

OFFICE OF THE OHIO INSPECTOR GENERAL
2021 ANNUAL REPORT

RANDALL J. MEYER
INSPECTOR GENERAL



Inspector General Randall J. Meyer

Randall J. Meyer was appointed as Ohio Inspector General in January 2011, reappointed by the governor of Ohio in 2015 and 2021, and was confirmed by the Ohio Senate. While serving as the inspector general, Meyer has released 735 reports of investigation resulting in 107 criminal charges, issued 1,437 recommendations to agencies, and identified over \$1/4 billion lost. Meyer has been active on the board of directors of the National White Collar Crime Center since 2008, and in 2020 was elected as an officer to the board. In addition, since 2013, Meyer has diligently served on the board of directors of the Association of Inspectors General.

Prior to becoming Inspector General, Meyer dedicated his career to public service for more than 30 years. After completing four years of honorable military service in the United States Navy, Meyer began work as a police officer in 1990, serving as a deputy in the San Francisco Bay area. In 1992, Meyer returned to Ohio, working first as a police officer, and then as a detective for the City of Wilmington Police Department. In 1999, Meyer was recruited to serve as a criminal investigator for the Ohio Attorney General, and was eventually promoted as director of the Ohio Attorney General's Anti-Gang Unit. During this time, Meyer developed and established G.U.A.R.D., a statewide security threat group database which singularly integrated the various data collection systems used by different investigative entities. In 2003, Meyer joined the Ohio Auditor of State's Public Corruption Unit as senior investigator and, in 2007, was promoted to chief of Special Investigations, managing the unit's responsibility of identifying misappropriated or illegally expended public funds, and instituting a statewide fraud prevention training program.

Meyer earned a bachelor's degree in Public Safety Management from Franklin University. He is certified as a fraud examiner with the Association of Certified Fraud Examiners, holds a certification as an economic crime forensic examiner with the National White Collar Crime Center, and is a certified inspector general with the Association of Inspectors General.

Message from the Inspector General

I am pleased to present the “Office of the Ohio Inspector General’s 2021 Annual Report.” This report is submitted to the governor and members of the 134th Ohio General Assembly in accordance with Ohio Revised Code §121.48. This report outlines the mission and responsibilities of the Inspector General’s Office; examines the office’s complaint and investigative processes and related statistics; and cites summaries of several investigations released from January 1, 2021, through December 31, 2021.



Randall J. Meyer
Inspector General

On August 1, 1990, the Ohio legislature passed, and the governor signed into law House Bill 588 permanently establishing the independent authority and jurisdiction of the Inspector General’s Office. During the last 31 years, this office has received and evaluated 9,256 complaints and completed and released more than 1,500 reports of investigation. The important work produced by this office has a constructive, meaningful impact on the State of Ohio.

During my tenure, I and my staff have released 735 reports of investigation, issued 1,437 recommendations to agencies, and identified over \$1/4 billion lost. For each report of investigation that identified misconduct, fraud, waste, and abuse, our office found new means to combat malfeasance, innovative methods to increase public trust, and meaningful recommendations to improve and expand current best practices and processes.

As Ohio’s Inspector General, I am committed to safeguarding integrity in state government operations. I am dedicated to investigating allegations of wrongful acts or omissions without bias or outside influence in a timely, thorough, and impartial manner and adhere to the principle that no public servant, regardless of rank or position, is above the law.

Respectfully submitted,

A handwritten signature in black ink that reads "Randall J. Meyer". The signature is written in a cursive, flowing style.

Randall J. Meyer

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Mission and Responsibilities

Safeguarding Integrity in State Government

The Office of the Ohio Inspector General was established in 1988 by an Executive Order of the Governor. Through this executive order, the inspector general was charged with the authority to “... examine, investigate, and make recommendations with respect to the prevention and detection of wrongful acts and omissions in the Governor’s Office and the agencies of state government... .” In 1990, the legislature passed Amended Substitute House Bill 588, which permanently established the position and the Office of the Ohio Inspector General.



The jurisdiction of the Inspector General’s Office is limited to the executive branch of state government and to vendors who do business with the state. The inspector general is authorized by law to investigate alleged wrongful acts or omissions committed by state officers or employees. It extends to the governor, the governor’s cabinet and staff, state agencies (as defined in Ohio Revised Code (ORC) §1.60), departments, authorities, and boards and commissions. The inspector general’s jurisdiction includes state universities and state medical colleges, but does not include community colleges. The courts, the General Assembly, and the offices of the Secretary of State, the Auditor of State, the Treasurer of State, and the Attorney General, and their respective state officers or employees are statutorily excluded from the jurisdiction of the Inspector General’s Office. Likewise, the office has no authority to investigate allegations concerning any federal, county, municipal or other local officials, agencies, or governing bodies.

The inspector general’s authority extends to:

- Addressing complaints received by the office alleging that wrongful acts or omissions have been committed or are being committed by a state officer or employee; or any person or vendor who does business with the state.
- Investigating the management and operation of state agencies on the inspector general’s initiative to determine whether wrongful acts and omissions have been committed or are being committed by state officers and employees.

The Inspector General’s Office does not become involved in private disputes, labor/management issues, or litigation. The office does not review or override the decisions of a court or the findings of any administrative body.

The Inspector General’s Office is not an advocate for either the state agency or the complainant in any particular case. The office’s obligation is to ensure that the investigative process is conducted fully, fairly, and impartially. As independent fact finders, wrongdoing may or may not be found as the result of an investigation.

Conducting an Investigation

Complaint Process and Reports of Investigation

Anyone may file a complaint with the Inspector General's Office. At times, complaints are forwarded by other agencies or officials. Complaint forms can be downloaded from the inspector general's website or are provided upon request. Complaints can be made anonymously; however, it may be difficult for investigators to verify the information provided or ask additional questions.

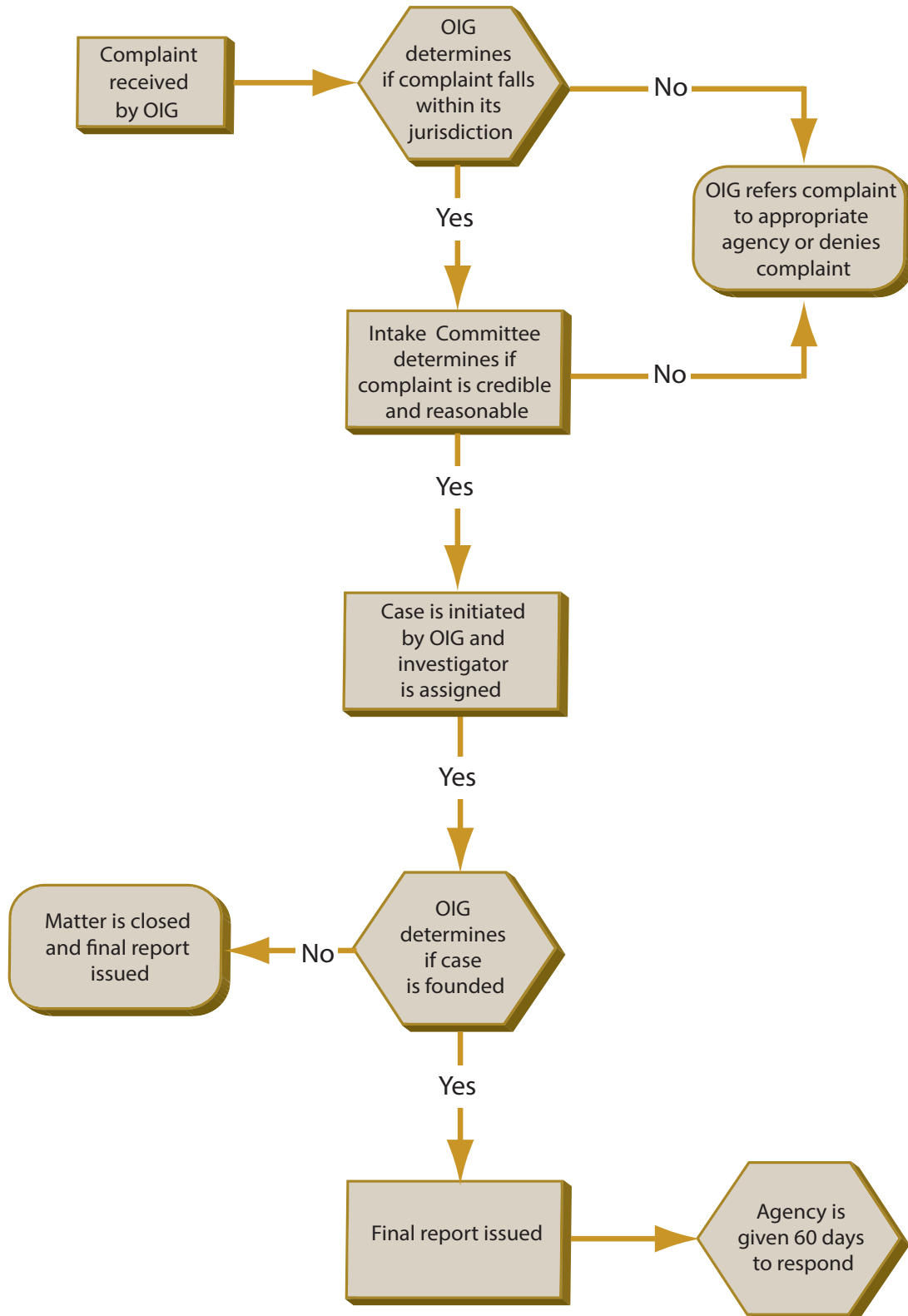
The inspector general may grant complainants or witnesses confidentiality. When appropriate, information received from complainants and witnesses may also be deemed "confidential." Confidentiality is appropriate when it is necessary to protect a witness. It is also appropriate in cases where the information and documentation provided during the course of an investigation would, if disclosed, compromise the integrity of the investigation or when considered confidential by operation of law.

The Inspector General's Office does not offer legal advice or opinions to complainants. In instances where it appears that a complainant is seeking legal assistance, or where it appears that another agency is better suited to address a complainant's issues, the office will advise the complainant to consult with private legal counsel or a more appropriate agency, organization, or resource.

Complaints received are reviewed by the intake committee. This committee consists of the inspector general, chief legal counsel, and case manager. A complaint offering credible allegations of wrongful acts or omissions that fall within the inspector general's jurisdiction is assigned to a deputy inspector general for investigation. Opened and ongoing investigations are generally not subject to public disclosure in order to safeguard the integrity of the investigative process.

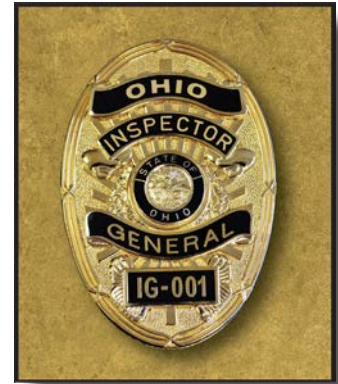
At the conclusion of an investigation by the Inspector General's Office, a report of investigation is completed and provided to the governor and the agency subject to investigation. The report may include recommendations for the agency to consider in addressing and avoiding the recurrence of fraud, waste, abuse, or corruption uncovered by the investigation. For each report where the inspector general concludes there is reasonable cause to believe wrongful acts or omissions have occurred, the agency subject to the investigation is asked to respond back to the inspector general within 60 days of the issuance of the report, detailing how the report's recommendations will be implemented. Although there is no enforcement mechanism to ensure items are addressed, the inspector general exercises his due diligence and follows up with the agency. When appropriate, a report of investigation may also be forwarded to a prosecuting authority for review to determine whether the underlying facts give rise to a criminal prosecution. Selected issued reports of investigation are posted on the inspector general's website and all issued reports of investigation are available to the public upon request, unless otherwise noted by law.

