governments nationally in which there were both a general government OIG and an Ethics Commission, these entities were operationally independent. The experts who spoke to the Commission stated that having the OIG and Ethics Commission in the same agency presents a potential conflict, and Commission members also heard as part of their fact-finding that individuals were concerned that, by calling the Ethics Commission for advice, they may unintentionally cause the OIG to launch an investigation.

Recommendation: The Commission recommends that Baltimore County separate the Ethics Commission from the Office of Inspector General and hire a new Executive Director for the Ethics Commission. Baltimore County Code § 3-3-1004(d)(1) should be amended to read: “The [Ethics] Commission shall be headed by an Executive Director, appointed by the County Executive and confirmed by the County Council.” The new Executive Director should assess the additional staffing needs of the Ethics Commission, if any, and request additional staffing as needed.

The Commission recommends that the Baltimore County Code be expanded to provide for an annual training program containing three modules:

(1) one module provided by the Ethics Commission pursuant to the current provisions of the Baltimore County Code § 7-1-203(a);

(2) one module to be provided by the Ethics Commission regarding the lobbying provisions of the Baltimore County Code pursuant to the provisions of § 7-1-203(b); and

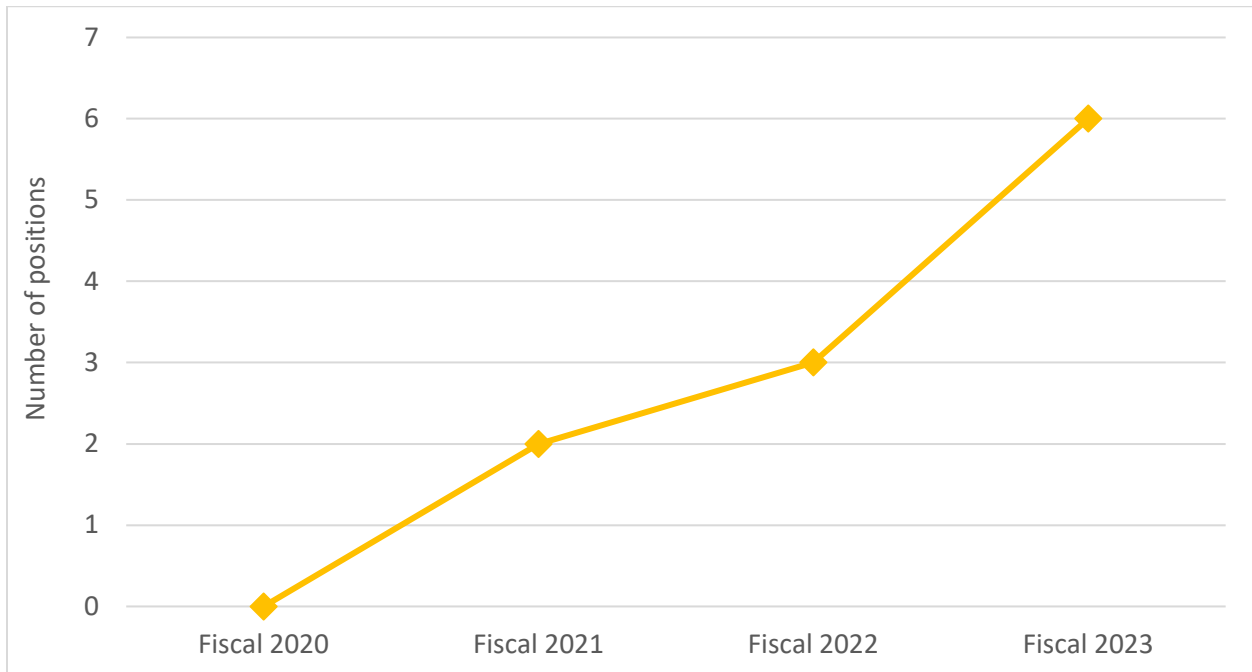
(3) a new third module to be provided by the Office of Inspector General about its operations, functions and procedures, how to report fraud, waste and abuse, the Office of Inspector General's investigative duties, and the duty of County employees and elected officials to cooperate in investigations. All trainings should be in full compliance with ADA-accessibility requirements.

Note: The separation of the OIG from the Ethics Commission will require amendments of ordinances that identify the Inspector General as the Executive Director of the Ethics Commission. For example, Baltimore County Code § 3-14-104 should be amended to read: "The Inspector General shall supervise the operations of the Office of Inspector General, including the hiring, direction, and discharge of all Office of the Inspector General staff members in accordance with the County personnel laws." Other amendments will involve deleting existing language stating that the Inspector General shall "also serve as the Executive Director of the Ethics Commission..."

OIG Staffing

As a new office, the Baltimore County OIG has been growing to meet needs related to complaints and investigations regarding possible ethical misconduct, ethics training for new and current County employees and members of boards and commissions, and financial disclosure from certain classes of County employees and members of boards and commissions. All three of these duties have grown in volume since the OIG was established in Fiscal 2020 as the Office of Ethics and Accountability. In the current budget, the office was provided with three new positions, bringing the total number of positions to six.⁷

Figure 3: Baltimore County OIG Budgeted Positions, Fiscal 2020-2023



Source: Baltimore County Adopted Budget for Fiscal 2023.

Recommendation: The Commission recommends that the Office of Inspector General and the Ethics Commission should be sufficiently staffed to perform the functions and provide the services outlined in Baltimore County Code § 3-14-106 (Inspector General) and § 7-1-201 (Ethics Commission) and to otherwise comply with best practices.

⁷ The OIG was first allocated positions in Fiscal 2021 (2 positions) and was allocated an additional position in Fiscal 2022. This information is shown in the Baltimore County Adopted Budget for Fiscal 2023, page 88, retrieved from <https://resources.baltimorecountymd.gov/Documents/Budget/23budget/fy2023adoptedoperatingcapitalbudget.pdf>.

OIG Access to Materials and Records

Per the current Baltimore County Code, the OIG has “The right to obtain full and unrestricted access to all records, information, data, reports, plans, projections, matters, contracts, memoranda, correspondence, and any other materials, including electronic data, of the county government” (§ 3-14-107). This allows the OIG to fully understand the facts related to incidents of potential misconduct.

In order to obtain this data, the OIG requests information from agencies as needed. This includes requesting emails from the Office of Information Technology (OIT), personnel records from the Office of Human Resources (OHR), and contracts from the Office of Budget and Finance, as well as electronic or hard-copy documents from County agencies as needed. However, some data or documents may be subject to confidentiality due to executive privilege, lawyer-client privilege, federal regulations (e.g., Criminal Justice Information Services, CJIS; Family Educational Rights and Privacy Act, FERPA; Health Insurance Portability and Accountability Act, HIPAA), or other concerns (i.e., HR privacy or confidentiality concerns). During the Commission’s public meeting on January 12, 2023, the directors of OHR and OIT detailed how their agencies supply information to the OIG in response to requests. Of note, the director of OIT explained how specific employees are tasked with different parts of the request (i.e., one individual responds to requests for emails, while another responds to requests for electronic files). He also noted that the County is a fully centralized data environment, meaning that all data and technology are stored on centralized systems and that data environment is protected to the most restrictive standards. In other words, all data on the Baltimore County network is stored per CJIS, HIPAA, and other compliance standards, rather than storing specific data sets according to specific compliance standards. Because of this, OIT has developed memoranda of understanding with County agencies about which OIT employees can search the databases. These individuals have specialized skills and training; they also undergo rigorous background checks. OIT employees who access Police Department data, for example, have to be compliant with the rules and regulations of the Police Department and go through the Police Department background check in addition to the standard background check required for County employment.

The Commission members also heard concerns from the OIG about its requests to these agencies and about sources remaining confidential, as sharing of this information could reveal its potential or in-progress investigations.

Relevant Baltimore County Code:

§ 3-14-107. POWERS OF OFFICE.

(a) Powers. The Office of the Inspector General is provided the following powers to accomplish the intent of this title:

(1) The right to obtain full and unrestricted access to all records, information, data, reports, plans, projections, matters, contracts, memoranda, correspondence, and any other materials, including electronic data, of the county government;

Recommendation: The Commission recommends that the Office of Inspector General have direct access to government records/materials whenever possible.

(1) In instances where the Office of Inspector General is unable to have direct access due to statutory, contractual, or regulatory barriers, requests for production should be directed through the Office of Information Technology or a relevant agency head. Office of Inspector General requests for production of materials shall be maintained in confidence by the Office of Information Technology or agency staff, except to the limited extent required to obtain and produce the requested materials.

(2) The Commission recommends that Memoranda of Understanding be developed between the Office of Inspector General and Office of Information Technology and other County agencies to formalize policies concerning record production. These should include protocols for access, preservation of documents, confidentiality of requests for information, and any limitations on re-disclosure of requested materials.

OIG Subpoena Authority and Waiting Period

An OIG may need to compel the production of documents needed for its investigations from parties who are otherwise unwilling to supply them. IGs are often enabled to do so via the power to issue subpoenas, and the Baltimore County OIG has the authority to do so via its enabling legislation. However, it may only do so if the information has not been provided within 90 days of the request, which creates both a substantial delay in an investigation and time for the subject of the information request to destroy the materials. The Schaefer Center found in its best practice research that approximately 6 in 10 local, general government OIGs across the country had subpoena power, but the waiting periods for these subpoenas were generally not made public.

Relevant Baltimore County Code:

§ 3-14-107. POWERS OF OFFICE.

(c) Subpoenas.

(1) The Office may issue a subpoena to compel compliance with a request issued under subsection (a) of this section if the recipient of the request has not complied with the request within 90 days after the request.

(2) Subpoenas issued by the Office may be judicially enforced.

Recommendation: Baltimore County Code § 3-14-107(c) currently restricts the Inspector General from issuing a subpoena for documents until 90 days after a request for production of those documents. The Commission recommends that this provision be amended to:

- (a) Eliminate the waiting period for subpoenas issued to individuals who are not County employees or to outside entities for production of records not maintained by Baltimore County; and
- (b) Reduce to 30 days the waiting period for subpoenas issued to a Baltimore County employee for records in the employee's possession or control that are not produced or maintained by Baltimore County, or for County records requested but not produced in a timely manner.

The Commission believes the different policies are appropriate since the Inspector General has a statutory right in Baltimore County Code § 3-14-107 (1) "to obtain full and unrestricted access to all records, information, data, reports, plans, projections, matters, contracts, memoranda, correspondence, and any other materials, including electronic data, of the county government." Similarly, Baltimore County employees have a duty to cooperate with a request by the Inspector General to produce records within their possession or control. The Commission believes the Office of Inspector General should seek cooperative production of these records. If records are not provided within 30 days, the Inspector General can issue a subpoena for records, which can

be judicially enforced. Reasonable requests for extension of that 30-day period can be granted within the discretion of the Inspector General.

The Commission believes that no policy objective is advanced by delaying the ability to subpoena records from individuals or entities who are not subject to a duty to cooperate with the Office of the Inspector General.

The Commission therefore recommends that §3-14-107(c) be amended as follows:

“(c) Subpoenas:

“(1) The Office may issue a subpoena to compel compliance with a request issued under subsection (a) of this section for records in the possession or control of Baltimore County or any County employee if the recipient of the request has not complied with the request within 30 days after the request.

“(2) The Office of the Inspector General is authorized to issue a subpoena for production of documents that are not maintained by Baltimore County, and are not within the possession or control of a County employee, at any time during its investigative process.

“(3) Subpoenas issued by the Office may be judicially enforced.”

Oversight of the OIG and Accountability Mechanisms

Government investigative agencies naturally have a tension with oversight, as the entity providing oversight may punish the investigative agency for investigations and findings detrimental to the oversight authority.

The Baltimore County OIG's current enabling legislation provides guidance on how an IG can be removed before the end of their term, but there are no other methods for oversight by the County's leadership. The OIG's policies and procedures state that allegations against the IG should be directed to the deputy IG, who then contacts the County Attorney, who ultimately determines if an investigation of the complaint will occur and who would conduct that investigation. However, it should be noted that, since the IG is the deputy IG's supervisor, this creates its own tension and conflict of interest.

Other jurisdictions have established other methods of conducting oversight of an OIG. This includes oversight by a jurisdiction's office of human resources, personnel review committee, or similar entities or by an independent group, such as the AIG's peer review process. Others, including Baltimore City, use advisory boards. In Baltimore City, the advisory board is tasked with conducting the IG's annual performance review. Via a referendum in 2022, Baltimore City voters approved a change to the composition of this board from elected officials or their designees to members of the community and representation from relevant state professional associations and deans of the state's two law schools. The governing board of Atlanta's IG was also mentioned as a potential model to the Commission.

Relevant Baltimore County Code:

§ 3-14-103. INSPECTOR GENERAL.

(d) Removal.

(1) The Inspector General may be removed by the County Executive before the expiration of the term for which the Inspector General was appointed only for cause, subject to the approval of the County Council by a vote of a majority plus one of the members of the County Council.

(2) The cause of removal shall be stated in writing and a public hearing held on the removal.

§ 3-14-112. REVIEW AND RESULTS.

(a) Quality assurance review. Investigations, inspections and reviews shall be subject to quality assurance reviews by an appropriate professional, non-partisan, objective group every three to five years.

(b) Copy to Council. A copy of the written report resulting from this review shall be furnished to the County Executive and the County Council, and shall be made available to the public.

Recommendation: Consistent with other jurisdictions and best practices examined, the Commission is not recommending creation of an oversight board, in deference to the need to protect the independence and decision-making of the Inspector General. However, the Commission recognizes that the Inspector General cannot and should not be immune from complaints that do not necessarily rise to the level of potential termination or which could, in rare instances, eventually lead to potential termination pursuant to the County Code. The Commission has been advised by the Office of Law that, since the Inspector General and Inspector General staff are County employees, they are subject to the County’s Human Resources disciplinary procedures. It is not within the Commission’s scope or capacity to review the County’s Human Resources process, but so long as an equitable Human Resources process is available to address such complaints, the Commission believes that the existing Human Resources procedures and remedies should apply.

The Commission recommends that the County Code be amended to make explicit that the Inspector General and Inspector General staff are subject to the Human Resources process and that complaints may be filed pursuant to that process, so that they do not reside in merely in a policy manual which is published solely by the Inspector General and subject to change in his or her discretion. Importantly, regardless of the Human Resources process, the Commission does not recommend changes to the statutory requirements for removal of the Inspector General.

It is also important to have regular review of the Inspector General’s Office, policies, and procedures against best practices in the profession. The current County Code provides for such a review by an “appropriate, professional, non-partisan, objective group every three to five years.”

The Commission recommends the County Code be amended to specify a review take place every three years, so every Inspector General has at least one such review during each of his or her terms and the report be made available for review by the County Executive, County Council, and public, as currently required by the County Code.

The Commission recommends the appointment of another Blue Ribbon Commission in no less than five years to again assess the Office of Inspector General as it continues to evolve.

Finally, the Commission recommends that the County Code be amended to require that the Inspector General shall hold, at the time of appointment or be required to obtain at first opportunity after appointment, certification as a Certified Inspector General.

Office of Inspector General Policies and Procedures

As a relatively new office, the Baltimore County OIG has had to develop its policies and procedures as it was starting work. During a public Commission meeting and subcommittee meetings, Commission members heard about these policies and procedures directly from Inspector Madigan. They also heard about confusion of County employees and others regarding these policies and procedures during OIG investigations and other actions. Commission members were also made aware of apparent miscommunication between the OIG and those involved in OIG investigations and other actions. These issues have led to mistrust of the OIG by some involved in its investigations or reporting and perceptions among those on both sides that the other party is acting in bad faith as the rules for interactions were not clear.

It is understandable that these problems would occur and, as noted earlier in this report, they are not uncommon among new OIGs in other jurisdictions. The Commission's Policy, Process, and Procedure Subcommittee examined these concerns. This included discussions with Inspector Madigan about the office's policies and procedures, how she developed them, and why some materials might need to be kept confidential. In addition, the subcommittee members also considered the policies and procedures developed by other Baltimore County agencies such as the County Auditor and Ethics Commission as well as OIGs in other jurisdictions and best practices. The subcommittee worked with the understanding that the goal was not to dictate the policies and procedures that the OIG and those involved with its operations would adopt. Rather, the goal was to develop guidelines around changes that improve communication among all parties and provide the basis for a more collaborative working environment while still recognizing that the OIG is an investigative body and there will always be tensions as it conducts its oversight duties.

Access to Independent Legal Counsel for the OIG

As a County agency, the Baltimore County OIG is expected to rely on the County Office of Law to serve as its legal counsel. However, as noted on the agency's homepage, the Office of Law "provides legal advice to the County in all civil matters and represents the County Executive, County Council, County Administrative Officer, and all offices, departments, boards, commissions and other administrative agencies of the County."⁸ This creates an obvious conflict of interest for the Office of Law when the OIG seeks legal counsel in the course of conducting its oversight responsibilities of these County entities.

⁸ <https://www.baltimorecountymd.gov/departments/law/> retrieved January 28, 2023.

The research on OIG best practices conducted by the Schaefer Center for Public Policy found that approximately one-quarter of local, general government OIGs have independent counsel. However, Commission members also heard from Inspector Madigan regarding her concerns about not having access to independent legal counsel and from other inspectors general and OIG experts on the benefits of having such independent counsel available, either on staff or in an external firm on retainer.

Recommendation: The Commission recommends that independent legal counsel be provided to the Office of Inspector General when necessary to avoid a conflict of interest for the County's Office of Law, which would otherwise represent the Office of Inspector General. The independent counsel should be outside counsel promptly procured by the County according to its standard processes and procedures, and the County should assume the cost with no reduction in the Office of Inspector General budget unless allowance or reserve has previously been made in the Office of Inspector General budget. Either the County Attorney or the Inspector General should have the right to determine when a preclusive conflict exists such that independent counsel must be retained.

Communication About New Investigations

When launching a new investigation, an office of inspector general may benefit from keeping the target of the investigation from knowing of its concerns. This allows the OIG to collect information — including through interviews of those involved or with knowledge of the incident being investigated — without the target of the investigation attempting to disrupt the investigation. If the target has that knowledge, he or she may, for example, encourage potential witnesses not to cooperate or to change their stories, destroy documents, etc. While agency leadership may indeed have an interest in knowing of potential ethical misconduct among their staff, informing them of new investigations may also cause the information to spread, either purposefully or inadvertently, to more individuals including the target of the investigation. Conversely, the Commission heard concerns from County officials about the OIG conducting investigations and document requests in the department or agency under their responsibility without notification to the department or agency leadership.

Recommendation: The Office of Inspector General should promote an atmosphere of cooperation within County government where doing so does not impede an investigation. The Commission recommends that the Office of Inspector General not be obligated to notify supervisors or agency heads before conducting interviews. The Office of Inspector General should consider whether to share information concerning an investigative referral with County leadership to help secure cooperation and assistance to ensure information relevant to the investigation is received by the Office of Inspector General. However, the decision whether to share information rests within the sound discretion of the Office of Inspector General. The Commission believes policies that would require the Office of Inspector General to clear interviews in advance or schedule through agency heads would undermine the independence of the Office of Inspector General.

County Employees' Duty to Cooperate

In 2021, Inspector Madigan drafted a policy that was to be signed by the County Executive and provided to all County employees, detailing their duty to cooperate with OIG inspections. This policy was signed by the County Executive, but it was never distributed to employees.

Recommendation: The Commission recommends distribution of the Code of Conduct Revision 2021-007 to County employees and that the requirement for training be mandatory for all employees. Following this initial training, the Commission recommends that training on the role of the Office of Inspector General and the employee's duty to cooperate be added to new employee onboarding requirements.

The Commission also recommends that the Code of Conduct Revision be amended to clarify that it is a violation of the Code of Conduct for an employee to obstruct or attempt to interfere with an investigation or action by the Office of Inspector General.

Written Policies and Procedures for the OIG

As with all government agencies, the Baltimore County OIG has produced written policies and procedures, and the IG refers to the policies and procedures when asked about matters such as investigative procedures or draft reports. However, the policies and procedures are not publicly available and so investigation witnesses, targets, and others only learn of the policies and procedures when they ask specific questions or their requests are denied. Moreover, there does not appear to be a formal mechanism for individuals outside the OIG to request clarification about or suggest changes to the policies and procedures without it being construed as an attempt at restricting the office's investigative responsibilities.

Recommendation: The Commission recommends that Baltimore County Code § 3-14-106(8) be amended to require the Office of Inspector General establish written policies and procedures. These should be published on the Office of Inspector General website and otherwise available to County employees so the expectations for interactions with the Office of Inspector General are clear.

Policies and procedures should be written in language that is clear for an average reader, and multilingual translations should be available. Policies and procedures should be definitive whenever possible and should avoid generic characterization or phrases like “as a general rule.” These policies and procedures should reinforce the existing duty to cooperate with the Office of Inspector General.

The Commission recommends that written policies and procedures should include, but not be limited to, the following:

- Intake policies;
- Investigative priorities;
- Defining investigations and other interview formats;
- Interview protocols:
 - Duty to cooperate,
 - Policy on recording interviews,
 - Who may be present at interviews,
 - Policy on outside counsel,
 - Note-taking, and
 - Requests for copies of investigative materials or recordings;
- Confidentiality and whistleblower protection;
- Case outcomes; and
- Report distribution and publication.

The Commission is not dictating specific policies and procedures. However, the lack of clear and consistent expectations, particularly with respect to investigative interviews, undermines trust and confidence in Office of Inspector General operations. Similarly, the Commission believes the Office of Inspector General should adopt a written protocol that establishes its investigative priorities, similar to that employed by the Baltimore City Office of Inspector General.

The Commission received requests for comment about several specific practices. These include:

1. ***Protocols for meetings with Office of Inspector General staff:*** The Commission believes the Office of Inspector General should clarify distinctions it makes between investigative interviews and other informal interactions to obtain background information or input. The subject of an investigative interview should know in advance that an interview is being scheduled so they may familiarize themselves with the practices for those interviews.
2. ***Policy on recording interviews:*** The current Office of Inspector General procedural manual states: “As a general rule, interviews of witnesses ... are to be recorded.” The Commission supports this practice, as recording interviews is consistent with best practices. The Commission suggests the policy should be stated definitively as: “Investigative interviews will be recorded unless consent to record is withheld or recording is unavailable. In those instances, the interview will proceed with contemporaneous notes taken.”
3. ***Requests to record by subject:*** The Commission concurs with the policy of the Office of Inspector General to deny requests by an interviewee to record an investigative interview. The presence of an outside recording may undermine a legitimate investigative purpose.
4. ***Requests for copies of recordings or interview notes:*** Similarly, the Commission finds that the policy of the Office of Inspector General to deny requests for copies of recordings or interview notes serves to promote legitimate investigative purposes.

Draft Report Notification and Response Period

At the conclusion of an investigation, the Baltimore County OIG is required to produce a report of its findings to both County leadership and the public. Per the OIG's 2022 annual report, it issued 11 reports that year, and 10 of the reports were made public.

As part of the report process, the County Administrative Officer (CAO) is provided with a draft of the report and is given two weeks to respond, with a two-week extension available upon request. The CAO's response may involve their office contacting the individuals involved in the incident or collecting related documents or other data. As the administration does not have information on the complaints the OIG is investigating, it is unable to prepare for the report responses in advance. After the CAO's response, the OIG may update or correct the draft report to reflect information provided by the CAO, and a final version is posted on the OIG's website, along with responses provided by the CAO or others. Many of the reports have been covered by the region's news media, including the *Baltimore Sun*, *Baltimore Brew*, and *Baltimore Banner*.

During its work, the Commission heard concerns about the report process, including that the short turnaround period is a challenge for the County's leadership, that the final report product after updating or correcting the report in response to the draft version may be confusing for readers, and inclusion of identifying information in the reports has damaged individuals' reputations.

Recommendation: The Commission recommends that the Office of Inspector General adopt a written policy outlining the investigative report process. Although the Commission recognizes that a process currently exists, a written protocol will ensure all appropriate staff have a clear understanding of the complete process.

The Commission believes the Office of Inspector General should maintain its current process of sharing draft reports in confidence with the County Administrative Officer, Chief of Staff, County Attorney, and relevant agency heads, as well as Office of Human Resources if dealing with personnel issues. The County Administrative Officer is given 30 days to respond, unless additional time is requested and granted for good cause. The response is intended to allow the County Administrative Officer to request corrections to the report, to provide additional information relevant to the Office of Inspector General inquiry, or to request that the Office of Inspector

Relevant Baltimore County Code:

***§ 3-14-111. DESIGNATION OF REPORT;
ISSUANCE OF ANNUAL REPORT.***

(a) Designation of report.

(1) The Inspector General shall report the findings of the Office's work to appropriate elected and appointed leadership, including the County Executive and the County Council, and to the public.

General conduct additional investigations. The Office of Inspector General maintains the discretion to either finalize its report as drafted, modify the report, or continue its investigation.

Once the Office of Inspector General report is finalized, the County Administrative Officer should be provided the opportunity to issue a final response for publication with the Office of Inspector General report, if he or she chooses. To avoid public confusion where a response from the County Administrative Officer results in changes to the draft report, the Office of Inspector General should publish only the final report reflecting changes from the County Administrative Officer, along with any final response. The Office of Inspector General and/or County website should include easily accessible separate links to the final report and response.

If an investigation does not ultimately demonstrate conduct constituting fraud, abuse or waste, the Office of Inspector General can elect to produce an internal report. Internal reports should be shared with the County Administrative Officer, Chief of Staff, County Attorney and appropriate agency head. Such reports are not published.

Other

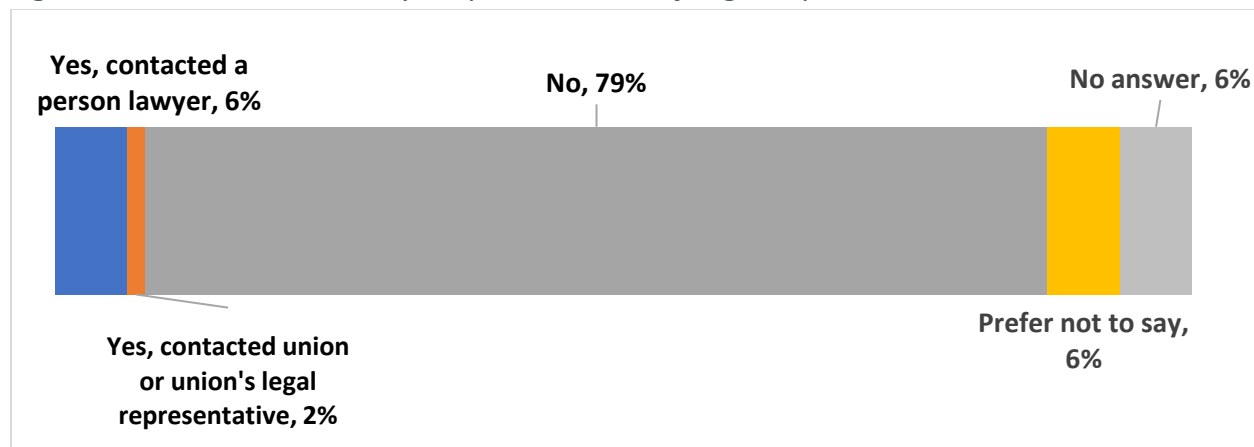
As part of its work, the Commission also explored other topics that arose as it moved forward. These topics and the resulting recommendations are covered here.

Reimbursement of Employee Legal Expenses

The reports issued by the Baltimore County OIG are generally considered management reports since the office has no power to enforce its findings. However, the OIG is an investigative agency in the County, and its reports can impact the professional careers and reputations of those involved in its investigations.

Approximately 6% of Ethical Climate Survey respondents who had been involved in an investigation by the Baltimore County OIG, Auditor, or Ethics Commission said they contacted a personal lawyer about their involvement in the investigation (Figure 1). Some County employees who have utilized personal legal counsel during the course of OIG investigations have sought reimbursement for this expense, arguing that it was incurred in the course of their County duties. County employees have also sought legal counsel from their union or bargaining unit and relied on the Baltimore County Office of Law in response to contact in the course of an OIG investigation. These sources of legal counsel are free to the employee, but some County employees are not represented by unions or bargaining units and, as discussed above, there could be a conflict of interest as the Office of Law also represents the OIG. In addition, reimbursement for these expenses would create a positive incentive for employees to seek out private legal counsel if involved in OIG investigations without regard for the cost of that counsel, thus imposing an undue burden on the County's finances.

Figure 4: Ethical Climate Survey Respondents' Use of Legal Representation



Note: N = 63.

Recommendation: The Commission recommends against adopting a policy that would require the County to reimburse personal legal expenses incurred in connection with an Office of Inspector General investigation.

Ethical Climate in Baltimore County — Promotion of and Assessment of Ethical Climate in Baltimore County Government

Baltimore County has made strides in improving the ethical climate in which its employees and board and commission members operate. Understanding the motives and experiences of County employees and board and commission members with respect to ethical behavior can help County leadership confront unethical behaviors, attitudes, and incentives before they impact other employees and board and commission members as well as County residents.

Responses to the Ethical Climate Survey conducted by the Schaefer Center suggested that County employees and board and commission members generally see their colleagues as acting ethically, although there is room for improvement. Respondents also generally thought the ethics training provided by the County was useful, although over 40% of respondents said they were not familiar with the County's Public Ethics Law, suggesting additional ethics training may be useful.

Recommendation: The Commission recommends that the Ethical Climate Survey should be conducted by an external body at regular, fixed intervals.

Consistent Language in Code

In reviewing the Baltimore County Code § 3-14, Commission members noted that the language referencing the purposes of the OIG was not consistent. In § 3-14-102 (1), the OIG's working includes finding "Fraud, abuse, and illegal acts in the county government," while in § 3-14-106 (5) its investigative work includes "alleged abuse, fraud, and service deficiencies." Such differences may cause confusion about the scope of the OIG's oversight authority.

Recommendation: The Commission recommends that references in the County Code to the purposes of the Office of Inspector General be made consistent. Current language references include "fraud, abuse, and illegal acts in county government" in § 3-14-106 (5) and "alleged abuse, fraud, and service deficiencies including deficiencies in the operation and maintenance of facilities" in § 3-14-106 (5). The Commission recommends that references such as these be changed to "fraud, waste, and abuse" or other similar language, so the statutes are consistent.

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Baltimore County Commission on Ethics and Accountability

Executive Order No. 2021-025

WHEREAS, Baltimore County's mission is to deliver the highest standard of service to residents, businesses, and visitors and to ensure effective, efficient, and ethical stewardship of County resources; and

WHEREAS, public ethics, transparent and open government, and accountability are fundamental to ensuring effective, ethical stewardship of County resources in furtherance of integrity, efficiency and public trust; and

WHEREAS, the comprehensive review, evaluation and modernization of Baltimore County's ethics laws and the laws governing the Office of the Inspector General are necessary to align processes and procedures with national best practices;

NOW, THEREFORE, it is this 26th day of October 2021, by the County Executive of Baltimore County, Maryland, ordered that the Baltimore County Commission on Ethics and Accountability ("Commission") shall be created and charged as follows:

Section I: Goal of the Commission.

The purpose of the Commission is to perform a comprehensive review and evaluation of Article 3, Title 14 and Article 7 of the County Code. The Commission will develop recommendations to modernize the Public Ethics and Open Government laws and the Office of Inspector General in accordance with best practices for review by the County Executive and the County Council.

Section II: Membership, appointment, terms of office, officers, and compensation of members.

- A. Membership. The Baltimore County Commission on Ethics and Accountability shall consist of up to 11 voting members appointed by the County Executive.
- B. Terms. The term of a member appointed under subsection A of this section expires when the Commission submits its final report. Members of the Commission shall receive no salaries but shall be reimbursed for all expenses necessarily incurred in the performance of their duties in accordance with appropriations approved by the County Council.
- C. Chair. The Chair of the Commission shall be appointed by the County Executive.

Section III: Meetings, quorums.

- A. Meetings. The Commission shall meet at the request of the Chair as frequently as required to perform its duties. Meetings will be conducted virtually as long as necessary due to the ongoing COVID-19 pandemic. In the event that in-person meetings are scheduled, Commission members may attend electronically as needed.
- B. Quorum. A majority of voting members shall constitute a quorum for the transaction of business and an affirmative vote of the majority of those present at any meeting shall be sufficient for any official action.

Section IV. Duties and Responsibilities.

The Commission shall perform the following duties:

- Study Article 3, Title 14 and Article 7 of the Baltimore County Code and formulate recommendations for streamlining and improvement of policies, functions and outcomes in order to align processes and procedures for ethics training and compliance and the Office of the Inspector General with national best practices;
- Propose legislative changes to implement its recommendations, if necessary;
- Review existing State ethics laws to ensure there are no conflicts between State laws and proposed recommendations;
- Issue an interim report to the County Executive and County Council not later than July 1, 2022;
- Issue a final report to the County Executive and County Council no later than November 1, 2022.

Section V. Staff Assistance.

An RFP shall be issued and vendor selected to provide facilitation and technical support for the Commission.

Section VI. Public Input.

The Commission shall create a webpage and publish its criteria and process, and shall provide an e-mail address to receive written comments from members of the public.


This Order shall take effect **IMMEDIATELY** according to its terms and shall continue thereafter until November 1, 2022, unless further extended by the County Executive.

ATTEST:


Secretary to the County Executive


John A. Olszewski, Jr.
County Executive

Reviewed for Form and Legal Sufficiency and Approved for Execution


James R. Benjamin, Jr.
County Attorney



EXECUTIVE ORDER

No. 2022-004

WHEREAS, Baltimore County's mission is to deliver the highest standard of service to residents, businesses, and visitors and to ensure effective, efficient, and ethical stewardship of County resources; and

WHEREAS, public ethics, transparent and open government, and accountability are fundamental to ensuring effective, ethical stewardship of County resources in furtherance of integrity, efficiency and public trust; and

WHEREAS, the comprehensive review, evaluation and modernization of Baltimore County's ethics laws are necessary to develop and adopt creative and innovative practices for ethics and the Office of the Inspector General;

WHEREAS, the Baltimore County Commission on Ethics and Accountability was created on October 26, 2021, by Executive Order No. 2021-025; and

WHEREAS, the Executive Order required the Commission to issue an interim report to the County Executive and the County Council no later than July 1, 2022, and a final report no later than November 1, 2022; and

WHEREAS, the Commission has advised the County Executive that it needs additional time to complete and deliver the interim and final reports.

NOW, THEREFORE, on this 30th day of June, 2022, it is hereby **ORDERED** by the County Executive of Baltimore County that the October 26, 2021 Executive Order No. 2021-025 be and is hereby amended to provide that the Baltimore County Commission on Ethics and Accountability shall:

- Issue an interim report to the County Executive and the County Council no later than **December 16, 2022**; and
- Issue a final report to the County Executive and the County Council no later than **January 16, 2023**.

The other portions of Executive Order No. 2021-025 remain unchanged.

This Order remains effective until rescinded, superseded, amended, or revised by additional orders.

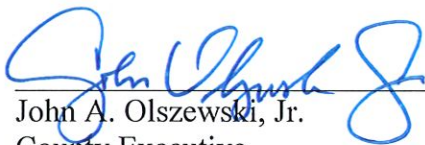
The effect of any statute, rule or regulation of any agency of Baltimore County, Maryland inconsistent with this Order is hereby suspended.

A copy of this Executive Order shall be made available on-line at www.baltimorecountymd.gov for the public.

ATTEST:




Dawn Kile
Executive Secretary



John A. Olszewski, Jr.
County Executive

Reviewed for Form and Legal Sufficiency and approved for Execution.



James R. Benjamin, Jr.
County Attorney



EXECUTIVE ORDER
No. 2022-006

WHEREAS, Baltimore County's mission is to deliver the highest standard of service to residents, businesses, and visitors and to ensure effective, efficient, and ethical stewardship of County resources; and

WHEREAS, public ethics, transparent and open government, and accountability are fundamental to ensuring effective, ethical stewardship of County resources in furtherance of integrity, efficiency and public trust; and

WHEREAS, the comprehensive review, evaluation and modernization of Baltimore County's ethics laws are necessary to develop and adopt creative and innovative practices for ethics and the Office of the Inspector General;

WHEREAS, the Baltimore County Commission on Ethics and Accountability was created on October 26, 2021, by Executive Order No. 2021-025 and was amended on June 30, 2022 by Executive Order No. 2022-004; and

WHEREAS, Executive Order No. 2022-004 required the Commission to issue an interim report to the County Executive and the County Council no later than December 16, 2022, and a final report no later than January 16, 2023; and

WHEREAS, the Commission has advised the County Executive that it needs additional time to complete and deliver the interim and final reports.

NOW, THEREFORE, on this 16th day of December, 2022, it is hereby **ORDERED** by the County Executive of Baltimore County, John A. Olszewski, Jr., that Executive Order No. 2021-025 dated October 26, 2021, as amended by Executive Order No. 2022-004 dated June 30, 2022, be and is hereby further amended to provide that the Baltimore County Commission on Ethics and Accountability shall:

- Issue an interim report to the County Executive and the County Council no later than **January 17, 2023**.
- Issue a final report to the County Executive and the County Council no later than **February 16, 2023**.

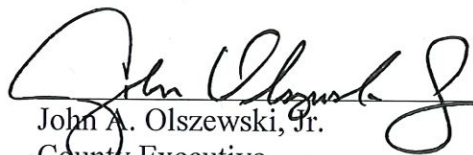
This Order remains effective until rescinded, superseded, amended, or revised by additional orders.

The effect of any statute, rule or regulation of any agency of Baltimore County, Maryland inconsistent with this Order is hereby suspended.

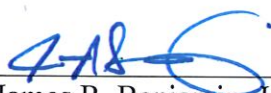
A copy of this Executive Order shall be made available on-line at www.baltimorecountymd.gov for the public.

ATTEST:


Dawn Kile
Executive Secretary


John A. Olszewski, Jr.
County Executive

Reviewed for Form and Legal Sufficiency and Approved for Execution.


James R. Benjamin, Jr.
County Attorney



SCHAEFER CENTER FOR PUBLIC POLICY

KNOWLEDGE THAT WORKS FOR GOVERNMENT AND NONPROFIT ORGANIZATIONS

**Baltimore County
Blue Ribbon Commission for
Ethics and Accountability**

**Report on Findings of the
Ethical Climate Survey**



**UNIVERSITY OF
BALTIMORE**

Schaefer Center for
Public Policy

**Baltimore County
Blue Ribbon Commission for
Ethics and Accountability**

**Report on Findings of the
Ethical Climate Survey**

Submitted by:

P. Ann Cotten, DPA, CPA | Director

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ACKNOWLEDGEMENTS

The following Schaefer Center staff members and The University of Baltimore faculty members played key roles in the collection and analysis of the data used for the analysis included in this document:

- Dr. Ann Cotten, Director (Principal Investigator)
- Dr. Sarah V. Ficenec, Research Manager
- Michelle Cantave, Survey Research Manager
- Jasmyne Jardot, Schaefer Center Graduate Fellow

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Baltimore County Blue Ribbon Commission for Ethics and Accountability

Report on Findings of the Ethical Climate Survey

EXECUTIVE SUMMARY

As part of its work to support the Baltimore County Blue Ribbon Commission on Ethics and Accountability (BRCEA), the Schaefer Center for Public Policy was asked to undertake a survey of the ethical climate in the county. This survey assesses multiple aspects of the ethical climate, with emphasis on 1) individuals' experiences reporting or being involved in investigations concerning suspected ethical misconduct or fraud, waste, and abuse and 2) opinions on whether county employees and members of boards and commissions view their general environment as one where coworkers and colleagues generally act ethically. This survey was planned to occur and for results to be available in the first half of the working sessions for the BRCEA. The purpose of this timeframe was to ensure the findings could be of use to its work concerning the overall ethical climate and the Baltimore County Office of Inspector General and Ethics Commission.

