



OFFICE OF THE COUNTY AUDITOR

Craig Glendenning, CPA
County Auditor

February 14, 2023

The Honorable Members of the County Council
The Honorable Calvin Ball, County Executive

Our Office received an allegation regarding the misuse of the Howard County Library System's (HCLS) facilities. Pursuant to Section 213 of the Howard County Charter, "the Council may at any time order the examination or audit of the accounts of any department, office or agency receiving funds from the County Government." The County Solicitor advised us that an order under Section 213 authorizes an audit or examination of the HCLS' records that contain information that is relevant to the allegation. The Council ordered and authorized our Office to conduct the aforementioned examination/investigation.

We were unable to conduct the examination/investigation of the allegation because of an inability to obtain HCLS' unrestricted cooperation. The examination/investigation was terminated and as a result we were unable to conclude whether the allegations are substantiated or unsubstantiated. This report details the allegation and the steps we have taken to date.

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County Auditor

cc: Brandee Ganz, Acting Chief Administrative Officer
Gary Kuc, County Solicitor
Antonia B. Watts, Chair, Library Board of Trustees
Phillip Dodge, Vice Chair, Library Board of Trustees
Kelly L. Smith, Treasurer, Library Board of Trustees
Elizabeth Banach, Member, Library Board of Trustees
Robert Mentz, Member, Library Board of Trustees
Julie Parham, Member, Library Board of Trustees
Sabina Taj, Member, Library Board of Trustees
Irene Padilla, State Librarian, Maryland State Library

George Howard Building, 3430 Court House Drive, Ellicott City, Maryland 21043-4392
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BACKGROUND:

On October 4, 2022, our office received an allegation that was submitted through the County's Fraud, Waste, and Abuse Online Submission Form. The complainant alleged that Ms. Tonya Aikens, President and Chief Executive Officer (CEO) of the Howard County Library System (HCLS), was hosting a "Partnership Event" on October 7, 2022. The complainant noted that "this event originally started as a personal gathering for her [Ms. Aikens] college sorority sisters but was recast due to negative optics."

The complainant further noted that the "purpose of the event remains the same [personal gathering for college sorority sisters] and the cost for County staff support and time is being carried out by Howard County taxes." The complainant felt that there were "no other benefits to the County other than Ms. Aikens' personal benefit."

Howard County taxpayers provide the resources necessary to fund HCLS operations. Our responsibility is to ensure that these taxpayer dollars are being spent appropriately. In the County's Fiscal Year 2023 Approved Operating Budget, HCLS received a \$24 million General Fund appropriation to support its operations, including 245.5 personnel positions. In addition, the County approved a \$3.6 million appropriation for debt service on behalf of HCLS. According to HCLS' Fiscal Year 2022 Annual Report, the County provided 89% of its total operating revenues.

FINDINGS AND CONCLUSION:

Upon performing the initial procedures noted below, we concluded that sufficient evidence existed to warrant a formal examination/investigation. However, although the County Council ordered our Office to officially examine/investigate the allegation given the County Solicitor's opinion that the County Charter provided us with the authority to perform such an examination/investigation, we were forced to terminate the examination/investigation after the intervention of the HCLS Board of Trustees' Chair (Board Chair).

The amount of resistance that we encountered from HCLS management and the Board Chair throughout our examination/investigation process has raised several red flags and heightened our level of professional skepticism as we have numerous questions that remain unanswered.

The events that led to the termination of our examination/investigation including our unanswered questions are outlined below.

INITIAL PROCEDURES PERFORMED:

On October 5, 2022, we conducted initial research to determine the validity of the allegation prior to committing resources to perform a full examination/investigation. Our initial research disclosed the following:

- An event was scheduled at the HCLS Central Branch on Friday, October 7, 2022, from 6:00 p.m. to 8:00 p.m. The event was hosted by the Alpha Kappa Alpha (AKA) Sorority, Incorporated Iota Lambda Omega (ILO) Chapter to honor A Legacy of Sisterhood and Service. Wine and hors d'oeuvres were being served and cocktail attire was required as noted on the invitation. (See Exhibit 1)
- The AKA Sorority, Incorporated ILO Chapter advertised the event at the HCLS Central Branch on their website as their 50th Chapter Anniversary Reception. Under the additional information section of the advertisement, it stated “By invitation only.” (See Exhibit 2)
- The standard operating hours at the HCLS Central Branch on Fridays are 10:00 a.m. to 6:00 p.m. However, on Friday, October 7, 2022, the HCLS Central Branch was closed at 2:00 p.m. for a partnership event. The public was instructed to visit other HCLS branches until the Central Branch was open on Saturday at 10:00 a.m. (See Exhibit 3)
- The AKA Sorority, Incorporated ILO Chapter was holding another event, a 50th Anniversary Celebration Gala, on Saturday, October 8, 2022, at Martin’s West. (See Exhibit 4)