Filing a Complaint



Types of Allegations

Complaints submitted to the Inspector General’s Office may include a wide range of wrongdoing and may include allegations of more than one type of misconduct committed by an entity or individual. As investigations proceed, new allegations of wrongdoing may be discovered and other individuals or entities may become part of the investigation. Five types of wrongdoing that fall under the inspector general’s jurisdiction are:



1 Fraud

An act, intentional or reckless, designed to mislead or deceive.

Examples:

- Fraudulent travel reimbursement
- Falsifying financial records to cover up a theft
- Intentionally misrepresenting the cost of goods or services
- Falsifying payroll information or other government records

2 Waste

A reckless or grossly negligent act that causes state funds to be spent in a manner that was not authorized or which represents significant inefficiency and needless expense.

Examples:

- Purchase of unneeded supplies or equipment
- Purchase of goods at inflated prices
- Failure to reuse major resources or reduce waste generation

3 Abuse

The intentional, wrongful, or improper use or destruction of state resources, or a seriously improper practice that does not involve prosecutable fraud.

Examples:

- Failure to report damage to state equipment or property
- Improper hiring practices
- Significant unauthorized time away from work
- Misuse of overtime or compensatory time
- Misuse of state money, equipment, or supplies

4 Corruption

An intentional act of fraud, waste, or abuse, or the use of public office for personal, pecuniary gain for oneself or another.

Examples:

- Accepting kickbacks or other gifts or gratuities
- Bid rigging
- Contract steering

5 Conflict of Interest

A conflict of interest is a situation in which a person is in a position to exploit his/her professional capacity in some way for personal benefit.

Examples:

- Purchasing state goods from vendors who employ or are controlled by the purchaser's relatives
- Outside employment with vendors
- Using confidential information for personal profit or to assist outside organizations

2021 Statistical Summary

The Inspector General’s Office received a total of 350 complaints in 2021. From 2011 through 2021, more than 3,800 complaints have been reviewed.

2021 Complaint Status				
	<u>GENERAL</u>	<u>ODOT</u> ¹	<u>OBWC/OIC</u> ²	<u>ALL</u>
Cases Opened	19	1	1	21
No Jurisdiction	61	0	0	61
Insufficient Cause	80	0	6	86
Referred	173	1	5	179
Pending ³	3	0	0	3
Complaint Totals	336	2	12	350

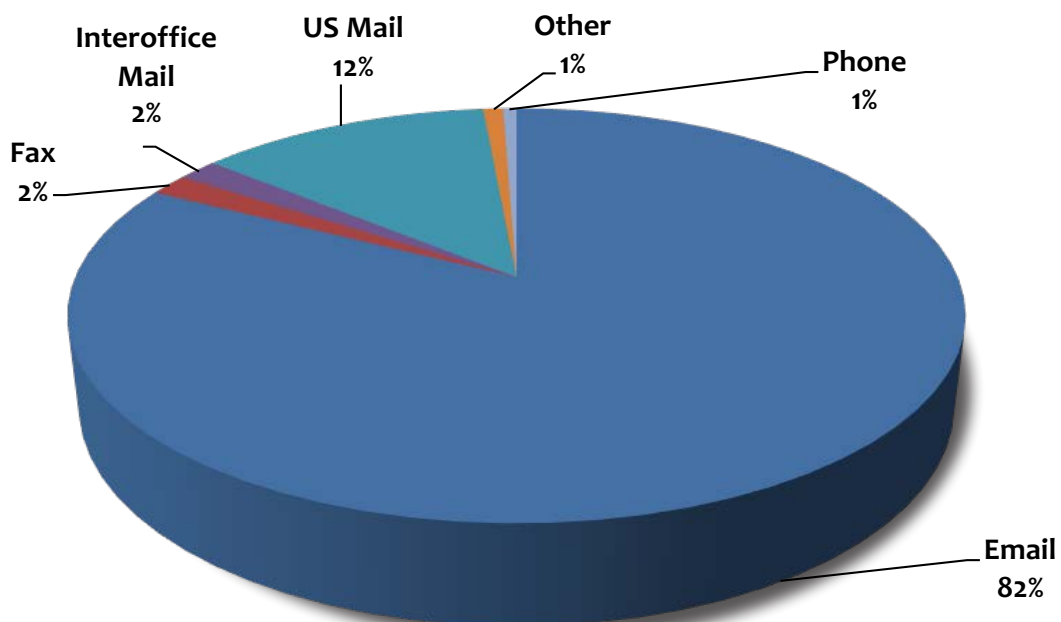
¹ ODOT = Ohio Department of Transportation.

² OBWC/OIC = Ohio Bureau of Workers’ Compensation/Ohio Industrial Commission.

³ “Pending” are those complaints that require additional information before a determination can be made.

The following chart highlights the various methods in which complaints were received by the Inspector General’s Office:

Methods in which Complaints were Received in 2021

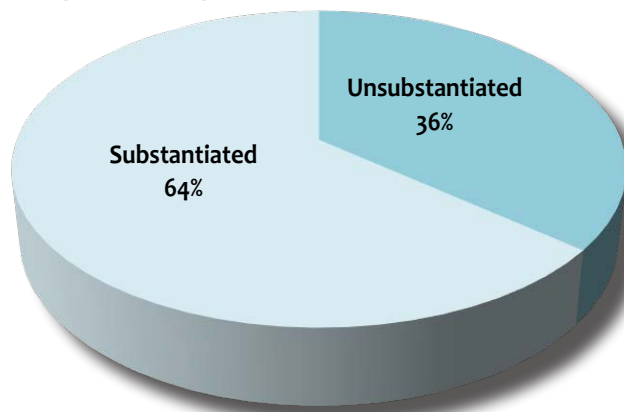


The Inspector General’s Office closed 27 cases in 2021. The number of cases closed may reflect cases that were opened in previous years. The following chart summarizes the outcome of the cases closed during the period covered by the 2021 Annual Report:

Results of Cases Closed in 2021	
Total Recommendations Made to Agencies	117 in 14 cases
Total Referrals	22 in 11 cases
Total Criminal Charges	11 in 7 cases
Identified Monetary Loss	\$70,175.39 in 8 cases

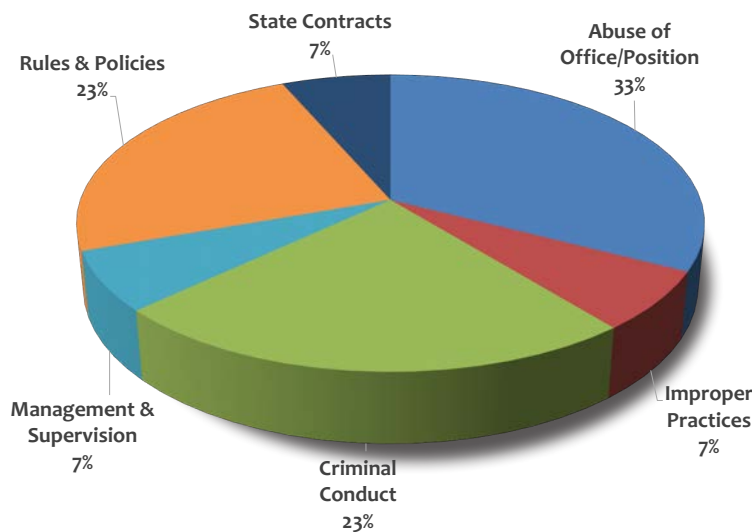
Of the 27 cases closed in 2021, the following chart illustrates the percentage of allegations in closed cases that were found to be substantiated versus those allegations that were found to be unsubstantiated.

Findings of Allegations for Cases Closed in 2021



The following chart specifies the types of wrongdoing alleged in cases closed in 2021. Cases investigated for abuse of office/position (33%), criminal conduct (23%), and violating rules & policies (23%) led the categories in the cases closed for 2021.

Substantiated Allegations by Type in 2021



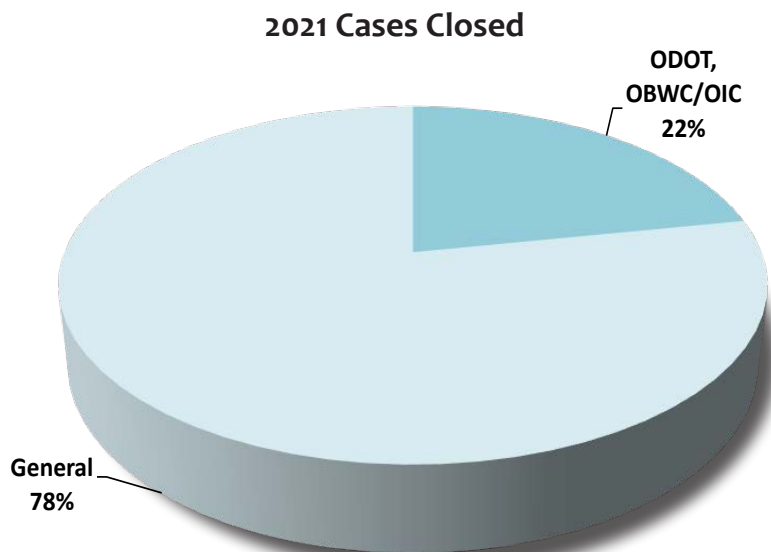
General Area

2021 Report

In order to efficiently investigate matters delegated to this office by statute, the Inspector General's Office divides its investigatory casework between three separate areas. Two of these areas, the Ohio Bureau of Workers' Compensation/Ohio Industrial Commission (OBWC/OIC), and the Ohio Department of Transportation (ODOT), have assigned deputy inspectors general. These designated positions were created by specific statutes in the Ohio Revised Code.

The third area, the General Area, is broad in scope and encompasses all the remaining State of Ohio departments and agencies under the purview of the Governor's Office. Deputy inspectors general who are assigned casework in the General Area are responsible for investigating matters within many entities of Ohio government, including the departments of Job and Family Services, Natural Resources, Public Safety, and Rehabilitation and Correction, to name a few. Because of the extensive nature of the casework performed in the General Area, this area generates and reflects the largest amount of cases completed, or closed, by the office.

In 2021, there were 19 cases opened and 21 cases closed in the General Area of the Inspector General's Office. As part of the lifespan of a case, the number of cases closed may reflect cases that were opened in previous years.