The survey was sent to 7,667 Baltimore County employees and members of boards and commissions, and 1,470 people responded to the survey. The response rate of 19.25% and the overall margin of error for the survey is +/- 2.3% at the 95% confidence level. It should be noted that the error rate for individual questions may be larger due to the smaller number of responses. Due to the nature of the survey, there is a possibility that the individuals who responded to the survey are not representative of all Baltimore County employees and members of boards and commissions. However, the survey findings are instructive about the overall ethical climate in Baltimore County Government.

The key findings of this survey include:

- Most of the survey respondents did not report suspected ethical misconduct or fraud, waste, or abuse, with 86% of respondents saying they did not make such a report and 6% saying they had done so.
 - These complaints were most frequently given to the respondents' agency leadership, although the Baltimore County OIG or Office of Human Resources (OHR) were also common recipients.
 - Respondents generally were not concerned about the reactions of their supervisors, coworkers, colleagues, and others to their reports of suspected misconduct, although almost 7 in 10 of those who reported did have their reporting become known.

- Respondents were divided on whether they experienced a hostile work environment when their reporting became known, with 37% saying they did experience this and 48% saying they did not.
- Most respondents also had not been involved in investigations of suspected ethical misconduct in Baltimore County, with 6% saying they had been involved in at least one investigation and 88% saying they had not.
 - A majority of those involved in an investigation were informed about the subject of the investigation at the outset of the process, while fewer than half said they received information on the investigative office’s policies and procedures or on their rights as a participant in the investigation.
 - Most of those involved in investigations said they did not consult legal counsel during the process.
 - Respondents generally characterized investigators as prepared, professional, and knowledgeable, although some did report feeling threatened or physically intimidated during those interactions.
 - Most involved in an investigation were not concerned about the reactions of their supervisors, coworkers, colleagues, and others to their reports of suspected misconduct.
 - Approximately 8% of respondents said they experienced retribution or a hostile work environment due to their involvement in an investigation.
- The most common ethical issues faced by Baltimore County employees and members of boards and commissions concern working conditions and conflicts of interest. Approximately 40% of respondents did not face any ethical issues in the prior four years, and a slight majority of those who did face such issues did not seek ethical advice.
 - Respondents sought ethical advice most frequently from their supervisor or agency leadership.
 - Two-thirds of respondents who sought ethical advice from the Baltimore County OIG found it very helpful, while 57% of those who sought advice from the Ethics Commission said it was very helpful.
 - The most common reasons for not requesting advice from the OIG, Ethics Commission, or County Auditor Fraud Line were respondents being unaware of the agencies or not knowing how to contact them.
- When asked to respond to a series of prompts about different ethical experiences they may have encountered in their agency or on their board or commission, respondents, on average, suggested that Baltimore County workplaces are neither overly ethical nor unethical, but the results did tend slightly toward more ethical workplaces. While the average response, overall, did not tend toward unethical workplaces, there does appear to be significant space for the county to encourage more ethical behaviors.

- Most respondents were not familiar or only somewhat familiar with the county's ethical oversight agencies and its ethics law and training.

INTRODUCTION

As part of its work to support the Baltimore County Blue Ribbon Commission on Ethics and Accountability (BRCEA), the Schaefer Center for Public Policy was asked to undertake a survey of the ethical climate in the county. This survey assesses multiple aspects of the ethical climate, with emphasis on 1) individuals' experiences reporting or being involved in investigations concerning suspected ethical misconduct or fraud, waste, and abuse and 2) opinions on whether county employees and members of boards and commissions view their general environment as one where coworkers and colleagues generally act ethically. This survey was planned to occur and for results to be available in the first half of the working sessions for the BRCEA. The purpose of this timeframe was to ensure the findings could be of use to its work concerning the overall ethical climate and the Baltimore County Office of Inspector General and Ethics Commission.

This report provides a brief overview of the methodology of the survey, then proceeds to cover each of the following:

- Experiences reporting suspected ethical misconduct in Baltimore County;
- Experiences being involved in an investigation of suspected ethical misconduct in Baltimore County;
- General ethical climate in Baltimore County; and
- Familiarity with Baltimore County ethics agencies, law, and training.

METHODOLOGY

The Schaefer Center developed an online survey for Baltimore County employees and individuals who serve on County boards and commissions. The survey was designed to gather information on the general ethical climate in Baltimore County and on experiences reporting or being involved in investigations concerning suspected waste, fraud, abuse, and ethical misconduct.

The survey was based on surveys developed by the University of Illinois, Springfield Center for State Policy and Leadership Survey Research Office. A total of 7,667 employees and members of boards and commissions were invited to participate in the survey, which was open July 11-26, 2022. There were 1,470 individuals who answered at least one question on the survey, and over 70% completed the survey through the questions on reporting suspected ethical misconduct, being involved in investigations by the Baltimore County Auditor, Ethics Commission, or Office of Inspector General, and the general ethical climate in Baltimore County workplaces. More information on the Methodology is available in Appendix A, along with the survey instrument.

The margin of error for the survey is 2.3% with a confidence interval of 95%. Because of the number of respondents who said they had reported suspected misconduct or waste, fraud or abuse was so few relative to the number of respondents overall, measures of statistical significance on the questions were not calculated. Similarly, measures of statistical significance were also not calculated with respect to those who were involved in investigations. Calculations of statistical significance were used with respect to respondents who were county employees with respect to the survey questions on ethical climate in their workplace.

SECTION 1: EXPERIENCES REPORTING ETHICAL MISCONDUCT IN BALTIMORE COUNTY

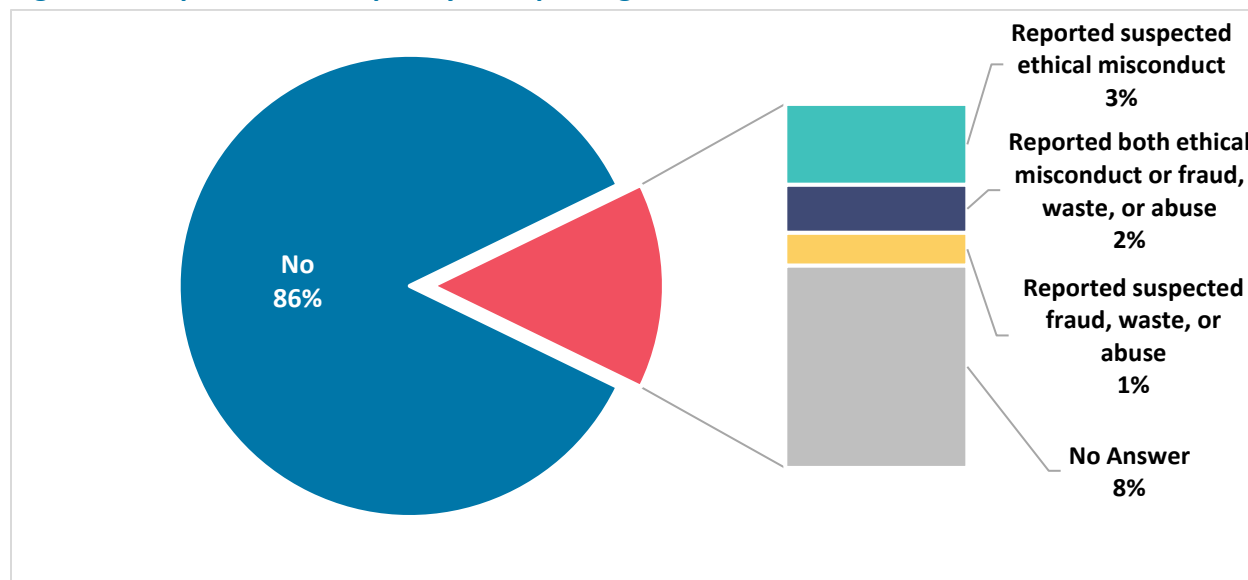
Overall, the number of complaints regarding suspected ethical misconduct in a jurisdiction can be indicative of the overall ethical culture, as more complaints may suggest more ethical wrongdoing. However, a smaller number of complaints can be the result of individuals unwilling to voice the issues if they are concerned about confidentiality, retaliation, or other negative responses. Moreover, individuals may refrain from issuing a complaint if they do not believe there will be an investigation of the concern or, if misconduct is found, there will be consequences for such misconduct.

To learn more about this aspect of Baltimore County's ethical climate, survey respondents were asked questions about whether they had reported instances of waste, fraud, abuse, or other ethical misconduct in Baltimore County. If they had done so, they were asked their experiences, including whether they faced retaliation and were satisfied with the outcomes. Those who had not reported suspected ethical misconduct were asked what they thought the results of such reporting would be.

Most respondents (86%) said they had not reported instances of waste, fraud, abuse, or other ethical misconduct in Baltimore County (Figure 1): 3% of respondents had reported suspected ethical misconduct; 1% reported suspected fraud, waste, or abuse; 2% reported both; and 8% did not answer the question. Almost all of the reports of suspected ethical misconduct or fraud, waste, or abuse were made by respondents who were general employees (i.e., those who did not identify as an elected official or staff or a member of a board or commission).¹

¹ Because the number of respondents who reported suspected misconduct and identified as members of boards or commissions or as elected officials or their staff is so few, further information will not be provided by affiliation with respect to reporting suspected misconduct, in order to maintain confidentiality. Measures of statistical significance are also not presented due to the small number of respondents who reported suspected misconduct or fraud, waste, or abuse.

Figure 1: Respondents' Frequency of Reporting Misconduct

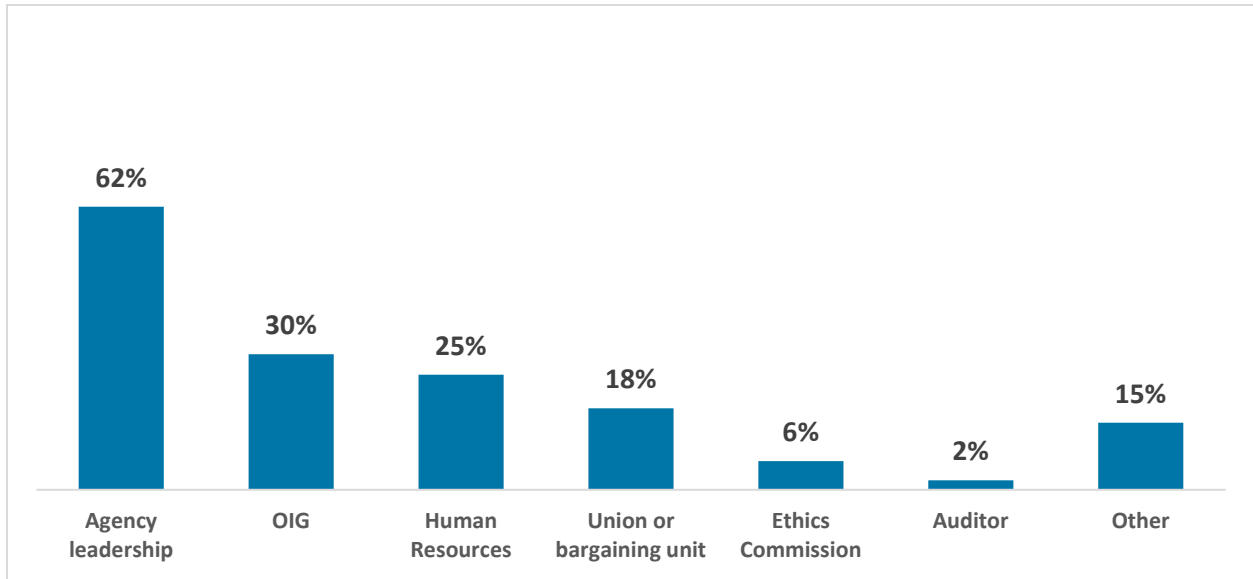


Note: N = 1,470.

As shown in Figure 2, the most frequent recipient of reports of suspected misconduct was the reporter's agency leadership (62%). The OIG was the second most frequent recipient of these reports (29%), followed by Human Resources (25%) and the person's union or bargaining unit (18%). Other recipients included the respondent's immediate supervisor, the supervisor of the person suspected of reporting misconduct, Baltimore County Police, and an inspector general at the state level. Figure 2 also shows that most survey respondents reported suspected misconduct to more than one entity, with an average of 2.4 complaints by those who made more than one complaint.² Most of those who reported suspected misconduct did so within the past two years (61%; Figure 3). Just under half of the respondents who reported suspected misconduct did so one time (45%; Figure 4).

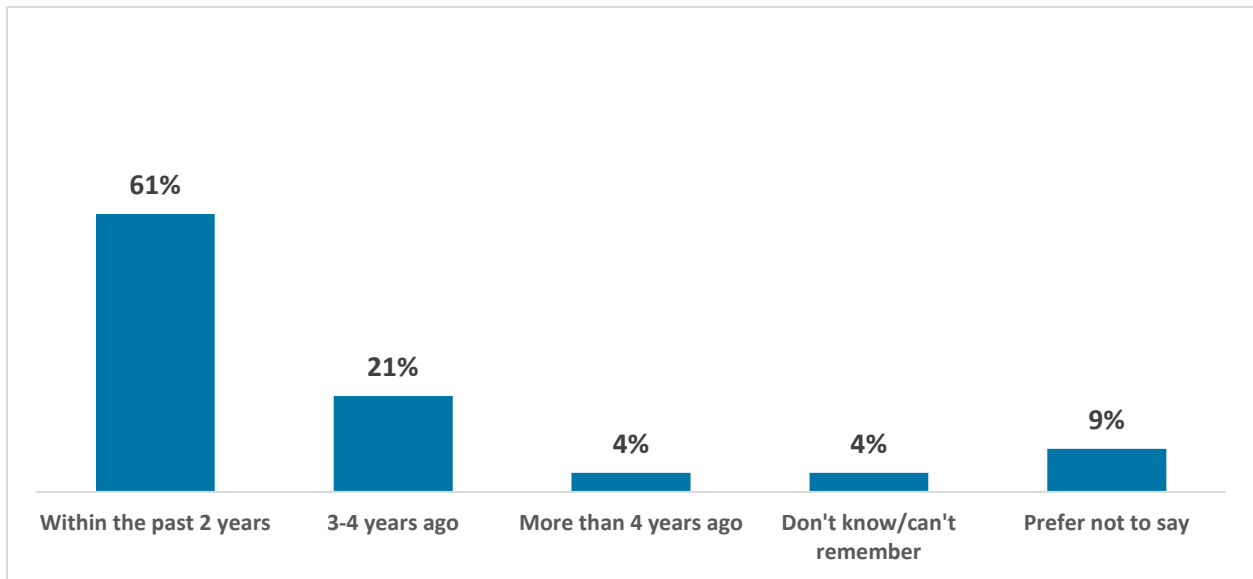
² Of those who made multiple complaints, the most common recipient of complaints was someone in the respondents' agency leadership followed by Human Resources.

Figure 2: To Whom Suspected Misconduct Was Reported



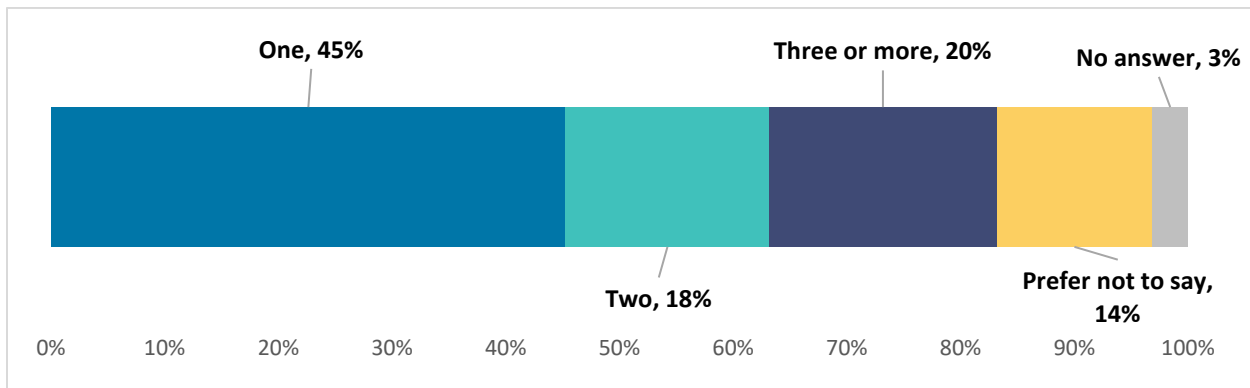
Notes: N = 95. Respondents could select more than one answer.

Figure 3: When Suspected Misconduct Was Reported



Notes: N = 95. Respondents could select more than one answer.

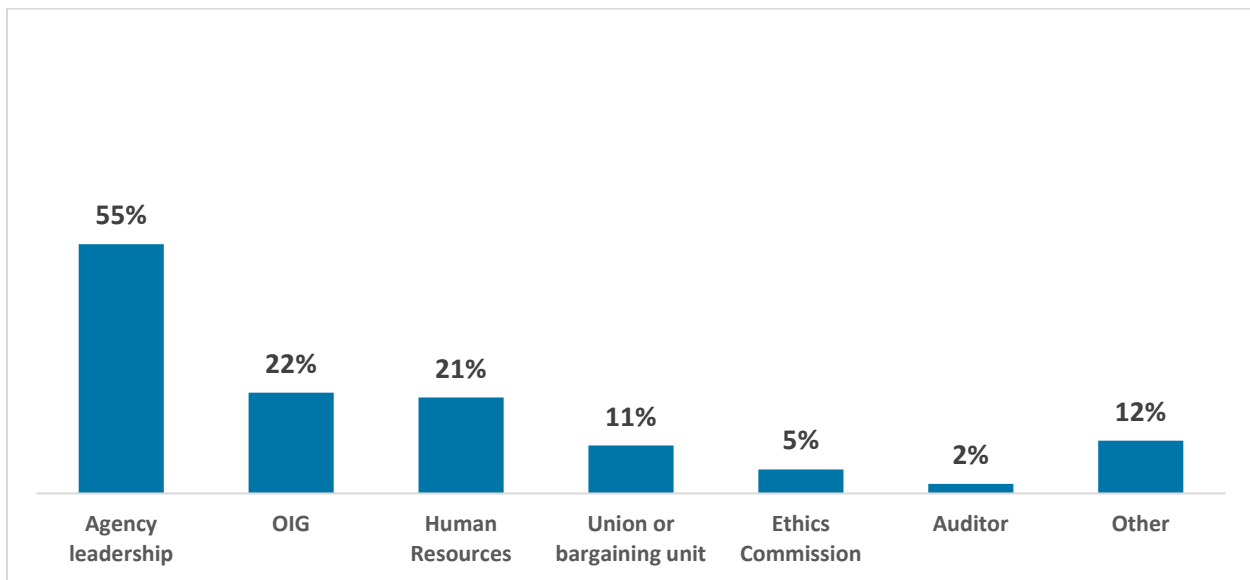
Figure 4: How Many Times Respondents Reported Misconduct



Note: N = 95.

To learn more about respondents' experiences reporting misconduct, they were then asked about their most recent experience. To whom respondents reported suspected misconduct for the most recent incident was the same as the responses presented in Figure 2, with agency leadership (55%) being the target of more than half of the reports, followed by the OIG (22%) and Human Resources (21%; Figure 5).

Figure 5: To Whom Most Recent Suspected Misconduct Was Reported

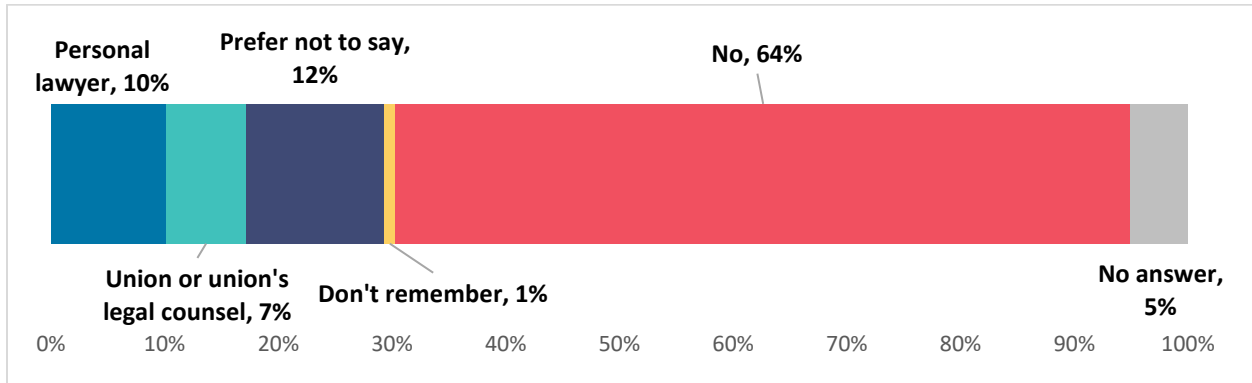


Notes: N = 95. Respondents could select more than one answer.

Most respondents (64%) did not contact legal counsel before or after reporting suspected misconduct, and, of those who did contact legal counsel, they were more likely to contact a personal lawyer over their union or its counsel (Figure 6). Of those who contacted legal counsel, two-thirds talked to a lawyer after reporting suspected misconduct (63%), while just over one-

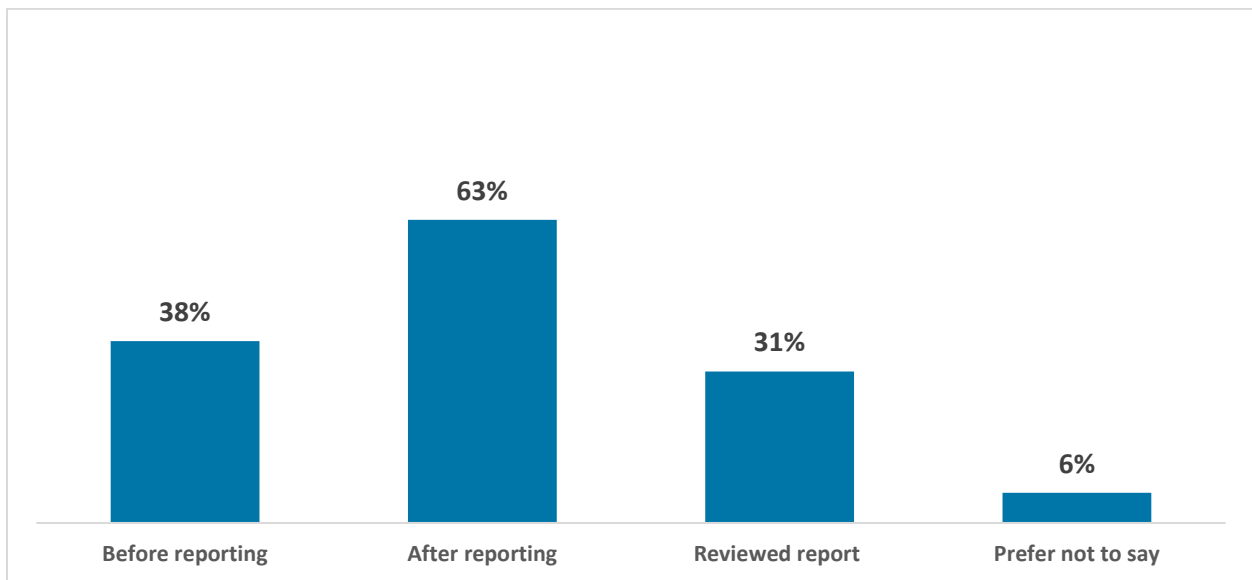
third contacted before the report was made and 31% had their legal counsel review the report that was made (Figure 7).

Figure 6: Use of Legal Counsel by Those Reporting Complaints



Note: N = 95. Total equals 99% due to rounding.

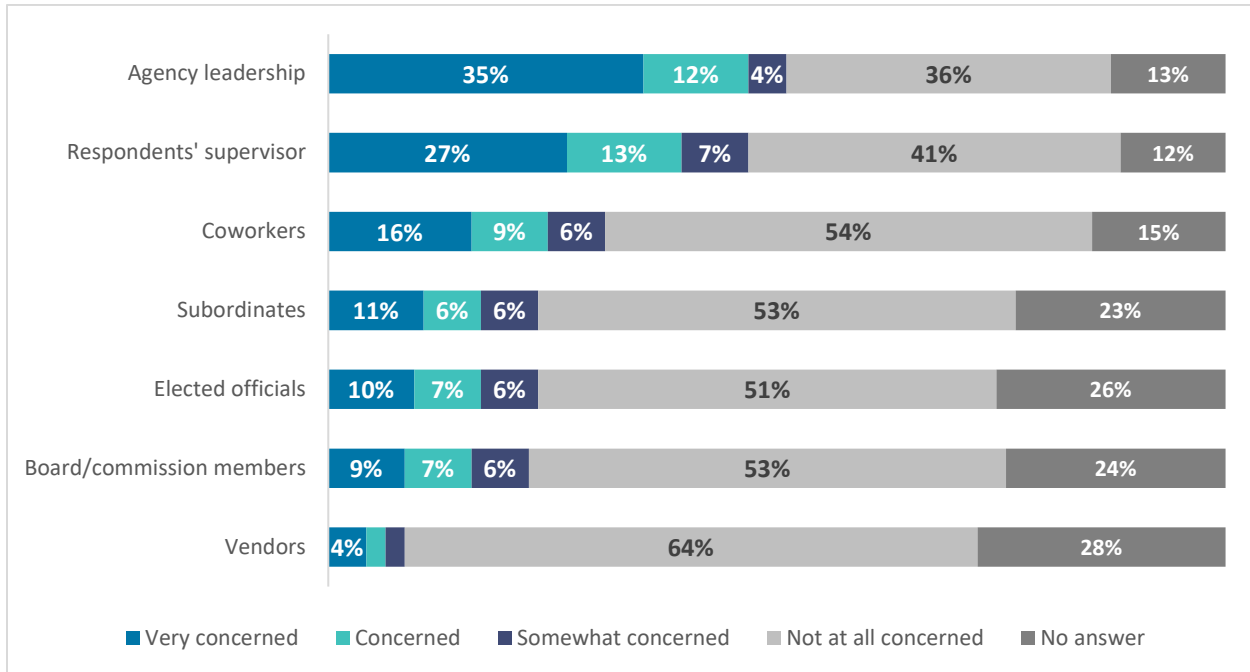
Figure 7: Assistance Provided by Legal Counsel



Notes: N = 16. Respondents could select more than one answer.

Generally, respondents who reported misconduct were not very concerned about others' reactions to their report. The most common concern was the reaction of agency leadership, with 35% of respondents saying they were very concerned about this group's reaction, and another 16% saying they were concerned or somewhat concerned (Figure 8). The respondents' second most common concern was their supervisor, with 27% very concerned about their reaction and 20% concerned or somewhat concerned. Over half of those who reported suspected misconduct were not concerned about the reactions of elected officials (51%), subordinates (53%), board or commission members (53%), coworkers (54%), and vendors (64%).

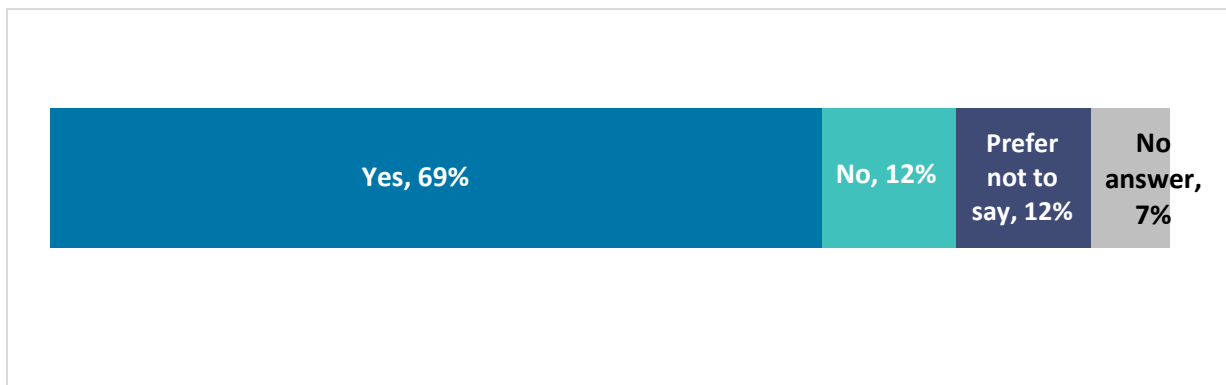
Figure 8: Percent of Respondents Concerned about Reactions to Reporting



Note: N = 94.

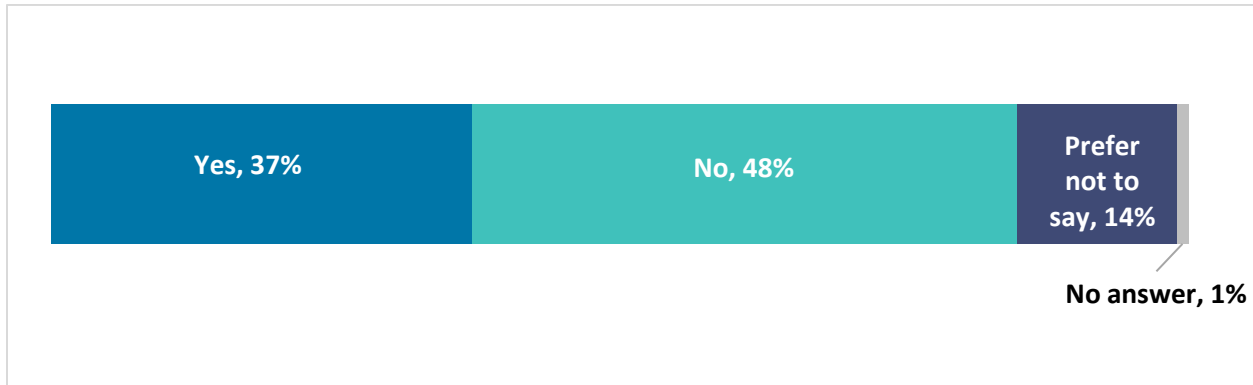
Almost 7 in 10 respondents who reported suspected misconduct had that reporting become known to their supervisor, agency leadership, coworkers, or subordinates (Figure 9). Of those whose reports became known, less than half said they experienced a hostile work environment due to the reporting (48%; Figure 10). Of the 37% who said they did experience such a hostile work environment, almost two-thirds said their supervisor was responsible (Figure 11). One-third said their agency leadership was responsible, and one-third also said their coworkers were responsible.

Figure 9: Respondents' Report of Suspected Misconduct Became Known



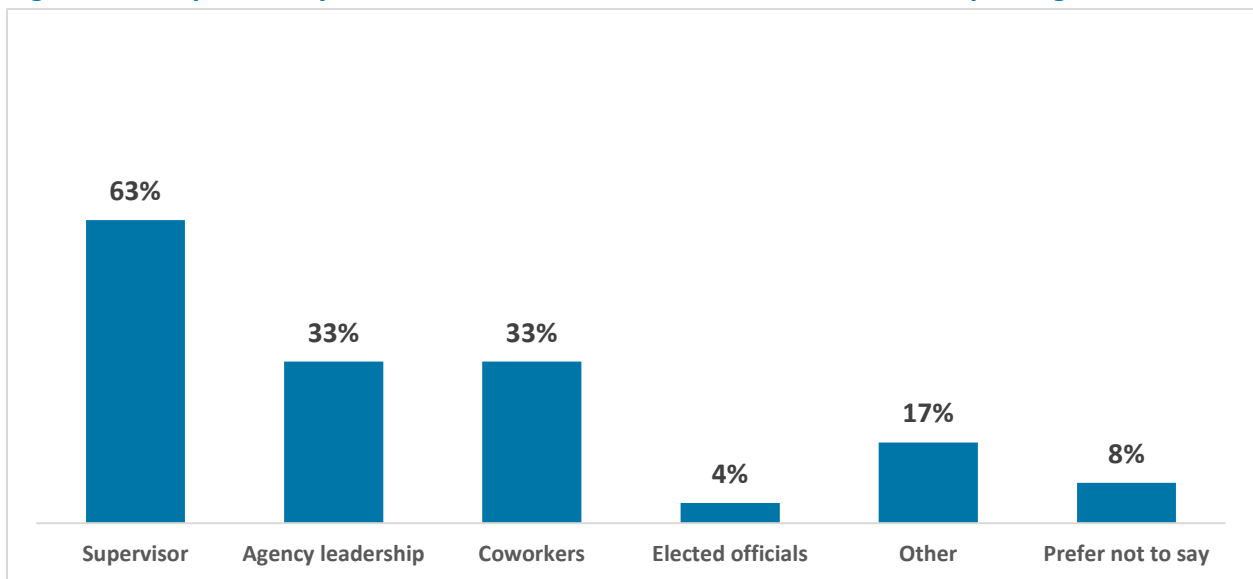
Note: N = 94.

Figure 10: Respondents Who Faced a Hostile Environment Due to Reporting



Note: N = 65.

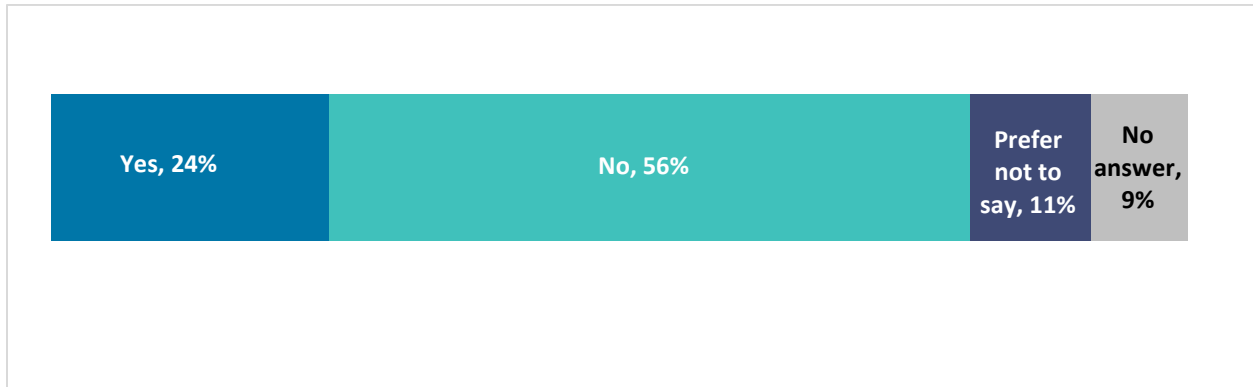
Figure 11: Responsibility for Hostile Work Environment in Reaction to Reporting



Notes: N = 24. Respondents could select more than one answer.

Most of those who reported suspected ethical misconduct were not satisfied with the handling of their reporting (56%). The most common recipient of complaints in these cases was someone in the respondents' agency leadership. When asked why they were unsatisfied, the most common reason was because "nothing happened," "no action was taken," or similar responses. Many respondents to the question also said they experienced retaliation or were told to work for another agency or leave Baltimore County employment altogether.

Figure 12: Respondents' Satisfaction with the Handling of Their Reporting



Note: N = 94.

PERCEPTIONS ABOUT HOW REPORTING WOULD BE HANDED

Respondents who had not reported suspected instances of waste, fraud, or abuse or ethical misconduct during the past four years were asked a series of questions about how they thought such reporting would be handled by the Auditor, Ethics Commission, and OIG. As shown in Table 1, the responses were remarkably consistent regardless of the agency asked about or even the question asked. Just under 60% of respondents thought the three offices were likely to take the report seriously, and just over half thought the offices were likely to address the factors that led to the issue and maintain privacy. Half of respondents – or just under – thought their report would be handled fairly, while slightly smaller shares thought the report was likely to be forwarded to investigators. For the five questions, the percentage of respondents saying the OIG’s office was likely to do the actions was slightly higher than those who thought the Ethics Commission and the Auditor would do so. However, for the five questions, the differences were no more than 3 percentage points, indicating respondents generally thought the offices would act the same on each action.

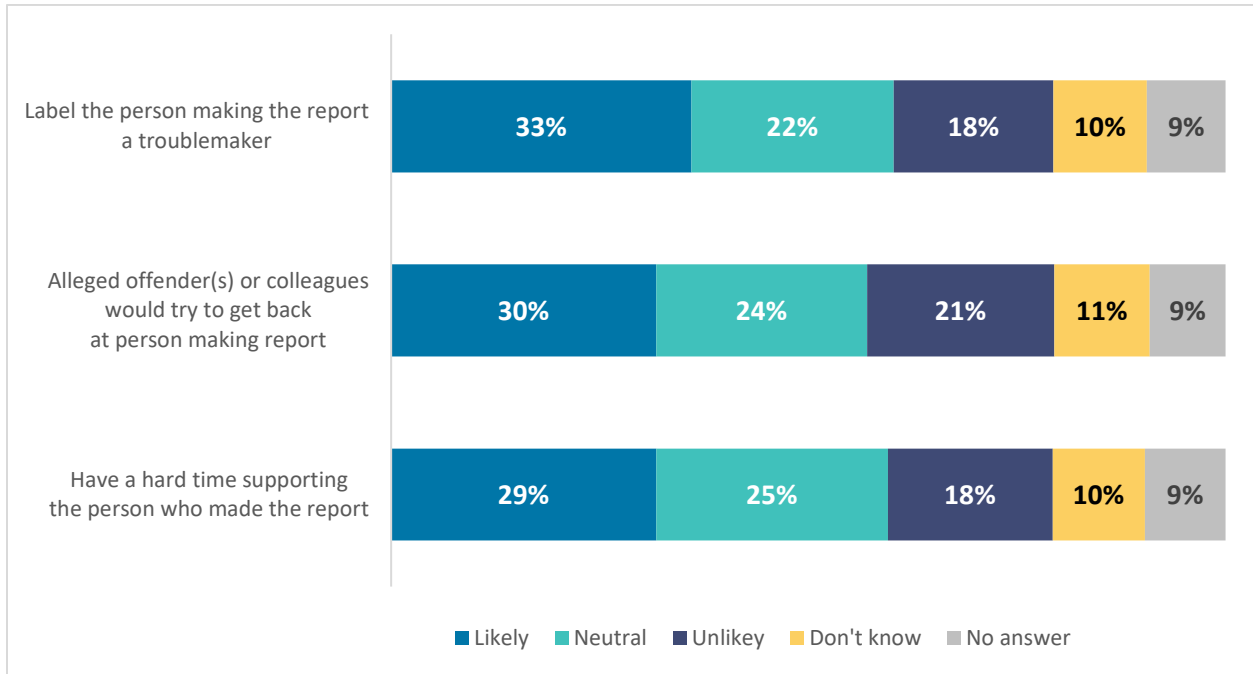
Table 1: Respondents' Perceptions about How Complaints Would Be Handled

	OIG		Ethics Commission		Auditor	
	Likely	Unlikely	Likely	Unlikely	Likely	Unlikely
Take the report seriously	59%	4%	58%	6%	57%	7%
Address factors that led to issue	52%	6%	52%	9%	51%	9%
Maintain privacy	52%	7%	51%	10%	51%	10%
Handle report fairly	50%	7%	49%	10%	47%	10%
Forward report to investigators	45%	5%	43%	9%	43%	8%

Notes: N = 1,258. When answering questions about how they thought reporting would be handled by the OIG, Ethics Commission, and Auditor, respondents were given the option of answering "Very likely," "Likely," "Neutral," "Unlikely," "Very unlikely," or "Don't know." The categories "Very likely" and "Likely" and "Very unlikely" and "Unlikely" are collapsed in this table. See Appendix C for more detailed results.

