



OFFICE OF THE INSPECTOR GENERAL

Montgomery County, Maryland



MEMORANDUM OF INVESTIGATION

TO: Richard S. Madaleno
Chief Administrative Officer

FROM: Megan Davey Limarzi, Esq. 
Inspector General

DATE: September 11, 2026

SUBJECT: Public Synopsis- Investigation of Alleged Misconduct by an Office of the County Attorney Employee

The Office of the Inspector General (OIG) recently concluded an investigation based on an anonymous complaint alleging misconduct by an Office of the County Attorney (OCA) employee. The complaint alleged that the employee participated in official travel outside the scope of their duties and instructed a Montgomery County Police Department (MCPD) executive to use Signal, a secure messaging application, for County business in order to avoid requirements under the Maryland Public Information Act (MPIA). Our investigation also included a separate allegation that the employee was involved in a motor vehicle accident while potentially under the influence and that someone within MCPD “made it disappear.”

Our investigation did not substantiate the allegation that the employee participated in official travel outside the scope of their duties. We reviewed the employee’s work-related travel for fiscal years (FYs) 2024 through 2026 and determined that all trips received appropriate approval and were reasonably related to their role and duties. However, we note that not all trips were documented in eTravel¹ as required.

Further, we did not substantiate the allegation that the employee instructed an MCPD executive to use the Signal messaging application for County business to avoid MPIA requirements.

In reviewing the details surrounding the employee’s accident in a County vehicle, we identified several instances wherein the employee violated County policy. Specifically, the employee failed to obtain departmental director approval for the use of the County vehicle, misused a County vehicle for multiple personal trips, inappropriately took the vehicle home on a routine basis, and failed to properly report a vehicle accident that occurred when the employee was in transit between a personal event and their residence. We learned that MCPD was called to the scene of the accident and responding officers determined there was no sign of impairment. A required crash report was completed documenting the accident, consistent with police procedures for incidents involving property damage.

During the course of this investigation, the employee resigned from County employment.

¹ eTravel is the County’s online travel tracking system where employees enter non-local travel authorizations.

Background

The subject employee was an OCA employee assigned to their post as department counsel for more than ten years. Although an OCA employee and supervised by an OCA Division Chief, the employee maintained office space at both OCA and their client department.

Applicable Policy and Regulations

Vehicle Use Requirements

- Montgomery County Administrative Procedure 1-4 (AP 1-4), *Assignment and Use of County Vehicles*
 - 2.1 Defines a Take Home Vehicle as “A vehicle authorized by the Chief Administrative Officer to be assigned to a designated employee whose County assignments require the vehicle to be taken home during off-duty hours in order to be used for governmental purposes.”
 - 3.0 An employee with a suspended driver’s license is prohibited from operating a County-owned, County-leased, County-contracted vehicle...Employees who drive on County business have a responsibility to the County government and to the community to obey all traffic laws while operating County vehicles.
 - 3.1 Use of County vehicles or operation of County heavy equipment is prohibited if the employee is impaired or under the influence of alcohol, non-prescribed, controlled dangerous substances, or over-the-counter or prescribed medicines that could impair one’s ability to drive a vehicle...County vehicles will not be operated within four (4) hours after the employee has ingested any amount of alcohol.
 - 3.5 Only authorized personnel directly associated with County business will travel in County vehicles on a regular basis.
 - 3.19 An employee assigned a County-owned or County-contracted vehicle, or an employee who regularly uses a personal vehicle for conducting business, is responsible for providing a copy of a valid driver’s license to appropriate County personnel as explained in section 5.0.
 - 5.0 Employees who operate or request to operate a County-owned/leased or County-contracted vehicle, or who regularly drive a personal vehicle while on County business, must obtain their Department Director’s approval by providing a copy of their valid driver's license to their supervisor. Subsequent to this one-time Director approval, the Division of Risk Management will assume the responsibility of obtaining, maintaining, and on a routine basis reviewing the driving record of those employees.
 - 5.1(B) Each year, the Division of Risk Management, Department of Finance, will obtain a copy of the driving record of any employee who, as required under Section 5.0 of this administrative procedure, has been approved by their department director to drive a County vehicle.
- Montgomery County Administrative Procedure 3-1 (AP 3-1), *Reporting and Record Keeping of Injuries*, requires all County employees to report accidents involving

County-owned vehicles to their supervisor and mandates that supervisors immediately notify the appropriate police department and submit a *Motor Vehicle Accident Notice/Liability Accident Notice* form with a copy of the police accident report to the Division of Risk Management within two business days of the accident.