Summaries of Selected Cases - General

OHIO DEPARTMENT OF JOB AND FAMILY SERVICES

FILE ID NO: 2021-CA00010

As a result of the Covid-19 pandemic and subsequent increased unemployment, the Ohio Department of Job and Family Services (ODJFS) received a large number of claim applications for unemployment compensation. To address this increase in claims, ODJFS hired additional temporary and intermittent employees to process claims. These additional employees were assigned to review and evaluate unemployment claims and verify that the required documents had been submitted, that addresses matched the identification submitted, and the information provided by the claimants was accurate and correct. On May 3, 2021, ODJFS hired Y’Nesha Jackson as an intermittent customer service representative to assist in the processing of Pandemic Unemployment Assistance (PUA) claims. Jackson’s only assigned duty was to verify that PUA claimants had submitted two forms of identification and to ensure the name, address, and other information regarding the claim matched. ODJFS issued Jackson a laptop computer to work remotely from home on claims assigned to her.

On May 17, 2021, the ODJFS Chief Inspector’s Office received information alleging that Jackson had accessed several unemployment claims when she had no business reason to do so. Additionally, Jackson was alleged to have improperly authorized payments in these unemployment claims she had accessed. ODJFS policy explicitly dictates any access to and use of confidential personal information that is collected and maintained by ODJFS is limited to those purposes authorized by ODJFS and is related to the system user’s job duties. On May 18, 2021, ODJFS notified the Inspector General’s Office and the Ohio State Highway Patrol (OSHP) of Jackson’s alleged illegal activities.

... ODJFS policy explicitly dictates any access to and use of confidential personal information that is collected and maintained by ODJFS is limited to those purposes authorized by ODJFS ...

Investigators learned that Jackson was hired by ODJFS on May 3, and was permitted access to the ODJFS’ computer system on Friday, May 7, 2021. Investigators discovered that, several days later, Jackson started performing unauthorized actions involving four PUA unemployment claimants. On Wednesday, May 12, 2021, Jackson’s unauthorized activity in Claimant 4’s account resulted in a claim being improperly paid. On Friday, May 14, 2021, Jackson searched by claimant Social Security numbers to access additional claimant accounts for which she had no valid reason to access and executed unauthorized actions in the accounts. Also, on the same day, a total of \$19,938 was loaded into the debit card issued to Claimant 4. On Saturday, May 15, 2021, the debit card issued to Claimant 4 was activated, and the PIN number created.

Investigators obtained Claimant 4’s account activity and history for the debit card issued to them from US Bank. The bank records showed that on May 16, 2021, the debit card was used for a withdrawal of \$1,000 from a US Bank ATM at 1:09 p.m. in Rossville-Hamilton, Ohio. The

debit card was also used that same day for a purchase of \$22.21 at a Wendy’s restaurant in Batesville, Indiana, and for a purchase of \$74 at a Speedway gas station in Hamilton, Ohio.

Investigators obtained the video recording from US Bank of the ATM withdrawal on May 16, 2021. The video recorded a male subject driving a black Ford pickup truck and withdrawing the \$1,000 from the ATM. The video also captured the Ohio license plate on the pickup truck and investigators determined the registered owner of the pickup truck was Andrea Thomas Piphus. On Monday, May 17, 2021, after Jackson’s supervisor discovered the improper activity by Jackson, ODJFS placed a freeze on the four debit card accounts, and all the funds that had been loaded into the debit cards



for the four questionable PUA unemployment claimants were transferred back to ODJFS — except for the \$1,096.21 that had been expended on May 16 from the debit card issued to Claimant 4. Additionally, upon discovery of her actions, ODJFS “de-scheduled” Jackson’s work assignments and cancelled her access to all ODJFS systems.

On August 20, 2021, Jackson met with investigators from the Ohio Inspector General and the Ohio State Highway Patrol. Jackson agreed to answer questions and was asked to explain her job duties while employed by ODJFS. She stated her job duties were to review claimants’ applications to verify that the required information was submitted, and then to verify the information to determine whether the claimant was eligible for benefits. When asked how she verified the information, Jackson said she felt uncomfortable answering the question without having an attorney present and told investigators she wanted to end the interview. Jackson said she would return to continue the interview on August 31, 2021. On August 30, 2021, Jackson notified investigators that she would not be attending the August 31 interview. She explained that though she had contacted legal counsel, she needed time to obtain the necessary funds to retain an attorney. On September 8, 2021, the OSHIP investigator contacted Jackson, who stated that she had still not hired an attorney and was in quarantine due to the Covid-19 pandemic.

Investigators located and interviewed Andrea Thomas Piphus to discuss the vehicle registered under her name that was driven by a male subject who used Claimant 4’s debit card to make the \$1,000 ATM withdrawal. Investigators showed Thomas Piphus a photograph taken from the US Bank ATM video, and she identified the person in the vehicle at the ATM as Zion Ferguson. Thomas Piphus also identified the truck in the video recording as the one belonging to her. Thomas Piphus said she allowed Ferguson, who was a friend of hers, to drive the truck after she had used it to move to a different residence. Thomas Piphus told investigators that Ferguson currently had the truck in his possession, and claimed that she had not seen or heard from Ferguson since July 2021. Investigators contacted Ferguson’s stepfather, Tyrone Woods, and showed Woods the surveillance photo taken from the US Bank ATM video recording, and he identified the individual in the black pickup truck as Zion Ferguson.

Investigators discovered various personal connections between Zion Ferguson, Y’Nesha Jackson, and Andrea Thomas Piphus. Investigators obtained the cell phone records of Y’Nesha Jackson and Andrea Thomas Piphus and discovered records of numerous telephone calls made between Ferguson and Jackson, and between Ferguson and Thomas Piphus. Investigators also determined Ferguson and Thomas Piphus had previously lived together in Indianapolis, Indiana. Moreover, one of the debit cards (Claimant 3’s) improperly authorized by Jackson was mailed to Thomas Piphus’ current address in May 2021.

... Investigators obtained the cell phone records of Y’Nesha Jackson and Andrea Thomas Piphus and discovered records of numerous telephone calls made between Ferguson and Jackson, and between Ferguson and Thomas Piphus. ...

The Inspector General’s Office referred the report of investigation to the Hamilton County Prosecuting Attorney for consideration.

OHIO DEPARTMENT OF JOB AND FAMILY SERVICES

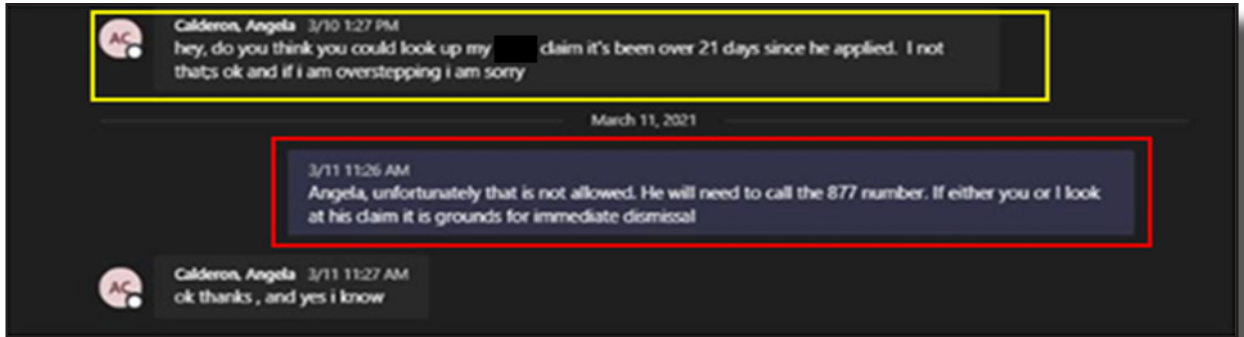
FILE ID NO: 2021-CA00013

On June 23, 2021, the ODJFS Chief Inspector’s Office received information alleging former ODJFS intermittent employee Angela Calderon had accessed a relative’s unemployment insurance claim when she had no legitimate work-related reason to do so. Calderon also performed transactions within the claim in question. However, she was unable to successfully authorize her relative’s claim and no unemployment payment was released to her relative.

Calderon had been hired by ODJFS in November 2020, began her training as an intermittent employee on December 3, 2020, and was assigned to the ODJFS – Marietta Adjudication Center on December 14, 2020. Calderon was hired by ODJFS to address the increased workload due to the Covid-19 pandemic and subsequent increased unemployment claims. Calderon was provided with ODJFS policies and acknowledged reading and understanding those policies. Calderon worked for ODJFS until she was informed on May 18, 2021, that her intermittent employment would end on May 28, 2021. On May 21, 2021, Calderon attempted to authorize her relative’s claim by successfully approving the proof of identification that Calderon submitted from her personal email account. However, Calderon’s attempt to authorize her relative’s claim was disallowed because the relative had resigned from their employment and was not terminated. On May 24, 2021, Calderon again attempted to reverse the initial disallowed determination on her relative’s claim. On that same date, Calderon sent an email to her supervisor, resigning from her ODJFS employment effective immediately.

On June 23, 2021, ODJFS Supervisor Kristina Henry was reviewing the work of Calderon and noticed that one of the claims Calderon had accessed had her same last name. Henry contacted ODJFS Supervisor Ivette Danzo who confirmed that Calderon had asked her to access an unemployment claim for one of Calderon’s relatives that had been denied. Danzo refused Calderon’s request and advised her that neither one of them were permitted to

access her relative's claim and informed Calderon that her relative needed to call the ODJFS toll-free number.



On August 17, 2021, Calderon was interviewed by investigators from the Ohio Inspector General's Office and the Ohio State Highway Patrol. Calderon admitted to investigators that she accessed her relative's claim during her employment with ODJFS, and confirmed that she knew she was not permitted to do so. Investigators determined Calderon actions violated ODJFS policies.

ODJFS' evaluation of Calderon's improper actions involving her relative lead to an additional discovery. Supervisor Henry found that prior to being employed by ODJFS, Calderon had been receiving unemployment benefits beginning in March of 2020. However, Calderon continued to improperly apply for and receive those benefits after she became employed by ODJFS in November 2020. Each week, Calderon would file a weekly certification of unemployment, reporting that she was not employed. Calderon continued receiving unemployment benefits through March 13, 2021, when her claim expired and she was required to file a new application to reopen her claim.

Investigators requested and received Calderon's bank account records into which her payroll and unemployment benefits were deposited. Investigators also received from ODJFS, 14 bi-weekly payroll statements for Caldron during the time she was also receiving unemployment benefits. From an evaluation of these records, investigators confirmed that during the same time period, Calderon's bi-weekly ODJFS paycheck was direct deposited into the same bank account as her direct deposit for her unemployment payments. Investigators also learned Calderon was receiving between \$300 and \$600 per week for a period of about 3½ months, from November 2020, when Calderon was first hired by ODJFS, to March 2021, when her unemployment claims discontinued. From December 3, 2020, to March 13, 2021, Calderon was paid a total of \$9,993.31 for hours worked at ODJFS. During this same time period, Calderon received \$7,605 in unemployment benefits, which with the accumulation of weekly penalties and interest, amounted to more than \$9,650 in restitution owed to the State of Ohio for the improper unemployment benefits.

The Inspector General's Office referred the report of investigation to the Lucas County Prosecuting Attorney for consideration. On September 30, 2021, Calderon was indicted by a Lucas County Grand Jury on charges of Telecommunications Fraud, Tampering with Records, and Unauthorized Use of Computer/ Cable/Telecommunication Property.