As shown in Figure 13, respondents were divided on whether they expected repercussions from reporting suspected misconduct, with their responses suggesting more negative reactions were expected. One-third of respondents thought it was likely or very likely that the person making the report would be labeled a troublemaker, while one-quarter thought it was unlikely this would happen. Respondents were more closely divided on the other two questions. With respect to the likelihood of the alleged offender or their colleagues trying to get back at the person making the report and whether others would have a hard time supporting those who made the report, 1 in 3 respondents thought each of those outcomes was likely, while only 2 in 10 respondents thought each was unlikely.

Figure 13: How Others Would React to Reporting of Suspected Misconduct



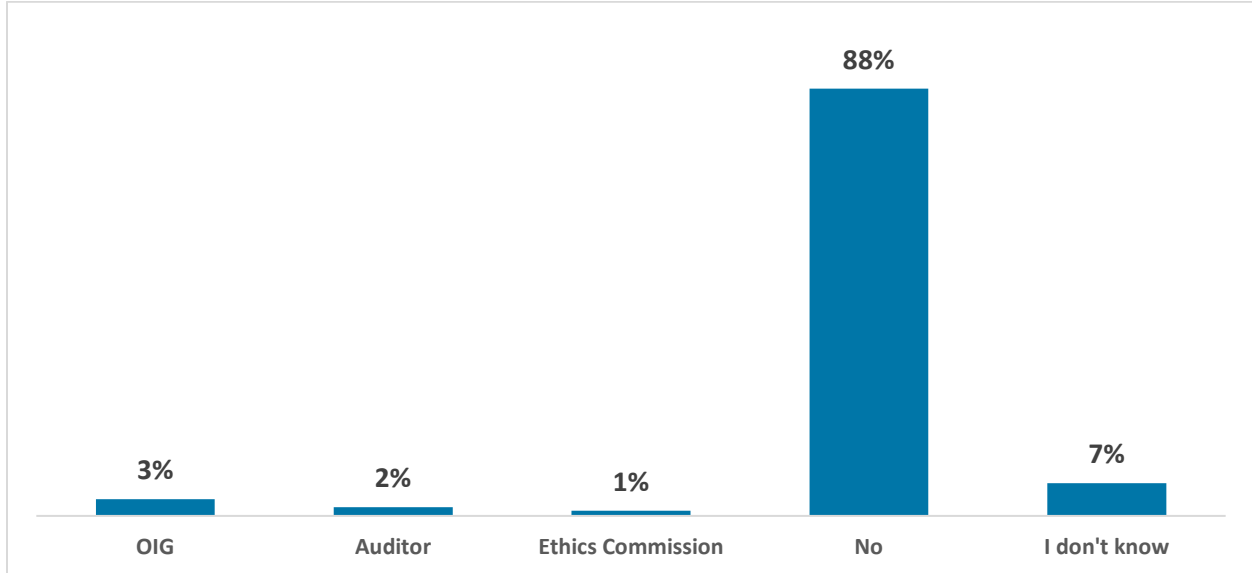
Note: N = 1,232.

SECTION 2: EXPERIENCES BEING INVOLVED IN AN INVESTIGATION

One aspect of an ethical work climate is how investigations of suspected ethical misconduct are handled. Negative experiences, regardless of if the individual is a suspect or witness, could make people less likely to come forward about ethical concerns or incentivize them to retaliate against those who make complaints, thus negatively impacting the ethical climate. Therefore, a series of questions in the survey asked about respondents' experiences with OIG, Ethics Commission, and Auditor investigations.

Most survey respondents said they had not been involved in an investigation by the county Auditor, Ethics Commission, or OIG (88%), as shown in Figure 14. Of those who did say they were involved in an investigation, 43 respondents (3%) were involved in an OIG investigation, 22 respondents (2%) were involved in an Auditor investigation, and 13 respondents (1%) were involved in an Ethics Commission investigation.³ Most respondents said they had only been involved in one investigation by one of the three offices, with 23 respondents involved in one OIG investigation, eight respondents involved in one Ethics Commission investigation, and six respondents involved in one Auditor investigation (Figure 15).

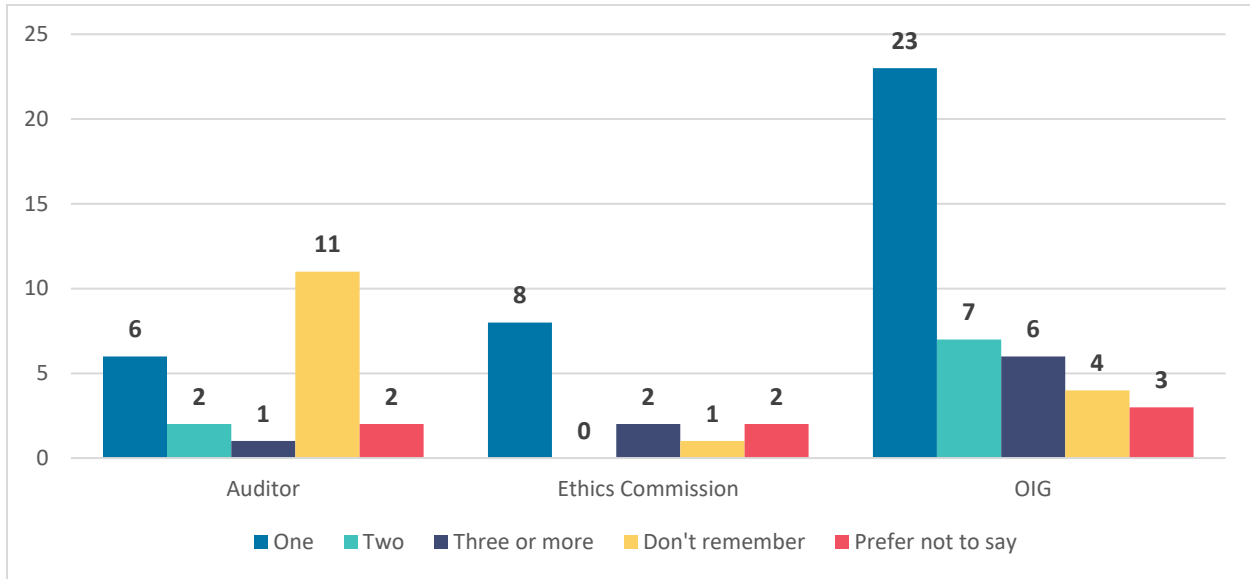
Figure 14: Respondents' Frequency of Involvement in Investigations



Notes: N = 1,239. Respondents could select more than one agency. Percentages are out of those who answered the question.

³ Since almost all of the respondents who said they were involved in an investigation were regular employees of Baltimore County (rather than elected officials or their staff or members of a board or commission), the remaining items in this section will not be shown by job affiliation, in order to maintain respondents' confidentiality. Measures of statistical significance are also not presented due to the small number of respondents who reported being involved in an investigation.

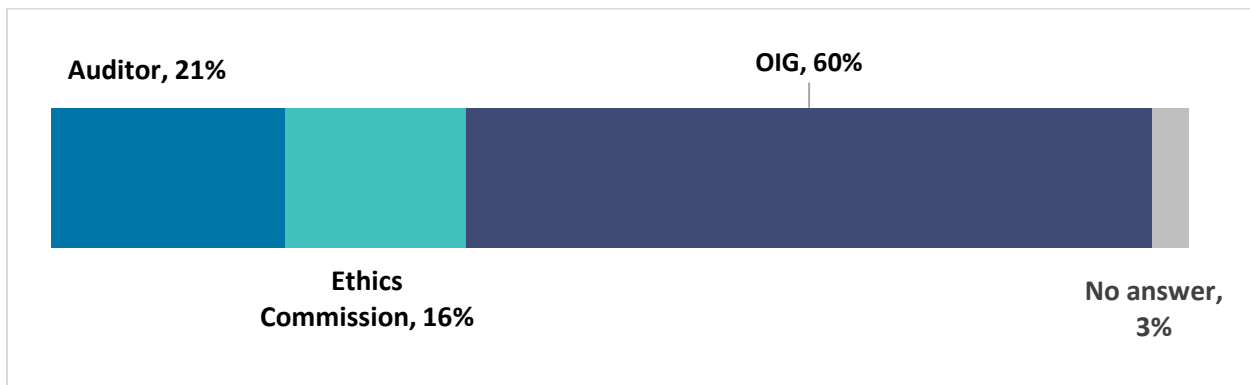
Figure 15: Number of Investigations Respondents Have Been Involved in



Notes: N = 22 for Auditor; N = 13 for Ethics Commission; N = 43 for OIG.

Survey respondents who said they had been involved with an investigation were asked to identify which office was involved in the most recent investigation.⁴ More than 60% of respondents said the investigation they were involved in most recently was conducted by the OIG, followed by Auditor (21%) and the Ethics Commission (16%; Figure 16). Just over half of respondents were interviewed in the most recent investigation in which they were involved, while 43% said they provided documentation, and 22% provided written answers to questions (Figure 17).

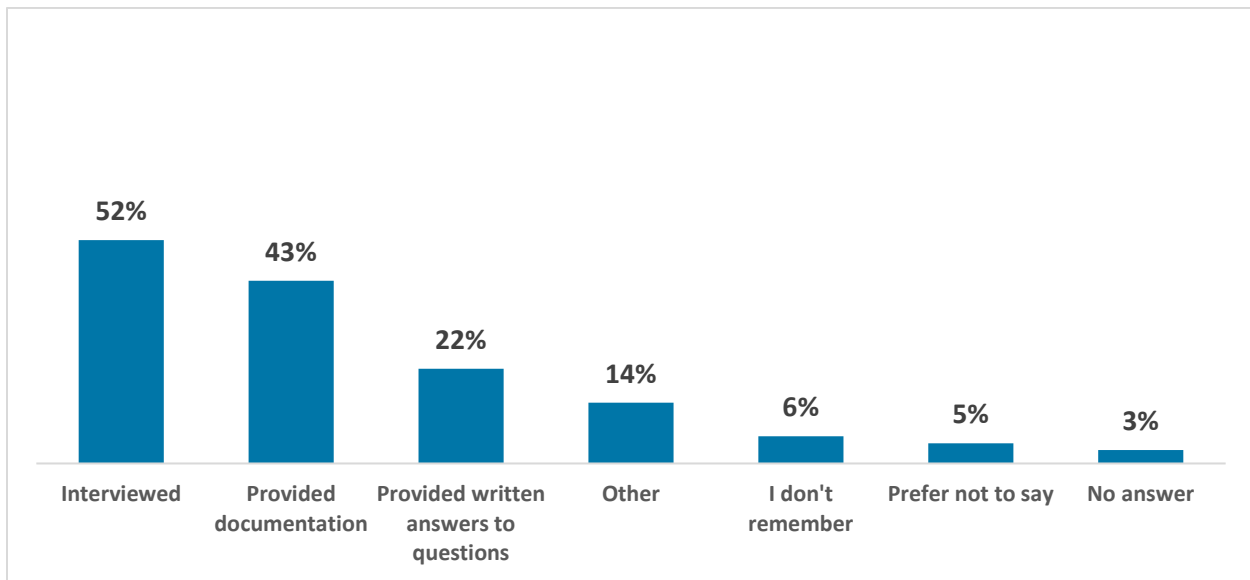
Figure 16: Investigation in which Respondents Were Most Recently Involved



Note: N = 63.

⁴ Percentages in the remainder of this section represent the share of respondents who initially said they had been involved in an investigation by the Auditor, Ethics Commission, or OIG.

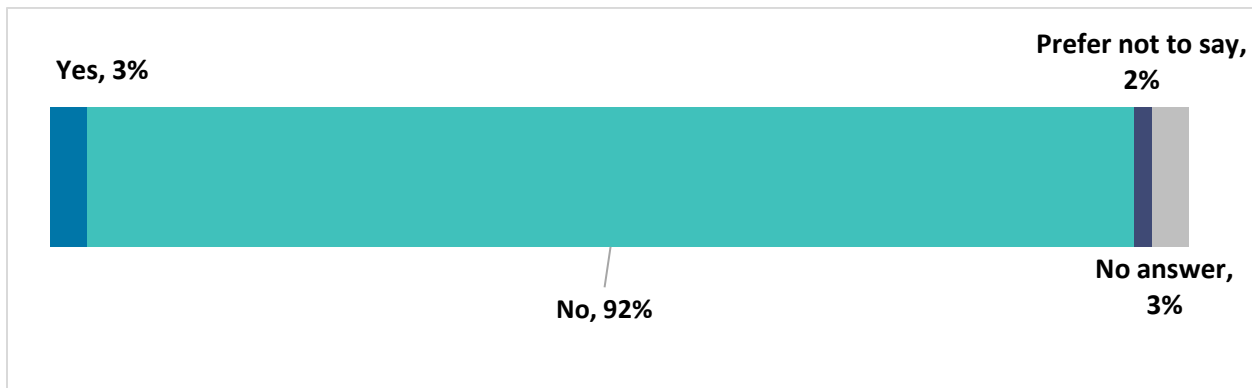
Figure 17: How Respondents Were Involved in Most Recent Investigation



Notes: N = 63. Respondents could select more than one answer.

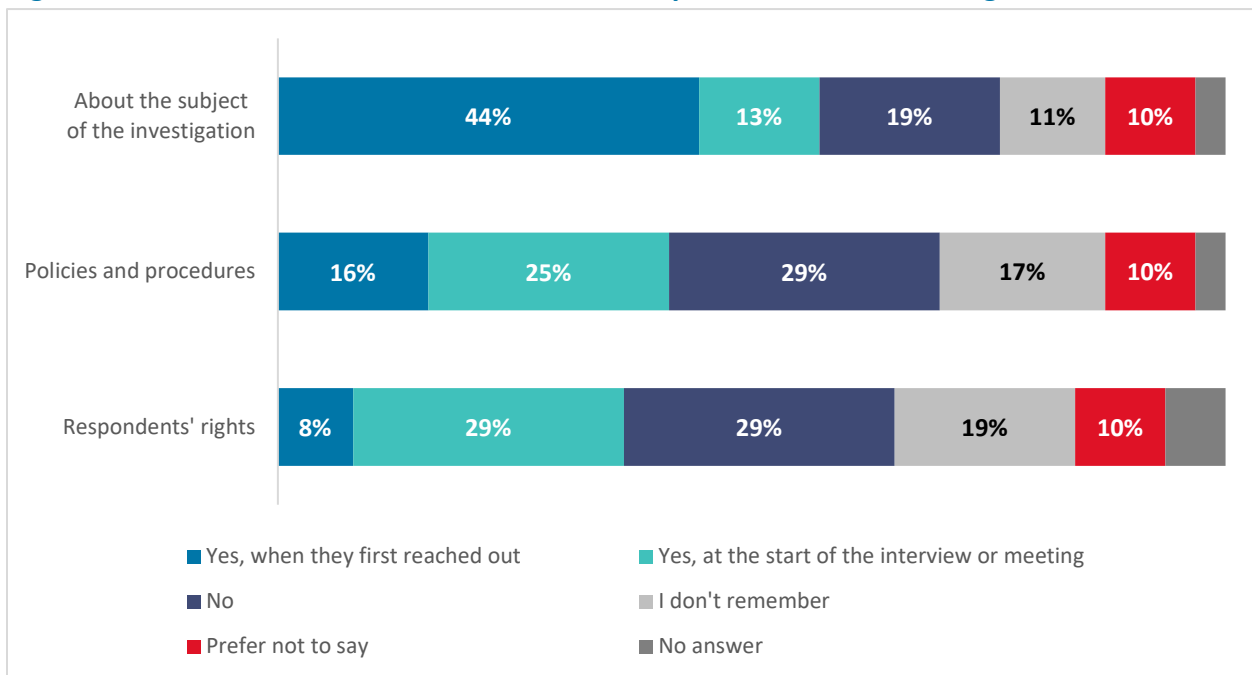
Only 3% of respondents said they had received a subpoena in the most recent Auditor, Ethics Commission, or OIG investigation in which they had been involved (Figure 18). Over half of respondents were provided with the topic of the investigation, name of entity, or person who was the subject of the investigation. As shown in Figure 19, 44% of respondents to this question received the information when the investigator first reached out and 13% receiving the information at the start of the meeting or interview with the investigator. Almost 20% of respondents said they were not provided with information about the subject of the investigation. A smaller share of respondents said they were provided with policies and procedures by the investigator, with more saying they received this information at the start of the interview or investigation (25%) compared to those who received it before (16%). Finally, only 37% of respondents were provided information about their rights in the investigation either when the investigator first reached out or at the first meeting or interview.

Figure 18: Respondents Receiving a Subpoena in Most Recent Investigation



Note = N = 63.

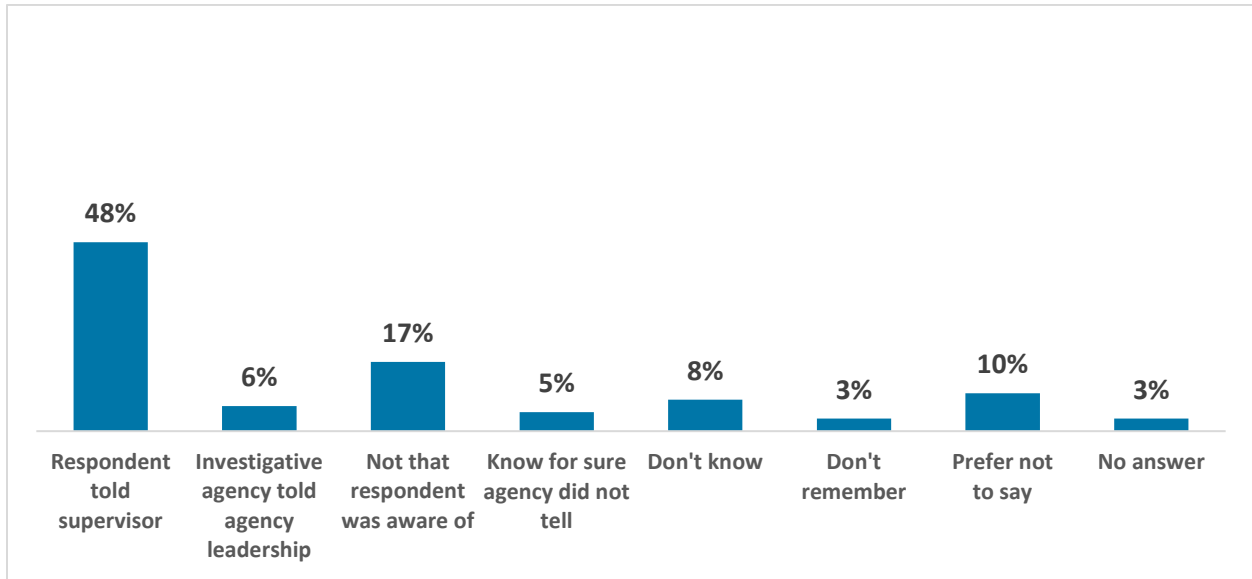
Figure 19: When Information Was Provided to Respondents About Investigations



Note: N = 63.

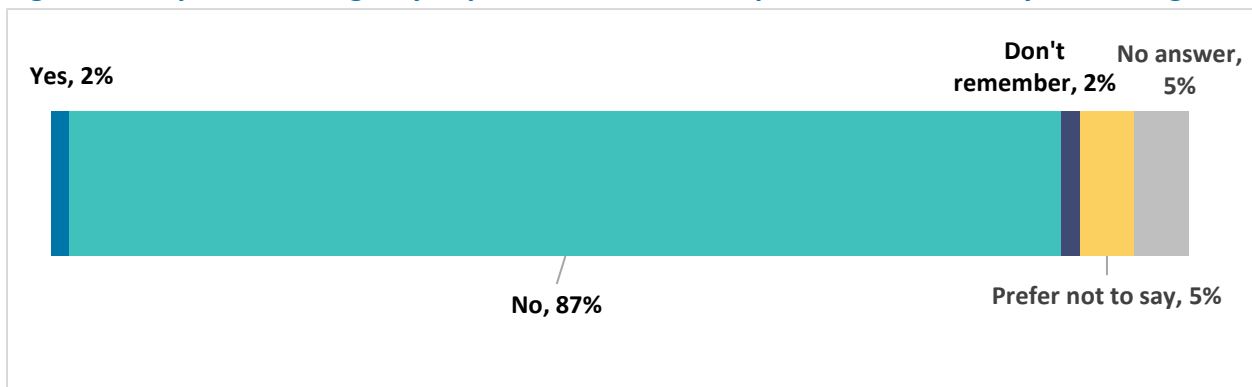
Those who had been involved in investigations in Baltimore County were asked questions about their supervisors' knowledge of and potential advice for the investigation. Almost half of respondents (48%) said they informed their supervisors about the investigation, while 6% of respondents said the agency conducting the investigation informed their supervisors (Figure 20). About 17% of respondents said they did not think their supervisors were aware of their participation in the investigation, and 5% said they knew for sure their supervisors did not know. Most respondents who said their supervisor knew about the investigation said the supervisor or another agency representative did not tell them what to say in the investigation (Figure 21).

Figure 20: Supervisors' Knowledge of Respondents' Involvement in Investigations



Note: N = 63.

Figure 21: Supervisor or Agency Representative Told Respondent What to Say to Investigator

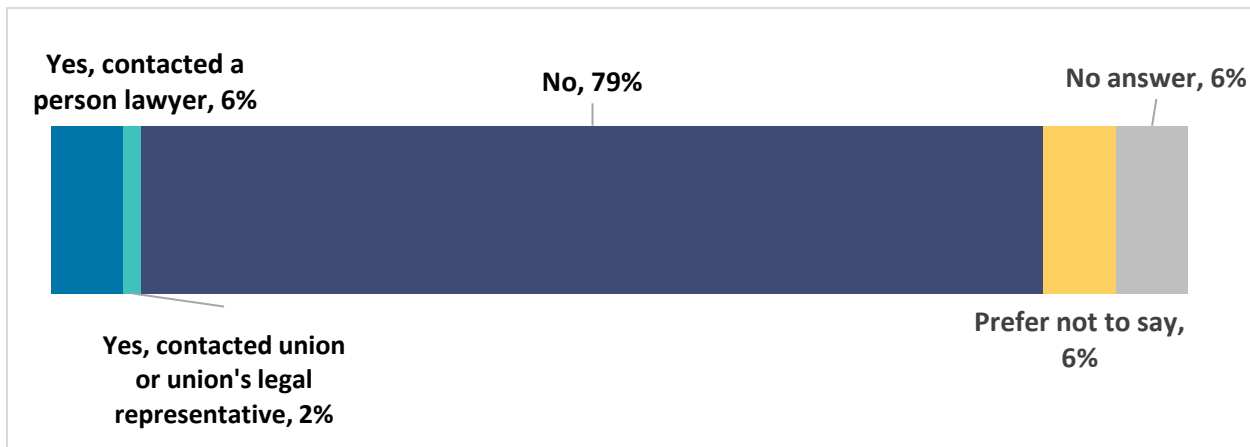


Note: N = 63.

Respondents were also asked about their use of legal representation in investigations by the Auditor, Ethics Commission, and OIG. Most respondents (79%) said they did not contact legal representation about their involvement in the investigation, while 6% contacted a personal lawyer and 2% contacted their union or the union's legal representative (Figure 22).⁵

⁵ Since only five individuals said they contacted a legal representative related to an investigation, further information on what role the legal representative provided is not available.

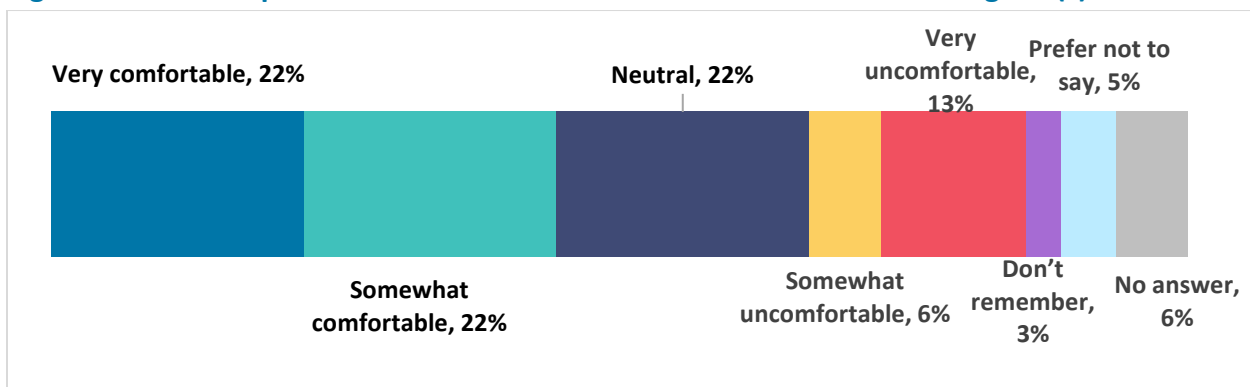
Figure 22: Respondents' Use of Legal Representation



Note: N = 63.

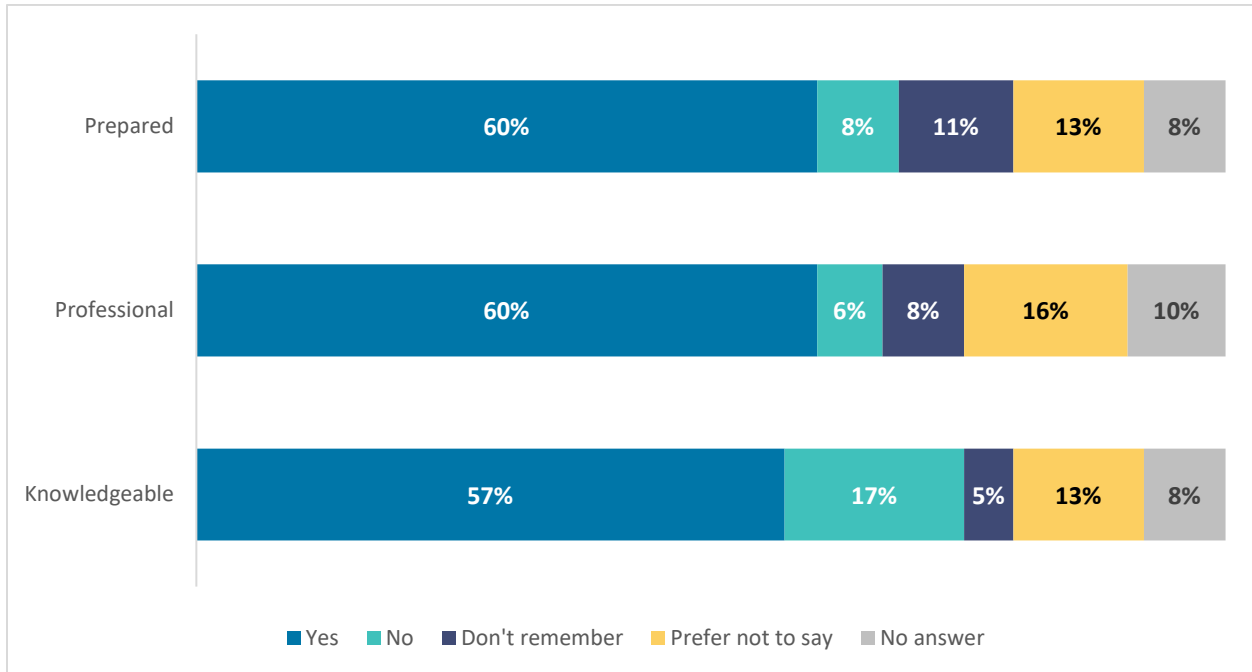
Respondents generally characterized their interactions with investigators as comfortable, with 22% saying they were very comfortable and another 22% saying they were somewhat comfortable (Figure 23). However, almost 1 in 5 respondents characterized the interactions as uncomfortable, with most of those saying it was very uncomfortable. Majorities of respondents said the investigators were prepared (60%), professional (60%), and knowledgeable (57%), although 17% of respondents did say that the investigators were not knowledgeable (Figure 24). Finally, 10% of respondents said they felt threatened or physically intimidated by their interactions with the investigators, while 83% said they did not (Figure 25). Responding to an open-ended question about their interactions with an investigator, several respondents indicated negative experiences of being “questioned as if I was a criminal” or feeling like they broke a law and would be sent to jail; some respondents did speak positively of their experience or a specific investigatory agency.

Figure 23: How Respondents Would Characterize Interactions with Investigator(s)



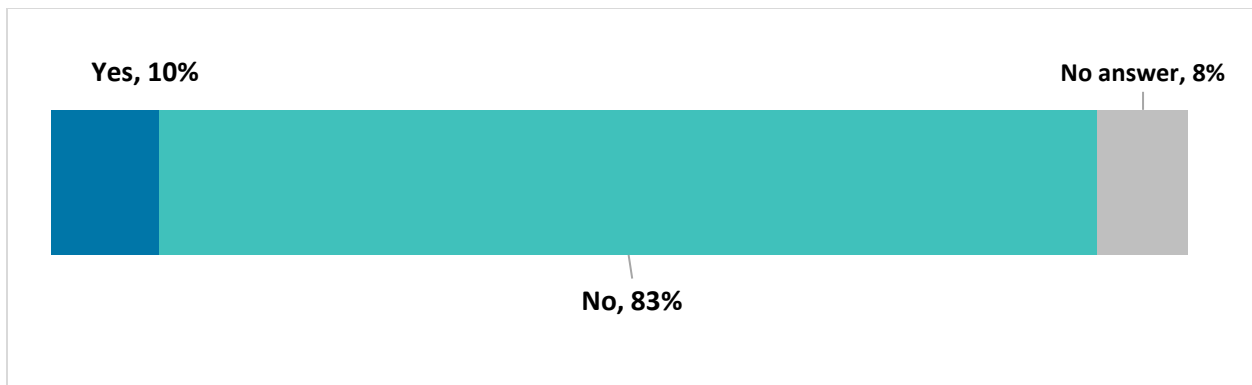
Note: N = 63.

Figure 24: How Respondents Would Characterize Investigators



Note: N = 63.

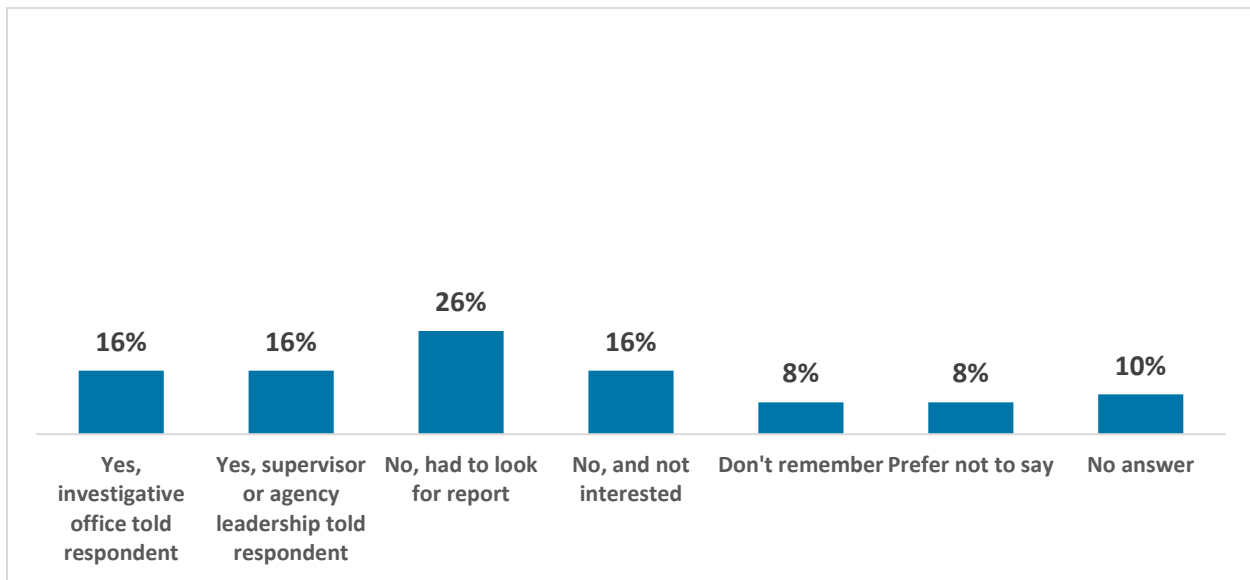
Figure 25: Respondents Felt Threatened or Physically Intimidated During Interactions with Investigators



Note: N = 63.

Many respondents who were involved in an investigation were not informed when the investigation was completed. As shown in Figure 26, 26% of these respondents had to look for the report when they thought the investigation was over, and 16% were not informed of the end of the investigation and were not interested in the results. Only 32% were informed, with half informed by the investigative office and half by their supervisor or other agency leadership.

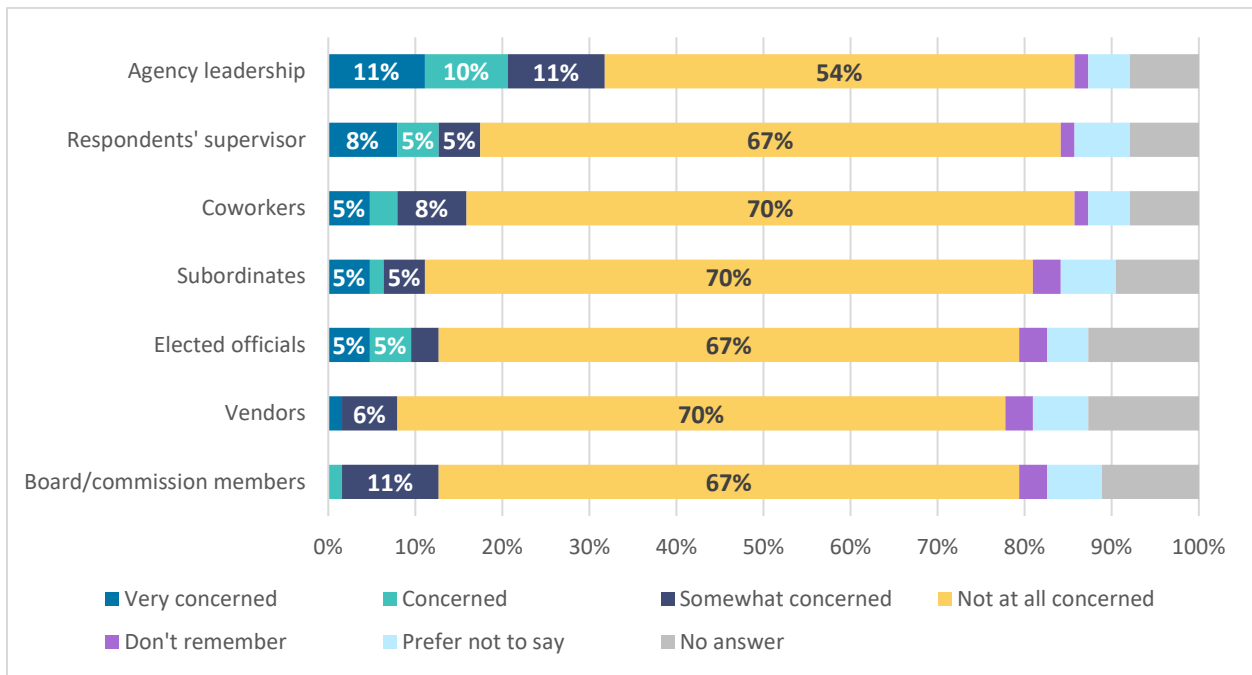
Figure 26: Respondents Informed When Investigation Was Completed



Note: N = 50.

Finally, respondents were asked questions about if their involvement in the investigation produced a hostile work environment. First, they were asked if they were concerned about responses to their involvement by different categories of colleagues. As shown in Figure 27, majorities of respondents were not at all concerned about the reactions of their agency leadership (54%), their supervisor (67%), elected officials (67%), board and commission members (67%), their coworkers (70%), their subordinates (70%), and vendors (70%). In many cases, these colleagues may not have been directly impacted by a respondent's participation in an investigation, but there could be indirect effects by agency leadership and elected officials, who could use various policy tools – such as the budget – in response to an investigation. Concern about reactions by vendors and members of boards and commissions are much narrower, as not all investigations concern procurement from vendors and many agencies and programs do not have boards or commissions involved. However, for both groups, investigations could influence perceptions of Baltimore County as a whole or of specific departments or employees. Respondents were most concerned about the reactions of agency leadership (11% were very concerned) and their supervisor (8% were very concerned).

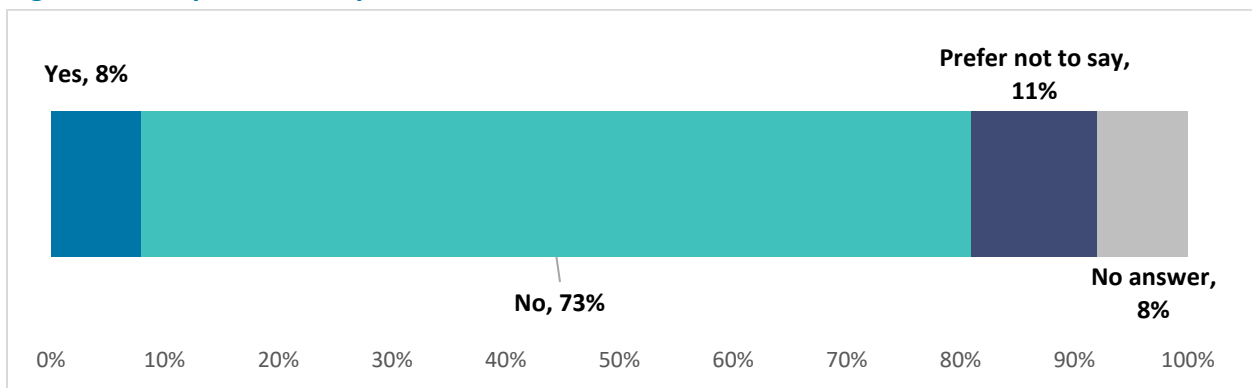
Figure 27: Percent of Respondents Concerned about Reactions to Investigation



Note: N = 63.

Most respondents did not face retribution or a hostile work environment due to their participation in the investigation, with only 8% experiencing a negative reaction from colleagues (Figure 28).⁶

Figure 28: Respondents Experienced Retribution or Hostile Work Environment



Note: N = 63.

⁶ Since only five individuals said they faced retribution or a hostile work environment for participating in the investigation, further information on this issue is not available.