Our office emailed Ms. Aikens on October 5, 2022 and attached the two AKA invitations (Exhibit 1 and Exhibit 4) to ask preliminary questions about the event. Pertinent responses we received include the following:

- “This is a new event. With the creation of the Central Branch Equity Resource Center in 2021, HCLS extended an invitation to the community to partner on events related to local equity history, stories, and matters that align with HCLS’ equity statement. The Chapter approached HCLS about sharing its 50th Anniversary exhibit with the community via the Central Branch Equity Resource Center.”
- “The Chapter is sponsoring the reception. There is no cost to HCLS.”
- “The Chapter is covering all wine and food costs.”
- “HCLS does not charge the public or event partners for use of its facilities.”
- “The Chapter has hired security and Chapter members are staffing the event. There are no non-exempt HCLS staff working the event.”

We visited the HCLS Central Branch on Friday, October 7, 2022, and observed the following outside activity prior to and during the event:

- A black and gold Howard County Sheriff's Office pickup truck was parked in the first parking spot immediately in front of the library entrance.
- Several vehicles in the parking lot displayed the AKA license plate and/or license plate holder.
- African American women wearing white dresses were entering the building. White dresses are the customary attire that AKA sorority sisters wear for ritual ceremonies and formal events.
- The second floor was brightly lit, and flashes of light could be seen from the exterior. These flashes of light were deduced to be camera lights from photographs being taken.

Subsequent to the event, we searched the internet and identified numerous pictures that were posted. The pictures we obtained disclosed the following:

- The HCLS President and CEO, Ms. Tonya Aikens, was in attendance and wearing a white dress.
- The majority of attendees at the event were African American women wearing white dresses.
- Floral arrangements were displayed on tables and a few women were carrying floral bouquets.
- The layout of furniture and equipment during the event did not represent the standard layout found during the Central Branch's normal operating hours.

INVESTIGATION INITIATED:

As a result of the collective information obtained, we concluded that a full examination/investigation was warranted as it was questionable whether the event was an appropriate use of HCLS' facilities and resources. To initiate the full examination/investigation, we emailed Ms. Aikens on October 21, 2022, to request an in-person interview with her to discuss the details of the allegations and requested she provide dates and times when she was available.

We did not receive a response from Ms. Aikens to our request for an interview. Instead, we received an email on October 26, 2022, from the Board's Attorney, cc'ing the Board Chair, stating that our Office "does not have the statutory right to investigate HCLS operations." The attorney further stated that we are to "direct any communication regarding these matters to me [him], and not to Ms. Aikens."

As a result of this email, we sought legal advice from the County's Solicitor, who, on November 2, 2022, opined that:

- Section 213 of the County Charter provides for Special Audits. In pertinent part, “the Council...may at any time order the examination or audit of the accounts of any department, office or agency receiving funds from the County government. Because the Council is a multi-member public body, a majority of the Council members must order you to conduct an audit or examination in accordance with Section 213.”
- Section 213 authorizes an audit or examination of “the accounts” of the Library.
- The “rules and regulations” of the County include section 213 of the Charter as well as the budgetary and fiscal procedures set forth in Article VI of the Charter, under which the Library requests funding from the County for each fiscal year. In our opinion, if the Library must comply with the County's budget system to obtain County funds, the Library must also comply with the County's special audit rule concerning the expenditure of the same County funds.
- The scope of an audit or examination of the Library's accounts under Section 213 should be limited to County funds, because the Library is a separate legal entity from Howard County.

Based on the County Solicitor's opinion, our examination/investigation into the allegations is applicable and valid as it does involve the accounts of HCLS and the funds the County provides to HCLS. Specifically, County funds are utilized for the following:

- Construction and maintenance expenses of HCLS facilities.
- Utilities expenses (e.g., electricity, water, heat, air conditioning, etc.) to operate HCLS facilities.
- Salaries and benefits of HCLS employees to administer and provide services to the public at HCLS facilities.

Subsequent to our receipt of the County Solicitor's legal opinion, the majority of County Council formally approved and ordered our Office to proceed with the investigation.

With the County Council's order in hand, we visited the HCLS Central Branch on Friday, January 13, 2023, to interview employees about the event which occurred on October 7, 2022. We met with Central Branch management, explained the reason for our visit, and provided the County Council's order for their review and verification.