OHIO DEPARTMENT OF REHABILITATION AND CORRECTION FILE ID NO: 2020-CA00004

On February 19, 2020, the Inspector General's Office received notification from the Ohio Department of Taxation (TAX) of suspected illegal activity. The notification stated that during a routine monitoring of filed income tax returns, TAX identified 59 individuals who were claiming Schedule C deductions for false business-related expenses, thereby reducing their federal income. As these 59 returns were identified, TAX sent letters to each of the individual taxpayers requesting supporting documentation for the business expenses they had claimed. TAX reported that when the agency began receiving responses to these letters, the department was able to verify that the reported expenses were false. Employee 1, who worked for the Ohio Department of Rehabilitation and Correction (ODRC), responded to a letter they had received from TAX and informed TAX that they were the individual responsible for preparing the 59 returns. Employee 1 provided TAX with a client list and proof of payments received from their clients that corresponded to the list of returns identified by TAX as having claimed false business-related expenses. TAX also determined that some of the 59 tax returns were filed using IT resources owned or registered to the State of Ohio.

Filing of Tax Returns with False Business-Related Expenses

The Inspector General's Office reviewed spreadsheets provided by TAX that contained tax filing information for 2018 and 2019. For these two filing years, TAX flagged respectively, 156 and 105 tax returns filed by individuals who claimed business losses on Schedule C that TAX suspected were false. All 261 flagged returns filed during the two-year period that were suspected as false were also suspected of being filed by Employee 1. Of these returns that were flagged, investigators discovered 11 returns were filed for currently employed State of Ohio employees. Based on this information, investigators decided to focus the investigation on the tax returns filed in 2018 and 2019 for the 11 active State of Ohio employees who had attempted to claim false business-related expenses.

Investigators issued subpoenas to the 11 State of Ohio employees whose returns were flagged requesting information for tax years 2018 and 2019. Investigators conducted interviews with 10 of the 11 State of Ohio employees and reviewed the supporting documentation they had sent in response to the subpoenas issued. All 10

The image shows a Schedule C (Form 1040 or 1040-SR) Profit or Loss From Business tax form for the year 2019. The form is partially filled out, showing sections for business information, income, and expenses. A large, stylized arrow graphic is overlaid on the right side of the form, pointing downwards and to the left.

... All 261 flagged returns filed during the 2018 and 2019 period that were suspected as false were also suspected of being filed by Employee 1. ...

employees interviewed confirmed that Employee 1 either prepared their taxes or assisted them in preparing their taxes and they all admitted they paid Employee 1 for their tax preparation services.

During separate interviews with Employees 2, 3, and 6, investigators were told by each employee that they had never operated the business that Employee 1 reported on their Schedule C. Employee 2 provided investigators with a copy of a text message they had sent to Employee 1, asking Employee 1 why they reported Employee 2 was operating a business on their Schedule C, when they did not own a business.

Also, during an interview with Employee 4, investigators asked Employee 4 to explain their 2018 and 2019 Schedule Cs which reported they had been paid for their work as an “assistant coach.” Employee 4 told investigators they were never paid for serving as an “assistant coach” and added that it was volunteer work.

When investigators questioned Employee 1 as to why they had claimed Employee 4 received payments in 2018 and 2019 from their coaching job, Employee 1 said, “it was a mistake.” The supporting documentation provided for the expenses reported on Employee 4’s Schedule C included their home mortgage interest statement, student loan interest paid during the year, their personal health care savings account showing money spent on personal health care during the year, and a list of Dominion Energy bills paid for their home. No supporting documentation was provided for car and truck expenses, insurance, supplies, or taxes and licenses, which were reported on Employee 4’s Schedule C.

Moreover, during Employee 9’s interview with investigators, Employee 9 noted that when Employee 1 prepared their taxes, they had not provided Employee 1 with the amounts listed on their Schedule C for their reported beautician business expenses.

Of the 10 employees that responded to the subpoenas issued, Employee 7 was the only individual who provided a copy of an exact list of expenses they had provided to Employee 1 for the preparation of their taxes. From a review of this list, investigators found other expenses reported on Employee 7’s Schedule C that were in addition to those expenses Employee 7 provided to Employee 1. When interviewed, Employee 7 was uncertain about what those additional expenses were and was surprised that, according to their Schedule C prepared by Employee 1, their Mary Kay® business had a reported loss in excess of \$10,000 each year.

Employee 2:

Dear, why would you say that I was running a Counseling business and I'm not!!!! I need you to do an amended filing, ASAP. Feds and state

Employee 1:

I told you what I did to get you money back and you were okay with it.

Employee 2:

No dear...

I would never have agreed to that

Also, during an interview with investigators, Employee 5 stated that the bakery business that was reported on their 2018 Schedule C was just a hobby and that they were recently audited by the IRS. Employee 5 also told investigators that Employee 1, “will enhance or help to enhance figures.”

TAX determined for tax years 2018 and 2019, the 11 individuals filed State of Ohio tax returns that sought refunds totaling \$11,814, for false business losses reported on their federal Schedule C. If these false business losses had not been included on their filed returns, the refunds or amounts due to these State of Ohio employees would have been much less, totaling \$6,005. The Inspector General’s Office determined the potential loss to the State of Ohio from these fraudulent filings totaled \$6,773.

Improper Use of Information Technology (IT) Resources Owned or Operated by the State of Ohio to File Tax Returns

Investigators reviewed the filing information provided by TAX for the 11 current State of Ohio employees and determined that during tax years 2018 and 2019, IT resources owned or registered to the State of Ohio were used to submit eight separate returns. Investigators confirmed through review of Employee 1’s Kronos timekeeping records that Employee 1 submitted these tax returns during times they reported being at work for ODRC.

During an interview with Employee 1, investigators asked if they had ever filed tax returns while they were at work. Employee 1 replied, “I have completed taxes here, yes.”

... Investigators confirmed through review of Employee 1’s Kronos timekeeping records that Employee 1 submitted these tax returns during times they [Employee 1] reported being at work for ODRC. ...

In addition to Employee 1 filing tax returns for State of Ohio employees while using IT resources owned or registered to the State of Ohio, investigators also determined Employee 1 filed five additional returns in 2018 and 2019 using IT resources owned or registered to the State of Ohio for individuals who were referred to Employee 1 by a former ODRC employee. Moreover, during the 2018 tax year, Employee 1 filed three additional returns using IT resources owned or registered to the State of Ohio during times Employee 1 claimed to be at work for ODRC.

Investigators also found Employee 1 had been using their State of Ohio email address to correspond with others while preparing their taxes and also used their State of Ohio email address to register others for an online account to file taxes. Investigators determined Employee 1 had also forwarded tax information from their personal email addresses to their State of Ohio email account for the period starting in 2015 and through February 2020.

During the interview conducted with Employee 1, investigators asked Employee 1 if they had ever used their State of Ohio email address to create a FreeTaxUSA® (FreeTax) account for other individuals, and Employee 1 replied, “yes I have.” A review of Employee 1’s State of Ohio email account found receipts for filing taxes using FreeTaxUSA® were received and intended for Employee 1; however, the “customer’s name” reported on the actual receipts were not Employee 1’s name, indicating that Employee 1 was using their State of Ohio email

account to conduct their tax filing business. The Inspector General's Office concluded Employee 1 improperly used State of Ohio resources to file tax returns for their secondary employment.

Secondary Employment Authorizations

Investigators requested that ODRC provide any secondary employment authorizations that were on file for Employee 1 to determine if Employee 1, having primary employment with ODRC, obtained approval of secondary employment prior to performing work for their tax business. Investigators determined no secondary employment forms were on file at ODRC for Employee 1, and Employee 1 confirmed they had not filed a secondary employment form with ODRC. Moreover, investigators determined Employee 1 had signed forms on June 6, 2016, and October 12, 2019, acknowledging that they had received, read, and would adhere to ODRC's Standards of Employee Conduct. The Inspector General's Office concluded Employee 1 failed to submit authorizations and obtain approval from ODRC for their secondary employment.

The Inspector General's Office recommended that the director of the Ohio Department of Rehabilitation and Correction review the conduct of the ODRC employees examined



in the investigation and determine if administrative action was necessary. The Inspector General's Office also recommended that the director of the Ohio Department of Taxation review the tax returns that were flagged for containing false business-related expenses and determine if penalties were necessary pursuant to ORC §5747.15. In addition, the Inspector General's Office recommended that TAX ensure that adjustments are made to refunds of taxpayers whose returns were flagged and who were unable to support the business-related expenses reported.



The report of investigation was referred to the Cuyahoga County Prosecutor's Office and the Internal Revenue Service for consideration and was also referred to the Ohio Ethics Commission for consideration regarding Employee 1's misuse of State of Ohio work time and resources while conducting their tax preparation business.

OHIO DEPARTMENT OF JOB AND FAMILY SERVICES

FILE ID NO: 2021-CA00012

On June 9, 2021, the Ohio Department of Job and Family Services (ODJFS) Chief Inspector's Office referred a complaint to the Inspector General's Office alleging that on several occasions, Customer Service Representative Quenise Barnes, an intermittent State of Ohio employee, improperly accessed a relative's pandemic unemployment assistance (PUA) claim with no official business reason to do so. Additionally, the claimant/relative who filed the complaint stated that Barnes allegedly performed a transaction within their claim, resulting in the discontinuation of their PUA benefit payments. The claimant/relative contacted ODJFS and provided evidence in support of their complaint. After receiving the referral and

additional information in support of the allegation, the Inspector General’s Office opened an investigation into the alleged misconduct of Barnes on June 17, 2021.

On June 30, 2021, Quenise Barnes was interviewed at her residence by investigators from the Inspector General’s Office and Ohio State Highway Patrol. Investigators asked Barnes if she was provided ODJFS policies and procedures to read, acknowledge, and sign, to which Barnes replied, “I probably did” *ODJFS Policy IPP.0005- Processing of ODJFS Work Actions* prohibits ODJFS employees from executing any ODJFS work actions for themselves, relatives, co-workers, or friends. Barnes told investigators that she knew she was not permitted to work on family members’ claims and noted that she was also restricted from working on claims of people she knew. Barnes stated that she did not lock her relative’s PUA claim, and that she only informed her supervisor, Tom Powell, of her relative’s alleged fraud and that he, “... got it shut off.”

... Barnes told investigators that she knew she was not permitted to work on family members’ claims and noted that she was also restricted from working on claims of people she knew. ...

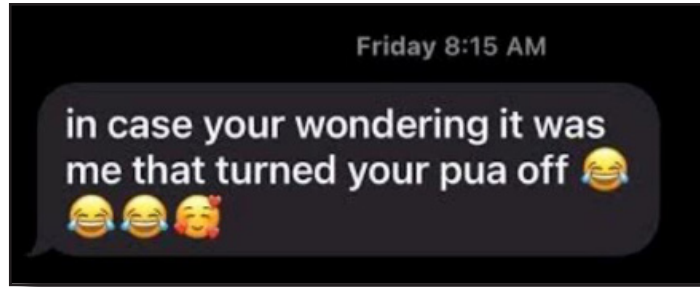
On July 6, 2021, investigators interviewed ODJFS Program Delivery Supervisor Thomas Powell. Investigators informed Powell about the allegation of Barnes locking her relative’s PUA claim and asked him if Barnes would have the ability to perform that action in UFactors, which was the PUA database. Powell replied, “She would have the ability to lock the claim, yes.” Investigators then asked Powell if Barnes was authorized to lock the claim, and Powell responded, “No... .” Investigators informed Powell that during Barnes’ interview, she denied locking her relative’s claim, and insisted she relayed the information about suspected fraud on the claim to him and that he had locked the relative’s claim. Powell responded, “No, I did not lock the claim ... it [the audit trail] would’ve put my name there if I had locked it.” Investigators also reviewed Barnes’ state-issued email box and did not discover any emails in which Barnes requested assistance from Powell in reporting her relative’s claim as fraudulent, or in which she asked for help in locking her relative’s claim.