Inquiry and Outcome

County Vehicle Use

At the request of the client department head, on October 28, 2024, the department's Fleet Manager identified an underutilized administrative vehicle and assigned it to the employee in the Fleet Information System, which is used to track vehicle assignments. The Fleet Manager told us they were given no parameters by the department head or the employee's OCA supervisor regarding their use of the vehicle. The Fleet Manager explained that vehicles are not typically assigned to employees in other departments. As the employee was not listed in the department's Fleet Information System, the vehicle could not be allocated directly to them, so the Fleet Manager assigned the vehicle to "FLEET- Legal" and placed the employee's name in the notes section.

While both the subject employee and the Fleet Manager indicated that the vehicle was assigned solely to the employee, the department head stated that they did not view the vehicle as being "assigned" to the employee but rather that they were given access to an underutilized vehicle. The client department head recalled granting the employee access to the vehicle because their privately owned vehicle (POV) was undergoing repairs and the employee needed to go back and forth between the client department and OCA. The client department head told us that although they placed no restrictions on the vehicle's use, they did not intend that the employee use the vehicle for personal reasons. The employee's OCA supervisor stated that they were unaware that the employee was assigned a vehicle by the client department. The employee's supervisor added that OCA employees are expected to drive their POV for work-related matters and subsequently request reimbursement for mileage.

Neither the client department head, the Fleet Manager, nor the employee recall any written documentation, such as a memorandum, being prepared to justify assigning the vehicle to the employee, and the employee was not required to sign any document to acknowledge their receipt of the vehicle. The only record of the assignment appears to be the entry in the department's Fleet Information System, which does not include details regarding any justification or restriction regarding the employee's use of the vehicle.

County Administrative Procedure 1-4 applies to administrative vehicles and states that employees who operate a County vehicle "must obtain their Department Director's approval by providing a copy of their valid driver's license to their supervisor. Subsequent to this one-time Director approval, the Division of Risk Management will assume the responsibility of obtaining, maintaining, and on a routine basis reviewing the driving record of those employees."

The employee's Department Director, the County Attorney, was not aware that the employee was assigned a vehicle and therefore did not approve the assignment. As a result, the County did not verify that the employee had a valid driver's license and their driving record was not being

routinely reviewed by the Division of Risk Management. Additionally, the County Attorney stated that OCA employees are not permitted to drive County vehicles.

The employee told us that while they mainly used the vehicle for work purposes, they also occasionally used the vehicle for personal reasons. For example, the employee stated they used the vehicle to pick up their nephews from school “once or twice” and also used the vehicle to attend a happy hour on at least one occasion. The employee’s use of the vehicle in these instances is in violation of AP 1-4 which generally authorizes employees only to “use County vehicles to attend official government activities, or while on official County business.”²

Most County vehicles cannot be used to commute to work and must generally be parked at either the employee’s office or an approved County-owned facility. However, the subject employee admitted that they used the vehicle to commute to and from their residence at least two to three times per week even though they were never explicitly told that they could use the vehicle in this manner (take-home vehicle). AP 1-4 states that only the CAO³ may authorize take-home use of a County vehicle. The employee had received no such approval.

Motor Vehicle Accident

The employee was involved in a motor vehicle accident around 9:00 p.m. while driving their County vehicle. The other driver involved in the accident called the police who subsequently responded to the scene.

The employee admitted to the responding officers that they were at fault for the accident. The employee stated that they were stopped at a traffic light, using their cellular phone, and “rolled” into the car in front of them, which caused the Chevrolet emblem on the front of the County vehicle they were driving to fall off. The employee told one of the officers on the scene that they were coming from a happy hour where they consumed a glass of prosecco at 3:30 p.m.

The MCPD on-duty supervisor who responded to the scene after the employee called them was told by another officer that the employee admitted to having a drink earlier in the day. The supervisor then assessed the employee for signs of intoxication and reported not to have smelled an odor of alcohol, that the subject employee’s speech was normal, and that they walked steadily. Because the officers found that the subject employee showed no signs of impairment, it was determined that a field sobriety test was not needed. Following their response, the officers created a *State of Maryland Motor Vehicle Crash Report* documenting the accident, which is consistent with police procedure for accidents involving this type of property damage.

AP 1-4 prohibits operation of a County vehicle within four hours of the ingestion of any amount of alcohol. While the employee’s testimony indicates that they may not have directly violated this aspect of the policy, their decision to drive the vehicle to a happy hour event and then home

² AP 1-4 authorizes personal use of public safety vehicles provided that the employee is subject to 24-hour emergency callback or functions in a Public Safety capacity.