While conducting our initial interview, Central Branch management received phone calls from the HCLS Director of Human Resources (DHR) questioning our visit. The DHR asked to speak to us directly and inquired about the nature of our visit. After responding to the questions, the DHR informed us that Central Branch management and staff were instructed not to answer any further questions and for us to contact HCLS Administration.

Our office contacted the DHR who informed us that Ms. Aikens advised her that we were not to investigate even if the County Council ordered it. On January 15, 2023, our office emailed the Board Chair regarding our visit and how we were denied access to interview employees despite the order we received from the County Council. Subsequently, we received a response from the Board Chair and a separate response from the Board's Attorney outlining certain terms in which they would allow the investigation to continue, including the Board Attorney sitting in on the interviews.

INVESTIGATION TERMINATED:

We met with the County Council to discuss the aforementioned series of events, the fact that we cannot continue the examination/investigation under HCLS' terms as it compromises our ability to perform the examination/investigation free from influence, and options for next steps. While the majority of the County Council opted to assert their authority and ordered our Office to continue the examination/investigation, such examination/investigation could not conceivably proceed without HCLS' unrestricted cooperation. Therefore, the examination/investigation was terminated and as a result we were unable to conclude whether the allegations are substantiated or unsubstantiated.

UNANSWERED QUESTIONS:

Had our examination/investigation been permitted to continue without obstruction or interference, some of the questions we would have posed to validate information we obtained, substantiate or unsubstantiate the allegations, and ensure taxpayer dollars were spent appropriately include:

- If the event was above board, why did Ms. Aikens directly respond to questions we asked about the October 7th event, yet when we requested an in-person interview with her to discuss allegations regarding the misuse of the Library's facilities, we did not receive a response from her, but from the Board's Attorney?
- Why was the event not available for the public to attend during normal operating hours and instead was an invitation only event held after hours and limited to the AKA Sorority, Incorporated ILO Chapter?
- If the AKA Sorority, Incorporated ILO Chapter was already holding an event at Martin's West on Saturday, October 8, 2022, in honor of their 50th Anniversary, why was there a need for a separate event on Friday, October 7, 2022, at the Central Branch facility?

- Since April 2018 when Ms. Aikens became the President and CEO, what other events or gatherings has AKA Sorority, Incorporated ILO Chapter, or any other AKA Chapter, held at HCLS facilities?
- What other partnership events or gatherings has HCLS held after normal operating hours? Which of these events or gatherings caused early branch closures?
- What HCLS staff (Executive Exempt and Non-Executive Exempt) spent time on any part of the event such as attending meetings, making phone calls, setting up the area for the event (e.g., moving furniture, computers, and other equipment, etc.), cleaning up after the event (e.g., removing trash, reconfiguring the layout back to its normal set up, etc.) and ensuring the facility was secured once the event concluded? What was the total cost for this?
- When the Central Branch facility closed at 2:00 p.m. on Friday, October 7, 2022, where did the staff go that was working at the branch that day? What type of leave was granted for staff that day?
- Who was responsible for securing the Central Branch facility once the event concluded? What additional costs were associated with this activity?
- Why was a Howard County Sheriff's Office pickup truck parked in front of the Central Branch facility? Was this the hired security that Ms. Aikens stated the Chapter paid for?
- What vendors provided the flowers, wine, and hors d'oeuvres and who paid for them?

These questions, among others, will continue to remain unanswered until we are able to perform a full examination/investigation of the allegations we received.

Exhibit 1 – Alpha Kappa Alpha Iota Lambda Omega Chapter Invitation for Event at the Howard County Library System Central Branch