During the investigation, the Inspector General’s Office analyzed and evaluated the following information:

- An email summary of a phone call to ODJFS from the claimant/relative, reporting Barnes’ improper actions.
- Screen shots of social media posts made by Barnes announcing her employment with ODJFS and her ability to impact family/friends’ benefits.



- A screen shot of a text message sent by Barnes to the claimant/relative from a phone number verified by investigators as belonging to and used by Barnes, personally acknowledging that she (Barnes) did, in fact, lock the claimant/relative's claim.



- A screen shot from the PUA database UFacts, showing the unauthorized alphabetical/name searches conducted by Barnes of her relative's surname in UFacts, for a total of 10 times, on/around the date that Barnes locked her relative's claim.
- An audit trail screen shot from UFacts documenting when Barnes improperly "locked" her relative's claim.

Lock Claim - "This claim was locked: fraud"

5/14/2021 barnes, quenise

From the analysis and interviews conducted, investigators determined that Barnes improperly accessed the PUA claim belonging to her relative on May 14, 2021, and that she performed a transaction to "lock" the claim, citing fraud as the reason, which discontinued PUA payments to the relative. The Inspector General's Office concluded Barnes actions violated ODJFS' policies. On June 11, 2021, Barnes' relative's PUA claim was reinstated and retroactively paid for the missed payments, and they were able to file weekly thereafter until the discontinuation of the federal PUA program on September 4, 2021.

Investigators also reviewed the audit trail in the traditional unemployment benefit database OJI, documenting all activity by Barnes for the period of February 14, 2021, to July 1, 2021. The audit trail showed Barnes' state user ID, which was the unique ID given to her upon her employment with ODJFS, was used by Barnes to improperly access her own unemployment claim with no official work-related reason to do so. Barnes improperly accessed her claim during hours she was working for ODJFS on four separate occasions: March 11, 2021, March 16, 2021, March 25, 2021, and April 1, 2021. ODJFS Policy IPP.3922 Code of Responsibility places restrictions on employees' access to ODJFS client records regarding benefits and services. Investigators concluded that Barnes, as a current employee of ODJFS, improperly accessed her own unemployment claim in OJI which was not part of her official job duties and work assignments for, and on behalf of, ODJFS and/or a federal oversight agency.

On July 1, 2021, Barnes was terminated from employment with ODJFS as a result of modifying a record without the authorization to perform such an action.

The Inspector General's Office referred this investigation to the Franklin County Prosecuting Attorney, the City of Columbus Prosecuting Attorney, and the Ohio Ethics Commission for consideration.

OHIO DEPARTMENT OF YOUTH SERVICES**FILE ID NO: 2019-CA00030**

On August 22, 2019, the Inspector General’s Office opened an investigation into the purchasing practices at Circleville Juvenile Correctional Facility (CJCF) after a complaint was received alleging the facility was making “frivolous” purchases using taxpayer funds. This investigation sought to determine whether CJCF was ensuring the proper stewardship of State of Ohio funds and was complying with state and Ohio Department of Youth Services’ (ODYS) purchasing and asset management policies. The investigation reviewed selected purchases made by Circleville Juvenile Correctional Facility staff during state fiscal years 2018, 2019, and 2020.

Investigators determined that Circleville Juvenile Correctional Facility staff did not follow procurement policies in multiple instances by making wasteful purchases for items that were not used by CJCF or violated ODYS policies; failing to obtain proper quotes for purchases; purchasing (and overpaying for) supplies from outside vendors instead of from mandatory State of Ohio Penal Industries and/or Ohio community rehabilitation programs; and failing to follow State of Ohio and ODYS asset management policies.

Making Wasteful Purchases for Items That Were Not Used by CJCF or Violated ODYS Policies

In November 2018, the ODYS Central Office purchased an X-ray machine from Adani Systems Inc. to be used at the front entrance of CJCF to scan bags being taken into the facility. Investigators reviewed the Summary of Informal Quotations form attached to the payment voucher and noted only one quote was listed from Adani Systems Inc. ODYS policy states that direct spending authority for purchases over \$500 that are not available from required state resources require three competitive price quotations. Investigators also discovered ODYS had improperly used a National Cooperative Purchasing Alliance (NCPA) purchasing agreement, which was not in effect at the time of the \$43,728 purchase of the X-ray machines. When investigators visited CJCF in September 2019, the X-ray baggage inspection system was located in the lobby; however, investigators learned the system had not been used since its acquisition in November 2018. Investigators received varying reasons from ODYS as to why the X-ray machines remained idle for nearly one year after the system’s purchase date.

The Inspector General’s Office also reviewed selected transactions and determined that during fiscal years 2018, 2019, and 2020, payment cards assigned to various CJCF staff were used to make improper and unsuitable purchases that contradicted ODYS’ mission and goals. Investigators found that video games rated “mature” — which portrayed graphic violence, explicit sexual activity, deviant or disruptive behavior, strong anti-law enforcement themes, and promoted the reckless operation of motor vehicles — were purchased for and played by young offenders housed at CJCF without being evaluated and approved for use by the appropriate screening committees. These improper purchases were made contrary to the proper stewardship of state funds, and were unsuitable for the orderly operation, security or safety of the facility, its staff, and youth.

In addition, during fiscal year 2018, multiple arcade and pinball games were purchased for use at CJCF in transactions totaling \$48,530. Included in the purchases were four Fast

and Furious and three Cruis'n USA driving arcade games, totaling \$19,365, which were not screened and evaluated for appropriateness by proper facility personnel. Investigators reviewed the supporting procurement documentation and found that for two of the transactions, the invoices were dated prior to the date of the requisition's approval, which is in violation of Ohio Office of Budget and Management rules.



From documents provided to investigators by ODYS legal counsel, investigators learned that \$13,000 was allocated by ODYS to purchase driving simulators for all three juvenile facilities to launch a new driving program that provided youth with realistic driving experiences and education. Investigators questioned whether the purchase of driving games advocating street racing was appropriate for youth when concurrently the department was introducing a new program that teaches youth how to drive safely and obey traffic laws.

Additionally, in May 2018, a payment card was used by a CJCF staff member to purchase fishing equipment, totaling \$814.62. Among the items purchased were fishing tackle kits which contained multiple size fishing hooks. Investigators learned that the CJCF administration wanted to establish a fishing incentive program for the youth, but that the fishing program was never implemented and CJCF was storing the unused purchased equipment at the facility. Investigators questioned why State of Ohio funds were spent by CJCF to purchase equipment for a proposed program prior to the approval of the program.

Failing to Obtain Proper Quotes and Purchasing Goods Outside Scope of Contract to Avoid Controlling Board Approval

In June 2019, at the end of the State of Ohio's fiscal year, CJCF worked on completing a purchase for Helios Multigym outdoor exercise machines. Three bids were solicited, and the equipment was purchased from G&G Fitness at a total cost of \$65,346. Investigators reviewed the current contract price lists attached to the state term schedule contracts for all three dealers from which quotes were obtained and discovered that, although the three vendors were listed on the state term schedule contract, the Helios Multigym machines were not listed on the price lists. Therefore, the three quotes obtained by CJCF for the purchase were not proper because the items quoted were not on the contract. Investigators questioned the timing and rush to purchase the equipment on June 19, 2019, 11 days prior to the end of the State of Ohio's fiscal year on June 30, 2019. Investigators also questioned CJCF's failure to submit the request to the Controlling Board for approval since the purchase was more than \$50,000.

Purchasing Supplies from Outside Vendors Instead of Mandatory State of Ohio Penal Industries and/or Ohio Community Rehabilitation Programs

Ohio Revised Code requires state agencies to purchase certain specified supplies and services from designated vendors. Ohio Penal Industries and Ohio Community

Rehabilitation Programs are examples of vendors state agencies are required to purchase from if they can meet the agency’s needs. In February 2019, a payment card was used by CJCF staff to purchase white banquet tables from Menards, totaling \$966.68. Investigators reviewed the Ohio Penal Industries (OPI) product catalog and consulted with OPI sales staff and determined similar tables were available for purchase through OPI. Investigators concluded that per Ohio Revised Code, CJCF should have purchased the tables from OPI, even though the price per table at Menards was cheaper than OPI.

Additionally, in fiscal years 2018, 2019, and 2020, a payment card was used to make multiple purchases for CJCF from Paragon Solutions Inc., for the foaming hand soap and hand sanitizer used in their newly constructed buildings. Investigators reviewed the OPI catalog and determined similar products were available from OPI.



During fiscal years 2018, 2019, and 2020, a total of 97 gallons of hand sanitizer and 108 gallons of hand soap were purchased from Paragon at a price of \$6,020.70 and \$5,325, respectively. Investigators determined that had CJCF made these purchases from OPI, the facility could have potentially saved \$7,881.66 over the three-year period by buying the supplies in bulk as shown in the following table:

Product	Total Gallons Purchased	Total Spent	Cost Per Gallon Paragon (total spent/total gallons)	OPI Cost Per Gallon	Potential Savings Per Gallon	Total Potential Savings
Hand Sanitizer	97	\$6,020.70	\$62.06	\$20.12	\$41.94	\$4,068.18
Hand Soap	108	\$5,325.00	\$49.31	\$14	\$35.31	\$3,813.48
Total Potential Savings						\$7,881.66

In fiscal years 2018, 2019, and 2020, CJCF used a payment card to make multiple purchases from Ecolab for various cleaning supplies (e.g., lime-away, grease cutter), totaling \$6,027.13. Investigators reviewed the OPI catalog and discovered similar products were available from OPI. Investigators determined that had CJCF made these purchases from OPI, CJCF would have potentially saved \$1,051.20.

In fiscal year 2018, CJCF used a payment card to purchase printer toner from SSI School Specialty, totaling \$1,115.36. In fiscal year 2019, the payment card was used to make multiple purchases of printer toner and batteries from Amazon, totaling \$832.23. Investigators determined, at the time of the purchases, there were mandatory State of Ohio contracts with Community Rehabilitation Program (CRP) suppliers who supplied printer toner and batteries. Investigators noted that the costs of the printer toner and batteries available through CRP suppliers were comparable to the costs of the purchases made by CJCF at Amazon.

Failure to Follow State of Ohio and Department of Youth Services Asset Management Policies

The ODYS Payment Card Manual states that any purchase made by a facility payment cardholder that meets the definition of a fixed asset must be affixed with an inventory tag number that is also recorded on the payment card log next to the purchased item.

In June 2018, CJCF used a payment card to purchase a golf cart from Mid Ohio Golf Car, totaling \$2,470. Investigators reviewed the payment card log (PCL) and determined the asset number was not listed on the payment card log, nor was it listed on the inventory report. Moreover, no receipt was attached in OAKS supporting the purchase of the golf cart.