SECTION 3: OVERALL ETHICAL CLIMATE IN BALTIMORE COUNTY

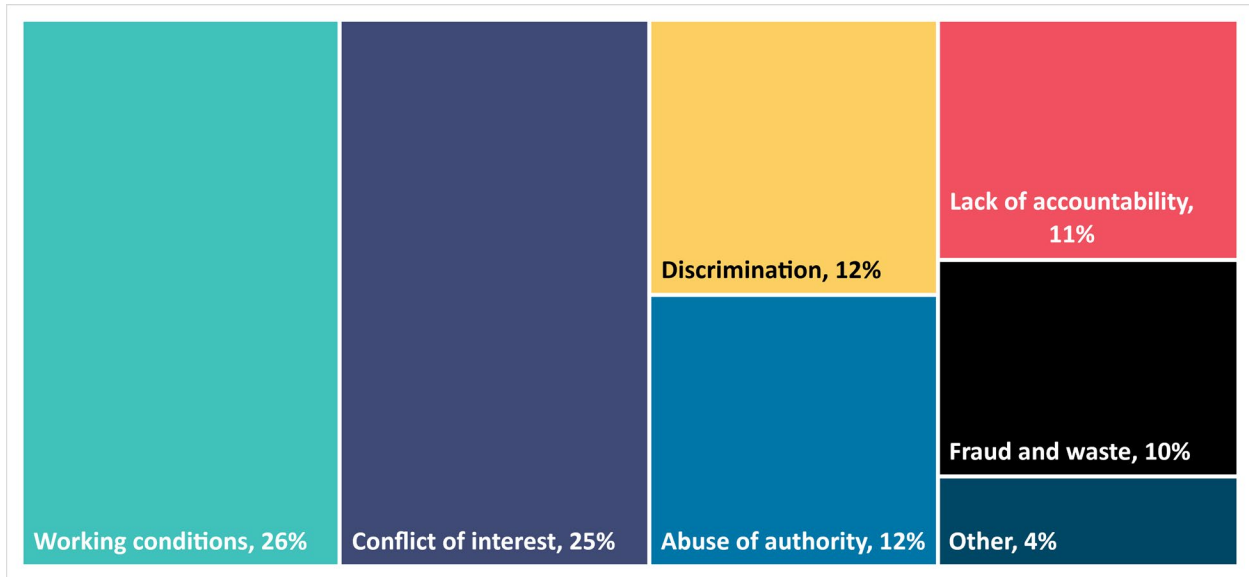
In addition to learning about specific experiences of Baltimore County employees and board and commission members concerning reports and investigations about suspected ethical misconduct, waste, fraud, and abuse, the survey was also designed to learn more about the general environment around ethics in the county. The survey was divided into three sections and asked the following: 1) about the most recent ethical challenges respondents faced in their work in Baltimore County and who they turned to for advice; 2) whether certain ethical and unethical behaviors are experienced in their workplaces; and 3) open-ended questions on ethics in their workplaces. Each of these will be discussed separately in this section.

WORKPLACE SOURCES OF ETHICAL ADVICE

Respondents were asked to identify the three most difficult ethics issues they had faced in their work in Baltimore County in the last four years. Over 500 respondents to the survey provided at least one example of the difficult ethical decisions. This represents approximately 35% of all individuals who answered at least one question on the survey. Figure 29 displays a breakdown of their responses, and since each respondent could identify up to three ethical issues, there were a total of 1,105 issues broken into these seven categories.⁷ The most common ethical issues experienced by the survey respondents concerned working conditions, which were 26% of those reported. This included problems such as bullying, harassment, or other actions creating a hostile workplace; compensation and benefits; concerns about confidentiality and privacy; and issues with administration or leadership. The second most common ethical issue concerned conflicts of interest (25%), especially nepotism. Discrimination and abuse of authority each represented 12% of the ethical issues; the former includes race, ethnicity, and other forms of discrimination as well as complaints about diversity, while abuse of authority included concerns about supervisors abusing their position and retaliation or intimidation. The issues around lack of accountability (11%) included problems with County leadership, supervisors and managers, and staff, employees, and volunteers, while fraud and waste included time-related fraud and wasteful spending, and misuse of funds.

⁷ A full breakdown of the categories is available in Appendix D.

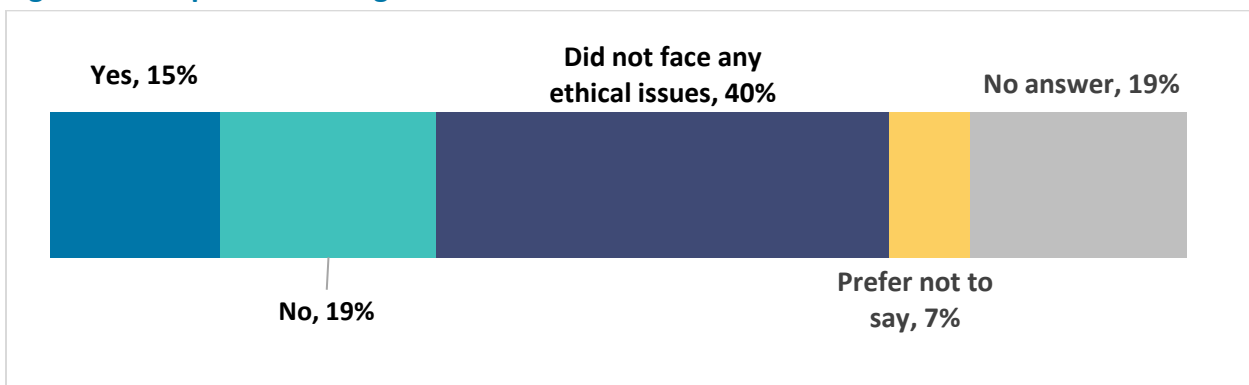
Figure 29: Major Ethical Issues Faced by Survey Respondents



Note: N = 511

To learn more about who Baltimore County workers and board and commission members turned to for ethical advice, survey respondents were then asked a series of questions about the most recent ethical issue they had faced. As shown in Figure 30, only 15% of respondents said they sought advice for their most recent ethical issue, while 19% said they did not seek advice. Of note, 40% of respondents said they did not face any ethical issues. Those who said they did not seek advice for their most recent ethical issue were then asked if they sought advice for other ethical issues, and almost all (91%) said they did not. The rest of the analysis in this section concerns survey respondents who said they did seek advice for their most recent ethical issue.

Figure 30: Respondents Sought Advice for Most Recent Ethical Issue

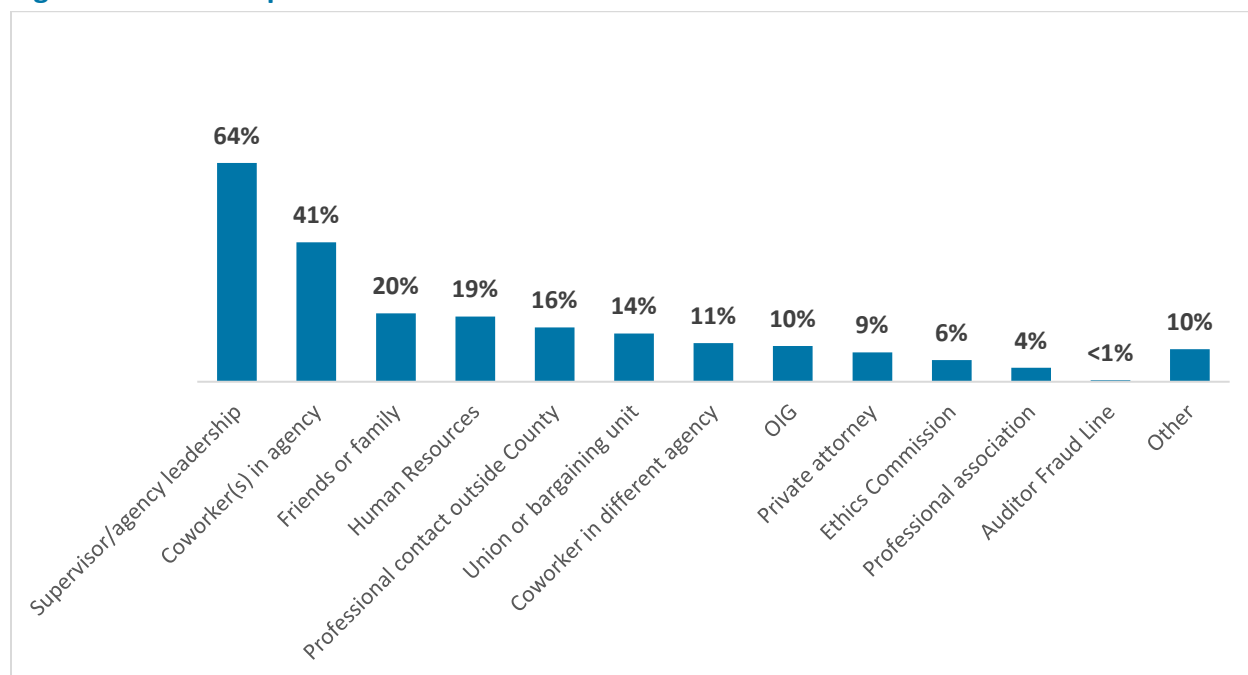


Note: N = 1,470.

Respondents were provided a list of possible sources of ethical advice and asked which ones they turned to about their most recent ethical issue. Almost two-thirds of respondents (64%) said they

sought the advice of their supervisor or agency leadership, and this was the only source of advice selected by a majority of respondents (Figure 31). The second most frequently used source of ethical advice was coworker(s) in their agency, which was selected by 41% of respondents to the question. Of specific note for this survey, 19% of respondents said they sought advice from Baltimore County’s Office of Human Resources. Ten percent selected the OIG, 6% went to the Ethics Commission, and less than 1% utilized the Auditor’s Fraud Line. Other sources of advice included the annual ethics training, the County’s ethics law, the County Attorney, and the Maryland Ethics Commission.

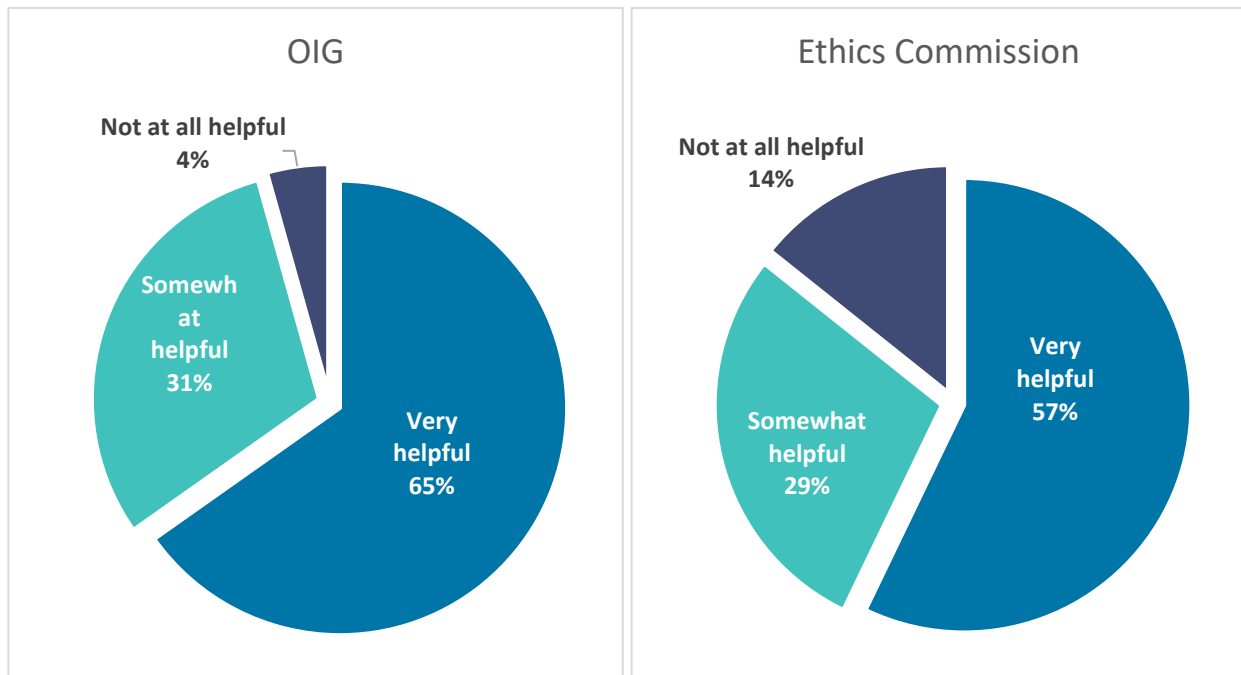
Figure 31: Who Respondents Contacted for Advice on Ethical Issues



Notes: N = 220. Respondents could select more than one answer.

Many respondents who contacted the OIG for their most recent ethical issue found the office very helpful (65%), while only 4% found it not at all helpful (Figure 32). In comparison, a smaller share of those who contacted the Ethics Commission found it very helpful (57%), while a larger share found it not at all helpful (14%). These differences are especially interesting considering the OIG and Ethics Commission are co-located in Baltimore County, meaning it is likely that the same person would have answered the telephone call or email inquiry to either office.

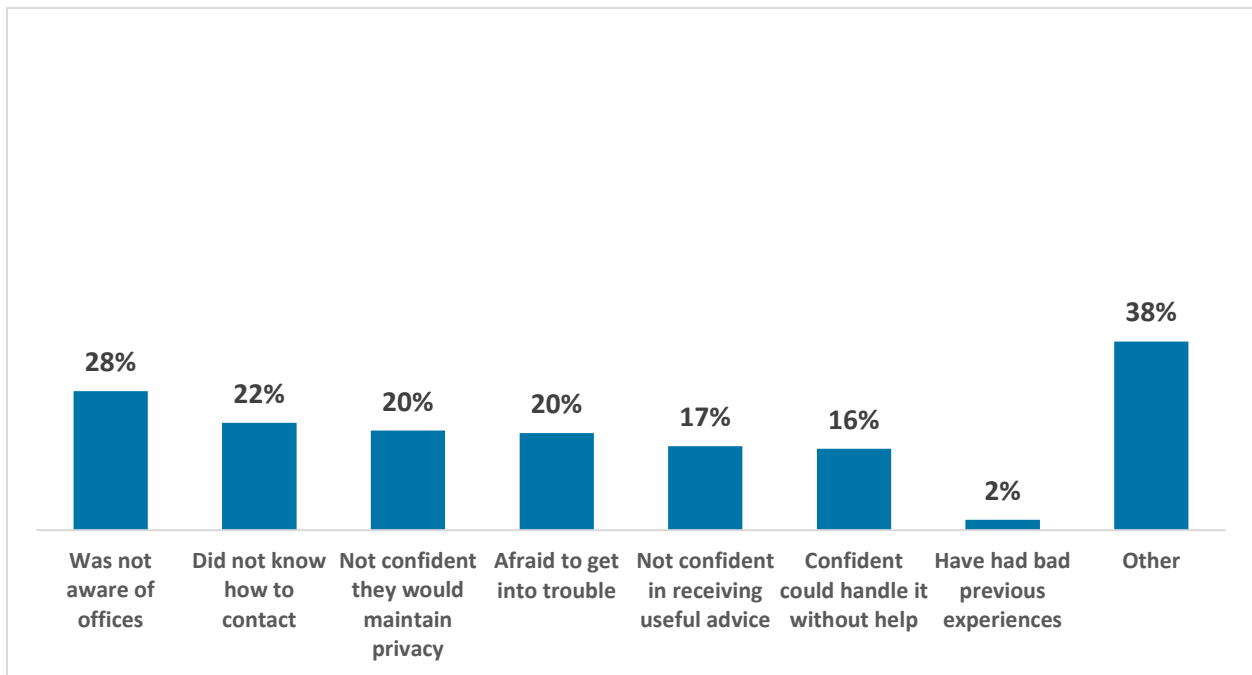
Figure 32: Helpfulness of OIG and Ethics Commission



Notes: N = 23 for OIG; N = 14 for Ethics Commission.

Respondents who did not contact the OIG, Auditor Fraud Line, or Ethics Commission for their most recent ethical concern were asked why they did not seek advice from these offices. Of the possible reasons provided on the survey, the most commonly selected was that they were not aware of the offices (28%), followed by 22% of respondents not knowing how to contact the offices (22%), as shown in Figure 33. Other common reasons were that respondents were not confident the offices would maintain their privacy (20%) and were afraid they would get into trouble (20%). These results suggest that the offices need to increase their communications to county employees and board and commission members and to include in those communications if and how the inquiries would be kept confidential. Those who chose the *Other* response option provided many different reasons, including that they thought Human Resources was a more appropriate venue for their concern or because they sought advice within their own agency.

Figure 33: Why Respondents Did Not Contact OIG, Auditor Fraud Line or Ethics Commission



Note: N = 188. Respondents could select more than one answer.

Respondents were almost evenly divided between those who said their ethical concerns were resolved (49%) or not (50%; Figure 34).

Figure 34: Respondents Whose Ethical Concerns Resolved



Note: N = 220.

ETHICAL CLIMATE IN THE WORKPLACE

To understand the general ethical climate in Baltimore County, survey respondents were provided 25 statements about potential ethical conduct or misconduct and asked to indicate their level of agreement with them. These statements were customized for the respondents

based on whether they had indicated at the outset of the survey that they were employed in an agency, employed in the office of an elected official, were themselves an elected official, or served on a board or commission. (Those respondents who indicated they were both employed by the county and served on a board or commission were presented with the questions for both affiliations.) The average results for all survey respondents are presented in Table 2, and they are separated between items in which agreement suggests a good ethical climate and measures in which disagreement suggests a good ethical climate.⁸

As shown in Table 2, respondents gave an average score between 2.6 and 3.0 for all the positive statements. This corresponds to “agreeing” or being “neutral” on each of the statements that would indicate a positive ethical climate in Baltimore County. The statements receiving the most agreement were:

- (Employees/Members of this board or commission/Employees) seek advice within this agency when ethics issues arise.
- (Employees in the agency/Members of this board or commission/Employees in this office) recognize ethics issues when they arise.
- I would feel comfortable reporting ethics violations.

As these are general statements of office ethical culture, it suggests that, overall, respondents view their workplaces as, at a minimum, not negative environments. The two positive statements with the highest scores, at 3.0, suggest, at worst, respondents as a whole would experience a neutral ethical culture.

For the negative measures, a higher score indicates more disagreement with the statement, which is suggestive of a positive ethical climate (i.e., negative ethical behaviors are not experienced). Survey respondents were neutral or disagreed with four of these six statements, since the average score on these statements was 3.2-3.6. However, there were two items on which the average score was 2.7-2.8, which suggests overall agreement (or neutrality) on these statements indicates a negative ethical workplace. These two statements were:

- (Employees in this agency/Members of this board or commission/Employees in this office) are expected to do as they are told, no matter what.
- Senior (officials in this agency/members on this board or commission/officials in this office) are less likely to be disciplined for violating ethical standards than other (employees/members/employees).

⁸ More detailed results for each of the three subgroups (general employees, elected officials and staff, and board or commission members) are provided in Appendix E.

Table 2: Average of Responses on Ethical Climate Statements – All Respondents

Question <i>Average responses range from 1 = Strongly Agree to 5 = Strongly Disagree.</i>	Average response
Positive measures	
(Employees/Members of this board or commission/Employees) seek advice within this agency when ethics issues arise.	2.6
(Employees in the agency/Members of this board or commission/Employees in this office) recognize ethics issues when they arise.	2.6
I would feel comfortable reporting ethics violations .	2.6
(Supervisors at my agency/Leadership on this board or commission/Supervisors in my office) include discussions of ethics when talking with their (employees/members/employees).	2.7
When ethical issues arise, (employees/members of this board or commission/employees) look for advice within the (agency/board or commission/office).	2.7
(This agency/Board or commission leadership/This office) follows up on ethical concerns that are reported by (employees/members/employees).	2.7
(Employees/Members/Employees) who are caught violating ethics are disciplined .	2.7
(Employees/Members of this board or commission/Employees) can talk with (supervisors/leadership/supervisors) about problems without fear of having their comments held against them.	2.8
(Employees/Members of this board or commission/Employees) here make decisions that comply with ethics policies because of the ethics program that is in place.	2.8
(Employees at all levels in this agency/Members of this board or commission/Employees at all levels in this office) are held accountable for adhering to ethical standards .	2.8
This (agency/board or commission/office) makes a serious attempt to detect violations of ethics standards.	2.8
Leadership of this (agency/board or commission/office) regularly shows that it cares about ethics .	2.8
If ethics concerns are reported to (the agency/board or commission leadership/the office), action is taken to resolve them.	2.8
Employees (in this agency/on this board or commission/in this office) feel comfortable talking about ethics .	2.9
(Employees/Members of this board or commission/Employees) are comfortable delivering bad news to their supervisors .	2.9
Ethics rules and (agency/board or commission/office) practices are consistent .	2.9
This (agency/board or commission/office) practices what it preaches when it comes to ethics.	2.9

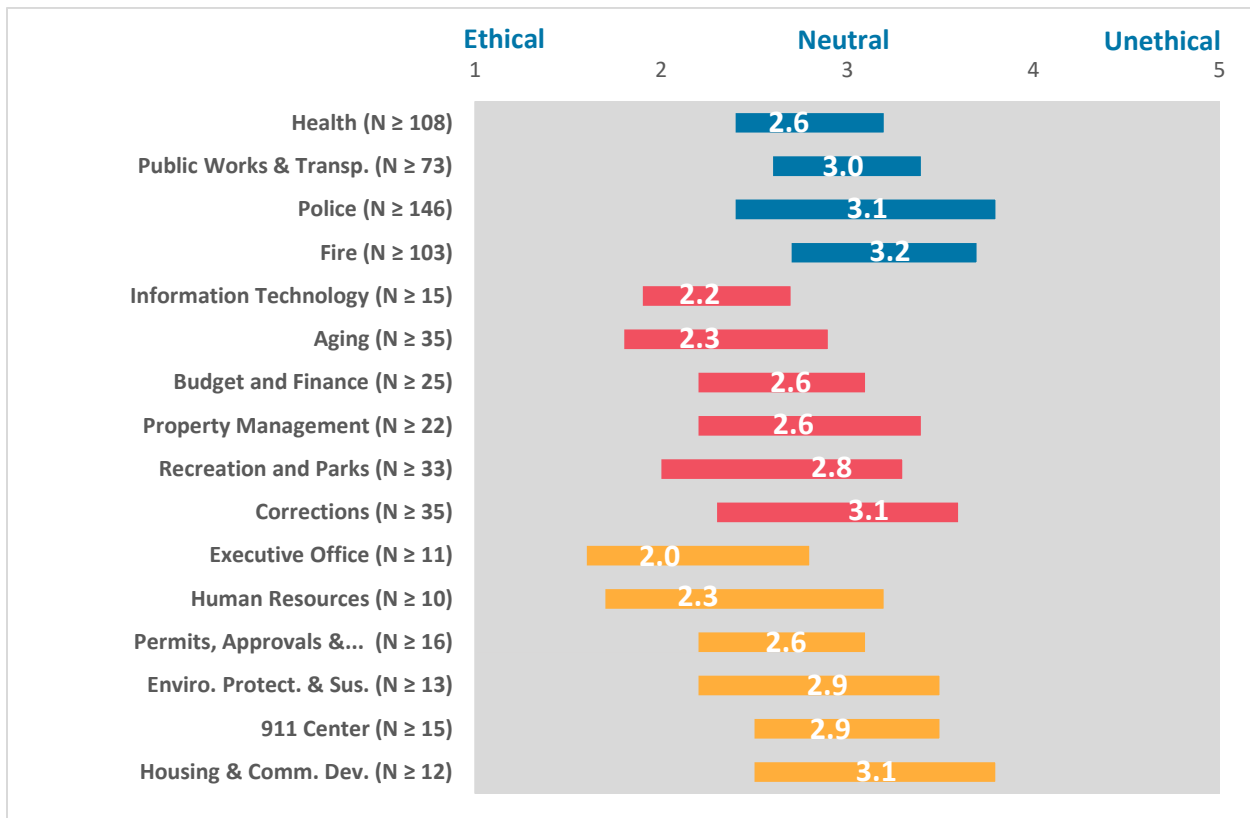
Question	Average response
<i>Average responses range from 1 = Strongly Agree to 5 = Strongly Disagree.</i>	
(Employees in the agency/Members of this board or commission/Employees) openly discuss the ethics of their decisions and actions.	3.0
(Employees/Members of this board or commission/Employees) who report misconduct are not retaliated against.	3.0
Negative measures	
(Supervisors at my work location/Board or commission leadership/Supervisors at my work location) usually do not pay attention to ethics.	3.6
(Employees in this agency/Members of this board or commission/Employees in this office) do not recognize ethics issues that come up at work.	3.4
You can ignore ethics and still get ahead (in this agency/on this board or commission/in this office).	3.2
(Our agency leadership/Our leadership/Leadership in this office) cares more about getting the job done than about ethics.	3.2
Senior (officials in this agency/members on this board or commission/officials in this office) are less likely to be disciplined for violating ethical standards than other (employees/members/employees).	2.8
(Employees in this agency/Members of this board or commission/Employees in this office) are expected to do as they are told , no matter what.	2.7

Note: See Appendix E for more detailed results.

Figure 35 shows the range of average responses to the ethical climate statements for those agencies that had enough responses to maintain confidentiality.⁹ Average responses that indicated a more ethical environment (i.e., 1-2 on positive statements, 4-5 on negative statements) extend further to the left on the chart, while average responses that indicate a more unethical environment (i.e., 4-5 on positive statements, 1-2 on negative statements) are on the right; responses indicating an environment relatively neutral on ethics (i.e., 3 on both positive and negative statements) would be in the middle. This chart suggests that respondents from these larger agencies generally tended to experience environments that were neutral, or not strongly ethical or unethical (Figure 35). For example, the range of responses from individuals in the 911 Center were between 2.5-3.5 (regardless of if the statements were positive or negative). In comparison, the responses by employees in Aging were between 1.8-2.9, so the bar is further to the left. The bar for Aging is slightly longer than that for 911 Center because there was a slightly bigger range in average score for the former versus the latter (1.1 versus, 1.0, relatively).

⁹ Agencies with seven or fewer responses to questions as well as responses by member of boards and commissions or elected officials and their staff are not provided to maintain confidentiality. Detailed results are in Appendix E.

Figure 35: Range of Average Responses on Ethical Climate Statements by Agency



Note: See Appendix E for more detailed results. Average result for each agency on all Ethical Climate Statements shown in white.

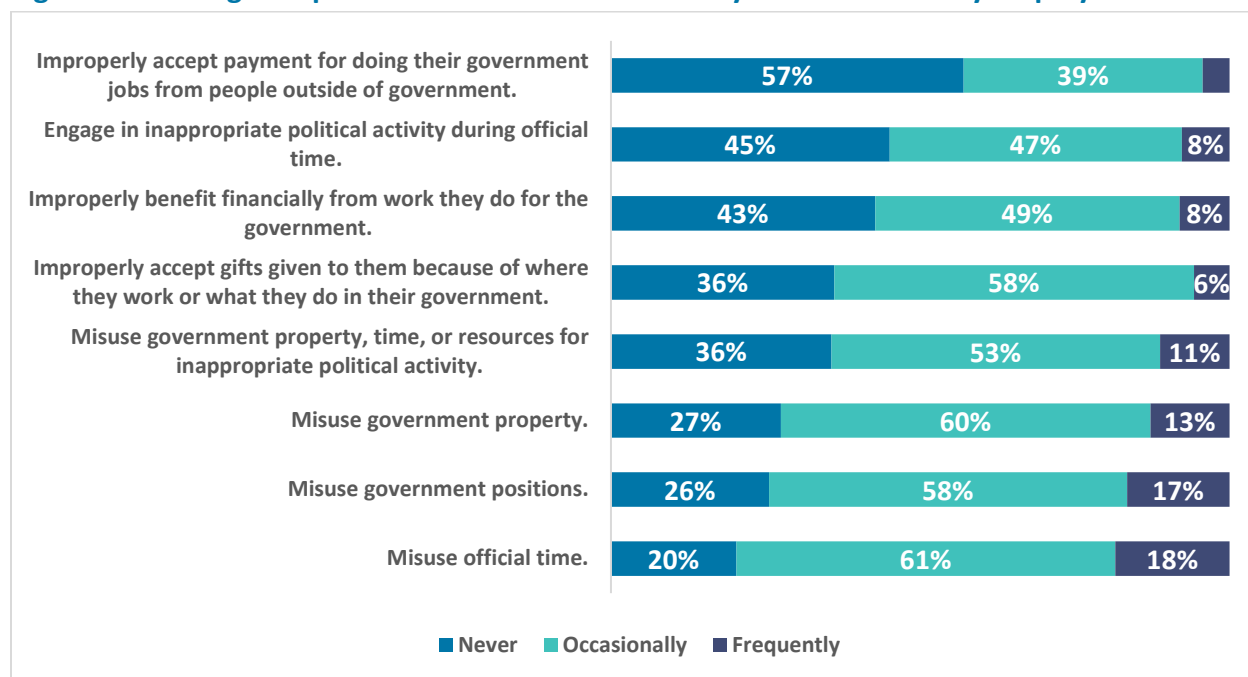
Finally, the average responses to the question by those who worked in larger county agencies were also compared.¹⁰ These agencies were grouped into three tiers by the number of responses, and the average score of all responses to all 25 questions were compared. Of the four agencies with the most respondents – Fire, Police, Public Works and Transportation, and Health – respondents from Health had statistically significantly lower average scores, indicating more ethical working environments, than the other three agencies. Of the middle tier of agencies, respondents from Corrections had statistically significantly higher average scores than Budget and Finance, Aging, and Information Technology, suggesting that respondents from Corrections were less likely to experience an ethical workplace environment. While the average score for Corrections was also higher than those for Recreation and Parks and Property Management, these differences were not statistically significant. Respondents from Recreation and Parks had statistically significantly higher average scores than respondents in Aging and Information Technology. Finally, of the six agencies with the fewest respondents (but still with at least seven responses per question), respondents from the Executive Office had statistically significantly

¹⁰ Smaller agencies were excluded in order to maintain confidentiality.

lower scores – again, suggesting a more ethical workplace – than respondents from Human Resources, 911 Center, Environmental Protection and Sustainability, Housing and Community Development, and Permits, Approvals, and Inspections. Respondents from Human Resources also had statistically significantly lower average scores than respondents from Housing and Community Development.

All respondents were asked to respond on how frequently they believe Baltimore County government employees engage in different kinds of ethical misconduct. The results are shown in Figure 36 and suggest that Baltimore County employees are generally believed to act ethically in their government roles.¹¹ For each statement of ethical misconduct, sizable majorities of respondents said Baltimore County employees engage in the activity never or only occasionally, while less than 20% of respondents said workers engage in the activity frequently. Respondents were most likely to say that workers misused company time frequently, with 18% of respondents responding this way; however, 20% of respondents said Baltimore County employees never did this and 61% said it happened occasionally. In contrast, respondents were least likely to think Baltimore County workers accepted payment for doing their government jobs from people outside of government – 4% said this happened frequently while 57% said it never happened.

Figure 36: Average Responses on Ethical Misconduct by Baltimore County Employees



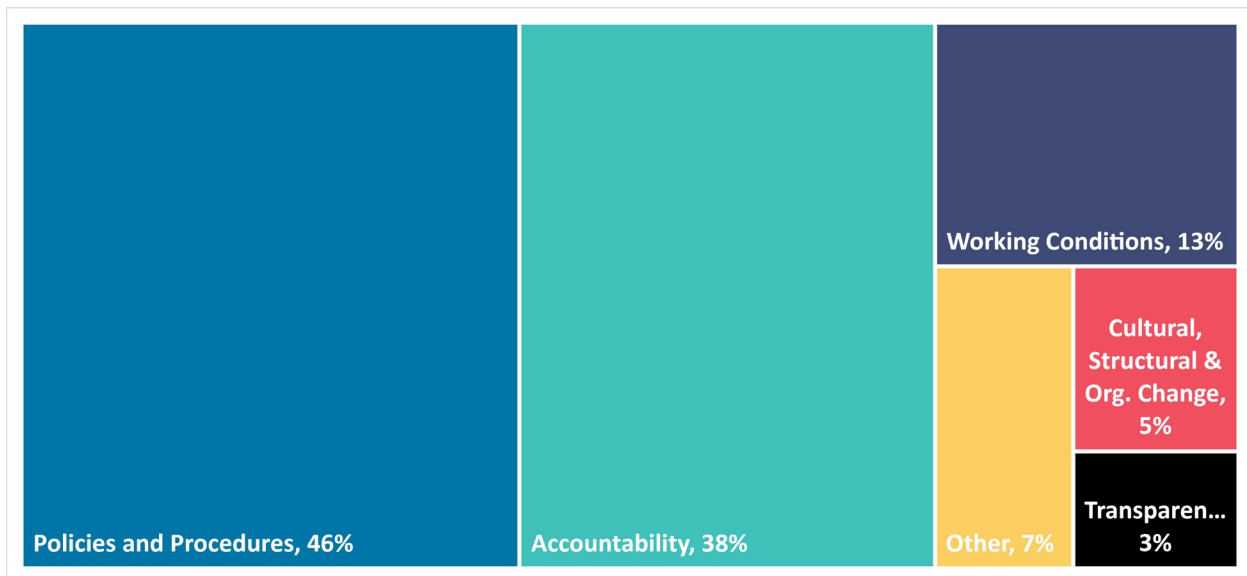
Note: See Appendix E for more detailed results.

¹¹ More detailed results are available in Appendix E.

GENERAL COMMENTS ON ETHICS IN BALTIMORE COUNTY

At the end of the subject matter questions in the survey, respondents were given three open-ended prompts to provide their overall thoughts on the ethical climate in Baltimore County government. The first question concerned what respondents thought would help employees in Baltimore County act more ethically in their work. Almost half (46%) of the suggestions involved policies and procedures, with most of these comments calling for training, reinforcement, and continued education for Baltimore County employees and clearer policies, procedures, and expectations (Figure 37). Just under 40% of respondents suggested more accountability would help, and these responses focused on greater accountability for leadership. The third largest share of comments were suggestions around working conditions (13%), such as improved support, communication, and access to information as well as better management and supervision.

Figure 37: What Would Help Baltimore County Employees Act More Ethically



Notes: N = 368. Percentages represent number of respondents who provided a response that would be included in the category. Respondents may have contributed to more than one category.

Respondents were asked to identify what makes it difficult for employees to comply with ethics policies. Just over 20% of respondents (21%) suggested that a lack of understanding causes makes it difficult to behave ethically (Figure 38). This includes general awareness of ethical behaviors and policies. Almost as many respondents (20%) named office culture as a problem, which includes distrust of management, lack of resources, and politics. Leadership was referenced by 18% of respondents, and personal culture issues such as being unconcerned with ethical guidelines or working for personal gain was mentioned by 17% of respondents.

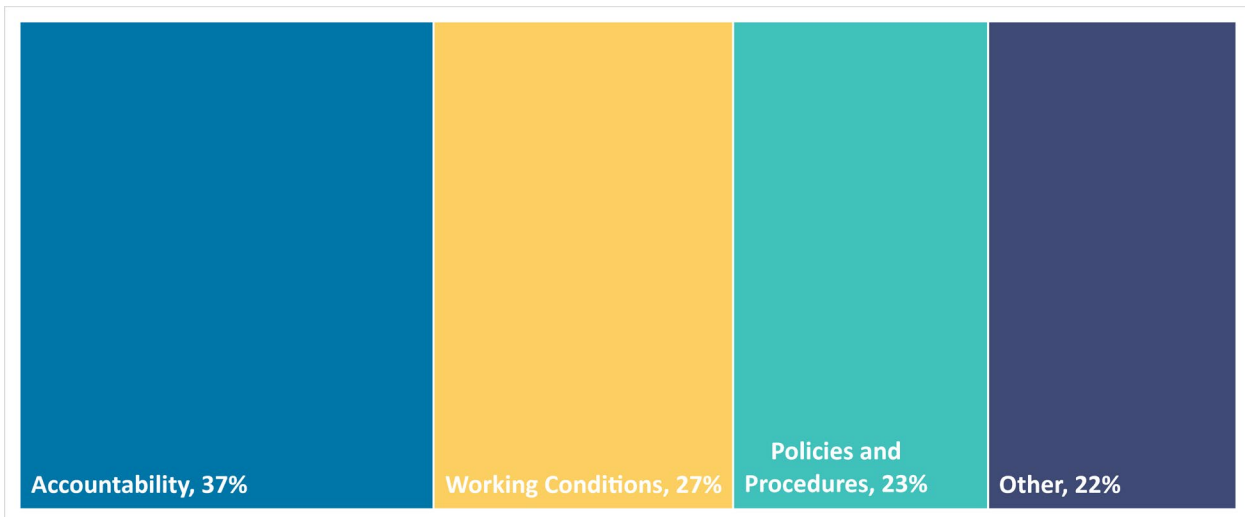
Figure 38: Factors That Make It Difficult to Act Ethically



Note: N = 397.

Finally, respondents were asked if there was anything they wanted to share regarding the ethical climate in Baltimore County. There were 174 responses to this question, with the most frequent comment concerning accountability – 37% of these individuals mentioned a concern about county leadership or managers, supervisors, and departmental oversight (Figure 38). Approximately one-quarter (27%) mentioned working conditions and their connection to ethical work behaviors. Many of these comments concerned retaliation, intimidation, or anonymity. There were also comments about policies and procedures by approximately 23% of these respondents.

Figure 39: Respondents' General Comments about Ethical Climate in Baltimore County

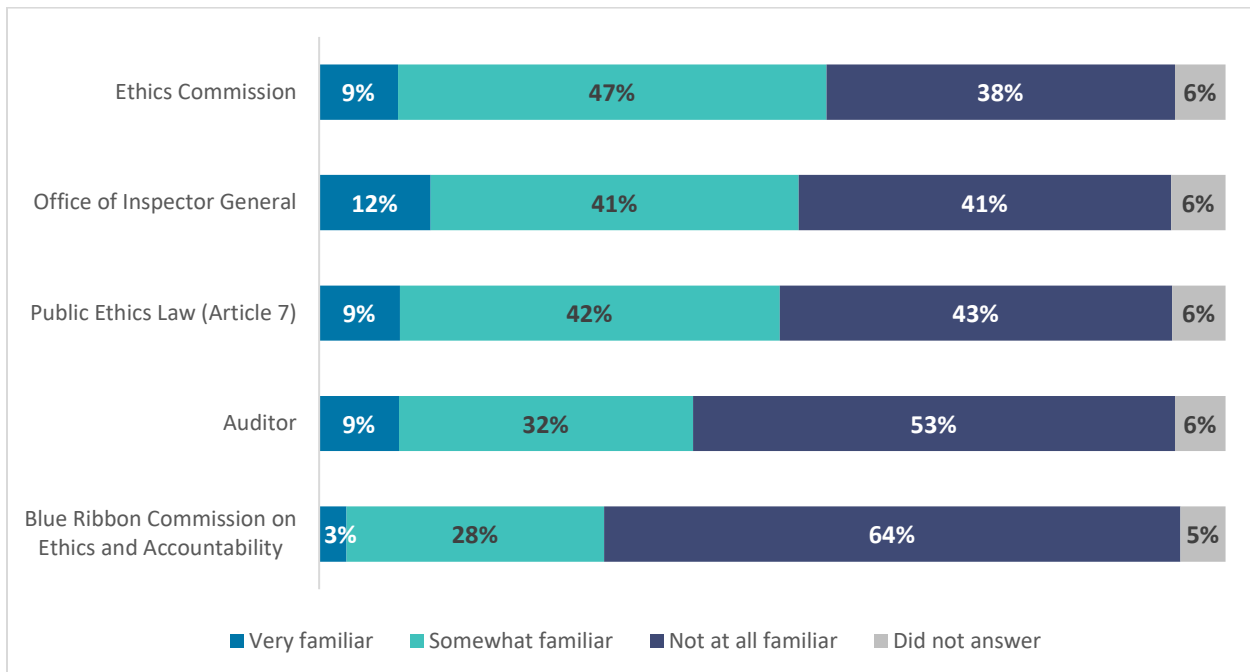


Note: N = 174.

