

## Statement of Facts

The State and the Defendant understand, agree, and stipulate to the following Statement of Facts, which the State would prove beyond a reasonable doubt had this case proceeded to trial:

The Maryland Department of Public Safety and Correctional Services (DPSCS), is the state agency responsible for administering correctional facilities and pre-release centers in Maryland. KIMBERLY BROWN (“BROWN”) was employed by DPSCS as a sworn Correctional Officer II, making her a public officer under Maryland law.

DPSCS utilizes Time Clock Plus (TCP), an automated biometric time entry system, in conjunction with Workday, a human resources management program, to manage employee payroll and benefits data.

As a Correctional Officer, BROWN was required to utilize a fingerprint scanner to clock in and out of Time Clock Plus at the beginning and again at the conclusion of each shift, to document the hours she worked. In the event that there were any discrepancies between the hours she worked and the hours documented at the end of a pay period, BROWN was required to bring the discrepancy to the attention of her assigned timekeeper. BROWN was prohibited from making any changes to her documented work hours without the involvement of her assigned timekeeper.

The hours worked, as tracked by TCP, are verified and approved by assigned timekeepers at the end of each pay period and then uploaded into the Workday program. Once uploaded to Workday, the timekeepers or payroll staff are the only employees authorized to make adjustments. Correctional Officers are not authorized to make any changes in Workday, and have “view only” access.

Workday has an “auto-fill from prior pay period” function which allows authorized users to copy and paste hours worked in a prior pay period into the current pay period. As a Correctional Officer who did not have permission to make changes in the Workday program, BROWN was prohibited from utilizing the “auto-fill” function. When viewing the Workday program on a computer, the “auto-fill” function was deactivated.

Workday has a mobile application that can be downloaded to an individual’s cellular telephone or other mobile device. An error in the mobile application resulted in the “auto-fill” function remaining active for correctional officers, who were supposed to have “view only” access and were prohibited from making any entries in the Workday program.

From April 26, 2017 through and including July 02, 2019, on at least thirty-one (31) occasions, BROWN logged into the Workday mobile application and utilized the “auto-fill” function to change her documented work hours. BROWN auto-filled her work hours using prior work weeks where she received a large amount of overtime, thus significantly increasing her documented work hours. A comparison of the Time Clock Plus Records, Human Resources Records, interviews with supervisors, and phone records

confirmed that BROWN utilized the “auto-fill” function to add in a total of **2,470.30 hours** that she did not actually work, resulting in an overpayment of **\$79,857.69**.

The following are non-inclusive examples of BROWN utilizing the auto-fill function to add hours to her time card that she did not work:

For the pay period beginning on August 30, 2017 through September 12, 2017, BROWN worked 46.98 hours and was absent from work on at least eight days out of the fourteen day pay period. Nevertheless, BROWN utilized the autofill function to alter her documented work hours to reflect that she worked 138.48 hours, resulting in an overpayment of \$2,628.61 for hours that she did not work and was not otherwise entitled to receive.

For the pay period beginning on May 22, 2019 through June 04, 2019, BROWN worked 16 hours and was absent from work for the remaining twelve days of the pay period. Time Clock Plus records reflect that BROWN had two clock-ins and two clock-outs during this period. Nevertheless, BROWN utilized the autofill function to alter her documented work hours to reflect that she worked a total of 172.99 hours, resulting in an overpayment of \$4,580.73 for hours she did not work and was not otherwise entitled to receive.

For the pay period beginning on June 5, 2019 through June 18, 2019, BROWN was absent from work each day of the pay period. Time Clock Plus records reflect that BROWN had no clock-ins or clock-outs during this period. Nevertheless, BROWN utilized the autofill function to alter her documented work hours to reflect that she worked a total of 178.4 hours, resulting in an overpayment of \$5,009.49 for hours she did not work and was not otherwise entitled to receive.

The DPSCS Finance Service, Accounting, Payroll and Audit Unit, located at 300 E. Joppa Road, Ste 1000, Towson, MD 21286, in Baltimore County, MD, utilized the data BROWN wrongfully entered into Workday to process BROWN’s payroll and calculate payroll payments.

The money wrongfully paid to BROWN was the property of the State of Maryland. If called to testify, the witnesses would identify defendant KIMBERLY BROWN as the individual who engaged in this scheme.