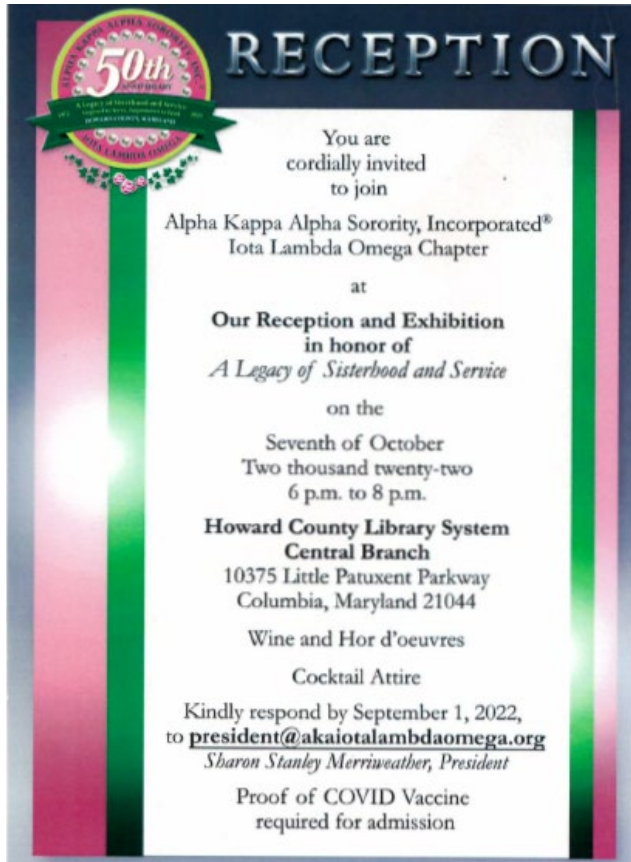


Exhibit 2 – Alpha Kappa Alpha Iota Lambda Omega Chapter Website Advertisement of Event at Howard County Library System Central Branch

ILO 50th Chapter Anniversary Reception ×

🕒 Fri Oct 7 2022, 6:00pm - 8:00pm 🖨️ Print

🔔 Reminders: 0 [Show](#) 🔗 Share

📅 Calendar Public Event

📍 Where [Show on map](#)
Howard County Public Library-Central Branch, 10375 Little Patuxent Pkwy, Columbia, MD 21044

📄 Additional Information
By invitation only

Created 3 years ago, last updated 19 days ago

Exhibit 3– Howard County Library System Central Branch Standard Hours and Early Closing on October 7, 2022

The screenshot shows a web browser window with the URL hclibrary.org/locations/central-branch/. A green banner at the top contains the following text: "All branches of Howard County Library System will be closed Thursday, October 6, for Professional Development Day. Passport services will not be available at East Columbia and Glenwood on October 6." Below this, another green banner states: "Central Branch will close at 2 pm on Friday, October 7, for a partnership event. Please visit our other branches until Central reopens at 10 am on Saturday." The main content area features a sidebar with a "Locations" menu listing various branches and their associated services. The central focus is the "HCLS Central Branch" page, which includes a photograph of the library's interior, the branch manager's name (Nina Krzysko), the branch location (10375 Little Patuxent Pkwy, Columbia, MD 21044), and operating hours (M-Th 10 am-9 pm, F-Sat 10 am-6 pm, Sun 1 pm-5 pm). A note at the bottom of the page mentions the library's mission since 1981. The Windows taskbar at the bottom shows the date as 10/6/2022 and the time as 1:58 PM.

Locations

- Administrative Branch
- Central Branch
 - Equity Resource Collection
 - Art Education Collection
 - HCLS Project Literacy
- East Columbia Branch
 - Passport Centers
- Elkridge Branch
 - DIY Education Center
- Glenwood Branch
 - Makerspace
 - Art Education Collection
 - Passport Centers
- Miller Branch & Historical Center
 - The Enchanted Garden

You are here: [Home](#) / [Locations & Hours](#) / HCLS Central Branch

HCLS Central Branch

Branch Manager: [Nina Krzysko](#)

Branch Location: 10375 Little Patuxent Pkwy, Columbia, MD 21044 | 410.313.7800 ([MAP](#))

Hours: M – Th 10 am – 9 pm | F – Sat 10 am – 6 pm | Sun 1 pm – 5 pm

Since opening in 1981, the Central Branch of the Howard County Library System has continued to support HCLS' mission of 'Public

Exhibit 4 – Alpha Kappa Alpha Iota Lambda Omega Chapter Invitation for Event at Martin's West

The invitation features a circular logo on the left for the "50th Anniversary" of Alpha Kappa Alpha Sorority, Incorporated, Iota Lambda Omega Chapter. The logo includes the text "A Legacy of Sisterhood and Service" and "Inspired to Serve, Empowered to Lead" along with the years "1972" and "2022". The main text of the invitation reads: "Alpha Kappa Alpha Sorority, Incorporated® Iota Lambda Omega Chapter Requests the Honor of Your Presence at the 50th Anniversary Celebration Gala A Legacy of Sisterhood and Service on Saturday the eighth of October, Two thousand twenty-two at seven o'clock in the evening Martin's West 6817 Dogwood Road, Windsor Mill, Maryland 21244 Formal Attire For additional information: <https://linktr.ee/akaiotalambdaomega> PROOF OF COVID-19 VACCINE REQUIRED FOR ADMISSION". The word "GALA" is written in large, stylized letters at the bottom left.

Alpha Kappa Alpha Sorority, Incorporated®
Iota Lambda Omega Chapter
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at the
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A Legacy of Sisterhood and Service
on
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**PROOF OF COVID-19 VACCINE
REQUIRED FOR ADMISSION**