SECTION 4: FAMILIARITY WITH BALTIMORE COUNTY ETHICS AGENCIES, LAW AND TRAINING

Respondents were asked their familiarity with the County’s ethics law, agencies, and commissions. As shown in Figure 40, respondents overall did not feel very familiar with all of the sources of ethics guidance, as less than 10% of respondents called themselves *very familiar* with the law, the Ethics Commission, the Auditor, and the BRCEA, while 12% of respondents were very familiar with the OIG. Moreover, almost 4 in 10 respondents said they were *not at all familiar* with these sources, ranging from almost 40% of respondents being unfamiliar with the Ethics Commission to 53% not at all familiar with the Auditor and 64% not at all familiar with the BRCEA.

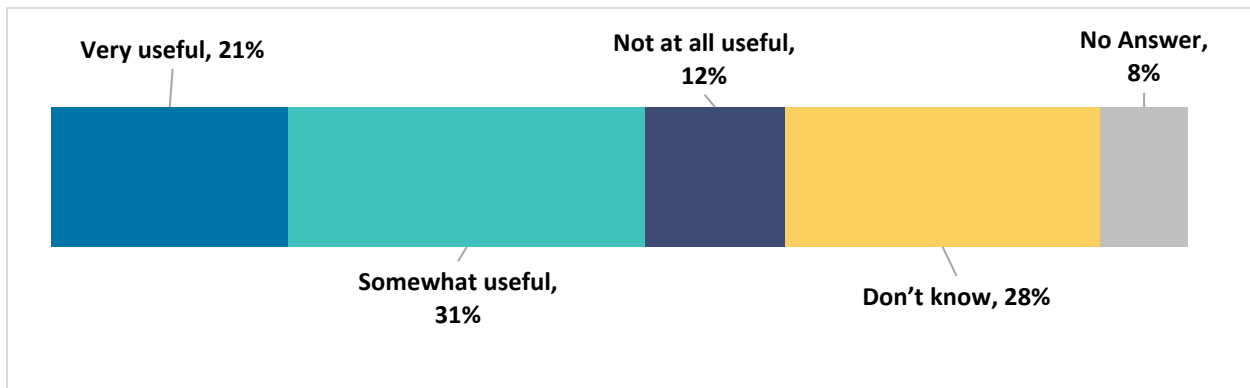
Figure 40: Familiarity with Baltimore County Ethics Agencies and Law



Note: N = 1,470.

Half of respondents said the Public Ethics Law was very or somewhat useful (21% and 31%, respectively) in guiding their decision and conduct in their work (Figure 41).

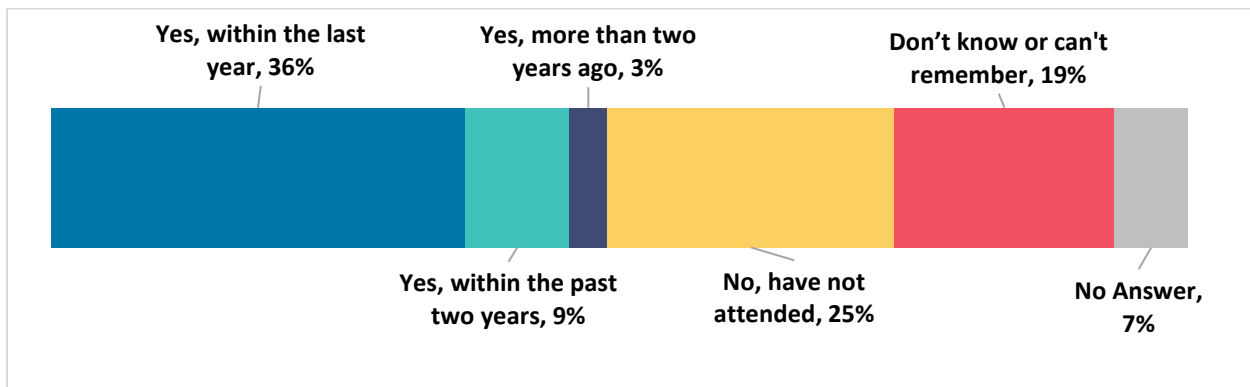
Figure 41: Usefulness of Baltimore County Public Ethics Law



Note: N = 1,470.

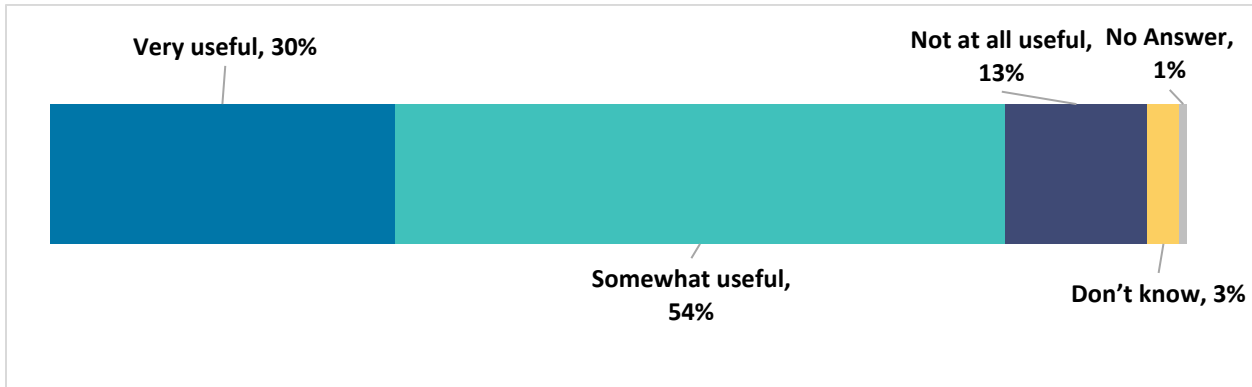
Approximately 45% of respondents said they had taken the County’s ethics training during the past two years (Figure 42), which aligns with the current OIG overhauling the training and requiring all employees take it. One-quarter of respondents said they have not taken the training, and almost 20% said they did not know or could not remember if they did. Thirty percent (30%) of those who had taken the training classified it as *very useful* in navigating ethical challenges at work, while another 54% said it was *somewhat useful* for this purpose (Figure 43).

Figure 42: Attendance at Baltimore County Ethics Training



Note: N = 1,470.

Figure 43: Usefulness of Baltimore County Ethics Training



Note: N = 719.

APPENDIX A: METHODOLOGY

The Schaefer Center developed an online survey for Baltimore County employees and individuals who serve on County boards and commissions. The survey was designed to gather information on the general ethical climate in Baltimore County and on individuals' experiences reporting or being involved in investigations concerning suspected waste, fraud, abuse, and ethical misconduct.

The questions on the general ethical climate were based on those developed by the University of Illinois, Springfield Center for State Policy and Leadership Survey Research Office for the 2014 Illinois Executive Employee Ethics Survey; questions from this survey were also used as the basis for questions about Baltimore County respondents' familiarity with and use of ethical laws, training, and agencies.¹² Questions on respondents' employment status or demographic characteristics were based on those from a study the Schaefer Center recently completed on organizational climate for a Maryland state agency. The final version of the survey is available below.

The survey was drafted and shared with the Blue Ribbon Commission on Ethics and Accountability (BRCEA), the Baltimore County Chief Administrative Officer, and the Baltimore County Inspector General for input and suggested questions prior to its launch.

In June 2022, Baltimore County supplied the Schaefer Center with a list of all employees and members of boards and commissions who are required to file an ethics disclosure. Prior to the opening of the survey, the Baltimore County Chief Administrative Officer distributed a pre-survey alert by email to these individuals. This email went out on July 7, 2022. It told respondents that the Schaefer Center was conducting a survey about ethical experiences and climate in the county and requested their voluntary participation. They were told that responses would be anonymous and individual responses would not be seen by members of the BRCEA or Baltimore County government. They were also provided with email addresses for both county leadership and the Schaefer Center in case email recipients had questions.

A total of 7,667 employees and members of boards and commissions were invited to participate in the survey. The survey was available for responses on July 11-26, 2022. Email requests for participation were sent by the Schaefer Center using the Qualtrics survey software on July 11, 18, and 25. There were 556 emails that bounced back. This number only includes those that bounced

¹² This survey is available at <https://www2.illinois.gov/eec/Documents/Ethics%20Survey%20Agencies%20Under%20the%20Governor.pdf>.

back on both the first and last email request for participation; if the email address was not associated with a bounce back on both dates, it is assumed the respondent received the email at least once and therefore would have had the opportunity to respond. Most of these bounce backs were because the respondent's email was not authorized to receive external messages (313, or 66.7%) or because the mailbox was disabled from receiving email (128, or 27.3%).

The American Association for Public Opinion Research (AAPOR) Response Rate 2 (RR2) is a standard method of calculating survey response rates. It includes the number of complete interviews (or surveys) divided by the number of interviews (complete plus partial) plus the number of non-interviews (refusals, break-offs, plus non-contacts) plus all cases of unknown eligibility. The overall (RR2) was 19.2%.

Of the 1,470 who completed at least one question on the survey, 1,032 (or 70.3%) answered the first question of the last section of the survey (on Demographics). Since these individuals reached the final section of the survey, they would have seen and had the opportunity to answer all of the relevant preceding questions.

The findings include all responses to a question that were received. Therefore, the number of respondents per question varies because respondents may have opted not to answer a question, or they may not have been shown a question due to their responses to earlier questions.

Respondents were provided with an opportunity near the end of the survey to indicate if they would be interested and willing to speak with the BRCEA about their experiences with suspected ethical misconduct in Baltimore County. Respondents who indicated they would be willing to do so were, at the end of the survey, redirected to a separate survey to record their contact information (since the Ethical Climate Survey responses were anonymous), the topic on which they would be able to speak, and their general availability. There were 105 respondents to the Ethical Climate Survey who indicated their willingness to speak to the BRCEA.

SURVEY INSTRUMENT

Q1 The Baltimore County Blue Ribbon Commission on Ethics and Accountability is interested in developing a baseline assessment of the ethical climate among County employees, officials, and members of boards and commissions governed by the County's ethics laws. To support the work of the Commission, the Schaefer Center for Public Policy at the University of Baltimore is conducting this ethics climate survey of County employees, elected officials, and members of

boards and commissions on their knowledge, perceptions and experiences with ethical issues in the workplace.

Your participation in the survey is voluntary and there is no penalty if you decide not to participate. If you agree to participate, your responses will be **completely confidential**. Your survey responses will not be stored with your email address, and survey responses will only be reported in aggregate. Survey responses will go directly to the Schaefer Center for Public Policy at The University of Baltimore. In the reporting from this survey, breakdowns by agency or other demographic indicators will only be shown if there are seven or more respondents with that characteristic. This is to prevent readers from potentially identifying individuals.

Please note that you do not have to complete the entire survey in one sitting. You may return to the survey using the email link at any time until July 25, 2022. Your answers will be saved throughout. The survey should take an estimated 20 minutes to complete.

If you have questions about: survey access or technical issues, please contact Michelle Cantave, Survey Research Manager at the Schaefer Center at mcantave@ubalt.edu; or your rights as a survey participant, please contact The University of Baltimore Institutional Review Board at irb@ubalt.edu or 410-837-4057.

If you would like to share comments directly with the members of The Baltimore County Blue Ribbon Commission on Ethics and Accountability you may do so by sending an email to BlueRibbonEthics@ubalt.edu or use the anonymous contact link on the Commission website www.BlueRibbonEthics.ubalt.edu.

Please select below if you agree to participate in this survey.

- Yes, I agree and want to take the survey.
- No, I do not agree and do not wish to take the survey.

Q2 Please specify your role with Baltimore County Government. Please mark all that apply.

- Appointed Department Head or Deputy
- Manager
- Supervisor
- County employee/staff
- Elected official
- Staff to elected official(s)
- Member of a Baltimore County commission
- Member of a Baltimore County board

Display Q3 only if Q2 = "Appointed Department Head or Deputy," "Manager," "Supervisor," or "County employee/staff."

Q3 Please identify the County agency you work for:

- ▼ 911 Center
- ▼ Administrative Hearings
- ▼ Aging
- ▼ BCVFA
- ▼ Board of Appeals
- ▼ Budget and Finance
- ▼ Circuit Court
- ▼ Corrections
- ▼ County Auditors
- ▼ County Council
- ▼ Economic and Workforce Development
- ▼ Elections
- ▼ Environmental Protection and Sustainability
- ▼ Executive Office
- ▼ Fire
- ▼ Health
- ▼ Housing and Community Development
- ▼ Human Relations
- ▼ Human Resources
- ▼ Information Technology
- ▼ Law
- ▼ Liquor Board
- ▼ Local Management Board
- ▼ NRCS
- ▼ Office of the Inspector General
- ▼ Orphan's Court
- ▼ People's Counsel
- ▼ Permits, Approvals and Inspections
- ▼ Planning
- ▼ Police
- ▼ Property Management
- ▼ Public Works and Transportation
- ▼ Recreation and Parks
- ▼ Register of Wills
- ▼ Sheriff's Office
- ▼ Social Services
- ▼ State's Attorney Office
- ▼ Other (please specify)
- ▼ *Display Q4 only if Q3 = "Other (please specify)."*

Q4 What is the name of the agency you work for?

Q5 To your knowledge, are you required to file an annual financial disclosure with the Baltimore County Ethics Commission?

- Yes
- No
- Don't Know
- Prefer not to answer

Display Q6 = "Manager" or "Supervisor."

Q6 How many people do you supervise?

Display Q7 only if Q2 = "Appointed Department Head or Deputy," "Manager," "Supervisor," "County employee/staff," "Elected official," or "Staff to elected official(s)."

Q7 Please specify your current primary work location:

- Workplace office
- Remote or home
- Hybrid (workplace office and home/remote)
- Other (please specify) _____

Display Q8 only if Q2 = "Appointed Department Head or Deputy," "Manager," "Supervisor," "County employee/staff," "Elected official," or "Staff to elected official(s)."

Q8 How long have you worked in your current position?

- Less than 1 year
- 1-2 years
- 3-5 years
- 5-10 years
- More than 10 years

Display Q9 only if Q2 = "Appointed Department Head or Deputy," "Manager," "Supervisor," "County employee/staff," "Elected official," or "Staff to elected official(s)."

Q9 How long have you worked for Baltimore County in your current and any past positions?

- Less than 1 year
- 1-2 years
- 3-5 years
- 5-10 years
- More than 10 years

Display Q10 only if Q2 = "Member of a Baltimore County commission" or "Member of a Baltimore County board."

Q10 Please identify the Boards or Commissions you serve on:

- Agricultural Preservation Advisory Board
- Board of Appeals
- Board Of Health
- Board Of Library Trustees
- Board Of Liquor License Commissioners
- Board Of Recreation And Parks
- Board Of Social Services
- CCBC Board of Trustees
- Electrical Administrative Board
- Ethics Commission
- Planning Board
- Plumbing And Gasfitting Board
- Revenue Authority
- Workforce Development Board
- Other (please specify) _____

Display Q11 only if Q2 = "Member of a Baltimore County commission" or "Member of a Baltimore County board."

Q11 How long have you served as a Board or Commission member?

- Less than 1 year
- 1-2 years
- 3-5 years
- 5-10 years
- More than 10 years

Q12 How familiar are you with the Baltimore County Blue Ribbon Commission on Ethics and Accountability?

- Very familiar
- Somewhat familiar
- Not at all familiar

Q13 How familiar are you with the Baltimore County Ethics Commission?

- Very familiar
- Somewhat familiar
- Not at all familiar

Q14 How familiar are you with the Baltimore County Office of Inspector General?

- Very familiar
- Somewhat familiar
- Not at all familiar

Q15 How familiar are you with the Baltimore County Auditor?

- Very familiar
- Somewhat familiar
- Not at all familiar

Q16 How familiar are you with County Public Ethics Law – Article 7 of the Baltimore County Code?

- Very familiar
- Somewhat familiar
- Not at all familiar

Q17 Have you attended Baltimore County Public Ethics Law Training, either in-person or virtually?

- Yes, within the last year
- Yes, within the past two years
- Yes, more than two years ago
- No, have not attended
- Don't know or cannot remember

Display Q18 only if Q17 = "Yes, within the last year," "Yes, within the past two years," or "Yes, more than two years ago."

Q18 How useful did you find Baltimore County Public Ethics Law Training with regard to your ability to navigate ethical challenges/issues at work?

- Very useful
- Somewhat useful
- Not at all useful
- Don't know

Q19 How useful is the Baltimore County Public Ethics Law in guiding your decisions and conduct in connection to your work?

- Very useful
- Somewhat useful
- Not at all useful
- Don't know

Q20 In the past four years, have you ever reported any suspected instances of waste, fraud, abuse or other ethical misconduct in Baltimore County?

- Yes, reported suspected ethical misconduct
- Yes, reported suspected fraud, waste, or abuse
- Yes, reported both ethical misconduct or fraud, waste, or abuse
- No

Skip to Q33 if Q20 = "No."

Q21 To whom did you report the suspected instances of waste, fraud, abuse or other ethical misconduct in Baltimore County? Please mark all that apply.

- Baltimore County Ethics Commission
- Baltimore County Office of the Inspector General
- Baltimore County Auditor
- Baltimore County Office of Human Resources
- Someone in your agency's leadership
- Your union or bargaining unit
- Other (please specify) _____

Q22 When did you report any suspected instances of waste, fraud, abuse or other ethical misconduct in Baltimore County? Please mark all that apply.

- Within the past two years
- Three to four years ago
- More than four years ago
- Don't know/don't remember
- Prefer not to say

Q23 How many times have you reported suspected instances of waste, fraud, abuse or other ethical misconduct in Baltimore County?

- One
- Two
- Three or more
- Prefer not to say

Carry Forward Selected Choices from Q21.

Q24 The rest of the questions in this section concern the most recent report you made about suspected instances of fraud, waste, abuse or other ethical misconduct. Please only respond concerning your most recent reporting experience.

To whom did you report the most recent suspected instance of waste, fraud, abuse or other ethical misconduct in Baltimore County?

- Baltimore County Ethics Commission
- Baltimore County Office of the Inspector General
- Baltimore County Auditor
- Baltimore County Office of Human Resources
- Someone in your agency's leadership
- Your union or bargaining unit
- Other (please specify) _____

Q25 Did you talk with a lawyer or other legal representative before or after reporting suspected instances of waste, fraud, abuse or other ethical misconduct?

- Yes, I contacted a personal lawyer
- Yes, I contacted my union or the union's legal representative
- No
- I don't remember
- Prefer not to say

Display Q26 only if Q25 = "Yes, I contacted a personal lawyer" or "Yes, I contacted my union or the union's legal representative."

Q26 How did your legal representation provide assistance? Please mark all that apply.

- I talked to them before I made my report
- I talked to them after I made my report
- They reviewed the report that I provided
- Prefer not to say

Q27 Overall, how concerned were you about each of the following groups' reactions to your reporting of suspected instances of waste, fraud, abuse or other ethical misconduct, if such reporting were to become known?

	Very concerned	Concerned	Somewhat concerned	Not at all concerned
My supervisor	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
My agency head or other agency leadership	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
My coworkers	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
My subordinates	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Vendors	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Elected officials	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Baltimore County Board or Commission members	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Q28 Did your reporting of suspected instances of waste, fraud, abuse or other ethical misconduct become known to your supervisor, agency leadership, coworkers or subordinates?

- Yes
- No
- Prefer not to say

Display Q29 only if Q28 = "Yes."

Q29 Did you face retribution or a hostile work environment resulting from your reporting of suspected instances of waste, fraud, abuse or other ethical misconduct?

- Yes
- No
- Prefer not to say

Display Q30 only if Q29 = "Yes."

Q30 Who was responsible for the retribution or the hostile environment? Please mark all that apply.

- My supervisor
- My agency head or other agency leadership
- My coworkers
- My subordinates
- Vendors
- Elected officials
- Baltimore County Board or Commission members
- Other (please specify) _____
- Prefer not to say

Q31 Were you satisfied with the handling of your reporting of suspected instances of waste, fraud, abuse or other ethical misconduct?

- Yes
- No
- Prefer not to say

Display Q32 only if Q31 = "Yes."

Q32 Why were you unsatisfied with the handling of your reporting?

Display Q33 only if Q20 = "No."

Q33 The following statements describe how the **Baltimore County Q20Response's** office might handle an employee's report of an ethical concern in the workplace. Please indicate how likely you think each response is.

	Very likely	Likely	Neutral	Unlikely	Very unlikely	Don't know
The office would take the report seriously.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The office would do its best to maintain the privacy of the person making the report.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The office would forward the report to criminal investigators (e.g., the police).	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The office would take action to address factors that may have led to the ethical issue.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The office would handle the report fairly.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Display Q34 only if Q20 = "No" and Q2 = "Appointed Department Head or Deputy," "Manager," "Supervisor," "County employee/staff," "Elected official," or "Staff to elected official(s)."

Q34 The following statements are about how you think people in your workplace would react to someone reporting an ethical concern in a County workplace. How likely do you think it would be for each of the following to happen?

	Very likely	Likely	Neutral	Unlikely	Very unlikely	Don't know
People would label the person making the report a troublemaker.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
People would have a hard time supporting the person who made the report.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The alleged offender(s) or their colleagues would try to get back at the person making the report.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Q35 Have you been involved in an investigation, audit or other evaluation conducted by the Baltimore County Auditor, the Baltimore County Ethics Commission or the Baltimore County Office of the Inspector General? Please mark all that apply.

- Yes, an investigation by the Baltimore County Auditor
- Yes, an investigation by the Baltimore County Ethics Commission
- Yes, an investigation by the Baltimore County Office of the Inspector General
- No
- I don't know

Display Q36 only if Q35 = "Yes, an investigation by the Baltimore County Auditor."

Q36 How many investigations by the **Baltimore County Auditor** have you been involved with?

- One
- Two
- Three or more
- I don't remember
- Prefer not to say

Display Q37 only if Q35 = "Yes, an investigation by the Baltimore County Ethics Commission."

Q37 How many investigations by the **Baltimore County Ethics Commission** have you been involved with?

- One
- Two
- Three or more
- I don't remember
- Prefer not to say

Display Q36 only if Q35 = "Yes, an investigation by the Baltimore County Office of the Inspector General."

Q38 How many investigations by the **Baltimore County Office of the Inspector General** have you been involved with?

- One
- Two
- Three or more
- I don't remember
- Prefer not to say

Display Q30 only if Q35 = "Yes, an investigation by the Baltimore County Auditor," "Yes, an investigation by the Baltimore County Ethics Commission," or "Yes, an investigation by the Baltimore County Office of the Inspector General."

Q39 The rest of the questions in this section concern the more recent investigation you participated in. Please only respond concerning your most recent reporting experience.

Which agency was involved with your most recent investigation experience?

Display this choice only if Q35 = "Yes, an investigation by the Baltimore County Auditor."

- Baltimore County Auditor

Display this choice only if Q35 = "Yes, an investigation by the Baltimore County Ethics Commission."

- Baltimore County Ethics Commission

Display this choice only if Q35 = "Yes, an investigation by the Baltimore County Office of the Inspector General."

- Baltimore County Office of the Inspector General

Display Q40 only if Q35 = "Yes, an investigation by the Baltimore County Auditor, "Yes, an investigation by the Baltimore County Ethics Commission," or "Yes, an investigation by the Baltimore County Office of the Inspector General."

Q40 How were you involved in the investigation, audit or other evaluation?

- I was interviewed (either in-person or virtually) by a representative of the Q39Response
- I provided documentation to the Q39Response
- I provided written answers to questions (by email, an online portal or other method) to the Q39Response
- Other (please specify) _____
- I don't remember
- Prefer not to say

Display Q41 only if Q35 = “Yes, an investigation by the Baltimore County Auditor, “Yes, an investigation by the Baltimore County Ethics Commission,” or “Yes, an investigation by the Baltimore County Office of the Inspector General.”

Q41 Did you receive a subpoena that required your participation in an investigation?

- Yes
- No
- I don't remember
- Prefer not to say

Display Q42 only if Q35 = “Yes, an investigation by the Baltimore County Auditor, “Yes, an investigation by the Baltimore County Ethics Commission,” or “Yes, an investigation by the Baltimore County Office of the Inspector General.”

Q42 Did the Q39Response provide you with information on policies or procedures for the investigation?

- Yes, when they first reached out to me
- Yes, at the start of an interview or meeting for the investigation
- No
- I don't remember
- Prefer not to say

Display Q43 only if Q35 = “Yes, an investigation by the Baltimore County Auditor, “Yes, an investigation by the Baltimore County Ethics Commission,” or “Yes, an investigation by the Baltimore County Office of the Inspector General.”

Q43 Did the Q39Response provide you with information about the subject (topic, entity, or person) of the investigation or audit?

- Yes, when they first reached out to me
- Yes, at the start of an interview or meeting for the investigation
- No
- I don't remember
- Prefer not to say

Display Q44 only if Q35 = "Yes, an investigation by the Baltimore County Auditor, "Yes, an investigation by the Baltimore County Ethics Commission," or "Yes, an investigation by the Baltimore County Office of the Inspector General."

Q44 Was your supervisor informed that you were part of the investigation, audit or other evaluation?

- Yes, I told my supervisor
- Yes, the representative from the Q39Response told me that they told my supervisor
- Yes, the representative from the Q39Response told me they informed my agency head or other agency leadership
- Not that I know of
- I know for sure they did not tell my supervisor
- I don't know
- I don't remember
- Prefer not to say

Display Q45 only if Q35 = "Yes, an investigation by the Baltimore County Auditor, "Yes, an investigation by the Baltimore County Ethics Commission," or "Yes, an investigation by the Baltimore County Office of the Inspector General."

Q45 Did you supervisor or another agency representative tell you what you should say to the Q39Response?

- Yes
- No
- I don't remember
- Prefer not to say

Display Q46 only if Q45 = "Yes."

Q46 How did they tell you to interact with the office?

Display Q47 only if Q35 = “Yes, an investigation by the Baltimore County Auditor, “Yes, an investigation by the Baltimore County Ethics Commission,” or “Yes, an investigation by the Baltimore County Office of the Inspector General.”

Q47 Did the Q39Response inform you of your rights with regard to the investigation?

- Yes, when they first reached out to me
- Yes, at the start of an interview or meeting for the investigation
- No
- I don't remember
- Prefer not to say

Display Q48 only if Q35 = “Yes, an investigation by the Baltimore County Auditor, “Yes, an investigation by the Baltimore County Ethics Commission,” or “Yes, an investigation by the Baltimore County Office of the Inspector General.”

Q48 Did you contact legal representation about your involvement with the investigation?

- Yes, I contacted a personal lawyer
- Yes, I contacted my union or the union's legal representative
- No
- Prefer not to say

Display Q49 only if Q48 = "Yes, I contacted a personal lawyer" or "Yes, I contacted my union or the union's legal representative."

Q49 What did your legal representation do during your involvement with the investigation?
Please mark all that apply.

- A lawyer or other representative attended my interview(s) with the Q39Response
- A lawyer or other representative reviewed or provided guidance on a request for documents from the Q39Response
- A lawyer or other representative reviewed or provided guidance on my written correspondence with the Q39Response
- I talked to the lawyer when I was first contacted by the Q39Response but they were not active during my involvement with the investigation(s)
- Other (please specify) _____
- I don't remember
- Prefer not to say

Display Q50 only if Q35 = "Yes, an investigation by the Baltimore County Auditor, "Yes, an investigation by the Baltimore County Ethics Commission," or "Yes, an investigation by the Baltimore County Office of the Inspector General."

Q50 How would you characterize your interactions with representatives from the Q39Response?

- Very comfortable
- Somewhat comfortable
- Neutral
- Somewhat uncomfortable
- Very uncomfortable
- I don't remember
- Prefer not to say

Display Q51 only if Q35 = "Yes, an investigation by the Baltimore County Auditor, "Yes, an investigation by the Baltimore County Ethics Commission," or "Yes, an investigation by the Baltimore County Office of the Inspector General."

Q51 Would you characterize the representatives from the Q39Response as

	Yes	No	Don't Remember	Prefer not to say
Knowledgeable	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Professional	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Prepared	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Display Q52 only if Q35 = "Yes, an investigation by the Baltimore County Auditor, "Yes, an investigation by the Baltimore County Ethics Commission," or "Yes, an investigation by the Baltimore County Office of the Inspector General."

Q52 Did you feel threatened or physically intimidated during your interactions with the representatives from the Q39Response?

- Yes
- No

Display Q53 only if Q52 = "Yes."

Q53 Did a representative from the Q39Response verbally threaten or otherwise intimidate you during your interactions with them?

- Yes, I was verbally threatened or physically intimidated
- No, I was not verbally threatened or physically intimidated

Display Q54 only if Q35 = "Yes, an investigation by the Baltimore County Auditor, "Yes, an investigation by the Baltimore County Ethics Commission," or "Yes, an investigation by the Baltimore County Office of the Inspector General."

Q54 Were you concerned about each of the following groups' reactions to your involvement in the investigation, audit or other evaluation?

	Very concerned	Concerned	Somewhat concerned	Not at all concerned	Don't remember	Prefer not to say
My supervisor	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
My agency head or other agency leadership	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
My coworkers	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
My subordinates	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Vendors	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Elected officials	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Baltimore County Board or Commission members	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Display Q55 only if Q35 = "Yes, an investigation by the Baltimore County Auditor, "Yes, an investigation by the Baltimore County Ethics Commission," or "Yes, an investigation by the Baltimore County Office of the Inspector General."

Q55 Were you told when the investigation was completed and the results or findings?

- Yes, the Q39Response informed me
- Yes, my supervisor or agency leadership told me
- No, I had to look for the report myself
- No, and I was not interested in the results
- I don't remember
- Prefer not to say
- Not applicable

Display Q56 only if Q35 = "Yes, an investigation by the Baltimore County Auditor, "Yes, an investigation by the Baltimore County Ethics Commission," or "Yes, an investigation by the Baltimore County Office of the Inspector General."

Q56 Did you face retribution or a hostile work environment resulting from your participation in the investigation?

- Yes
- No
- I don't remember
- Prefer not to say

Display Q57 only if Q56 = "Yes."

Q57 Who was responsible for the retribution or the hostile environment? Please check all that apply.

- My supervisor
- My agency head or other agency leadership
- My coworkers
- My subordinates
- Vendors
- Elected officials
- Baltimore County Board or Commission members
- Other (please specify) _____
- I don't remember
- Prefer not to say

Display Q58 only if Q35 = “Yes, an investigation by the Baltimore County Auditor, “Yes, an investigation by the Baltimore County Ethics Commission,” or “Yes, an investigation by the Baltimore County Office of the Inspector General.”

Q58 Is there anything else you would like us to know about your experience with the Q39Response?

Q59 The questions in this section refer to times when you confronted ethical issues while working in the Baltimore County government. These issues concern behavior or actions by your coworkers, supervisors, subordinates, volunteers, vendors, or others or that you yourself engaged in. These issues may have ultimately led to your reporting an instance of ethical misconduct or a criminal complaint, but the questions do not concern that reporting experience.

As a reminder, this information is collected confidentially. Your survey responses will not be stored with your email address, and survey responses will only be reported in aggregate.

What are the three most difficult ethics issues that you have faced in your work in Baltimore County in the last four years?

Issue 1 _____

Issue 2 _____

Issue 3 _____

Q60 Thinking about the most recent ethical issue you have faced in your work in Baltimore County in the last four years, did you seek advice regarding this issue?

- Yes
- No
- Did not face any ethical issues in the last four years
- Prefer not to say

Skip to Q69 only if Q60 = “Did not face any ethical issues in the last four years.”

Display Q61 only if Q60 = “Yes.”

Q61 Who did you consult for advice? Mark all that apply.

- Baltimore County Auditor Fraud Line
- Baltimore County Office of the Inspector General
- Baltimore County Ethics Commission
- Baltimore County Office of Human Resources
- Supervisor or other management within your agency
- Coworker(s) in your agency
- Worker(s) in another County agency
- Other professional contacts outside County employment
- Professional association
- Union or bargaining unit
- Private attorney
- Friends or family
- Other (please specify) _____

Display Q62 only if Q 61 = "Baltimore County Auditor Fraud Line."

Q62 How helpful was the Baltimore County Auditor Fraud Line?

- Very helpful
- Somewhat helpful
- Not at all helpful

Display Q63 only if Q 61 = "Baltimore County Auditor Office of the Inspector General."

Q63 How helpful was the Baltimore County Office of the Inspector General?

- Very helpful
- Somewhat helpful
- Not at all helpful

Display Q64 only if Q 61 = "Baltimore County Ethics Commission."

Q64 How helpful was the Baltimore County Ethics Commission?

- Very helpful
- Somewhat helpful
- Not at all helpful

Display Q65 only if Q61 does not include “Baltimore County Office of the Inspector General,” “Baltimore County Auditor Fraud Line,” or “Baltimore County Ethics Commission” and if Q60 = “Yes.”

Q65 Why didn't you consult the Baltimore County Office of the Inspector General, Auditor Fraud Line, or Ethics Commission? Mark all that apply.

- I was not aware those offices exist
- I do not know how to contact those offices
- I was not confident that I would receive useful advice
- I was not confident that they would maintain my privacy
- I was afraid I would get into trouble
- I was confident I could handle the issue myself
- I have had bad previous experiences with public ethics individuals or issues
- Other (please specify) _____

Display Q66 only if Q60 = “Yes.”

Q66 Were your ethical concerns resolved?

- Yes
- No

Skip to Q69 only if Q66 = “Yes.”

Display Q67 only if Q66 = “No.”

Q67 Have you sought assistance for any other ethical issues beyond the most recent ethical issue you've encountered?

- Yes
- No
- Prefer not to say

Display Q68 only if Q60 = “Prefer not to say” or Q67 = “Prefer not to say.”

Q68 What influenced your decision to select “prefer not to say”? Mark all that apply.

- I feel embarrassed or ashamed.
- It is a private matter; I wanted to deal with it on my own.
- I am concerned my answer will be traced back to me.
- I wanted to forget it happened.
- I have had bad previous experiences with public ethics individuals or issues
- Other (please specify) _____
- Prefer not to say

Display Q69 only if Q2 = “Appointed Department Head or Deputy,” “Manager,” “Supervisor,” or “County employee/staff.”

Q69 Please mark the response indicating your level of agreement with each of the statements based on your experience, opinions, or perceptions.

	Strongly agree	Agree	Neutral	Disagree	Strongly disagree	Don't know
Supervisors at my agency include discussions of ethics when talking with their employees.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
This agency follows up on ethical concerns that are reported by employees.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Our agency leadership cares more about getting the job done than about ethics.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
This agency practices what it preaches when it comes to ethics.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Employees in this agency feel comfortable talking about ethics.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
You can ignore ethics and still get ahead in this agency.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Leadership of this agency regularly shows that it cares about ethics.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Senior officials in this agency are less likely to be disciplined for violating ethical standards than other employees.

If ethics concerns are reported to the agency, action is taken to resolve them.

Supervisors at my work location usually do not pay attention to ethics.

This agency makes a serious attempt to detect violations of ethics standards.

Employees who are caught violating ethics are disciplined.

Employees in the agency openly discuss the ethics of their decisions and actions.

Display Q70 only if Q2 = "Appointed Department Head or Deputy," "Manager," "Supervisor," or "County employee/staff."

Q70 Please mark the response indicating your level of agreement with each of the statements based on your experience, opinions, or perceptions.

	Strongly agree	Agree	Neutral	Disagree	Strongly disagree	Don't know
Ethics rules and agency practices are consistent.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Employees in this agency are expected to do as they are told, no matter what.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Employees at all levels in this agency are held accountable for adhering to ethical standards.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Employees in the agency recognize ethics issues when they arise.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Employees seek advice within this agency when ethics issues arise.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Employees are comfortable delivering bad news to their supervisors.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Employees here make decisions that comply with ethics policies because of the ethics program that is in place.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Employees can talk with supervisors about problems without fear of having their comments held against them.

I would feel comfortable reporting ethics violations.

When ethical issues arise, employees look for advice within the agency.

Employees in this agency do not recognize ethics issues that come up at work.

Employees who report misconduct are not retaliated against.

Display Q71 only if Q2 = "Member of a Baltimore County commission" or "Member of a Baltimore County board."

Q71 Please mark the response indicating your level of agreement with each of the statements based on your experience, opinions, or perceptions.

	Strongly agree	Agree	Neutral	Disagree	Strongly disagree	Don't know
Leadership on this board or commission includes discussions of ethics when talking with their members.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Board or commission leadership follows up on ethical concerns that are reported by members.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Our leadership cares more about getting the job done than about ethics.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
This board or commission practices what it preaches when it comes to ethics.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Employees on this board or commission feel comfortable talking about ethics.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
You can ignore ethics and still get ahead on this board or commission.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Leadership of this board or commission regularly shows that it cares about ethics.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Senior members on this board or commission are less likely to be disciplined for violating ethical standards than other members.

If ethics concerns are reported to board or commission leadership, action is taken to resolve them.

Board or commission leadership usually does not pay attention to ethics.

This board or commission makes a serious attempt to detect violations of ethics standards.

Members who are caught violating ethics are disciplined.

Members of this board or commission openly discuss the ethics of their decisions and actions.

Display Q72 only if Q2 = "Member of a Baltimore County commission" or "Member of a Baltimore County board."

Q72 Please mark the response indicating your level of agreement with each of the statements based on your experience, opinions, or perceptions.

	Strongly agree	Agree	Neutral	Disagree	Strongly disagree	Don't know
Ethics rules and board or commission practices are consistent.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Members of this board or commission are expected to do as they are told, no matter what.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Members of this board or commission are held accountable for adhering to ethical standards.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Members of this board or commission recognize ethics issues when they arise.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Members of this board or commission seek advice within this board or commission when ethics issues arise.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Members of this board or commission are comfortable delivering bad news to leadership.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Members of this board or commission here make decisions that comply with ethics policies because of the ethics program that is in place.

Members of this board or commission can talk with leadership about problems without fear of having their comments held against them.

I would feel comfortable reporting ethics violations.

When ethical issues arise, members of this board or commission look for advice within the board or commission.

Members of this board or commission do not recognize ethics issues that come up at work.

Members of this board or commission who report misconduct are not retaliated against.

Display Q73 only if Q2 = "Elected official" or "Staff to elected official(s)."

Q73 In your opinion, how often, if at all, do these types of conduct occur at your office?

	Strongly agree	Agree	Neutral	Disagree	Strongly disagree	Don't know
Supervisors in my office include discussions of ethics when talking with their employees.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
This office follows up on ethical concerns that are reported by employees.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Leadership in this office cares more about getting the job done than about ethics.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
This office practices what it preaches when it comes to ethics.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Employees in this office feel comfortable talking about ethics.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
You can ignore ethics and still get ahead in this office.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Leadership of this office regularly shows that it cares about ethics.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Senior officials in this office are less likely to be disciplined for violating ethical standards than other employees.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

If ethics concerns are reported to the office, action is taken to resolve them.

Supervisors at my work location usually do not pay attention to ethics.

This office makes a serious attempt to detect violations of ethics standards.

Employees who are caught violating ethics are disciplined.

Employees in the office openly discuss the ethics of their decisions and actions.

Display Q73 only if Q2 = "Elected official" or "Staff to elected official(s)."

Q74 In your opinion, how often, if at all, do these types of conduct occur at your office?