Additionally, investigators discovered three other CJCF payment card purchases that did not have the required asset tag numbers affixed, were not listed on payment card logs and inventory reports, or that did not have an MBE/EDGE justification section: a purchase for an outdoor sound system from S&S Worldwide, totaling \$1,379.99; a purchase for the CJCF Horticulture program, totaling \$1,570.36; and a purchase for CJCF stereo equipment, totaling \$1,199.18.

While reviewing the CJCF inventory report, investigators also found several assets that were classified with the wrong Profile ID descriptions. Investigators identified multiple assets that ranged in description from an executive desk to a walk-behind floor scrubber that were classified as personal computers.

Recommendations

The Inspector General's Office made 19 recommendations to the director of the Ohio Department of Youth Services, and an agency response was received, in an effort to strengthen the agency's internal control systems and to clarify procurement and asset management responsibilities for agency employees involved in the procurement process. The report of investigation was also referred to the Ohio Auditor of State.

OHIO DEPARTMENT OF PUBLIC SAFETY

FILE ID NO: 2019-CA00042

On October 30, 2019, the Ohio Department of Public Safety, Ohio State Highway Patrol (ODPS/OSHP) notified the Inspector General's Office of a complaint the department received, which had been referred from the Summit County Drug Task Force (SCDTF). The complaint alleged that Ohio State Highway Patrol Sgt. Nickolas Goodnite, who at the time was assigned to the SCDTF, was engaged in a romantic relationship with Linda Malek, a Summit County defense attorney. The personal relationship ended on July 24, 2019, and on July 29, 2019, Malek reported several allegations of suspected illegal activity against Goodnite to the commander of the SCDTF. Among the allegations Malek reported was that Goodnite shared confidential information with her, including photographs and

identifications of task force members; photos of confidential informants; aerial video and surveillance photos of a target house; and had driven her past a target house that was under surveillance. The SCDTF commander reported the allegations to the OSHP, who began an administrative investigation on August 2, 2019. The Ohio Department of Public Safety notified the Inspector General's Office and the Ohio Ethics Commission (OEC) of the suspected illegal activity involving Goodnite.

On September 17, 2020, investigators from the Inspector General's Office interviewed Goodnite and he admitted to texting Malek the following information:

- Names and photographs of SCDTF members. Goodnite noted Malek knew the SCDTF members that he named and photographed in text messages, and that she was Facebook friends with some of them.
- A video of the nighttime aerial surveillance footage of a grow house and his explanation to her as to how the infrared camera was used to detect illumination produced by grow lights. Goodnite claimed the texts were part of a legal discussion with Malek.
- Degrading and critical text messages about SCDTF members. Goodnite told investigators that he did not remember the specific instances in which he demeaned other SCDTF members, but that he was frustrated with members who he believed were not working as hard as he. Goodnite noted, "... that's something cops do to each other."
- Goodnite stated he did not recall sending Malek a picture of an informant.

The Inspector General's Office and the OSHP administrative investigation concluded that Goodnite had released photos and names of SCDTF members, SCDTF work product, a photo and name of an informant, and the identification of a suspect's name and target house.

The Inspector General's Office also evaluated Goodnite's release of potentially protected SCDTF information. An SCDTF commander had told investigators that the SCDTF did not require team members to sign a confidentiality form but noted that he believed it would be common sense among team members not to divulge information about SCDTF members or active cases. Subsequently, Goodnite was removed from the SCDTF.

Investigators contacted the Ohio Ethics Commission (OEC) to obtain an opinion as to whether the release of SCDTF-related information by Goodnite to an external party violated the ethics statute specified in the Ohio Revised Code. The OEC determined that the information Goodnite shared with Malek was not confidential in the context of the statute nor was the information clearly designated to Goodnite as confidential.

However, ODPS/OSHP policy addresses the release and control of information and specifies that an employee is required to keep in confidence any information acquired in the performance of his or her duties

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when the release of that information might be embarrassing or damaging to any person or the division. ODPS/OSHP policy also states that an employee should only divulge such information when necessary to do so by reason of subpoena, or other court action, or upon the lawful order of a supervisor. Therefore, the Inspector General's Office concluded that Goodnite violated ODPS/OSHP policy. ODPS/OSHP issued discipline to Goodnite, and demoted him in rank.

OHIO STATE COSMETOLOGY AND BARBER BOARD

FILE ID NO: 2020-CA00012

On June 26, 2020, the Inspector General's Office received a complaint from the chief legal counsel of the Ohio State Cosmetology and Barber Board (COS) alleging that Cosmetology/Barber Inspector John M. Hobbs III was stopping at locations in his state-issued vehicle during his State of Ohio work time that were not related to his work responsibilities for the state. Hobbs' primary job duty as a cosmetology/barber inspector was to perform inspections of all licensed facilities in his region, which consisted of 28 counties in the greater Toledo area.

Management personnel from COS reviewed the mobile location tool Field Force Manager (FFM) to obtain Hobbs' location activities from January 21, 2018, to June 23, 2020, and discovered that Hobbs was stopping at locations associated with his secondary employment, personal business interests, his family's-owned barbershops, family members' homes, and personal appointments. Subsequently, COS referred the matter to the Inspector General's Office.

Lack of Consistent or Applicable COS Policies Regarding Use of Safe Spots and Reporting Secondary Employment

The Inspector General's Office conducted an analysis of the records and preliminary review provided by COS, covering the time period of January 21, 2018, to June 23, 2020, and confirmed Hobbs had made stops at locations with his state-issued vehicle during his State of Ohio work time that were not related to his COS work responsibilities. Investigators conducted interviews with Hobbs, his direct supervisor, and others regarding the use of safe spots while conducting inspections for COS. COS officials told investigators that safe spots were locations selected by inspectors where they felt comfortable to park their state-issued vehicles to perform administrative work (e.g., phone calls, emails) before or after an inspection. Investigators were informed that prior to the 2020 version of the COS policy manual, safe spots were not addressed in the policies. Investigators concluded that because COS lacked well-defined policies and COS management provided conflicting guidance to COS employees regarding the appropriate use of safe spots, the following locations Hobbs claimed to use as safe spots were permissible:

- Hobbs' family-owned barbershops.
- Dominion Fellowship Church, where Hobbs served as a pastor.
- Hobbs' parents' residential home.

Investigators also discovered incidents when Hobbs used E.L. Bowsher High School as his safe spot when he was at the school for his secondary employment. Hobbs told investigators that he had previously worked at Bowsher as the head coach for girls' varsity

basketball from 2014 to 2019. Investigators determined COS lacked any specific policies requiring COS employees to notify supervisors of secondary employment. This lack of policies enabled Hobbs to work in his position for COS at the same location he performed his coaching duties for his secondary employment. Investigators concluded that had COS implemented policies on secondary employment and the proper use of safe spots, Hobbs' numerous stops to Bowsher may have been discovered by COS officials sooner and consequently, discontinued.

Investigators also concluded that there was reasonable cause to believe Hobbs was not stopping at Bowsher solely for the purpose of using the site as his safe spot, and that he was at that location to participate in the basketball practices. Hobbs acknowledged that the confluence of his State of Ohio work time, his state-issued vehicle FFM arrival and departure times, the permit documentation, and the fact that he was on Bowsher payroll and under coaching contracts "looked bad." Investigators determined that on 14 days between January 21, 2018, to June 23, 2020, Hobbs was both engaged in his secondary employment and reported working for the COS, totaling 11 hours and 27 minutes. The financial loss to the State of Ohio is \$423.35.

Additionally, investigators discovered three incidents when Hobbs' had used Wildwood Family & Cosmetic Dentistry as his safe spot during his dental appointments at the office. Moreover, investigators determined Hobbs reported working for COS during times he was engaged in the three dental appointments, totaling three hours and 50 minutes. The financial loss to the State of Ohio is \$148.15. Investigators concluded Hobbs' stops to Wildwood could have been legitimately designated as his safe spot because COS lacked any specific policies defining safe spots and their proper use. This lack of policies enabled Hobbs to concurrently work at the same location that he received dental care. Again, investigators concluded that had COS implemented policies on safe spots, Hobbs' numerous stops to Wildwood may have been discovered by COS officials sooner and discontinued.

Lack of Consistent or Applicable COS Policies Regarding the Use of State-issued Vehicles

Investigators determined Hobbs was not in compliance of ODAS Fleet VF-01 policy when he attended one of five dental appointments to Wildwood Family & Cosmetic Dentistry in his state-issued vehicle. However, the conflicting guidance provided to Hobbs by COS officials on June 23, 2020, diminished Hobbs' accountability for the inappropriate use of his state-issued vehicle. Though Hobbs' direct supervisor Margaret Lamantia had initially informed Hobbs that it would not be appropriate for him to go to his dental appointment in his state-issued vehicle, Hobbs contacted his union steward to contest.

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>> On Jun 23, 2020, at 11:08 AM, Lamantia, Margaret <Meg.Lamantia@cos.ohio.gov> wrote:
>>
>> John,
>>
>> Below is the DAS policy on using a state vehicle for a personal errand/appointment.
>>
>> You will need to use your personal vehicle for an appointment.
>>
>> If you have any questions please feel free to contact me.
>>
>> Sincerely Meg LaMantia
>>
>> The DAS Policy VF-01 only permits personal use of a state-issued vehicle under the following:
>>
>> When on paid travel status and not within reasonable walking distance, between either of the above places and
places to obtain meals; places to obtain medical assistance (including drugstore); places of worship; cleaning
establishments and similar places required to sustain the health, welfare or continued efficient performance of the
driver, exclusive of places of entertainment. (Emphasis added to between).
>>
>> Any other use requires the use of a personal vehicle. In addition, if an employee has to complete a personal errand
using their personal vehicle, they need to use leave or flex time (or lunch, if sufficient) to cover the period beginning
when they complete their last work task until they resume work activities (this would need to include traveling home
and returning to the inspection area).
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The union steward contacted COS Deputy Director Lori Pearson, and information was also relayed to COS Chief Legal Counsel Charley Yaniko, and these COS officials overruled Hobbs' supervisor's directives and stated that it was appropriate for Hobbs to go to his June 23, 2020, dental appointment in his state-issued vehicle on the condition that there were inspections he could perform in the immediate area before and after his dental appointment.

The articulated interpretation on which the authorization given to Hobbs by COS officials Pearson and Yaniko conflicted with the plain language of the ODAS *Fleet Policy VF-01* and was a more liberal application of the policy (e.g., permitting the use of state-issued vehicles for personal appointments). Subsequently, investigators concluded that COS employees were provided with unclear guidance and standards of appropriate use for state-issued vehicles.

Investigators also determined Hobbs had misused his state-issued vehicle during times associated with his secondary employment and his personal dental appointments. During the 14 days in question at Bowsher, investigators discovered Hobbs had "clocked out" or ended his State of Ohio workday while at Bowsher and "clocked in" during one of his personal dental appointments at Wildwood. By starting or ending his workday at any location other than his home, Hobbs' actions occasioned liability issues because he was operating a state-issued vehicle for personal appointments, both outside the time and scope of his employment with the State of Ohio.