³ The policy allows a department head to authorize temporary take-home use for employees whose duties include emergency stand-by or call-back status; however, this did not occur as the County Attorney was unaware that the employee was assigned a County vehicle.

is a clear misuse of a County vehicle. Additionally, AP 1-4 requires that employees obey all traffic laws including laws against cellular phone use while driving.⁴

Accident Reporting Procedures

AP 3-1 requires that employees “report all motor vehicle and general liability accidents involving bodily injury, property damage, or the potential for loss to [their] supervisor.” In turn, an employee’s supervisor is required to immediately notify the appropriate police department and then submit a *Motor Vehicle Accident Notice/Liability Accident Notice* form with a copy of the police accident report to the Division of Risk Management within two business days of the accident. The employee admitted that they failed to report the accident to their OCA supervisor, who was therefore not aware of the accident and unable to take the necessary steps to file the requisite paperwork.

The department Fleet Manager told us that they became aware sometime later that the employee was involved in an accident because they “heard a rumor.” Once aware, the Fleet Manager independently looked up the police report, verified that the accident had occurred, and notified a MCPD executive that they had not received a *Motor Vehicle Accident Notice/Liability Accident Notice* form as required. They subsequently asked the MCPD executive to complete the form in case the County’s contracted third-party self-insurance claim administrator needed the paperwork should the other driver decide to file a claim in the future.

When asked why they did not report the accident to their supervisor or bring the vehicle in for an assessment following the accident, the employee explained that despite the Chevrolet emblem falling off, they did not consider the vehicle to be damaged, as they were able to reattach the emblem a couple of weeks after the accident. Notwithstanding the employee’s claim that the vehicle did not sustain damage, County employees are required to report all accidents involving bodily injury, property damage, or even the potential for loss. According to the County Self-Insurance Fund Claims Manager, the County faces significant risk if an employee does not adhere to this reporting policy. Maryland drivers have up to three years following an accident to initiate a claim for vehicle damage or personal injury. Risk Management has encountered previous instances where accidents went unreported and the other driver subsequently claimed property damage or injury. In these cases, the County is left in a difficult position to determine liability without the proper documentation and timely investigation.

Finally, Risk Management staff explained that even a superficial collision may lead to thousands of dollars of body work repairs due to hidden damage that only a trained auto appraiser would be able to ascertain. Risk Management believes it is prudent to inspect all vehicles involved in collisions to determine whether they are safe for continued operation.

Conclusion

Our investigation did not substantiate the allegations as presented. We did not find that the employee participated in official travel outside the scope of their duties or instructed a MCPD executive to use the Signal messaging application for County business in order to avoid

⁴ Maryland Code, Transportation § 21-1124.1

requirements under the MPIA. We also did not substantiate that the employee was intoxicated at the time of the accident, or that someone at MCPD “made it disappear.”

However, we found that the employee repeatedly misused a County vehicle and failed to properly report an accident to their supervisor.

I am referring this matter to you for whatever further action you deem appropriate.

cc: Fariba Kassiri, Deputy Chief Administrative Officer
John Markovs, County Attorney, Office of the County Attorney

Attachment: County's Chief Administrative Officer's Response

The OIG Provided the County's Chief Administrative Officer with a confidential version of this report on September 10, 2026, and received the following response from the County Deputy Chief Administrative Officer on September 10, 2026.



OFFICE OF THE COUNTY EXECUTIVE

Marc Elrich
County Executive

Richard S. Madaleno
Chief Administrative Officer

MEMORANDUM

September 10, 2026

TO: Megan Davey Limarzi, Inspector General

FROM: Richard S. Madaleno, Chief Administrative Officer *RS*

SUBJECT: Confidential Memorandum of Investigation – Alleged Misconduct

We appreciate the opportunity to respond to the findings of the Office of Inspector General's investigation concerning allegations of misconduct. Although the investigation did not substantiate the allegations in the complaint, we are very disappointed with the repeated misuse of a County vehicle and failing to properly report an accident to the proper personnel. Additionally, we are concerned about the lax administration and enforcement of the specified policies. These violations present significant risks and compliance issues for the County. We are committed to taking all necessary measures to ensure full adherence to the relevant Montgomery County Administrative Procedures (AP) referenced in your report and that all non-local travel is captured in the eTravel system.

Thank you for bringing this matter to my attention.

cc: Fariba Kassiri, Deputy Chief Administrative Officer, Office of the County Executive
John Markovs, County Attorney, Office of the County Attorney

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