	Strongly agree	Agree	Neutral	Disagree	Strongly disagree	Don't know
Ethics rules and office practices are consistent.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Employees in this office are expected to do as they are told, no matter what.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Employees at all levels in this office are held accountable for adhering to ethical standards.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Employees in the office recognize ethics issues when they arise.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Employees seek advice within this office when ethics issues arise.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Employees in this office are comfortable delivering bad news to their supervisors.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Employees here make decisions that comply with ethics policies because of the ethics program that is in place.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Employees can talk with supervisors about problems without fear of having their comments held against them.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

I would feel comfortable reporting ethics violations.

When ethical issues arise, employees look for advice within the office.

Employees in this office do not recognize ethics issues that come up at work.

Employees who report misconduct are not retaliated against.

Q75 In your opinion, how often, if at all, do these types of conduct occur?

	Never	Rarely	Occasionally	Frequently	Very frequently	Don't know
Baltimore County government employees improperly accept gifts given to them because of where they work or what they do in their government.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Baltimore County government employees misuse government property, time, or resources for inappropriate political activity.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Baltimore County government employees improperly benefit financially from work they do for the government.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Baltimore County government employees misuse government property.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Baltimore County government employees misuse government positions.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Baltimore County government employees misuse official time.

Baltimore County government employees improperly accept payment for doing their government jobs from people outside of government.

Baltimore County government employees engage in inappropriate political activity during official time.

Q76 In your opinion, what, if anything, would further assist employees to act ethically in connection with their work?

Q77 In your opinion, what, if anything, makes it difficult for employees to comply with ethics policies?

Q78 Is there anything else you would like to share with regard to the ethics climate, reporting ethical misconduct or waste, fraud or misuse of County resources, or participating in an investigation by the Baltimore County Auditor, Ethics Commission, or Office of Inspector General? If yes, please provide your comments below.

Display Q79 only if Q20 does not equal "No" or Q35 does not equal "No" or "I don't know."

Q79 The Commission may interview Baltimore County employees, elected officials and members of Boards and Commissions about their experiences reporting ethical misconduct or fraud, waste and abuse or being investigated by the Ethics Commission or Office of Inspector General.

Would you be interested and willing to speak about your experiences? If you respond yes, you will be taken to a separate survey to provide contact information. Your responses there will not be linked to your answers to this survey.

- Yes
- No

Q80 Please select your gender.

- Woman
- Man
- Trans Woman
- Trans Man
- Genderqueer, gender non-binary, or gender non-conforming
- Prefer to self-describe _____
- Prefer not to answer

Q81 Please select the option that reflects your age range:

- 18-24
- 25-34
- 35-44
- 45-54
- 55-64
- 65 or older
- Prefer not to answer

Q82 Please select the option that best describes your race:

- American Indian or Alaska Native
- Asian
- Black or African American
- Native Hawaiian or other Pacific Islander
- White or Caucasian
- Two or more races
- Other (please specify) _____
- Prefer not to answer

Q83 Are you of Hispanic, Latino or Spanish origin?

- Yes
- No
- Prefer not to answer

Q84 Please select your highest complete level of education:

- Some high school
- High school diploma/GED
- Some college
- College degree
- Terminal Master's degree (such as M.A. or M.S.)
- Doctoral/Professional degree (such as Ph.D., J.D., M.D., or Psy.D.)
- Other (other specify) _____
- Prefer not to answer

Display Q85 only if Q79 = "Yes."

Q85 Thank you for taking the time to complete this survey. Your responses have been recorded. The report of the results of this survey will be shared with the Blue Ribbon Commission on Ethics and Accountability and will be posted on the Commission's website.

You will now be taken to a separate survey to provide contact information. Your responses there will not be linked to your answers to this survey.

If you would like to contact the Commission, please email BlueRibbonEthics@ubalt.edu or use [this form](#) to contact the Commission anonymously.

Display Q85 only if Q79 = "Yes."

Q86 Thank you for taking the time to complete this survey. Your responses have been recorded. The report of the results of this survey will be shared with the Blue Ribbon Commission on Ethics and Accountability and will be posted on the Commission's website.

If you would like to contact the Commission, please email BlueRibbonEthics@ubalt.edu or use [this form](#) to contact the Commission anonymously.

APPENDIX B: SURVEY RESPONDENTS' DEMOGRAPHICS

Below is information on the respondents for this survey, including whether they were Baltimore County employees or members of boards or commissions, other general characteristics of their tenure with the county, and basic demographics such as gender, age, race, and ethnicity.

RESPONDENTS BY AFFILIATION AND WORK CHARACTERISTICS

Of the 1,470 people who agreed to take the survey, almost all were employees of Baltimore County. Specifically, these were employees who identified as working in an agency rather than identifying as an elected official or staff of an elected official or members of boards or commissions. As shown in Table 3, just over 1,400 of the respondents (95%) identified as an employee or leadership in a county agency, while 20 individuals identified as elected officials or staff to elected officials (1%) and 32 individuals were members of a board or commission (2%). Approximately 1% of respondents did not identify their affiliation with the county, while less than 1% were identified as belonging to two or all of the affiliations (for example, as an agency employee and a member of a board and commission). Since fewer than seven respondents indicated they were both employees and a member of a board or commission, further information is not provided on them alone to maintain their confidentiality.

Table 3: General Affiliation of Survey Respondents

	Number of Respondents	Percent of All Respondents
Agency employees	1,402	95%
Members of boards and commissions	32	2%
Elected officials or staff	20	1%
Did not indicate affiliation	22	1%
Total respondents	1,470	100%

Note: Respondents could choose more than one option. Individuals who identified as an elected official or their staff were not included in the count of agency employees.

Respondents who worked for Baltimore County were asked to identify the agency for which they worked. The Baltimore County Police Department had the largest share of respondents, with 308 people (21%) saying they worked for that agency (Table 4). The second largest group of respondents was from the Health Department (191, 13%), followed by the Fire Department (179, 12%) and Public Works and Transportation (125, 9%). Just over 400 respondents identified as a manager or supervisor, and the median number of employees supervised was eight. Over half of employees identified their current work location as a workplace office (879, 60%), while 312 said they were in a hybrid work environment (21%) and 43 said they primarily worked remotely or at

home (3%). Many of those who said they worked in an *Other* location said they worked “in the field” or similar.

Table 4: Agency Affiliation of Survey Respondents Who Were County Employees

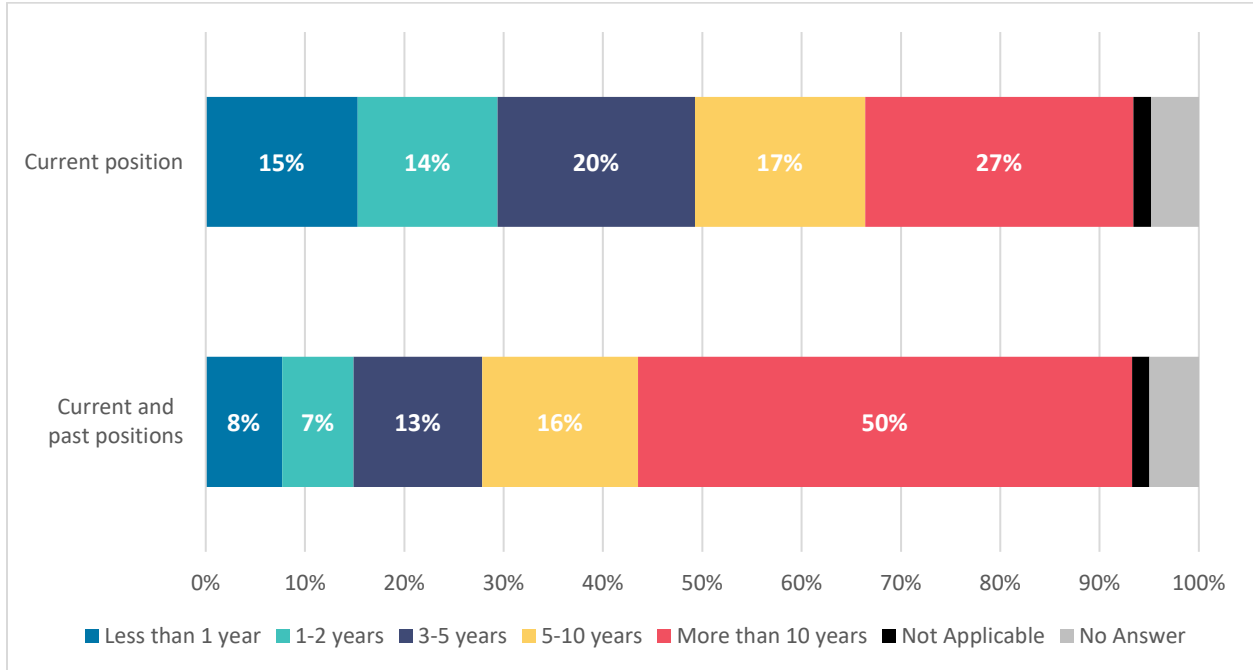
	Number of Respondents	Percent of All Respondents
Police	308	21%
Health	191	13%
Fire	179	12%
Public Works and Transportation	125	9%
Aging	69	5%
Corrections	55	4%
Recreation and Parks	55	4%
Information Technology	47	3%
Budget and Finance	45	3%
Property Management	39	3%
Environmental Protection and Sustainability	31	2%
911 Center	30	2%
Permits, Approvals and Inspections	30	2%
Housing and Community Development	27	2%
Economic and Workforce Development	23	2%
Human Resources	22	1%
Other (specify)	22	1%
Planning	19	1%
Executive Office	15	1%
Law	14	1%
Sheriff's Office	9	1%
State's Attorney's Office	8	1%
Other	27	2%
No answer or not applicable	80	5%
Total respondents	1,470	101%

Notes: Other includes all respondents who worked for agencies with fewer than seven respondents; these respondents are grouped to maintain their confidentiality. Agencies on this list include individuals who work in elected offices, as employees in these offices include civil servants who are not elected. Total equals 101% due to rounding.

Survey respondents generally had long-term experience working in Baltimore County, with over one-quarter of respondents (27%) saying they had been in their current position for more than 10 years (Figure 44). Only 15% said they had been in their position less than one year. When asked about their time in both their current and other past positions in Baltimore County, this percentage dropped to 8%, while half of respondents had worked more than 10 years in the

county. Of board and commission members who identified their tenure with the county, fewer than 6% had served less than one year, while 16% served more than 10 years.

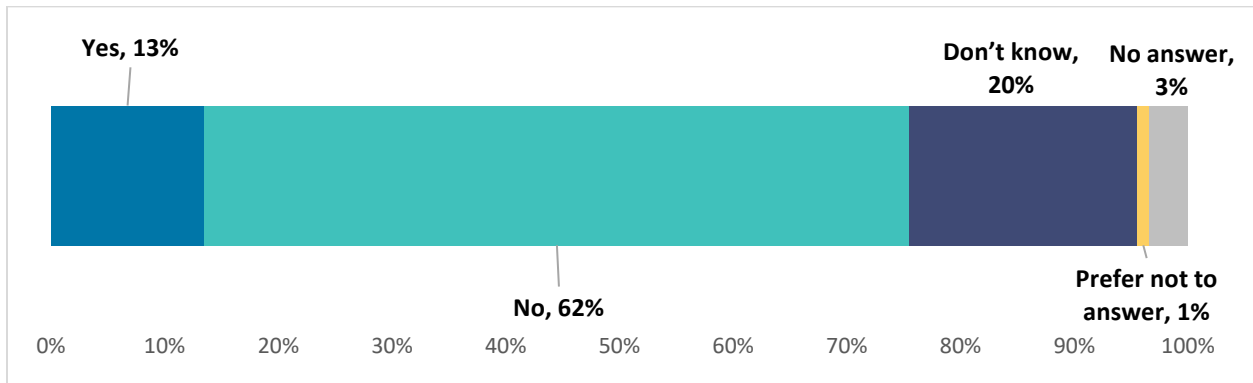
Figure 44: Employment Tenure with Current Affiliation and with Baltimore County in General



Note: N = 1,470.

Individuals who work for Baltimore County or serve on a board or commission and meet certain income thresholds need to file an annual financial disclosure. The majority of respondents (912, 62%) said they were not required to file such a disclosure, while 198 respondents (13%) said they were (Figure 45). Presumably, the 20% of respondents who said they did not know if they had to file an annual disclosure are not actually required to do so or are new to county employment.

Figure 45: Respondents Required to File Annual Financial Disclosure

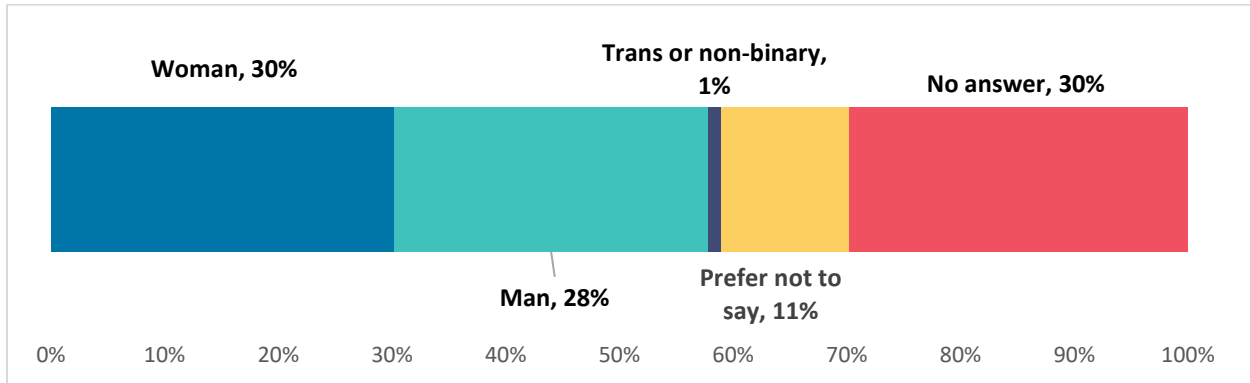


Note: N = 1,470.

RESPONDENT DEMOGRAPHICS

More women (444 respondents, or 30%) than men (405 respondents, or 28%) responded to the survey (Figure 46). There were 165 respondents (11%) who preferred not to provide their gender and 18 respondents (1%) who indicated they were trans woman, trans man, genderqueer, gender non-binary, or gender non-conforming or preferred to self-describe.

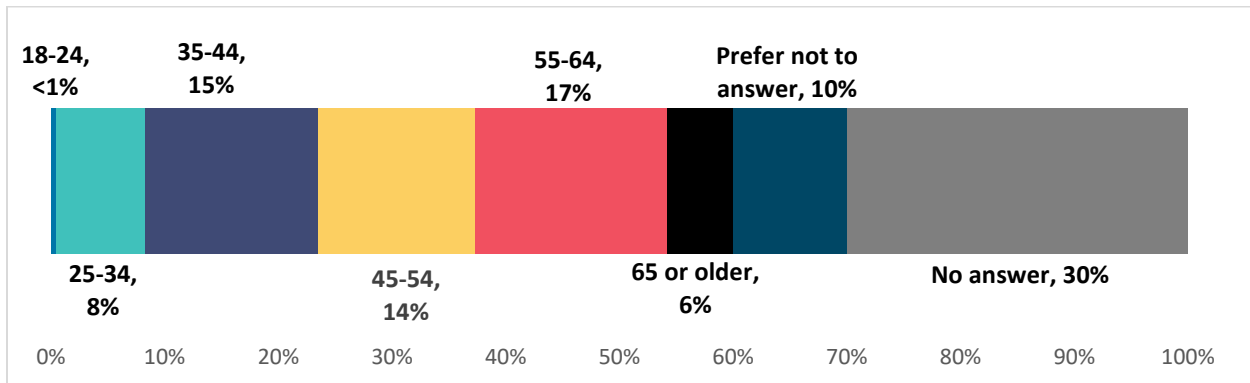
Figure 46: Respondents by Gender



Note: N = 1,470.

Respondents to the survey were generally middle age, with three different age groups (35-44, 45-54, and 55-64) each comprising between 14%-17% of respondents (Figure 47). Less than 10% of respondents were below age 35, and 6% were 65 years or older.

Figure 47: Respondents by Age

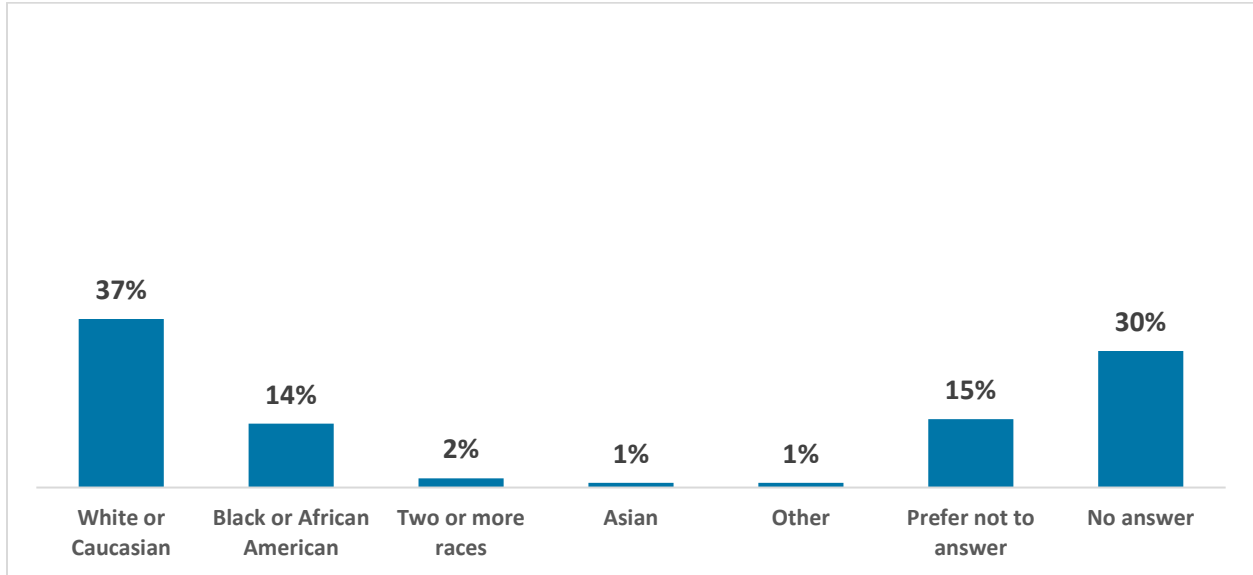


Note: N = 1,470.

As shown in Figure 48, the largest share of those who provided their race identified as White or Caucasian (542 respondents, 37%) followed by those who identified as Black or African American (208 respondents, 14%). However, almost half of respondents either did not provide their race (30%) or said they preferred not to answer (15%). Over half of respondents indicated they were

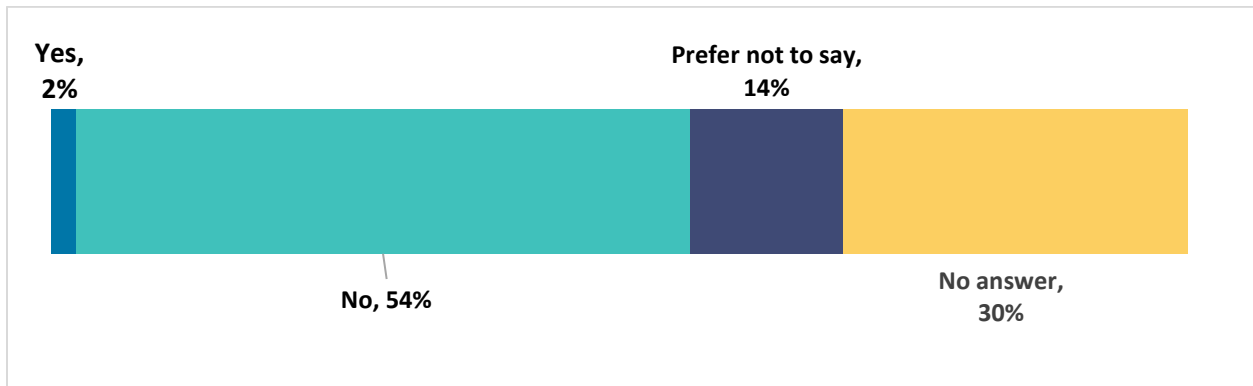
not Hispanic (794 respondents), while 32 respondents said they were Hispanic (2%) and 44% preferred not to say or did not answer the question.

Figure 48: Respondents by Race



Note: N = 1,470.

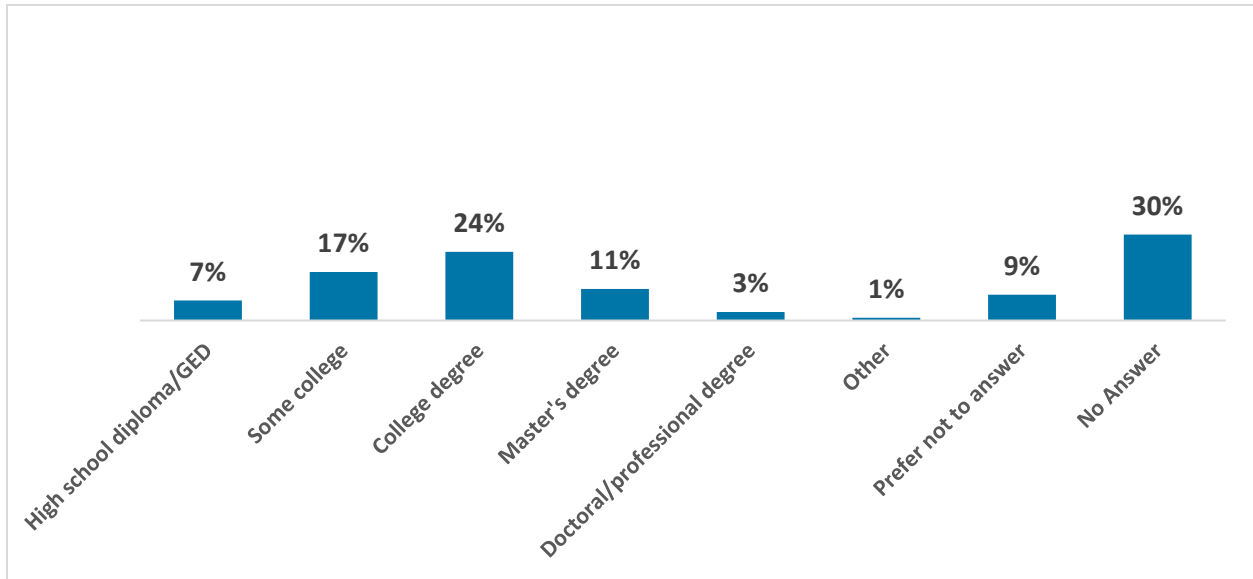
Figure 49: Respondents by Ethnicity



Note: N = 1,470.

One-quarter of respondents (351 respondents) said they held a college degree, while another 17% said they had some college education (Figure 50). Just over 100 respondents had a high school diploma or GED (7%), while almost 15% had a Master's, Doctoral or other professional degree.

Figure 50: Respondents by Education



Note: N = 1,470.

APPENDIX C: RESPONDENTS' PERCEPTIONS ABOUT HOW COMPLAINTS WOULD BE HANDLED

Table 5: Respondents' Perceptions about How Complaints Would Be Handled

	Very likely	Likely	Neutral	Unlikely	Very unlikely	Don't know	No Answer
OIG							
Take the report seriously	399	344	154	26	20	195	120
	32%	27%	12%	2%	2%	16%	10%
Address factors that led to issue	310	348	200	44	28	205	123
	25%	28%	16%	3%	2%	16%	10%
Maintain privacy	322	328	189	54	32	210	123
	26%	26%	15%	4%	3%	17%	10%
Handle report fairly	306	318	218	49	39	204	124
	24%	25%	17%	4%	3%	16%	10%
Forward report to investigators	265	307	226	41	23	274	122
	21%	24%	18%	3%	2%	22%	10%
Ethics Commission							
Take the report seriously	360	369	163	56	31	180	99
	29%	29%	13%	4%	2%	14%	8%
Address factors that led to issue	301	355	202	65	51	186	98
	24%	28%	16%	5%	4%	15%	8%
Maintain privacy	308	340	200	73	46	192	99
	24%	27%	16%	6%	4%	15%	8%
Handle report fairly	272	338	231	69	57	193	98
	22%	27%	18%	5%	5%	15%	8%
Forward report to investigators	252	289	245	65	47	261	99
	20%	23%	19%	5%	4%	21%	8%
Auditor							
Take the report seriously	355	369	169	48	39	216	62
	28%	29%	13%	4%	3%	17%	5%
Address factors that led to issue	288	358	219	69	48	213	63
	23%	28%	17%	5%	4%	17%	5%
Maintain privacy	301	340	206	72	55	223	61
	24%	27%	16%	6%	4%	18%	5%
Handle report fairly	262	332	266	62	59	214	63
	21%	26%	21%	5%	5%	17%	5%
Forward report to investigators	243	298	259	65	40	289	64
	19%	24%	21%	5%	3%	23%	5%

APPENDIX D: ETHICAL ISSUES EXPERIENCED BY RESPONDENTS IN PRIOR FOUR YEARS

Table 6: Ethical Issues Encountered by Survey Respondents in Prior Four Years

Category	Number of Mentions
Working conditions	289
Bullying, harassment, or a hostile workplace	82
Issues with co-workers	29
Compensation and benefits	25
Concerns about confidentiality and privacy	25
Unclear or unsafe boundaries and expectations	21
Issues with administration and leadership	20
Promotions and growth opportunities	19
Staffing and scheduling	16
COVID-19	11
General	11
Work outside job description	10
Other	20
Conflict of interest	281
Nepotism and Favoritism	151
Bribery	71
General	17
Misuse of Position	17
Non-Bribery Vendor Interactions	16
Other	9
Discrimination	132
Race or ethnicity	52
Complaints about diversity	30
General	25
Sex or gender	15
Other	10
Abuse of authority	130
Supervisors abusing their position	63
Retaliation or intimidation	39
County leadership	23
Other	5
Lack of accountability	120
General	39
County leadership	30
Supervisors and managers	25
Staff, employees, and volunteers	13
Police	11
Other	2

Category	Number of Mentions
Fraud and waste	108
Time-related fraud	32
Wasteful spending and misuse of funds	22
Procurement and reimbursement	13
General	8
Other	33
Other	45

Note: N = 174

APPENDIX E: RESPONSES ON ETHICAL CLIMATE IN THE WORKPLACE BY WORKPLACE

Table 7: Responses on Ethical Climate Statements – All Respondents

	Strongly Agree (1)	Agree (2)	Neutral (3)	Disagree (4)	Strongly Disagree (5)	Don't Know	No Answer	Average Score
<i>Positive statements</i>								
(Employees/Members of this board or commission/Employees) seek advice within this agency when ethics issues arise.	94 12%	287 35%	281 35%	112 14%	38 5%	222 N/A	449 N/A	2.6
(Employees in the agency/Members of this board or commission/Employees in this office) recognize ethics issues when they arise.	103 12%	350 40%	291 33%	106 12%	35 4%	149 N/A	449 N/A	2.6
I would feel comfortable reporting ethics violations.	185 19%	361 37%	210 22%	131 14%	82 8%	64 N/A	450 N/A	2.6
(Supervisors at my agency/Leadership on this board or commission/Supervisors in my office) include discussions of ethics when talking with their (employees/members/employees).	139 14%	331 34%	267 27%	150 15%	95 10%	109 N/A	392 N/A	2.7
When ethical issues arise, (employees/members of this board or commission/employees) look for advice within the (agency/board or commission/office).	90 11%	322 39%	234 28%	125 15%	61 7%	203 N/A	448 N/A	2.7
(This agency/Board or commission leadership/This office) follows up on ethical concerns that are reported by (employees/members/employees).	140 17%	279 33%	238 28%	107 13%	84 10%	242 N/A	393 N/A	2.7
(Employees/Members/Employees) who are caught violating ethics are disciplined.	120 15%	275 34%	259 32%	104 13%	62 8%	268 N/A	395 N/A	2.7
(Employees/Members of this board or commission/Employees) can talk with (supervisors/leadership/supervisors) about problems without fear of having their comments held against them.	118 13%	314 33%	230 24%	156 17%	122 13%	93 N/A	450 N/A	2.8
(Employees/Members of this board or commission/Employees) here make decisions that comply with ethics policies because of the ethics program that is in place.	73 9%	249 29%	321 38%	147 17%	56 7%	186 N/A	451 N/A	2.8
(Employees at all levels in this agency/Members of this board or commission/Employees at all levels in this office) are held accountable for adhering to ethical standards.	129 14%	288 31%	228 25%	161 17%	117 13%	111 N/A	449 N/A	2.8
This (agency/board or commission/office) makes a serious attempt to detect violations of ethics standards.	121 13%	241 27%	310 34%	150 17%	86 9%	181 N/A	394 N/A	2.8

	Strongly Agree (1)	Agree (2)	Neutral (3)	Disagree (4)	Strongly Disagree (5)	Don't Know	No Answer	Average Score
Leadership of this (agency/board or commission/office) regularly shows that it cares about ethics.	155 16%	288 29%	269 27%	163 16%	124 12%	90 N/A	394 N/A	2.8
If ethics concerns are reported to (the agency/board or commission leadership/the office), action is taken to resolve them.	123 15%	243 29%	272 32%	128 15%	80 9%	239 N/A	398 N/A	2.8
Employees (in this agency/on this board or commission/in this office) feel comfortable talking about ethics.	120 12%	257 27%	290 30%	180 19%	116 12%	124 N/A	396 N/A	2.9
(Employees/Members of this board or commission/Employees) are comfortable delivering bad news to their supervisors.	91 10%	298 33%	230 26%	189 21%	93 10%	128 N/A	454 N/A	2.9
Ethics rules and (agency/board or commission/office) practices are consistent.	111 12%	268 29%	248 27%	196 21%	92 10%	121 N/A	447 N/A	2.9
This (agency/board or commission/office) practices what it preaches when it comes to ethics.	147 15%	260 26%	297 30%	146 15%	136 14%	105 N/A	392 N/A	2.9
(Employees in the agency/Members of this board or commission/Employees) openly discuss the ethics of their decisions and actions.	75 8%	190 21%	372 41%	193 21%	74 8%	182 N/A	397 N/A	3.0
(Employees/Members of this board or commission/Employees) who report misconduct are not retaliated against.	93 12%	195 25%	247 32%	148 19%	100 13%	251 N/A	449 N/A	3.0
<i>Negative statements</i>								
(Employees in this agency/Members of this board or commission/Employees in this office) are expected to do as they are told, no matter what.	151 16%	284 30%	239 25%	214 22%	64 7%	83 N/A	448 N/A	2.7
Senior (officials in this agency/members on this board or commission/officials in this office) are less likely to be disciplined for violating ethical standards than other (employees/members/employees).	210 23%	208 23%	199 22%	171 19%	121 13%	180 N/A	394 N/A	2.8
You can ignore ethics and still get ahead (in this agency/on this board or commission/in this office).	133 13%	183 19%	202 20%	277 28%	193 20%	103 N/A	392 N/A	3.2
(Our agency leadership/Our leadership/Leadership in this office) cares more about getting the job done than about ethics.	128 13%	201 20%	250 25%	242 24%	184 18%	86 N/A	392 N/A	3.2
(Employees in this agency/Members of this board or commission/Employees in this office) do not recognize ethics issues that come up at work.	36 4%	108 12%	306 35%	309 36%	109 13%	165 N/A	450 N/A	3.4
	50	103	251	337	236	102	404	3.6

	Strongly Agree (1)	Agree (2)	Neutral (3)	Disagree (4)	Strongly Disagree (5)	Don't Know	No Answer	Average Score
(Supervisors at my work location/Board or commission leadership/Supervisors at my work location) usually do not pay attention to ethics.	5%	11%	26%	34%	24%	N/A	N/A	

Notes: The average score excludes the "Don't Know" and "No Answer" responses. The total number of responses to each statement, which includes "Don't Know" and "No Answer" categories, is 1,483 because some respondents identified as belonging to two or all affiliations. For example, a respondent may have identified as an agency employee and a member of a board and commission.

Table 8: Responses on Ethical Climate Statements – Regular Employees Only

	Strongly Agree (1)	Agree (2)	Neutral (3)	Disagree (4)	Strongly Disagree (5)	Don't know	No answer	Average score
<i>Positive statements</i>								
Employees seek advice within this agency when ethics issues arise.	80 10%	276 35%	278 36%	111 14%	38 5%	220 N/A	408 N/A	2.7
Employees recognize ethics issues when they arise.	88 10%	340 40%	290 34%	105 12%	35 4%	145 N/A	408 N/A	2.6
I would feel comfortable reporting ethics violations.	168 18%	350 37%	208 22%	131 14%	82 9%	63 N/A	409 N/A	2.6
Supervisors include discussions of ethics when talking with their employees.	127 13%	320 34%	265 28%	147 15%	93 10%	107 N/A	352 N/A	2.7
When ethical issues arise, employees look for advice within the agency.	81 10%	310 38%	231 29%	124 15%	61 8%	197 N/A	407 N/A	2.7
This agency follows up on ethical concerns that are reported by employees.	128 16%	271 33%	236 29%	106 13%	84 10%	233 N/A	353 N/A	2.7
Employees who are caught violating ethics are disciplined.	114 14%	269 34%	254 32%	103 13%	61 8%	255 N/A	355 N/A	2.7
Employees can talk with supervisors about problems without fear of having their comments held against them.	103 11%	305 33%	229 25%	155 17%	120 13%	90 N/A	409 N/A	2.9
Employees here make decisions that comply with ethics policies because of the ethics program that is in place.	63 8%	236 29%	318 39%	144 18%	56 7%	184 N/A	410 N/A	2.9
Employees at all levels in this agency are held accountable for adhering to ethical standards.	114 13%	278 31%	224 25%	160 18%	117 13%	110 N/A	408 N/A	2.9
This agency makes a serious attempt to detect violations of ethics standards.	109 12%	232 26%	306 35%	148 17%	85 10%	177 N/A	354 N/A	2.9
Leadership of this agency regularly shows that it cares about ethics.	134 14%	284 29%	265 27%	161 17%	124 13%	89 N/A	354 N/A	2.9
If ethics concerns are reported to the agency, action is taken to resolve them.	110 13%	237 29%	270 33%	125 15%	80 10%	232 N/A	357 N/A	2.8
Employees in this agency feel comfortable talking about ethics.	106 11%	246 26%	288 31%	178 19%	115 12%	122 N/A	356 N/A	2.9

	Strongly Agree (1)	Agree (2)	Neutral (3)	Disagree (4)	Strongly Disagree (5)	Don't know	No answer	Average score
Employees are comfortable delivering bad news to their supervisors.	78	285	228	188	93	126	413	2.9
	9%	33%	26%	22%	11%	N/A	N/A	
Ethics rules and agency practices are consistent.	96	257	245	195	92	120	406	2.9
	11%	29%	28%	22%	10%	N/A	N/A	
This agency practices what it preaches when it comes to ethics.	129	252	295	145	136	102	352	2.9
	13%	26%	31%	15%	14%	N/A	N/A	
Employees in the agency openly discuss the ethics of their decisions and actions.	64	182	364	190	74	180	357	3.0
	7%	21%	42%	22%	8%	N/A	N/A	
Employees who report misconduct are not retaliated against.	83	186	244	147	99	244	408	3.0
	11%	25%	32%	19%	13%	N/A	N/A	
Negative statements								
Employees in this agency are expected to do as they are told, no matter what.	150	284	236	201	51	82	407	2.7
	16%	31%	26%	22%	6%	N/A	N/A	
Senior officials are less likely to be disciplined for violating ethical standards than other employees.	209	207	197	163	107	174	354	2.7
	24%	23%	22%	18%	12%	N/A	N/A	
You can ignore ethics and still get ahead in this agency.	133	183	199	269	173	102	352	3.2
	14%	19%	21%	28%	18%	N/A	N/A	
Our agency leadership cares more about getting the job done than about ethics.	128	199	249	234	165	85	351	3.1
	13%	20%	26%	24%	17%	N/A	N/A	
Employees in this agency do not recognize ethics issues that come up at work.	35	105	306	297	97	162	409	3.4
	4%	13%	36%	35%	12%	N/A	N/A	
Supervisors at my work location usually do not pay attention to ethics.	49	103	247	332	216	101	363	3.6
	5%	11%	26%	35%	23%	N/A	N/A	

Note: The average score excludes the "Don't Know" and "No Answer" responses.

Table 9: Responses on Ethical Climate Statements – Elected Officials and Staff Only

	Strongly Agree (1)	Agree (2)	Neutral (3)	Disagree (4)	Strongly Disagree (5)	Don't know	No answer	Average score
<i>Positive statements</i>								
Employees seek advice within this agency when ethics issues arise.	2	6	0	0	0	0	32	1.8
	25%	75%	0%	0%	0%	N/A	N/A	
Employees in this office recognize ethics issues when they arise.	3	5	0	0	0	0	32	1.6
	38%	63%	0%	0%	0%	N/A	N/A	
I would feel comfortable reporting ethics violations.	2	5	1	0	0	0	32	1.9
	25%	63%	13%	0%	0%	N/A	N/A	
Supervisors in my office include discussions of ethics when talking with their employees.	1	3	1	0	2	1	32	2.9
	14%	43%	14%	0%	29%	N/A	N/A	
When ethical issues arise, employees look for advice within the office.	1	5	1	0	0	1	32	2
	14%	71%	14%	0%	0%	N/A	N/A	
This office follows up on ethical concerns that are reported by employees.	1	3	0	1	0	3	32	2.2
	20%	60%	0%	20%	0%	N/A	N/A	
Employees who are caught violating ethics are disciplined.	1	3	2	0	0	2	32	2.2
	17%	50%	33%	0%	0%	N/A	N/A	
Employees can talk with supervisors about problems without fear of having their comments held against them.	2	3	0	1	1	1	32	2.4
	29%	43%	0%	14%	14%	N/A	N/A	
Employees here make decisions that comply with ethics policies because of the ethics program that is in place.	1	5	0	1	0	1	32	2.1
	14%	71%	0%	14%	0%	N/A	N/A	
Employees at all levels in this office are held accountable for adhering to ethical standards.	3	4	0	1	0	0	32	1.9
	38%	50%	0%	13%	0%	N/A	N/A	
This office makes a serious attempt to detect violations of ethics standards.	1	5	0	1	0	1	32	2.1
	14%	71%	0%	14%	0%	N/A	N/A	
Leadership of this office regularly shows that it cares about ethics.	5	1	1	1	0	0	32	1.8
	63%	13%	13%	13%	0%	N/A	N/A	
If ethics concerns are reported to the office, action is taken to resolve them.	1	2	1	1	0	3	32	2.4
	20%	40%	20%	20%	0%	N/A	N/A	
Employees in this office feel comfortable talking about ethics.	1	5	0	1	0	1	32	2.1
	14%	71%	0%	14%	0%	N/A	N/A	

	Strongly Agree (1)	Agree (2)	Neutral (3)	Disagree (4)	Strongly Disagree (5)	Don't know	No answer	Average score
Employees are comfortable delivering bad news to their supervisors.	2 25%	6 75%	0 0%	0 0%	0 0%	0 N/A	32 N/A	1.8
Ethics rules and office practices are consistent.	2 25%	5 63%	1 13%	0 0%	0 0%	0 N/A	32 N/A	1.9
This office practices what it preaches when it comes to ethics.	5 63%	2 25%	1 13%	0 0%	0 0%	0 N/A	32 N/A	1.5
Employees openly discuss the ethics of their decisions and actions.	1 14%	2 29%	4 57%	0 0%	0 0%	1 N/A	32 N/A	2.4
Employees who report misconduct are not retaliated against.	2 33%	3 50%	1 17%	0 0%	0 0%	2 N/A	32 N/A	1.8
<i>Negative statements</i>								
Employees in this office are expected to do as they are told, no matter what.	1 13%	0 0%	2 25%	5 63%	0 0%	0 N/A	32 N/A	3.4
Senior officials in this office are less likely to be disciplined for violating ethical standards than other employees.	0 0%	1 17%	1 17%	3 50%	1 17%	2 N/A	32 N/A	3.7
You can ignore ethics and still get ahead in this office.	0 0%	0 0%	1 13%	2 25%	5 63%	0 N/A	32 N/A	4.5
Leadership in this office cares more about getting the job done than about ethics.	0 0%	1 13%	0 0%	2 25%	5 63%	0 N/A	32 N/A	4.4
Employees in this office do not recognize ethics issues that come up at work.	0 0%	2 29%	0 0%	4 57%	1 14%	1 N/A	32 N/A	3.6
Supervisors at my work location usually do not pay attention to ethics.	1 13%	0 0%	1 13%	2 25%	4 50%	0 N/A	32 N/A	4.0

Note: The average score excludes the "Don't Know" and "No Answer" responses.