The Inspector General's Office referred the report of investigation to the City of Toledo Prosecuting Attorney, the City of Columbus Prosecuting Attorney, and the Ohio Ethics Commission for consideration. On September 7, 2021, Hobbs resigned from his position with COS. In addition, COS' response to the Inspector General's Office regarding the investigation stated that the board was completely reviewing all COS policy and procedure manuals to ensure that all aspects of the manuals were consistent with and equal to the level of guidance provided by the Ohio Department of Administrative Services, including that of the *ODAS VF-01 Fleet Policy*.

OHIO DEPARTMENT OF PUBLIC SAFETY FILE ID NO: 2020-CA00018

On September 4, 2020, the Inspector General's Office received notification from the Ohio Department of Public Safety (ODPS) of suspected improper or illegal activity of an ODPS employee. It was alleged that Administrative Officer 3 Christopher Lee, of the ODPS Facilities Division, solicited and accepted an ODPS discount from paint and supply store Sherwin Williams when purchasing paint for personal use



at his residence. Lee also allegedly hired ODPS Maintenance Repair Worker 3 Michael Raver to paint his home, and Raver purportedly performed the work during hours he claimed to be teleworking for ODPS. Furthermore, Lee held a managerial position and was within Raver's supervisory chain of command and allegedly approved Raver's reported ODPS work times. Investigators confirmed with ODPS chief legal counsel that although Lee is several steps in management above Raver, Lee was considered one of Raver's supervisors and that one of Lee's responsibilities includes recommending discipline for employee misconduct. On September 15, 2020, the Inspector General's Office, in cooperation with the Ohio Ethics Commission, opened an investigation into the matter.

Investigators evaluated copies of receipts from Sherwin Williams dated May 28, 2020, showing a purchase of paint for \$325.70 with no sales tax charged. The receipt indicated the purchase was made by Christopher Lee of the Ohio Department of Public Safety, and that there was a 35% price discount received on the purchase. The receipt also showed the paint was purchased at a Sherwin Williams store in Columbus, Ohio, and investigators contacted the store to inquire about the purchase. Sherwin Williams personnel told investigators that this particular Sherwin Williams store provided the State of Ohio discount to all State of Ohio employees in addition to state agencies and departments. Sherwin Williams also told investigators that the failure to charge sales tax on the purchase was an error made by the Sherwin Williams clerk who completed the sales transaction. Investigators were informed that discounts were determined by individual stores and might not be available at all Sherwin Williams stores.

On October 7, 2020, investigators interviewed Administrative Officer 3 Christopher Lee. Investigators shared with Lee a copy of the paint receipt showing he was not charged sales tax for the purchase. Lee told investigators that the receipt they were showing him was a different receipt than what he received from the store. Lee stated he had not reviewed the receipt Sherwin Williams provided to him and assumed the sales tax was included. Lee noted he would have paid the sales tax if it had been charged to him.

Investigators asked Lee about ODPS maintenance worker Michael Raver and the painting of his home. Lee told investigators that due to a health situation, he was unable to paint his own residence. Lee stated he was aware that Raver once owned a painting business and handled painting projects for ODPS. Lee said he contacted Raver to inquire whether he would be interested in painting the interior of Lee's home. Raver expressed interest in the job and in May of 2020, Lee approached Raver to make the arrangements, whereby the two agreed upon a price of \$1,350 to complete the project. Lee stated that Raver undertook the painting project at his residence on Friday, May 29, 2020, and completed the project on Saturday, May 30, 2020. However, during an interview with investigators on November 2, 2020, Raver stated that he had completed most of the paint project at Lee's residence on Saturday, May 30, 2020, but still had approximately four hours of touch-up work to be finished. Raver stated Lee instructed him to complete the touch-up work on the following Monday, June 1, 2020, when Raver was scheduled to be teleworking for ODPS, and to not use his leave time to complete the painting project. Raver stated he completed the four hours of touch-up painting at Lee's residence on Monday, June 1, 2020. Investigators

concluded that Lee violated both the *DPS-501.16 Management of Time and Attendance* and *DPS-501.17 Teleworking* policies when he permitted Raver to paint his (Lee's) residence for four hours during times Raver was claiming, with Lee's approval, to be teleworking for ODPS.

On November 2, 2020, investigators interviewed Michael Raver. Raver stated Lee asked him if he would be interested in painting his residence, and Lee agreed to pay \$1,350 to Raver for him to complete the work. Raver provided to investigators a copy of a text message conversation between himself and Lee. The message stated Lee wanted Raver to paint his residence on May 28, 2020, and May 29, 2020. Lee wrote in the message that he had checked Raver's ODPS work schedule and noted Raver was scheduled to be working onsite at the ODPS building during this time. Lee suggested Raver work a teleworking schedule and not use leave time, by trading his May 28 and May 29 onsite schedule with another employee. Raver told investigators he ended up painting the residence on Friday, May 29, 2020, and Saturday, May 30, 2020, but notified Lee there was approximately four hours of touch-up work remaining and that he could complete the paint job on Monday, June 1, 2020.

... Raver provided to investigators a copy of a text message conversation between himself and Lee, stating Lee wanted Raver to paint his residence ... Lee suggested Raver work a teleworking schedule and not use leave time ...

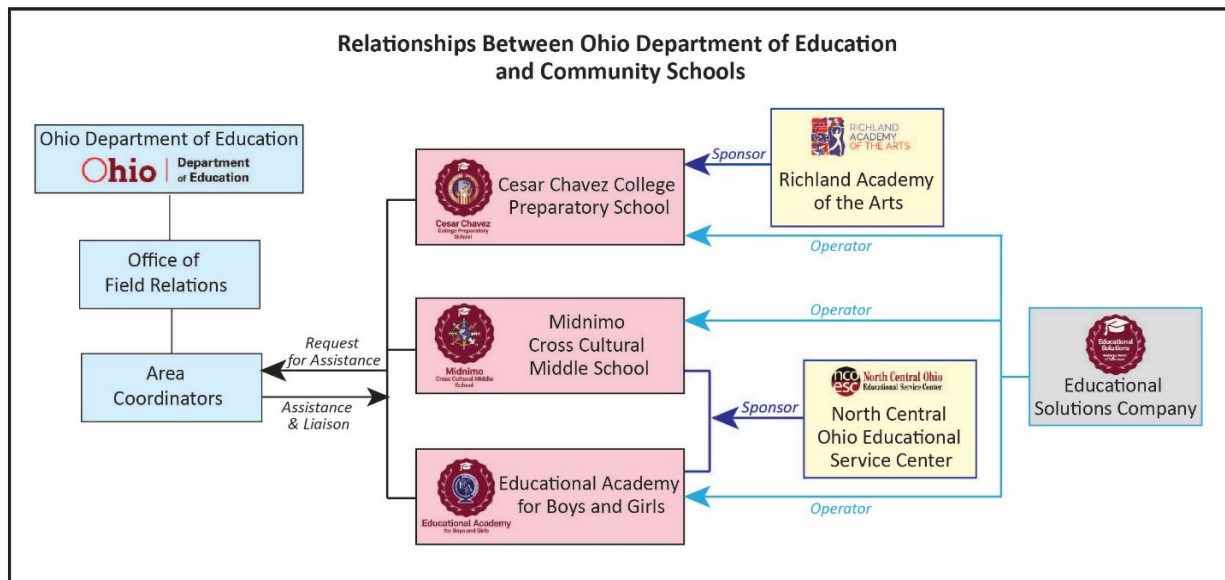
Investigators reviewed Raver's ODPS timesheet that included May 28 through June 1, 2020, and confirmed Raver had used eight hours of compensatory leave on Friday, May 29, 2020. However, Raver's ODPS time records also indicated that he did not take four hours leave time on Monday June 1, 2020, when he was painting Lee's home. Raver admitted to investigators that he had painted Lee's home on State of Ohio work time for four hours on Monday, June 1, 2020. Investigators asked Raver if he had any concerns or reservations about painting Lee's residence during his ODPS work hours. Raver answered, "I was wondering about it. I didn't really know if it was right or not, but he told me don't put time in. You're okay." Investigators concluded that Raver misused four hours of ODPS work time on June 1, 2020, and violated *DPS-501.16 Management of Time and Attendance* policy. Investigators determined the cost to the State of Ohio was \$132.92.

On September 24, 2021, the Inspector General's Office was notified by the Ohio Department of Public Safety that the department and Christopher Lee had come to an agreement on discipline consisting of a five-day suspension without pay and a reassignment from an ODPS administrative officer 3 position to a project manager 1 position, whereby Lee would no longer supervise employees or have employees directly reporting to him.

This report, as well as all records related to the investigation were provided/shared with the Ohio Ethics Commission (OEC) as part of their continuing investigation. The Inspector General's Office also forwarded the report of investigation to the City of Columbus Prosecuting Attorney for consideration.

OHIO DEPARTMENT OF EDUCATION**FILE ID NO: 2020-CA00003**

On February 14, 2020, the Inspector General’s Office received a complaint from the Ohio Department of Education (ODE) alleging that ODE Area Coordinator (AC) Michael Troper had failed to report outside employment that posed a potential conflict of interest. ODE area coordinators monitor and provide oversight to community schools and advise schools in their regions on ODE policies, applicable Ohio statutes, grants processes, and the schools’ fiscal responsibilities. ODE had discovered Troper was listed in the Ohio Educational Directory System (OEDS) as treasurer for three community schools (Cesar Chavez College Preparatory School (CC), Midnimo Cross Cultural Middle School, and Educational Academy for Boys and Girls) and one management company, Educational Solutions Company (EDS) in central Ohio. Troper was assigned by ODE as AC to the same area where the three community schools were located. The complaint further stated that Troper had not submitted the required outside employment forms to ODE management for evaluation and approval of his outside employment as treasurer.



The Inspector General’s Office interviewed ODE and EDS personnel and made inquiries with EDS staff and consultants regarding Troper’s actions. Investigators also obtained and analyzed Troper’s ODE personnel file; his ODE desk, cell phone, and residential phone records; his ODE email account and documentation supporting the FY 2020 CC Full-Time Equivalency (FTE) review; and other records related to Troper’s activities involving the three EDS-operated community schools.

Investigators verified that Troper had not disclosed his employment as community school treasurer on his initial job application or during his hiring interview at ODE, and only disclosed it after he was hired. Investigators learned that Troper’s then-supervisor — ODE Executive Director for the Office of Grants Administration Brian Jones — told Troper that he could not have any involvement with the three EDS-operated community schools as an ODE AC. Investigators also learned that it was during the information-gathering phase prior

to notifying the community schools selected for the FY 2020 FTE review that ODE became aware that Troper was treasurer for a community school selected for review. When ODE management questioned Troper about this discovery, Troper admitted that he was serving as the treasurer for the Cesar Chavez College Preparatory School (CC) and two other community schools located in the Columbus area. After this admission, ODE management informed Troper that he had a conflict of interest and that he could not be involved with the FY 2020 FTE review.

During his interview with the Inspector General's Office, Troper admitted his involvement with the community schools for which he had been told not to participate. Additionally, investigators learned Troper provided assistance to EDS and community school staff while employed as both an ODE area coordinator and community school treasurer. Troper offered guidance to EDS staff during the preparation of their annual budgets, five-year forecasts, and monthly financial reports. Investigators concluded Troper disregarded the direction of his supervisors and ODE policy and when he engaged in ODE activities involving the community schools for which he was also employed as the treasurer.