Table 10: Responses on Ethical Climate Statements – Board and Commission Members Only

	Strongly Agree (1)	Agree (2)	Neutral (3)	Disagree (4)	Strongly Disagree (5)	Don't know	No answer	Average score
<i>Positive statements</i>								
Members of this board or commission seek advice within this agency when ethics issues arise.	12	5	3	1	0	2	9	1.7
	57%	24%	14%	5%	0%	N/A	N/A	
Members of this board or commission recognize ethics issues when they arise.	12	5	1	1	0	4	9	1.5
	63%	26%	5%	5%	0%	N/A	N/A	
I would feel comfortable reporting ethics violations.	15	6	1	0	0	1	9	1.4
	68%	27%	5%	0%	0%	N/A	N/A	
Leadership on this board or commission include discussions of ethics when talking with their members.	11	8	1	3	0	1	8	1.8
	48%	35%	4%	13%	0%	N/A	N/A	
When ethical issues arise, members of this board or commission look for advice within the board or commission.	8	7	2	1	0	5	9	1.8
	44%	39%	11%	6%	0%	N/A	N/A	
This board or commission leadership follows up on ethical concerns that are reported by members.	11	5	2	0	0	6	8	1.5
	61%	28%	11%	0%	0%	N/A	N/A	
Members who are caught violating ethics are disciplined.	5	3	3	1	1	11	8	2.2
	38%	23%	23%	8%	8%	N/A	N/A	
Members of this board or commission can talk with leadership about problems without fear of having their comments held against them.	13	6	1	0	1	2	9	1.6
	62%	29%	5%	0%	5%	N/A	N/A	
Members of this board or commission here make decisions that comply with ethics policies because of the ethics program that is in place.	9	8	3	2	0	1	9	1.9
	41%	36%	14%	9%	0%	N/A	N/A	
Members of this board or commission are held accountable for adhering to ethical standards.	12	6	4	0	0	1	9	1.6
	55%	27%	18%	0%	0%	N/A	N/A	
This board or commission makes a serious attempt to detect violations of ethics standards.	11	4	4	1	1	3	8	1.9
	52%	19%	19%	5%	5%	N/A	N/A	
Leadership of this board or commission regularly shows that it cares about ethics.	16	3	3	1	0	1	8	1.5
	70%	13%	13%	4%	0%	N/A	N/A	

	Strongly Agree (1)	Agree (2)	Neutral (3)	Disagree (4)	Strongly Disagree (5)	Don't know	No answer	Average score
If ethics concerns are reported to board or commission leadership action is taken to resolve them.	12	4	1	2	0	4	9	1.6
	63%	21%	5%	11%	0%	N/A	N/A	
Employees on this board or commission feel comfortable talking about ethics.	13	6	2	1	1	1	8	1.7
	57%	26%	9%	4%	4%	N/A	N/A	
Members of this board or commission are comfortable delivering bad news to their supervisors.	11	7	2	1	0	2	9	1.7
	52%	33%	10%	5%	0%	N/A	N/A	
Ethics rules and board or commission practices are consistent.	13	6	2	1	0	1	9	1.6
	59%	27%	9%	5%	0%	N/A	N/A	
This board or commission practices what it preaches when it comes to ethics.	13	6	1	1	0	3	8	1.5
	62%	29%	5%	5%	0%	N/A	N/A	
Members of this board openly discuss the ethics of their decisions and actions.	10	6	4	3	0	1	8	2.0
	43%	26%	17%	13%	0%	N/A	N/A	
Members of this board or commission who report misconduct are not retaliated against.	8	6	2	1	1	5	9	1.9
	44%	33%	11%	6%	6%	N/A	N/A	
Negative statements								
Members of this board or commission are expected to do as they are told, no matter what.	0	0	1	8	13	1	9	4.5
	0%	0%	5%	36%	59%	N/A	N/A	
Senior members on this board or commission are less likely to be disciplined for violating ethical standards than other members.	1	0	1	5	13	4	8	4.5
	5%	0%	5%	25%	65%	N/A	N/A	
You can ignore ethics and still get ahead in this on this board.	0	0	2	6	15	1	8	4.6
	0%	0%	9%	26%	65%	N/A	N/A	
Our leadership cares more about getting the job done than about ethics.	0	1	1	6	14	1	9	4.5
	0%	5%	5%	27%	64%	N/A	N/A	
Members of this board or commission do not recognize ethics issues that come up at work.	1	1	0	8	11	2	9	4.3
	5%	5%	0%	38%	52%	N/A	N/A	
Board or commission leadership usually do not pay attention to ethics.	0	0	3	3	16	1	9	4.6
	0%	0%	14%	14%	73%	N/A	N/A	

Note: The average score excludes the "Don't Know" and "No Answer" responses.

Table 11: Average Responses on Ethical Climate Statements by Agency (911-Executive Office)

Average responses range from 1 = Strongly Agree to 5 = Strongly Disagree.

		911 Center	Aging	Budget & Finance	Corrections	Economic & Workforce Development	Environmental Protection & Sustainability	Executive Office
<i>Positive statements</i>								
Employees seek advice within this agency when ethics issues arise.	Avg.	2.5	2.2	2.7	3.0	2.4	2.8	2.1
	N	17	39	29	35	12	18	12
Employees in the agency recognize ethics issues when they arise.	Avg.	2.8	2.3	2.4	2.9	2.4	2.4	2.4
	N	17	40	31	40	11	22	13
I would feel comfortable reporting ethics violations.	Avg.	2.6	2.0	2.2	2.9	2.4	3.0	1.8
	N	17	49	33	37	17	26	13
Supervisors at my agency include discussions of ethics when talking with their employees.	Avg.	2.7	2.1	2.6	3.3	2.9	3.0	2.2
	N	19	49	33	39	14	24	14
When ethical issues arise, employees look for advice within the agency.	Avg.	2.8	2.1	2.6	2.9	2.6	2.6	2.0
	N	16	41	30	36	12	19	11
This agency follows up on ethical concerns that are reported by employees.	Avg.	2.7	2.2	2.5	3.2	2.7	2.8	2.1
	N	15	42	30	38	10	13	13
Employees who are caught violating ethics are disciplined.	Avg.	2.6	2.1	2.7	2.3	3.0	2.2	2.2
	N	18	42	27	38	12	13	11

		911 Center	Aging	Budget & Finance	Corrections	Economic & Workforce Development	Environmental Protection & Sustainability	Executive Office
Employees can talk with supervisors about problems without fear of having their comments held against them.	Avg.	3.2	2.3	2.6	3.3	2.5	2.6	2.1
	N	17	50	33	39	15	26	13
Employees here make decisions that comply with ethics policies because of the ethics program that is in place.	Avg.	2.9	2.4	2.6	3.3	2.9	2.8	2.2
	N	16	41	32	39	10	20	13
Employees at all levels in this agency are held accountable for adhering to ethical standards.	Avg.	3.2	2.4	2.4	3.0	2.8	2.9	1.9
	N	17	47	34	39	12	22	13
This agency makes a serious attempt to detect violations of ethics standards.	Avg.	2.8	2.3	2.7	3.2	3.4	3.2	2.2
	N	19	48	32	40	11	20	14
Leadership of this agency regularly shows that it cares about ethics.	Avg.	3.1	2.0	2.5	3.2	2.5	3.1	1.6
	N	19	51	35	40	12	24	14
If ethics concerns are reported to the agency, action is taken to resolve them.	Avg.	2.8	2.3	2.6	3.2	2.6	3.1	2.0
	N	17	42	31	37	7	15	14

		911 Center	Aging	Budget & Finance	Corrections	Economic & Workforce Development	Environmental Protection & Sustainability	Executive Office
Employees in this agency feel comfortable talking about ethics.	Avg.	3.3	2.3	2.7	3.6	2.5	3.1	1.8
	N	19	46	33	39	11	24	14
Employees are comfortable delivering bad news to their supervisors.	Avg.	3.0	2.5	2.8	3.3	2.9	2.7	2.3
	N	16	44	31	36	14	23	13
Ethics rules and agency practices are consistent.	Avg.	3.2	2.3	2.5	3.3	2.9	2.9	2.2
	N	17	45	33	40	12	23	13
This agency practices what it preaches when it comes to ethics.	Avg.	3.1	2.2	2.4	3.3	2.6	3.0	1.8
	N	19	52	34	41	14	23	14
Employees in the agency openly discuss the ethics of their decisions and actions.	Avg.	3.2	2.6	2.6	3.1	2.9	2.9	2.6
	N	17	45	33	36	12	23	14
Employees who report misconduct are not retaliated against.	Avg.	2.9	2.9	2.9	3.0	2.6	3.1	2.1
	N	15	35	25	37	8	14	12
<i>Negative statements</i>								
Employees in this agency are expected to do as they are told, no matter what.	Avg.	2.5	3.4	2.9	2.4	2.8	2.5	3.2
	N	17	48	34	40	12	26	13
Senior officials in this agency are less likely to be disciplined for violating ethical standards than other employees.	Avg.	2.5	3.5	3.1	2.9	2.6	2.7	3.8
	N	17	45	33	39	11	18	14

		911 Center	Aging	Budget & Finance	Corrections	Economic & Workforce Development	Environmental Protection & Sustainability	Executive Office
You can ignore ethics and still get ahead in this agency.	Avg.	3.4	3.9	3.7	2.9	3.3	3.0	4.2
	N	19	47	33	41	13	24	13
Our agency leadership cares more about getting the job done than about ethics.	Avg.	2.9	3.9	3.2	2.6	2.8	2.9	4.2
	N	19	54	34	40	13	25	14
Employees in this agency do not recognize ethics issues that come up at work.	Avg.	3.4	3.5	3.7	2.8	3.5	3.6	3.7
	N	16	42	31	38	13	20	11
Supervisors at my work location usually do not pay attention to ethics.	Avg.	3.5	4.2	3.6	2.8	3.9	3.5	4.4
	N	19	53	34	38	14	25	14

Table 12: Average Responses on Ethical Climate Statements by Agency (Fire-Law)

Average responses range from 1 = Strongly Agree to 5 = Strongly Disagree.

		Fire	Health	Housing & Community Development	Human Resources	Information Technology	Law
<i>Positive statements</i>							
Employees seek advice within this agency when ethics issues arise.	Avg.	3.1	2.6	2.8	2.4	2.0	2.6
	N	103	120	13	15	21	8
Employees in the agency recognize ethics issues when they arise.	Avg.	2.9	2.6	2.6	2.3	2.0	2.7
	N	112	128	14	16	27	11
I would feel comfortable reporting ethics violations.	Avg.	3.0	2.4	2.6	2.1	2.1	3.1
	N	118	140	18	18	30	11
Supervisors at my agency include discussions of ethics when talking with their employees.	Avg.	3.1	2.6	3.1	2.5	2.3	3.1
	N	120	142	20	17	34	9
When ethical issues arise, employees look for advice within the agency.	Avg.	3.2	2.4	2.9	2.5	2.2	3.0
	N	107	126	12	16	24	6
This agency follows up on ethical concerns that are reported by employees.	Avg.	2.9	2.6	2.9	1.7	2.1	3.3
	N	111	121	17	14	23	4
Employees who are caught violating ethics are disciplined.	Avg.	2.9	2.6	2.5	2.6	2.1	2.8
	N	108	109	14	10	20	5
Employees can talk with supervisors about problems without fear of having their comments held against them.	Avg.	3.5	2.7	3.5	2.4	1.9	3.5
	N	116	134	16	18	28	11
Employees here make decisions that comply with ethics policies because of the ethics program that is in place.	Avg.	3.1	2.7	2.7	2.4	2.1	3.2
	N	111	125	12	16	23	10
Employees at all levels in this agency are held accountable for adhering to ethical standards.	Avg.	3.2	2.6	2.9	2.4	2.1	2.9
	N	112	131	15	17	27	10
This agency makes a serious attempt to detect violations of ethics standards.	Avg.	3.1	2.6	3.3	2.5	2.1	2.8
	N	115	121	16	15	27	9
Leadership of this agency regularly shows that it cares about ethics.	Avg.	3.3	2.6	3.3	2.1	2.1	3.1
	N	121	143	16	17	33	12
If ethics concerns are reported to the agency, action is taken to resolve them.	Avg.	3.1	2.7	3.0	2.1	1.9	2.8
	N	110	112	16	15	25	8

		Fire	Health	Housing & Community Development	Human Resources	Information Technology	Law
Employees in this agency feel comfortable talking about ethics.	Avg.	3.5	2.6	3.3	2.5	2.2	2.9
	N	120	138	18	15	33	9
Employees are comfortable delivering bad news to their supervisors.	Avg.	3.5	2.7	3.2	2.8	2.2	3.5
	N	115	129	17	16	25	10
Ethics rules and agency practices are consistent.	Avg.	3.4	2.6	3.1	2.5	2.1	3.2
	N	115	128	15	14	28	12
This agency practices what it preaches when it comes to ethics.	Avg.	3.5	2.7	3.1	2.1	2.1	2.9
	N	120	137	17	18	33	10
Employees in the agency openly discuss the ethics of their decisions and actions.	Avg.	3.3	2.8	3.2	3.2	2.7	3.1
	N	112	126	15	14	25	9
Employees who report misconduct are not retaliated against.	Avg.	3.3	2.8	2.9	2.7	2.4	3.4
	N	109	108	14	15	15	10
<i>Negative statements</i>							
Employees in this agency are expected to do as they are told, no matter what.	Avg.	2.4	2.8	2.2	2.9	3.5	2.5
	N	118	134	17	16	26	11
Senior officials in this agency are less likely to be disciplined for violating ethical standards than other employees.	Avg.	2.3	2.9	2.9	3.5	3.5	2.9
	N	115	118	18	15	25	11
You can ignore ethics and still get ahead in this agency.	Avg.	2.7	3.4	2.7	4.3	3.7	3.8
	N	121	144	14	17	31	10
Our agency leadership cares more about getting the job done than about ethics.	Avg.	2.7	3.3	2.5	3.7	3.8	3.7
	N	118	142	18	18	33	10
Employees in this agency do not recognize ethics issues that come up at work.	Avg.	3.1	3.4	3.1	4.2	3.6	3.7
	N	110	124	13	17	23	9
Supervisors at my work location usually do not pay attention to ethics.	Avg.	3.3	3.5	2.9	4.1	4.0	3.8
	N	118	138	15	17	28	10

Table 13: Average Responses on Ethical Climate Statements by Agency (Permits...-Recreation...)

Average responses range from 1 = Strongly Agree to 5 = Strongly Disagree.

		Permits, Approvals & Inspections	Planning	Police	Property Management	Public Works & Transportation	Recreation & Parks
<i>Positive statements</i>							
Employees seek advice within this agency when ethics issues arise.	Avg.	2.4	2.2	2.9	2.4	2.8	2.6
	N	16	10	146	23	76	36
Employees in the agency recognize ethics issues when they arise.	Avg.	2.4	2.2	2.7	2.6	2.8	2.6
	N	20	14	161	27	84	36
I would feel comfortable reporting ethics violations.	Avg.	2.5	1.9	2.7	2.6	2.9	2.7
	N	22	16	177	32	87	39
Supervisors at my agency include discussions of ethics when talking with their employees.	Avg.	2.5	2.3	2.8	2.6	3.0	2.4
	N	24	13	178	28	89	45
When ethical issues arise, employees look for advice within the agency.	Avg.	2.6	2.2	2.9	2.7	3.0	2.7
	N	16	11	149	24	83	35
This agency follows up on ethical concerns that are reported by employees.	Avg.	2.2	2.1	2.9	2.6	2.9	2.6
	N	17	12	164	24	81	38
Employees who are caught violating ethics are disciplined.	Avg.	2.5	1.9	2.8	2.6	3.0	2.9
	N	22	7	170	25	77	38
Employees can talk with supervisors about problems without fear of having their comments held against them.	Avg.	2.7	2.1	3.1	2.6	3.1	2.6
	N	21	14	170	28	88	37
Employees here make decisions that comply with	Avg.	2.6	2.1	3.3	2.7	3.1	2.7

		Permits, Approvals & Inspections	Planning	Police	Property Management	Public Works & Transportation	Recreation & Parks
ethics policies because of the ethics program that is in place.	N	17	13	150	24	78	35
Employees at all levels in this agency are held accountable for adhering to ethical standards.	Avg.	2.4	2.1	3.4	2.8	3.1	2.8
	N	20	13	173	29	88	38
This agency makes a serious attempt to detect violations of ethics standards.	Avg.	2.4	2.3	3.1	2.6	3.1	2.8
	N	21	12	171	23	89	40
Leadership of this agency regularly shows that it cares about ethics.	Avg.	2.2	2.1	3.4	2.7	3.0	2.8
	N	21	16	185	30	94	45
If ethics concerns are reported to the agency, action is taken to resolve them.	Avg.	2.2	1.7	3.1	2.7	2.9	2.9
	N	20	9	166	25	79	38
Employees in this agency feel comfortable talking about ethics.	Avg.	2.7	2.3	3.1	2.8	3.3	2.9
	N	23	14	178	29	89	43
Employees are comfortable delivering bad news to their supervisors.	Avg.	2.7	2.4	3.0	2.6	3.1	2.8
	N	17	14	168	27	85	37
Ethics rules and agency practices are consistent.	Avg.	2.6	2.2	3.3	2.6	3.1	2.8
	N	18	16	171	27	86	36
This agency practices what it preaches when it comes to ethics.	Avg.	2.3	2.2	3.5	2.4	3.0	2.8
	N	21	15	181	28	93	45
Employees in the agency openly discuss the ethics of their decisions and actions.	Avg.	3.0	2.3	3.2	3.0	3.3	3.0
	N	21	14	164	26	89	43
Employees who report misconduct	Avg.	2.9	2.0	3.2	2.6	3.4	2.7

		Permits, Approvals & Inspections	Planning	Police	Property Management	Public Works & Transportation	Recreation & Parks
are not retaliated against.	N	17	11	153	22	73	33
<i>Negative statements</i>							
Employees in this agency are expected to do as they are told, no matter what.	Avg.	2.8	3.1	2.5	2.8	2.6	2.7
	N	20	15	178	29	91	39
Senior officials in this agency are less likely to be disciplined for violating ethical standards than other employees.	Avg.	2.9	3.5	2.2	3.0	2.6	2.7
	N	19	13	183	24	84	41
You can ignore ethics and still get ahead in this agency.	Avg.	3.4	4.1	2.6	3.7	2.9	3.2
	N	22	16	189	27	91	44
Our agency leadership cares more about getting the job done than about ethics.	Avg.	3.1	3.8	3.0	3.3	2.9	2.8
	N	22	16	187	29	94	46
Employees in this agency do not recognize ethics issues that come up at work.	Avg.	3.4	3.7	3.4	3.3	3.2	3.3
	N	18	12	161	26	82	37
Supervisors at my work location usually do not pay attention to ethics.	Avg.	3.6	3.9	3.6	3.8	3.4	4.0
	N	24	15	180	27	93	43

Table 14: Average Responses on Ethical Misconduct by Baltimore County Employees – All Respondents

	Never	Rarely	Occasionally	Frequently	Very frequently	Don't know	No answer
Baltimore County government employees improperly accept payment for doing their government jobs from people outside of government.	301	159	45	16	7	493	449
	57%	30%	9%	3%	1%	N/A	N/A
Baltimore County government employees engage in inappropriate political activity during official time.	245	171	86	29	13	475	451
	45%	31%	16%	5%	2%	N/A	N/A
Baltimore County government employees improperly benefit financially from work they do for the government.	243	186	94	32	14	452	449
	43%	33%	17%	6%	2%	N/A	N/A
Baltimore County government employees improperly accept gifts given to them because of where they work or what they do in their government.	200	218	104	20	12	468	448
	36%	39%	19%	4%	2%	N/A	N/A
Baltimore County government employees misuse government property, time, or resources for inappropriate political activity.	209	185	126	44	22	435	449
	36%	32%	22%	8%	4%	N/A	N/A
Baltimore County government employees misuse government property.	174	224	155	54	27	384	452
	27%	35%	24%	9%	4%	N/A	N/A
Baltimore County government employees misuse government positions.	165	186	187	62	45	373	452
	26%	29%	29%	10%	7%	N/A	N/A
Baltimore County government employees misuse official time.	135	202	206	87	36	350	454
	20%	30%	31%	13%	5%	N/A	N/A

N = 1,470.

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SCHAEFER CENTER FOR PUBLIC POLICY

KNOWLEDGE THAT WORKS FOR GOVERNMENT AND NONPROFIT ORGANIZATIONS

**Baltimore County
Blue Ribbon Commission for
Ethics and Accountability**

**Report on Best Practices for
Offices of Inspector General**



**UNIVERSITY OF
BALTIMORE**

Schaefer Center for
Public Policy

**Baltimore County
Blue Ribbon Commission for
Ethics and Accountability**

**Report on Best Practices for
Offices of Inspector General**

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Baltimore County Blue Ribbon Commission for Ethics and Accountability

Report on Findings on Best Practices for Offices of Inspectors General

INTRODUCTION

The use of Offices of Inspectors General (OIGs) by federal, state, and local governments has risen greatly in the past 50 years. While the structure and processes of OIGs at the federal level have been systematized, these offices at lower levels of government vary as much as the governments initiating them do. The national accrediting body, the Association of Inspectors General, has produced suggested policies for operating these offices. However, not all local and state OIGs adopt these policies and those that do customize the policies for their organization. Because of these variations, there is a common saying among inspectors general: “If you’ve met one inspector general, you’ve met one inspector general.”

Baltimore County’s Office of Inspector General (OIG) was formally created as the Office of Ethics and Accountability in 2019 and renamed through the passage of county legislation in 2020. The Blue Ribbon Commission on Ethics and Accountability was established to provide recommendations relating to the operations of the Baltimore County OIG.

This report provides a summary of the practices of state and local OIGs across the nation, with the goal of helping to inform the Commission’s recommendations. Due to the size of this data collection enterprise – information on more than 20 discrete aspects of over 100 OIGs at the state and local level – and the timeline for this project, the report’s findings concern how many offices were found to meet certain criteria. Except when identified in the findings below, information is only shown for those offices found to affirmatively have these characteristics. The default assumption should not be that OIGs not included in that count do not have the characteristic. In some cases, OIGs not included in the count may indeed follow a certain policy or have a certain structural element but did not make that information public.

The structure of this report is as follows: first, general structural information on the OIGs identified and researched is presented, which is followed by information about their structural characteristics and then their policies and procedures. The appendices include the methodology for the study and a review of what was found about Maryland county-level Ethics Commissions.

SECTION 1: GENERAL CHARACTERISTICS OF OIGS

There were 106 OIGs identified via the initial research for this project, including the OIG for Baltimore County. This total represents 42 local OIGs and 64 state OIGs.

It should be noted that this count of OIGs may differ from others due to decisions about how an individual OIG was defined here. Three aspects of these decisions had significant impacts on the count of OIGs:

1. In some jurisdictions, there is a central OIG that coordinates and mandates operations of others. For example, New York City's Department of Investigation is identified as the city's inspector general,¹ but it houses 12 inspectors general with responsibility for various city agencies and vendors. New York City's OIG is only counted as one office in this analysis, since the other OIGs follow the Department's leadership and policies. Similarly, at the state level, in 1994 the Florida state statutes mandated that all state agencies have an OIG, and the activities of these departmental OIGs are monitored by the Office of the Chief Inspector General.² As such, there are only one New York City OIG and one Florida state OIG included in the count.
2. The number of OIGs in this report is also lower due to the decision to exclude OIGs in National Guard units. While these OIGs are usually identified on state National Guard websites, they have very little staff or involvement in the OIG process. Rather, much of the work is done through the military's Judge Advocate General offices. Therefore, these OIGs were considered distinct enough to exclude from the count in this report.
3. There are other state and local agencies with duties very similar to those of OIGs but not formally named as an Office of Inspector General. A broader study of oversight entities concerned with investigations or audits of government actions would have included such offices, but they are beyond the scope of this study.

In addition to differentiating between OIGs at the local and state levels, these offices can also be separated into those offices that have oversight of the government generally and those with oversight of specific departments or programs. The former may be limited to oversight of Executive Branch agencies or agencies funded by the General Fund. Table 1 shows the counts of OIGs included in this study by level of government and range of oversight. General government OIGs are more common at the local level compared to the state level. Specifically, there were 37

¹ See <https://www1.nyc.gov/site/doi/about/about.page> and <https://www1.nyc.gov/assets/doi/images/content/misc/OrgChart.pdf>.

² See https://www.flgov.com/inspector_general/.

general government OIGs and 5 departmental OIGs at the local level compared to 10 general government and 52 departmental OIGs at the state level.³

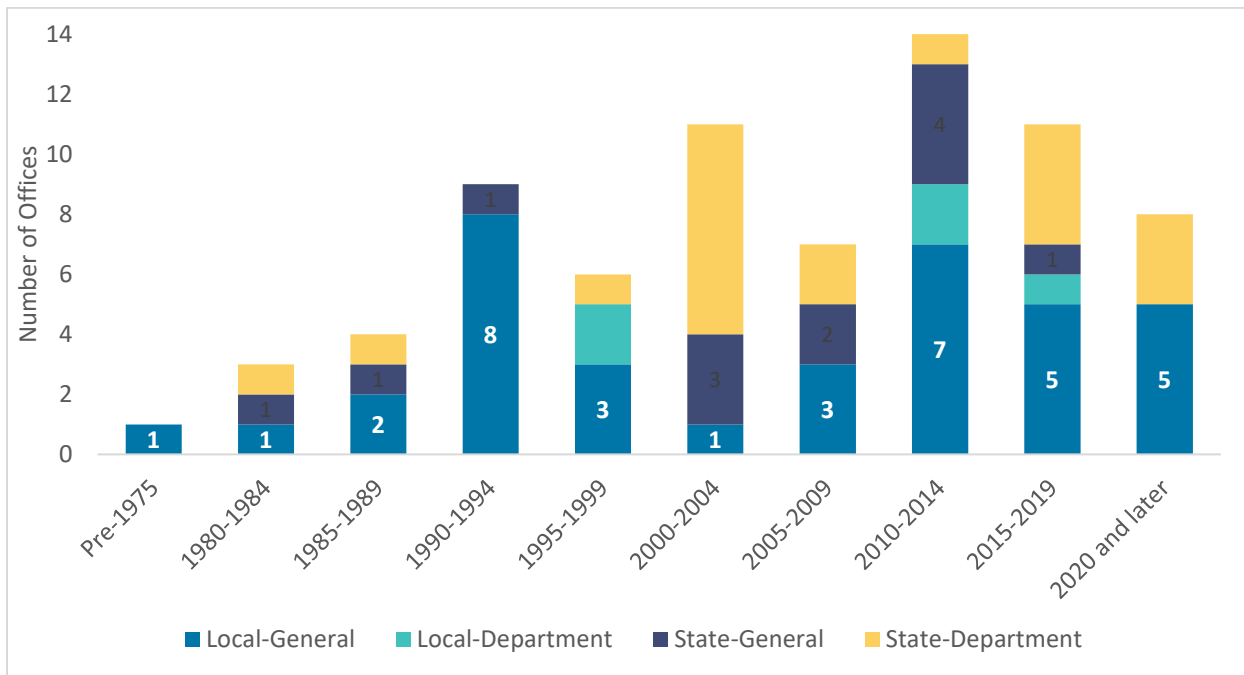
Table 1: Count of OIGs at State and Local Level and by Range of Oversight

		Level of Government	
		Local	State
Range of Oversight	General Government	37	12*
	Department/Program	6	51

Note: The count of state-general government OIGs includes an office with oversight of the legislature.

The year of establishment was identified for 79 of the 106 OIGs. As shown in Figure 1, from 1985 to 2020, there has been a trend of more OIGs created in each decade, although a larger share has been created in the first half of a decade. The greatest number of local, general government OIGs were established between 1990 and 1994, with the creation of eight county-level OIGs in Florida via local executive order and under the state constitution.

Figure 1: OIGs by Year Created

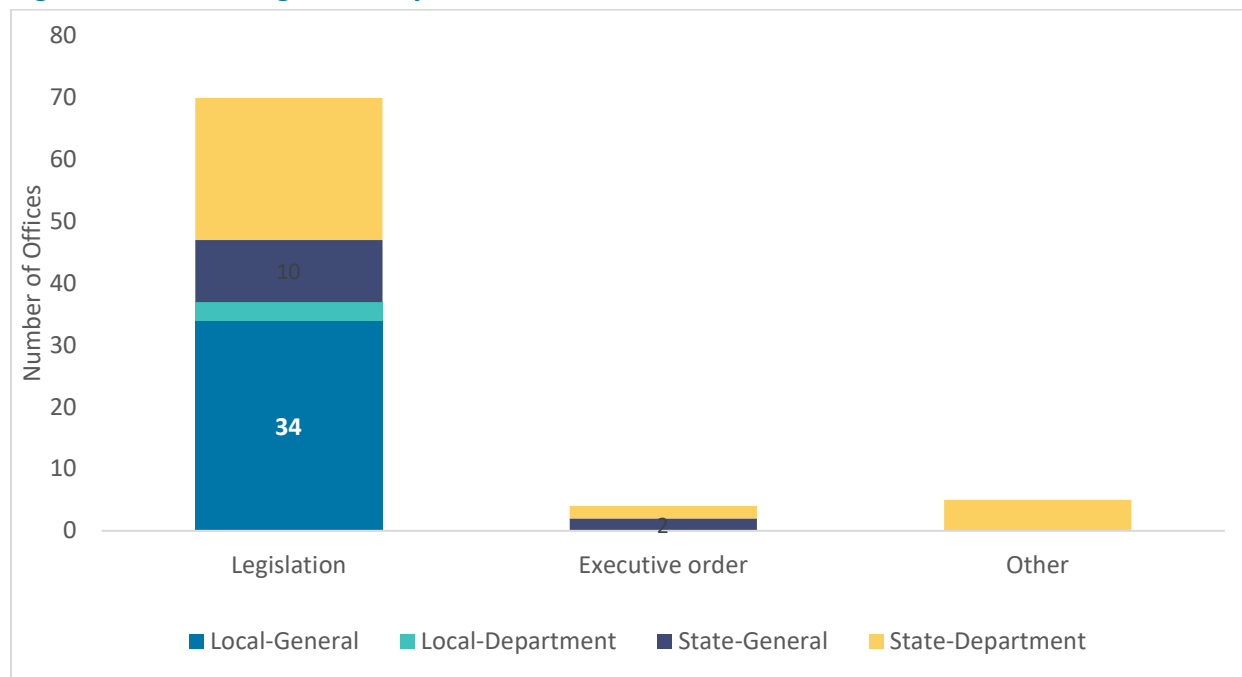


Note: Data above are of those OIGs for whom data is available.

³ This report will focus on the characteristics of OIGs at the local level with general government oversight. OIGs such as these are more similar to the Baltimore County OIG than state OIGs with general government oversight and OIGs with department or program oversight at either level of government.

The establishing authority for 80 of the OIGs was identified. Legislation is by far the most common method for state and local governments, with 89% of the OIGs created in this way (Figure 2). This holds true for local, general government OIGs as well, with 34 created via legislation.

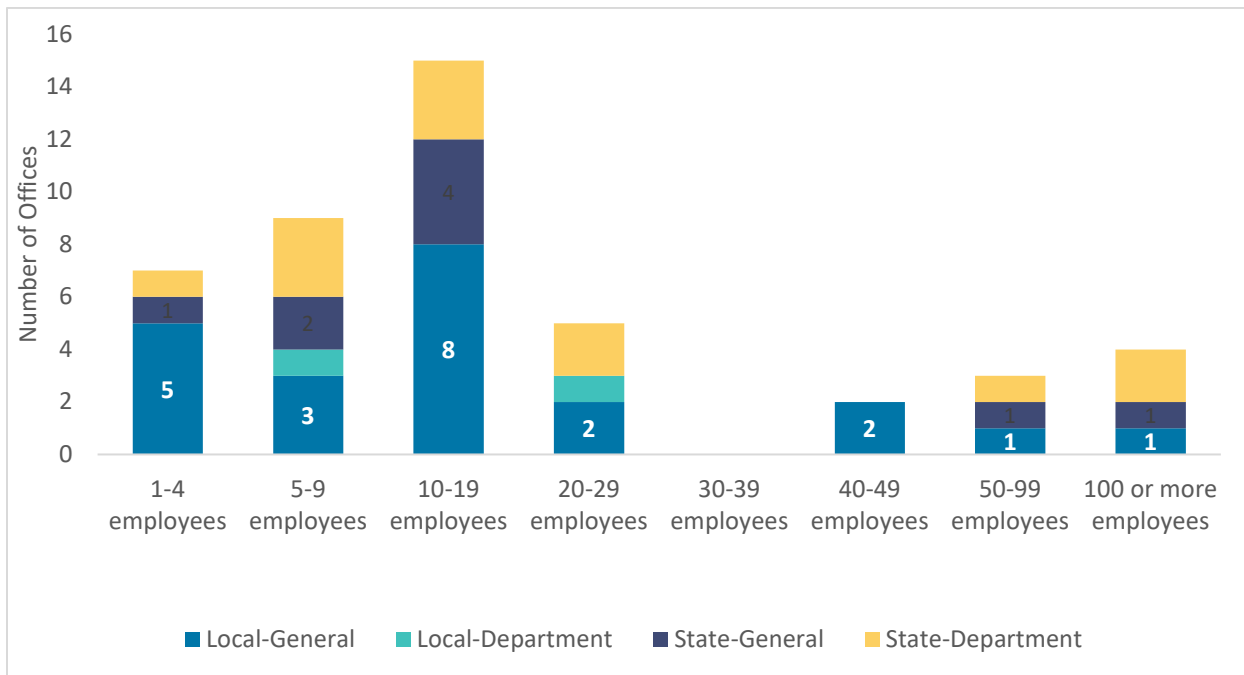
Figure 2: Establishing Authority for OIGs



Note: Data above are of those OIGs for whom data is available.

Overall, OIGs for which the number of staff are known tend to be smaller, with most of the offices identified having less than 20 employees (Figure 3). As would likely be assumed, state OIGs tend to be bigger than local government OIGs due to larger state budgets and populations. Local, general government OIGs also tended to be smaller, with five having between 1 and 4 employees, 3 having between 5 and 9 employees, and 8 having between 10 and 19 employees. The largest local, general government OIG was in Washington, DC with 129 employees.

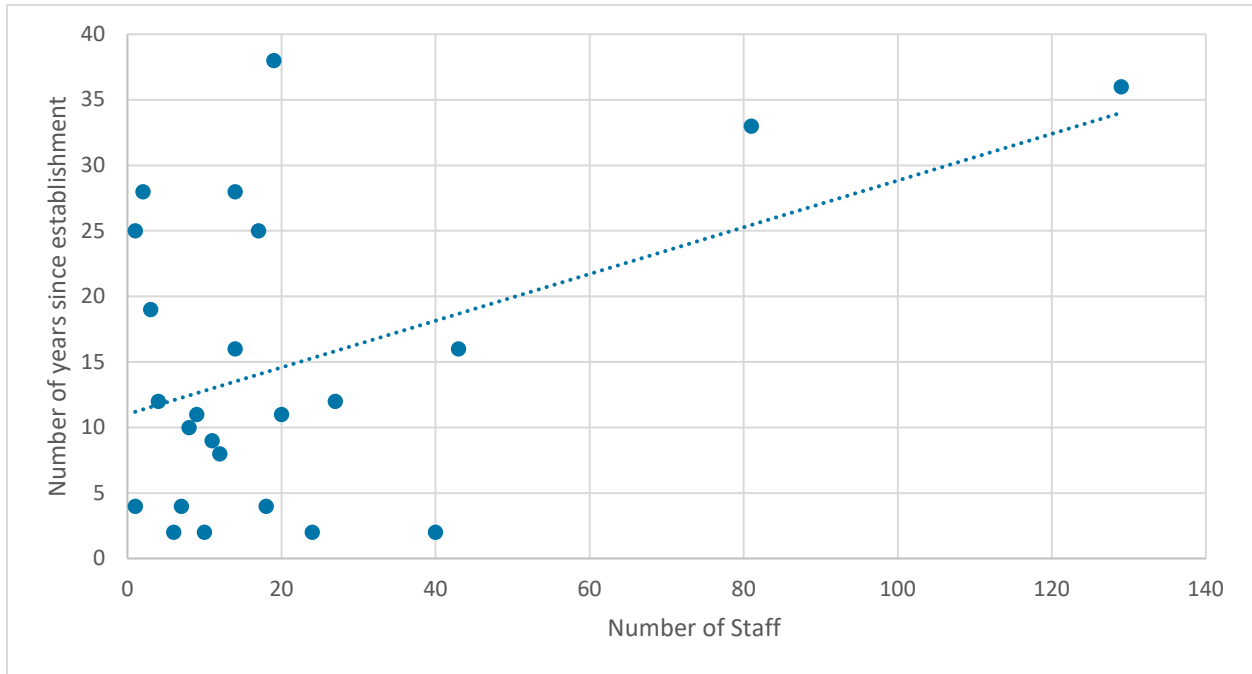
Figure 3: Number of Staff per OIG



Notes: Data above are of those OIGs for whom data is available. Staff count is for most recent year available.

However, simply noting the number of staff per OIG can be misleading, as there are different factors that may affect staff counts. One way to normalize staff counts is to compare the number of staff to the number of years since the OIG was established. A scatterplot for local, general government OIGs, for which both pieces of this information are known, is shown in Figure 4. This data suggests that there is a trend that bigger OIGs are more likely to be older OIGs, but outliers exist and the direction of the relationship cannot be assumed.

Figure 4: Number of Staff for Local, General Government OIGs by Years Since Founding



SECTION 2: OIG STRUCTURAL CHARACTERISTICS

Many of the defining characteristics of OIGs are their structural characteristics. This includes their general responsibilities, their authorities, whether they have financial independence, oversight and removal, their relationships to Ethics Commissions, and their overall level of independence. Each of these characteristics are discussed below, along with the number of OIGs that were found to have the characteristic (excluding Baltimore County).

RESPONSIBILITY FOR INVESTIGATIONS, AUDITS, OR BOTH

What are audits and investigations? Audits and investigations are the primary means by which OIGs practice their authority to conduct oversight within their jurisdiction. Investigations normally focus on obtaining factual evidence for use in determining whether criminal, civil, or administrative actions should be initiated. Audits function as independent, objective assessments of an organization’s operations that are designed to add value.

Why is this important? OIGs that have the authority to conduct both audits and investigations are afforded more tools and strategies to detect cases of fraud, waste, and abuse. Organizations limited to audit functions are less capable of proactively addressing issues because their work is retrospective by definition. Meanwhile, organizations limited to investigatory powers may be less equipped to identify patterns of fraud or abuse or other opportunities to improve organizational functioning.

What is the current status of audit and investigatory powers for the Baltimore County OIG? The Baltimore County OIG has the authority to pursue investigations at its discretion, while the auditing function is assigned to the Baltimore County Auditor.

How many OIGs have both audit and investigatory powers?

Total	Local – General Government	Local – Department/ Program	State – General Government	State – Department/ Program
41 (39%)	12 (32%)	3 (50%)	5 (42%)	21 (41%)

Note: Percentages are for the share of OIGs in that category found to affirmatively have both audit and investigatory powers. The default assumption should not be that OIGs not included in that count have only audit or investigatory powers.

INDEPENDENCE OF ACTION

What is independence of action? Independence of action is the ability of an OIG to pursue cases proactively and without interference from those outside the office.

Why is this important? Independence of action allows an OIG to pursue cases without constraints from those who might want to control investigations for political or personal reasons. In addition, OIGs may only be able to investigate in response to inquiries received, rather than initiate investigations on its own authority. Both of these features limit the OIG's ability to root out suspected ethical misconduct and waste, fraud, and abuse. In the worst cases, statutory authority grants executive oversight of OIG work, limiting them to cases approved by the executive branch (e.g., mayor, county executive, governor).

What is the current status of independence of action for the Baltimore County OIG? The Baltimore County OIG has the independence of action to pursue cases at its discretion.

How many OIGs have independence of action?

Total	Local – General Government	Local – Department/ Program	State – General Government	State – Department/ Program
35 (33%)	19 (51%)	2 (33%)	7 (58%)	7 (14%)

Note: Percentages are for the share of OIGs in that category found to affirmatively have independence of action. The default assumption should not be that OIGs not included in that count do not have independence of action.

CONFIDENTIALITY

What is confidentiality? Confidentiality concerns an OIG's ability to safeguard data or information collected during an investigation or audit. Confidential information may include but is not limited to the identities of sources or their testimony and information provided to the OIG.

Why is this important? Confidentiality provides complainants with confidence that their decision to report on a suspected violation will be anonymous. Without anonymity, the complainant may be subject to retaliation for their actions. The perception that retaliation may occur can be enough to prevent people from reporting suspected misconduct.

What is the current status of confidentiality for the Baltimore County OIG? In Baltimore County, the names and identities of individuals making complaints and information protected by

whistleblower protection or other legislations will not be disclosed without written consent unless required by law or court processes.

How many OIGs can maintain confidentiality?

Total	Local – General Government	Local – Department/ Program	State – General Government	State – Department/ Program
55 (52%)	28 (76%)	3 (50%)	10 (83%)	14 (27%)

Note: Percentages are for the share of OIGs in that category found to affirmatively provide confidentiality. The default assumption should not be that OIGs not included in that count do not provide confidentiality.

UNRESTRICTED ACCESS TO MATERIALS

What is unrestricted access to materials? OIGs with unrestricted access to materials are capable of requesting information from sources deemed relevant to the scope of an investigation or audit without limit. Information is defined by the statutory language but may include digital communications such as email, phone records, documents, and any other forms of information within the OIG’s authority. Generally, this is enforced through other statutory language forcing the individual to comply with the request upon penalty of legal action.

Why is this important? OIGs that do not have unrestricted access to materials are hindered in their ability to understand the facts pertinent to a case and to fully investigate claims of wrongdoing. Individuals may be capable of hiding or otherwise preventing the OIG from finding information that may be vital to an investigation or audit.

What is the current status of access to materials for the Baltimore County OIG? Baltimore County’s OIG currently has unrestricted access to any materials deemed necessary for its investigations.

How many OIGs have unrestricted access to materials?

Total	Local – General Government	Local – Department/ Program	State – General Government	State – Department/ Program
53 (50%)	27 (73%)	4 (67%)	9 (75%)	13 (25%)

Note: Percentages are for the share of OIGs in that category found to affirmatively have unrestricted access to materials. The default assumption should not be that OIGs not included in that count do not have unrestricted access to materials.

SUBPOENA AUTHORITY

What is subpoena authority? Subpoena authority grants an OIG the ability to file a subpoena to compel an individual to provide information, testimony, or otherwise as granted by their statutory authority.

Why is this important? Subpoena authority is an important tool for OIGs as they conduct investigations and audits. If an OIG does not have subpoena authority, its investigations or audits can be stopped or significantly delayed as individuals refuse to provide needed information. To have full authority, statutory language should stipulate that a judge must grant the subpoena upon request by the OIG.

What is the current status of subpoena authority for the Baltimore County OIG? The Baltimore County OIG has the authority to issue subpoenas. According to the Balt. Co. Code, Title 14, Section 3-14-107, “the Office may issue a subpoena to compel compliance with a request issued under subsection (a) of this section if the recipient of the request has not complied with the request within 90 days after the request.”

How many OIGs have subpoena authority?

Total	Local – General Government	Local – Department/ Program	State – General Government	State – Department/ Program
42 (40%)	22 (59%)	1 (71%)	9 (75%)	10 (20%)

Note: Percentages are for the share of OIGs in that category found to affirmatively have subpoena authority. The default assumption should not be that OIGs not included in that count do not subpoena authority.

- Some OIGs are required to wait before they can formally issue a subpoena, but these wait times are generally not publicly available.

LAW ENFORCEMENT AUTHORITY

What is law enforcement authority? Law enforcement authority grants an OIG police or peace officer powers. The specific powers granted by this authority can include but are not limited to arresting individuals, carrying a weapon, and issuing warrants. The specific authority and powers are typically outlined in the state’s or local jurisdiction’s code of ordinances (or equivalent).

Why is this important? OIGs with law enforcement authority can use their own powers to arrest and hold individuals accountable. Rather than informing law enforcement agencies about

potentially criminal behavior, at which point the case is out of the OIG’s jurisdiction, OIGs with law enforcement authority can enforce the results of their investigations.

What is the current status of law enforcement authority for the Baltimore County OIG? The Baltimore County OIG does not have law enforcement authority.

How many OIGs have law enforcement authority?

Total	Local – General Government	Local – Department/ Program	State – General Government	State – Department/ Program
9 (8%)	2 (5%)	0 (0%)	1 (8%)	6 (12%)

Note: Percentages are for the share of OIGs in that category found to affirmatively have law enforcement authority. The default assumption should not be that OIGs not included in that count do not law enforcement authority.

FINANCIAL INDEPENDENCE

What is financial independence? Financial independence refers to when a government agency’s funding is not subject to executive or legislative adjustment but rather is set in legislation. This legislation may say that the OIG will receive a set amount or an amount calculated by a formula and that amount cannot be decreased. This includes agencies that have a set amount mandated by legislation, but they can request additional funding at the discretion of the executive or legislators.

Why is financial independence important? Financial independence is important because it removes a method of control by jurisdiction or departmental leadership that could eliminate or reduce an OIG’s funding to impede or retaliate for investigations or conclusions.

What is the current status of financial independence for the Baltimore County OIG? The Baltimore County OIG currently does not have financial independence. The office’s budget is part of the annual appropriations process and is fully at the discretion of the county executive and county council.

How many OIGs have financial independence?

Total	Local – General Government	Local – Department/Program	State – General Government	State – Department/Program
7 (7%)	6 (16%)	0 (0%)	0 (0%)	1 (2%)

Note: Percentages are for the share of OIGs in that category found to affirmatively have financial independence. The default assumption should not be that OIGs not included in that count do not financial independence.

- At the local, general government level, examples of financial independence include Chicago, IL (0.14% of all appropriations), Jacksonville, FL (minimum funding of \$400,000), New Orleans, LA (0.75% of General Fund), and Tallahassee, FL (no less than 0.8% of General Fund).

OVERSIGHT

What is oversight? OIG oversight refers to the mechanisms by which OIGs are directed and given direction from an outside group that has authority over their actions.

Why is oversight important? OIGs are often serve as the primary oversight bodies for governments seeking to limit ethical misconduct and waste, fraud, and abuse. However, an OIG itself is not free from acting unethically or overstepping its authority. Oversight of OIG provides a method for keeping the office’s actions in line with expectations and offers the public assurance that the OIG is not acting in an unethical manner.

What is the current status of oversight for the Baltimore County OIG? The Baltimore County OIG is subject to quality assurance reviews by an independent organization every 3 to 5 years, but there is no oversight of the office within the county’s government beyond the ability of the county executive and county council to remove the IG for cause.

How many OIGs have oversight?

Total	Local – General Government	Local – Department/Program	State – General Government	State – Department/Program
55 (52%)	31 (84%)	3 (50%)	6 (50%)	15 (29%)

Note: Percentages are for the share of OIGs in that category found to affirmatively have oversight. The default assumption should not be that OIGs not included in that count do not oversight.

- Oversight of an OIG is frequently due to the IG serving at the pleasure of an elected chief executive or legislative body or a department’s leadership. Oversight might also be conducted

by a jurisdiction’s office of human resources or personnel review committees (or similar instruments). In some examples, oversight may be via an independent group, including the AIG’s peer review process.

- Some oversight of an OIG occurs through Advisory Boards. Regionally, this has been a point of discussion for Baltimore City, where the Inspector General Advisory Board conducts the IG’s annual performance review. A referendum in November will allow voters to decide if membership on the board would change from elected officials or their designees to members of the community and representation from relevant state professional associations and deans of the state’s two law schools. Oversight of Atlanta’s IG is also conducted via a governing board appointed by the mayor and city council from nominations by professional, civic, and other groups.

REMOVAL PROCESS

What is removal process? IGs are usually appointed to their position for a set term, but removal processes provide a way to change the head of the office during their term of office.

Why is the removal process important? As noted above, OIGs are not immune from ethical misconduct or waste, fraud, and abuse despite their role in rooting it out among other government offices. A removal process holds OIGs accountable for their actions, and, without such a process, IGs could continue their misconduct and harass others. However, the removal process can also be used to rein in or retaliate against OIGs for the pursuit of misconduct by the removal authority. According to the AIG, oversight should be written in such a way that OIGs can only be removed for good cause and without undue influence from the jurisdiction they oversee.

What is the current status of removal processes for the Baltimore County OIG? Currently, the Baltimore County OIG can be removed by the county executive with approval from the county council.

How many OIGs have a removal process?

Total	Local – General Government	Local – Department/ Program	State – General Government	State – Department/ Program
50 (47%)	29 (78%)	4 (67%)	8 (67%)	9 (18%)

Note: Percentages are for the share of OIGs in that category found to affirmatively have a removal process. The default assumption should not be that OIGs not included in that count do not have a removal process.

- In many cases, the elected official or department head with oversight of the OIG also has the capacity to remove the IG from their position. In some cases, the IG can only be removed for cause, but there are also many examples of removal authority being subject to an official’s discretion. They may also be removed via the legislative process. The most common removal processes occur through votes by the legislature.

ETHICS COMMISSIONS

What are ethics commissions? Government ethics commissions take a variety of forms and commonly have duties such as answering questions from government workers about ethical conduct (including suspected ethical misconduct) and collecting financial disclosures (from workers or others).⁴

Why are ethics commissions important? Ethics commissions provide a resource for employees about ethical situations applicable in government contexts and can provide jurisdiction-specific guidance. In addition, by collecting information like financial disclosures, ethics commissions can be proactive in identifying possible avenues to ethical misconduct or be reactive in identifying potential incidents of misconduct (e.g., conflicts of interest). Some ethics commissions can investigate on their own, while others need to refer concerns to law enforcement or other agencies.

What is the current status of the Ethics Commission in Baltimore County? The Baltimore Inspector General serves as the executive director of the County Ethics Commission and carries out staff work related to the Commission (e.g., coordinating the financial disclosure process with the County Chief Administrative Officer and working with the Commission members to respond to inquiries).

How many jurisdictions with an OIG also have an ethics commission?

Total	Local – General Government	Local – Department/ Program	State – General Government	State – Department/ Program
83 (78%)	32 (86%)	5 (83%)	11 (92%)	42 (82%)

Note: Percentages are for the share of OIGs in that category found to affirmatively have an ethics commission. The default assumption should not be that OIGs not included in that count do not have an ethics commission.

⁴ For more on ethics commissions in Maryland, see Appendix B.

How many of these OIGs and ethics commissions are operationally independent?

Total	Local – General Government	Local – Department/ Program	State – General Government	State – Department/ Program
85 (94%)	29 (91%)	5 (100%)	11 (100%)	40 (42%)

Note: Percentages are for the share of OIGs and ethics commissions found to be affirmatively operationally independent. The default assumption should not be that OIGs and ethics commissions not included in that count are not operationally independent.

How many operationally independent ethics commissions have paid staff separate from OIG?

Total	Local – General Government	Local – Department/ Program	State – General Government	State – Department/ Program
60 (71%)	20 (69%)	2 (40%)	9 (82%)	29 (73%)

Note: Percentages are for the share of operationally independent OIGs and ethics commissions for which the ethics commission was found to have separate paid staff. The default assumption should not be that operationally independent OIGs and ethics commissions have shared paid staff.

OVERALL OIG INDEPENDENCE

What is Overall OIG Independence? Overall OIG Independence is a summary variable describing the operational independence of an OIG. It includes the financial independence, independence from oversight, and independence of action findings discussed above, resulting in OIGs being classified as having high independence (OIG meets all three criteria), medium independence (OIG meets two of the criteria), or low overall independence (OIG meets one or zero of the criteria).

Why is Overall OIG Independence important? Overall OIG Independence is a simple method to determine whether an OIG is free of undue influence from others and meets the standards for best practices as outlined by the AIG. If an OIG lacks independence along any of the parameters, it is likely more difficult for them to fully carry out their oversight authority.

What is the current status of Overall OIG Independence for the Baltimore County OIG? The Baltimore County OIG has a medium level of Overall OIG Independence. The Office has limited executive oversight statutorily (i.e., there is no statutory oversight beyond how to remove the IG from office) and has the discretion to pursue its own cases but does not have financial independence.

How many OIGs have Overall OIG Independence?

Level of Overall Independence	Total	Local – General Government	Local – Department/ Program	State – General Government	State – Department/ Program
High	5 (5%)	5 (14%)	0 (0%)	0 (0%)	0 (0%)
Medium	27 (25%)	20 (54%)	0 (0%)	5 (42%)	2 (4%)
Low	58 (55%)	10 (27%)	6 (100%)	5 (42%)	37 (73%)

Note: Percentages are for the share of OIGs in that category found to affirmatively have high, medium, or low Overall OIG Independence. The default assumption should not be that OIGs not included in that count are not independent.

SECTION 3: OIG POLICIES AND PROCEDURES

The Association of Inspectors General provides the *Principles and Standards for Offices of Inspector General* (known as the “Green Book”), which are often used as a basis for operating policies and procedures in individual OIG offices. However, deviations from these policies and processes by OIGs do occur for a variety of reasons, and not all of the questions that have been raised in Baltimore County are encompassed in the AIG *Principles and Standards*. Therefore, this section covers what is known about the policies and processes of other OIGs.

SOURCES FOR STANDARD OPERATING PROCEDURES

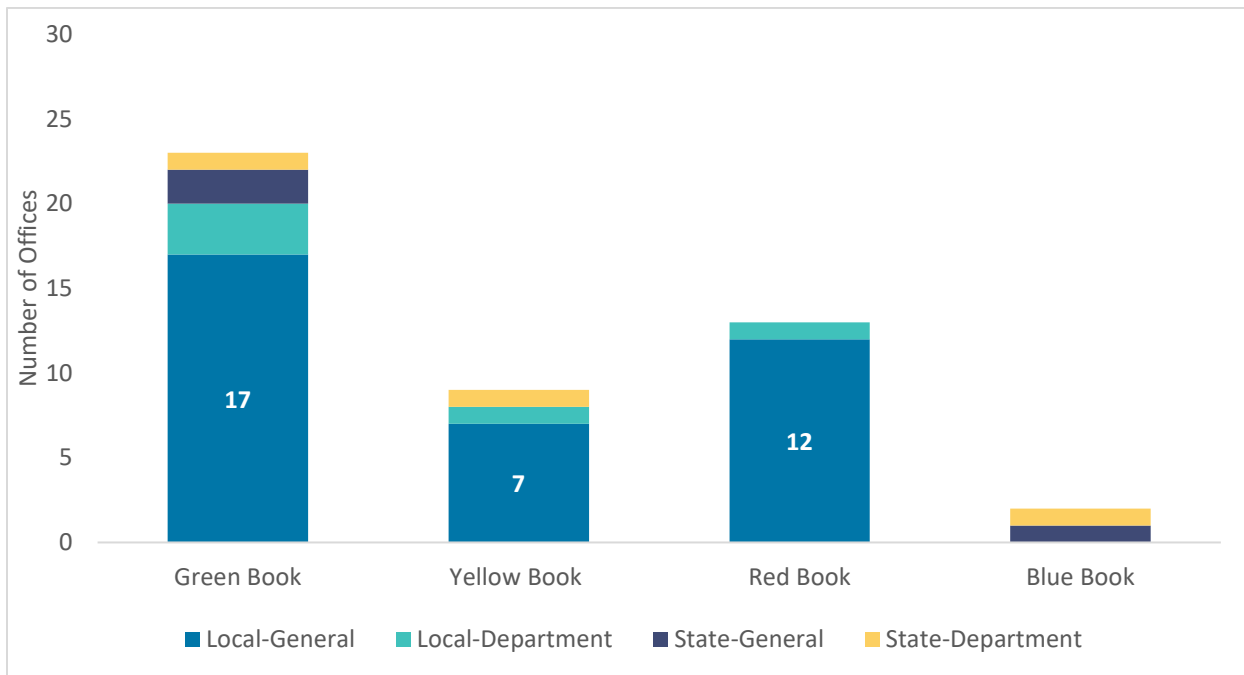
What are sources for OIG standard operating procedures? Along with the *Principles and Standards* issued by the AIG, there are three other primary sources of standards for OIG activities:

- Yellow Book – Generally Accepted Government Audit Standards by the Government Accountability Office,
- Red Book – *International Professional Practices Framework* by Institute of Internal Auditors, and
- Blue Book – *Governmental Accounting, Auditing, and Financial Reporting* by Government Finance Officers Association.

Why are sources for OIG standard operating procedures important? Professional standards of operation help professionalize and standardize operations, offering transparency, accountability, and validity for internal operations that might otherwise be opaque or divergent in different jurisdictions.

What is the current status of sources for OIG standard operating procedures for the Baltimore County OIG? The Baltimore County OIG uses the Green Book as the basis for its operating policies and procedures, and this source was found to be the most common for other local, general government OIGs. As shown in Figure 5, it is used by 17 of these offices. The second most common source for local, general government OIGs is the Red Book, although these standards and those in the Blue books are not relevant to Baltimore County’s OIG since it does not conduct audits.

Figure 5: Sources for Standard Operating Procedures



Notes: Most OIGs use more than one set of standards. Counts are for the share of OIGs in that category found to affirmatively have the identified standards. The default assumption should not be that OIGs not included in that count do not use the identified standards.

INDEPENDENT LEGAL COUNSEL

What is independent legal counsel? Independent legal counsel refers to attorneys who work either on staff or contractually to provide legal guidance to OIG staff and to represent the OIG should it need to go to court, mediation, arbitration, etc. as part of or due to its operations.

Why is independent legal counsel important? Independent legal counsel can help an OIG navigate complex cases and ensure the office is in line with its legal authority and other regulations. Moreover, in cases where the OIG must enter into legal procedures against a government entity of the same jurisdiction, there may be a conflict of interest if the jurisdiction’s legal authority would otherwise represent both the OIG and the other entity.

What is the current status of independent legal counsel for the Baltimore County OIG? The Baltimore County OIG does not have independent legal counsel. It is represented by the County Attorney as needed.

How many OIGs have independent legal counsel?

Total	Local – General Government	Local – Department/ Program	State – General Government	State – Department/ Program
14 (13%)	9 (24%)	0 (0%)	2 (17%)	3 (6%)

Note: Percentages are for the share of OIGs in that category found to affirmatively have independent legal counsel. The default assumption should not be that OIGs not included in that count do not have independent legal counsel.

ADVISORY BOARDS

What is an advisory board? An advisory board is an organization or group of individuals affiliated with the OIG that supports the OIG in its general operations and provides guidance and feedback.

Why are advisory boards important? Having perspectives outside of the office provides the OIG with meaningful insights that may be overlooked by those within the day-to-day operations. When these boards do not also have an oversight role, OIGs are able to seek guidance on challenges or potential concerns. Advisory board members act as valuable points of contact for both the OIG and those outside the OIG; specifically, they serve as a more objective third-party group concerned with the operations of the OIG.

What is the current status of the advisory board for the Baltimore County OIG? The Baltimore County OIG does not have an independent advisory board.

How many OIGs have advisory boards?

Total	Local – General Government	Local – Department/ Program	State – General Government	State – Department/ Program
2 (2%)	0 (0%)	1 (17%)	1 (8%)	0 (0%)

Note: Percentages are for the share of OIGs in that category found to affirmatively have an advisory board. The default assumption should not be that OIGs not included in that count do not have an advisory board.

REQUIRED TRAININGS

What are required trainings? Government employees may be required to complete trainings as a condition of their employment. These may include bias, ethics, harassment, or other trainings.

Why are trainings important? Mandatory ethics and bias trainings are intended to improve service delivery by creating a more equity-focused and educated workforce. By completing bias and harassment trainings, staff will, hopefully, provide better service and have greater tolerance and understanding for those with whom they interact. Annual or otherwise systematic trainings lend credibility to a culture of ethics and accountability, which may stem the tide of unethical behavior as well as empower individuals to report when they witness possible fraud and waste.

What is the current status of required trainings for the Baltimore County OIG? New employees of the Baltimore County OIG are required to complete new employee orientation, which includes modules on ethics, diversity, bias, and inclusion. There are no known trainings specific to the OIG beyond the AIG's credentialing program.

How many OIGs require trainings?

Total	Local – General Government	Local – Department/ Program	State – General Government	State – Department/ Program
6 (6%)	4 (11%)	0 (0%)	0 (0%)	2 (4%)

Note: Percentages are for the share of OIGs in that category found to affirmatively have required training. The default assumption should not be that OIGs not included in that count do not required trainings.

OIG POLICIES WITH RESPECT TO CONFLICTS

What are policies with respect to conflict? Conflict policies are formal processes for OIGs that are explicitly designed to help these offices deal with conflict during their work. There may be separate policies for different types of conflict, such as personal conflicts or conflicts of interest.

Why are conflict policies important? OIGs by nature have responsibilities that will put them at odds with others. Formal conflict policies help OIGs deal with these situations ethically and appropriately. Furthermore, having policies covering conflict may empower employees to report unethical actions by creating equal terms of engagement between the OIG and complainants, subjects of investigation, etc.

What is the current status of policies with respect to conflict for the Baltimore County OIG?

Baltimore County executive branch employees have whistleblower protections under the Executive Employees Whistleblower Protection Act and to general employee restrictions on conflicts of interest, but no other policies covering conflict specific to the OIG have been identified.

How many OIGs have policies with respect to conflict?

Total	Local – General Government	Local – Department/ Program	State – General Government	State – Department/ Program
85 (80%)	37 (100%)	3 (50%)	11 (92%)	34 (67%)

Note: Percentages are for the share of OIGs in that category found to affirmatively have policies with respect to conflict. These policies may include those applicable to a jurisdiction’s employees generally. The default assumption should not be that OIGs not included in that count do not have policies with respect to conflict.

TIME AVAILABLE FOR RESPONSES TO DRAFT REPORTS

What is time available for responses to draft reports? OIGs often produce reports of their findings, and it is customary for some government investigative bodies to provide a draft of the report to the party subject to the investigation. OIGs may set a period of time in which the parties may respond to correct errors and provide clarifying information, after which the report will be publicly available.

Why is the time available for responses to draft reports important? Without a set time for a report to go public after a draft is made available to relevant parties, a party could delay public release of the information by continually saying they are working on producing the response.

What is the current status of draft report responses for the Baltimore County OIG? The OIG provides two weeks for responses to its draft reports, and extensions are made upon request.

How many OIGs have information available about time available for responses to draft reports?

Total	Local – General Government	Local – Department/ Program	State – General Government	State – Department/ Program
1 (1%)	1 (3%)	0 (0%)	0 (0%)	0 (0%)

Note: Percentages are for the share of OIGs in that category found to affirmatively have a time available for responses to draft reports. The default assumption should not be that OIGs not included in that count do not have a time available for responses to draft reports.

APPENDIX A: METHODOLOGY

The initial step in producing this data on common practices of Offices of Inspectors General (OIGs) was identifying all OIGs in the United States at the local and state government levels.⁵ To do so, the research team first collected those listed as members on the website of the Association of Inspectors General, then employed a systematic search method to identify others. Beginning with Maryland, the team used state and local government websites, Codes of Ordinances, news publications, online directories, and databases (e.g., LexisNexis) to create a resource directory. This process was expanded to the rest of the United States to identify OIGs across the country.

Concurrently, the research team also began identifying the key topics of concern with respect to the structure, accountability, and processes of the Baltimore County OIG. These items were identified via discussions with the OIG, the County Chief Executive and Chief Administration Officer, and members of the Baltimore County Blue Ribbon Commission on Ethics and Accountability (BRCEA) as well as media sources and other research.

The research team then systematically conducted research to determine how OIGs at the local and state level handle the key topics of concern. The research team used state and local codes of ordinances, executive orders, legislation, departmental rules, policies and procedures manuals, and annual reports for each jurisdiction identified in the process. The focus was on OIGs at the local level that had oversight over more than one agency, such as all government operations or those limited to the executive branch or General Fund budgets. However, where possible, the information was collected for state OIGs and local OIGs that had oversight over just one agency or program. The research team also called some OIGs in jurisdictions similar to Baltimore County to gather information about those offices not publicly available; the limited responses received via telephone inquiries is included in this report as it was made available.

CAVEAT

Frequencies and other information are only shown for OIGs that were affirmatively found to have certain characteristics. While OIGs not included in that count may indeed not have that characteristic, the default assumption should not be that OIGs not included in that count do not have the characteristic. Rather, due to the nature of the key issues of concern, an OIG may follow a certain policy or have a certain structural element but does not make that information public.

⁵ While National Guard and military-based OIGs exist at the state level, they primarily operate within federal military agencies. They were therefore omitted from this report.

APPENDIX B: MARYLAND COUNTY ETHICS COMMISSIONS

By state statute, each county-level jurisdiction in Maryland has an ethics commission. Below is a count of how many of the ethics commissions were found to have certain characteristics.

Table 2: Characteristics of Maryland County-Level Ethics Commissions

	Number of Counties	Baltimore County Ethics Commission
Operates as an independent agency	9	No
Receives financial support independent of other organizations	5	No
Handle employee financial disclosures	19	Yes
Offers ethics training or similar education	8	Yes
Provides opinions on ethical issues	15	Yes
Hears complaints about suspected ethics violations	19	Yes
Investigates suspected ethics violations	4	Yes

Note: Number of counties shows how many counties' ethics commissions were affirmatively found to have this characteristic or do this task. This count does not include the Baltimore County Ethics Commission. The default assumption should not be that ethics commissions not included in that count do not have policies with respect to conflict.



Blue Ribbon Commission on Ethics and Accountability

Tuesday, June 7, 2022

5:30 – 8:30 p.m.

Meeting will be held via Zoom

Preregistration is required via the link below

https://ubalt.zoom.us/webinar/register/WN_-IG7J3QJQeCCNXCd1hFR2g

Agenda

1) Welcome

- Stacy L. Rodgers
Baltimore County Administrative Officer

2) Commissioner Introductions

- Rev. William Johnson
Commission Chair

3) Commission Staff Introduction

4) Overview of Authority and Functions of Baltimore County Auditor, Baltimore County Inspector General, and Baltimore Ethics Commission

- James R. Benjamin Jr.
Baltimore County Attorney, Office of Law

5) Overview of Commission's Charge

- Rev. William Johnson
Commission Chair

6) Commission Business

- Meeting dates, topics, materials

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The Commission webpage is: BlueRibbonEthics.ubalt.edu

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Blue Ribbon Commission on Ethics and Accountability

Thursday, June 30, 2022

5:30-8:30 p.m.

Meeting will be held via Zoom

Preregistration is required via the link below

https://ubalt.zoom.us/webinar/register/WN_BKtojVEETE2iyXldKrWbWA

Agenda

1) Welcome

- Rev. William Johnson
Commission Chair

2) Review of Minutes of the Previous Meeting

- Rev. William Johnson
Commission Chair

3) Presentation by Baltimore County Office of Inspector General

- Kelly Madigan
Baltimore County Inspector General

4) Subcommittee Reports

- Brigadier General Janeen L. Birckhead and Judge Kathleen Cox
Subcommittee chairs

5) Review of Outstanding Items from Previous Meeting

- Rev. William Johnson
Commission Chair

6) Commission Business

- Rev. William Johnson
Commission Chair

7) Adjournment

- Rev. William Johnson
Commission Chair

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Blue Ribbon Commission on Ethics and Accountability

Thursday, July 28, 2022

5:30-8:30 p.m.

Meeting will be held via Zoom

Preregistration is required via the link below

https://ubalt.zoom.us/webinar/register/WN_mlc8G7afRt659LrJEjFPOg

Agenda

1) Welcome

- Rev. William Johnson, *Commission Chair*

2) Review of Minutes of the Previous Meeting

- Rev. William Johnson, *Commission Chair*

3) Preliminary Findings of Ethical Climate Survey

- Ann Cotten, *Schaefer Center for Public Policy*

4) Preliminary Findings of Best Practices Research

- Sarah Ficenec, *Schaefer Center for Public Policy*

5) Review of Outstanding Items from Previous Meeting

- Rev. William Johnson, *Commission Chair*

6) Subcommittee Reports

- Brigadier General Janeen L. Birckhead and Judge Kathleen Cox, *Subcommittee chairs*

7) Commission Business

- Rev. William Johnson, *Commission Chair*

8) Adjournment

- Rev. William Johnson, *Commission Chair*

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Blue Ribbon Commission on Ethics and Accountability

Tuesday, August 30, 2022

5:30-8:30 p.m.

Meeting will be held via Zoom

Preregistration is required via the link below

https://ubalt.zoom.us/webinar/register/WN_-nJ38DHgQtaLqyxslIgstQ

Agenda

1) Welcome

- Rev. William Johnson, *Commission Chair*

2) Review of Minutes of the Previous Meeting

- Rev. William Johnson, *Commission Chair*

3) Report on Findings of Ethical Climate Survey

- Ann Cotten, *Schaefer Center for Public Policy*

4) Report on Findings of Best Practices Research

- Sarah Ficenec, *Schaefer Center for Public Policy*

5) Subcommittee Update

- Rev. William Johnson, *Commission Chair*

6) Commission Business

- Rev. William Johnson, *Commission Chair*

7) Adjournment

- Rev. William Johnson, *Commission Chair*

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Blue Ribbon Commission on Ethics and Accountability

Tuesday, September 13, 2022

5:30-8:30 p.m.

Meeting will be held via Zoom

Preregistration is required via the link below

https://ubalt.zoom.us/webinar/register/WN_F-7MvOkTTIG_BYEzwU90zw

Agenda

1) Welcome

- Rev. William Johnson, *Commission Chair*

2) Review of Minutes of the Previous Meeting

- Rev. William Johnson, *Commission Chair*

3) Presentation by Academic Expert

- Robin Kempf, *University of Colorado-Colorado Springs*

4) Presentation by Association of Inspectors General

- Stephen B. Street, Jr., State Inspector General for State of Louisiana, and Gregory Hill, JD, *Association of Inspectors General*

5) Subcommittee Update

- Rev. William Johnson, *Commission Chair*

6) Other Commission Business

- Rev. William Johnson, *Commission Chair*

7) Adjournment

- Rev. William Johnson, *Commission Chair*

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Blue Ribbon Commission on Ethics and Accountability

Thursday, October 20, 2022

5:30-8:30 p.m.

Meeting will be held via Zoom

Preregistration is required via the link below

https://ubalt.zoom.us/webinar/register/WN_M5EXbu3hRIm_uZte39XbRw

Agenda

1) Welcome

- Rev. William Johnson, *Commission Chair*

2) Review of Minutes of the Previous Meeting

- Rev. William Johnson, *Commission Chair*

3) Presentations by Inspectors General for Montgomery County and Baltimore City

- Megan Limarzi, *Montgomery County Office of the Inspector General*
- Isabel Cumming, *Baltimore City Office of the Inspector General*

4) Subcommittee Update

- Rev. William Johnson, *Commission Chair*

5) Update on Ethical Climate Survey and Best Practices Reports

- Dr. Ann Cotten, *Schaefer Center for Public Policy*

6) Other Commission Business

- Rev. William Johnson, *Commission Chair*

7) Adjournment

- Rev. William Johnson, *Commission Chair*

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Blue Ribbon Commission on Ethics and Accountability

Tuesday, November 29, 2022 at 5:30-8:30 pm

Meeting will be held via Zoom

Preregistration is required via the link below

https://ubalt.zoom.us/webinar/register/WN_dABmHYzbRNaFx3i72PtEzw

Agenda

1) Welcome

- Rev. William Johnson, *Commission Chair*

2) Review of Minutes of the Previous Meeting

- Rev. William Johnson, *Commission Chair*

3) Public Comment Period ([Register at this link](#))

- Rev. William Johnson, *Commission Chair*

4) Commission Discussion -- Fact-finding and Discussion/Development of Potential Recommendations

1. Responsibility for investigations only or investigations and audits
 2. Staffing the OIG
 3. Independent legal counsel
 4. Financial independence
 5. Unrestricted access to materials
 6. Subpoena waiting period
 7. Draft report notification and response period
 8. Written policies and procedures
 9. Communicating about new investigations with County or agency leadership
 10. Rights of investigation witnesses
 11. Reimbursement of legal expenses
 12. Oversight of the OIG
 13. Creating an advisory board for the OIG
 14. Ethical climate in Baltimore County overall
 15. Relationship between OIG and Ethics Commission
- Rev. William Johnson, *Commission Chair*

5) Other Commission Business

- Rev. William Johnson, *Commission Chair*

6) Adjournment

- Rev. William Johnson, *Commission Chair*

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Blue Ribbon Commission on Ethics and Accountability

Tuesday, December 20, 2022 at 5:30-8:30 pm

Meeting will be held via Zoom

Preregistration is required via the link below

https://ubalt.zoom.us/webinar/register/WN_g16h6bSdSPKOezXbPbQTcQ

Agenda

1) Welcome

- Rev. William Johnson, *Commission Chair*

2) Review of Minutes of the Previous Meeting

- Rev. William Johnson, *Commission Chair*

3) Commission Discussion -- Fact-finding and Discussion/Development of Potential Recommendations

1. Responsibility for investigations only or investigations and audits
 2. Relationship between OIG and Ethics Commission
 3. Staffing the OIG
 4. Independent legal counsel
 5. Written policies and procedures
 6. Communicating about new investigations with County or agency leadership
 7. Rights of investigation witnesses
 8. Reimbursement of personal legal expenses
 9. Training for ethics (*new*)
 10. County policy about employee compliance with OIG investigations (*new*)
 11. Financial independence
 12. Unrestricted access to materials
 13. Subpoena waiting period
 14. Draft report notification and response period
 15. Accountability mechanisms (*new*)
 16. Oversight of the OIG
 17. Creating an advisory board for the OIG
 18. Ethical climate in Baltimore County overall
 19. Other
- Rev. William Johnson, *Commission Chair*

Continued on next page

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4) Other Commission Business

- Rev. William Johnson, *Commission Chair*

5) Adjournment

- Rev. William Johnson, *Commission Chair*

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Blue Ribbon Commission on Ethics and Accountability

Thursday, January 12, 2023 at 5:30-8:30 pm

Meeting will be held via Zoom

Preregistration is required via the link below

https://ubalt.zoom.us/webinar/register/WN_V988ne93RnCZI_1LDYKW2w

Agenda

1) Welcome

- Rev. William Johnson, *Commission Chair*

2) Review of Minutes of the Previous Meeting

- Rev. William Johnson, *Commission Chair*

3) Questions for Baltimore County Personnel

- Ms. Stacy Rodgers, *County Administrative Officer*
- Mr. James Benjamin, *County Attorney*
- Ms. Rhoda Benjamin, *Director of Office of Human Resources*
- Mr. Mike Fried, *Chief Information Officer*
- Ms. Kelly Madigan, *Inspector General*

4) Discussion – Reports To Be Delivered in Interim Report

Reports

1. Report on Findings of the Ethical Climate Survey
2. Report on Best Practices for Offices of Inspector General

Continued on next page

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5) Discussion – Recommendations To Be Delivered in Interim Report

Topics

1. Responsibility for investigations only or investigations and audits
 2. Communicating about new investigations with County or agency leadership
 3. Rights of investigation witnesses
 4. Training for ethics
 5. County policy about employee compliance with OIG investigations
 6. Subpoena waiting period
 7. Written policies and procedures
 8. Relationship between OIG and Ethics Commission
 9. Independent legal counsel
- Rev. William Johnson, *Commission Chair*

6) Discussion – Potential Commission Recommendations

1. Staffing the OIG
 2. Reimbursement of personal legal expenses
 3. Financial independence
 4. Unrestricted access to materials
 5. Draft report notification and response period
 6. Accountability mechanisms
 7. Oversight of the OIG
 8. Creating an advisory board for the OIG
 9. Ethical climate in Baltimore County overall (Promotion and Assessment of Ethical Behavior)
- Rev. William Johnson, *Commission Chair*

7) Other Commission Business

- Rev. William Johnson, *Commission Chair*

8) Adjournment

- Rev. William Johnson, *Commission Chair*

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Blue Ribbon Commission on Ethics and Accountability

Thursday, February 2, 2023 at 5:30-8:30 pm

Meeting will be held via Zoom

Preregistration is required via the link below

https://ubalt.zoom.us/webinar/register/WN_kLMWUp9ASJqL-H2xdpOU_g

Agenda

1) Welcome

- Rev. William Johnson, *Commission Chair*

2) Review of Minutes of the Previous Meeting

- Rev. William Johnson, *Commission Chair*

3) Discussion – Commission Recommendations

Topics

1. OIG staffing
2. Reimbursement of employee legal expenses
3. Financial independence of the OIG
4. OIG access to materials and records
5. Draft report notification and response period
6. Oversight of the OIG and accountability mechanisms
7. Ethical climate in Baltimore County (Promotion of and assessment of ethical climate in Baltimore County government)
8. Written policies and procedures for the OIG
9. Placement of the Ethics Commission (*includes Training for ethics*)
10. Access to independent legal counsel for the OIG
11. OIG scope of responsibility (investigations only or investigations and audits)
12. Communication about new investigations

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13. Investigative practices
14. OIG subpoena authority and waiting period

- Rev. William Johnson, *Commission Chair*

4) Discussion – Final Report

- Rev. William Johnson, *Commission Chair*

5) Other Commission Business

- Rev. William Johnson, *Commission Chair*

6) Adjournment

- Rev. William Johnson, *Commission Chair*