Investigators also determined Troper responded to inquiries from EDS about the Student Wellness and Success Funds (SWSF) administered by ODE, by directing EDS staff to resources and providing information on how the SWSF funds could be used and what documentation would need to be retained.

Troper had early access to information impacting public and community schools prior to ODE disseminating the same information to all districts. Troper also made or received phone calls to and from EDS staff in his role as community school treasurer regarding matters of EDS schools, which posed a conflict of interest with his primary employment as ODE area coordinator.



Throughout Troper's interview with the Inspector General's Office, he acknowledged that his ongoing outside employment as treasurer for EDS and the three community schools was a conflict with his primary employment as ODE area coordinator. The Inspector General's Office found reasonable cause to believe a wrongful act or omission had occurred and referred Troper's actions to the Ohio Ethics Commission and City of Columbus Prosecuting Attorney for further consideration.

Misuse of ODE Resources

The Inspector General's Office conducted an analysis of Troper's ODE desk and cell phone records, residential phone records, and ODE email account. From this analysis, investigators discovered that Troper made and received 1,614 personal phone calls using his ODE-issued desk phone during times he was working in ODE's Central Office. Investigators determined ODE compensated Troper, in total, \$4,300.35 (see following table) for the time he spent on these calls during his ODE workdays.

Time Period	Hourly Rate	Total Benefits	Total Rate	Total Hours Spent for Personal Calls	Total Loss to State
4/23/18 – 6/9/18	\$36.11	\$16.51	\$52.62	5:07:41	\$269.82
6/10/18 – 6/23/18	\$36.11	\$17.13	\$53.24	2:14:32	\$119.38
6/24/18 – 6/8/19	\$37.11	\$17.32	\$54.43	41:06:50	\$2,237.87
6/9/19 – 7/6/19	\$37.11	\$18.09	\$55.20	2:15:38	\$124.77
7/7/19 – 6/8/20	\$38.14	\$18.38	\$56.52	27:23:57	\$1,548.51
				78:08:38	\$4,300.35

Investigators also determined Troper made and received 74 phone calls to and from EDS representatives totaling approximately four hours on his ODE-issued desk phone. ODE compensated Troper \$218.96 for the time spent on these calls during his ODE workdays. Investigators further determined Troper received and/or sent 538 emails from his ODE email account which were unrelated to his position as an ODE area coordinator.

On January 29, 2021, Troper told investigators that he never directed EDS staff to use his ODE email address and admitted that the phone calls he made or received using his ODE-issued desk phone from EDS representatives were not acceptable. Troper also admitted to investigators that he should not have made or received personal calls using his ODE desk phone to non-ODE attorneys, financial professionals, real estate agents, Veteran’s Memorial, and medical professionals.

The Inspector General’s Office determined that Troper’s use of ODE resources were contrary to the ODE Human Resources Policies and Procedures Manual. In addition, the Inspector General’s Office referred Troper’s misuse of ODE resources and state time to the Ohio Ethics Commission, the Franklin County Prosecuting Attorney, and City of Columbus Prosecuting Attorney for further consideration.

Dissemination of Restricted ODE Information

Investigators discovered Troper had sent from his ODE email account unencrypted emails to his personal wowway.com email address containing the Statewide Student Identifiers (SSID) lists for three community schools’ upcoming FTE reviews. These lists contained students’ IDs and dates of birth. Troper admitted to investigators that he sent unencrypted emails with SSID lists between his ODE email address and his personal wowway.com email address; that the SSID lists contained confidential, restricted information; and that he had made an error in judgement. ODE confirmed to investigators that Troper was not granted permission to use non-ODE devices to store, process, or access ODE information. The Inspector General’s Office concluded Troper violated ODE policies.

Work Schedule and Timekeeping Issues

The Inspector General’s Office analyzed Troper’s timekeeping records. From this analysis, investigators discovered that in the summer of 2019, Troper began reporting his workday start-times as between 6:00 a.m. and 6:30 a.m., which was prior to his approved start-time of 7:00 a.m. Additionally, investigators discovered Troper did not generally take a lunch and that none of these changes to Troper’s core work schedule was approved by ODE. Additionally, this schedule prevented Troper from being available during the ODE core work hours of 9:00 a.m. to 3:00 p.m. as required by ODE policy. Troper admitted to investigators

that this self-adjusted work schedule had not been approved by his supervisor. Investigators concluded that Troper's self-adjusted work schedule of 6:00 a.m. to 2:00 p.m. violated ODE policy which specifies ODE staff must be available during ODE's core hours of 9:00 a.m. to 3:00 p.m.

Michael Troper was terminated from his position as ODE area coordinator on July 23, 2021. The Inspector General's Office forwarded the report of investigation to the City of Columbus Prosecuting Attorney, the Franklin County Prosecuting Attorney, the Ohio Ethics Commission, and the Ohio Auditor of State for consideration. On September 21, 2021, Troper was charged in Franklin County Municipal Court with two misdemeanor counts of violating Ohio Revised Code §102.03(D), an ethics violation for conflict of interest.

OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES KNOWLEDGE SERVICES, VENDOR

FILE ID NO: 2021-CA00005

On March 18, 2021, the Inspector General's Office initiated a compliance review investigation to determine whether Knowledge Services (KS) acted in accordance with provisions in its Managed Service Provider (MSP) contract and State of Ohio procurement policies. KS contracted with the Ohio Department of Administrative Services (ODAS) to facilitate and manage the IT staff augmentation contract for the State of Ohio. ODAS initially awarded the Managed Services Provider contract to Knowledge Services on October 7, 2015, and exercised two renewal options. The Managed Services Provider contract with KS expired June 30, 2021.

Additionally, the review examined whether KS relied upon its providers to ensure compliance with the terms and conditions of the State of Ohio rather than directly monitoring the providers' compliance with these terms and conditions. The review also examined the level of oversight by ODAS when monitoring Knowledge Services' compliance with the terms and conditions and the State of Ohio procurement policies as well as other state agencies' use of the Managed Services Provider contract. The Inspector General's Office examined the Request for Proposal (RFP) terms and conditions, reviewed documentation supporting IT staff augmentation release and permits, MSP program data and relevant documents provided by KS, and interviewed representatives from ODAS.

KS Providers Not Registered to Conduct Business in Ohio

KS provided to investigators a spreadsheet identifying a total of 211 active network providers as of November 3, 2020. Of those 211, investigators determined 85 network providers had addresses identified as out-of-state. Upon further analysis, investigators found that 46 of the 211 network providers were not registered to conduct business within Ohio, and that websites for 68 of the 211 network providers did not indicate having an office located in Ohio.

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KS representatives told investigators approximately half of the active network providers were certified as minority business enterprises (MBEs). To receive MBE certification from ODAS, a network provider was required to meet specific criteria, including being headquartered in Ohio. KS representatives stated they believed the provider network was comprised of a substantial number of companies with a significant economic presence in Ohio. However, investigators found that during the period of July 1, 2016, through February 1, 2021, there were 116 resources being supplied through provider subcontracts rather than directly by the selected MBE provider. When analyzing those 116 resources, investigators found that only seven subcontractors were certified as MBE vendors in Ohio and were registered with the Ohio Secretary of State to conduct business in Ohio. The remaining 109 subcontractors were not designated as MBE-certified vendors by ODAS, and 74 of the 109 non-MBE subcontractors were not registered to conduct business in Ohio.

Investigators questioned whether the use of subcontractors who are not registered with the Ohio Secretary of State or who do not have a significant economic presence in Ohio support the requirement of developing a network of qualified providers with a “significant economic presence in Ohio.”

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Approving Position Rates

When assigning or changing rates of pay for resources provided by KS to state agencies under the MSP contract, KS representatives stated that any changes to the not-to-exceed rate card required approval from ODAS, and such changes were documented through an amendment to the MSP contract. Investigators examined amendments to the contract awarded to KS and discovered ODAS signed an amendment on September 28, 2017, which was the only amendment changing the not-to-exceed rate card under KS’ MSP contract.

KS confirmed that agencies also had the ability to seek rate exceptions in temporary circumstances when the existing not-to-exceed rates resulted in difficulty filling a position in a timely manner. These rate exceptions did not require a contract amendment and had to be requested by the agency prior to the posting being sent to the provider network. When such a request was made, KS worked with the agency to determine what rate was appropriate and sent the requested rate exception to ODAS for approval. An ODAS official told investigators ODAS did not have written procedures to follow when granting rates of pay exceptions and they were granted on a case-by-case basis.

Resource Renewals

The Inspector General’s Office discovered that for fiscal years 2019 and 2020, agencies used a blanket release and permit to renew multiple resources acquired through the MSP contract. KS acknowledged the process used by agencies to renew existing resources for a subsequent fiscal year did not coincide with the job posting process.

Investigators learned through interviews that a resource who had been identified as a renewal from the previous year may have their project canceled during the fiscal year and be rehired for another position within the same agency. Because the documentation for a blanket release and permit only identifies positions and not resource names, ODAS would not be aware a change had occurred.

Prior to the start of this investigation ODAS released Administrative Policy HR-50, which stated, “Effective July 1, 2021, any new engagement with a contracted resource performing IT functions ... shall be less than two (2) years in duration.” Investigators were provided with a copy of the spreadsheet from KS identifying the resources being renewed for several different state agencies.

Investigators analyzed the spreadsheet and found the information provided did not identify how long the resources had been working at the agencies. Without additional information being provided, OIT analysts would be unable to determine whether the renewal of the resources complied with the two-year limitation provided in HR-50 prior to approving a release and permit.

... “Effective July 1, 2021, any new engagement with a contracted resource performing IT functions ... shall be less than two (2) years in duration.” ...

ODAS Administrative Policy HR-50

Pre-Approval and Use of Subcontractor by Provider

In November 2020, KS acknowledged to investigators that providers were permitted to subcontract with other vendors who employed the resource, and the subcontracted vendor could be an MSP network provider. KS stated that it was a “best practice” to allow for one layer of subcontracting as mandated in the Master Service Agreement (MSA). KS told investigators that prior to submitting a resource employed by a vendor other than the provider, the provider “must” receive pre-approval from KS. Investigators requested copies of examples of the emailed requests and KS’ emailed approval of subcontractors. On November 13, 2020, KS sent investigators the following email:

I wanted to follow-up with a point of clarification. During one of our meetings, I communicated that in the State of Ohio MSP Program, we require vendors to request permission to use a sub-vendor prior to submission.

Since our conversation, I have learned that practice was not put into effect in the State of Ohio Program. I have attached an example of how it is completed in our State of Maine Program. We will be rolling out this process in the State of Ohio during next weeks vendor call.

On November 19, 2020, KS representatives notified investigators via email that the requirement to obtain pre-approval before submitting a subcontracted resource was discussed, and that the pre-approval by KS of subcontractors would be required November 19, 2020, and going forward.

Subcontractor Debarment

In November 2020, investigators asked KS if, in a similar manner to network providers, the KS staff was verifying that identified subcontractors were not debarred as provided by terms of the MSA. KS responded that their staff relied upon the continuity of the MSP program and their own internal tracking to determine if a subcontractor had an issue. KS also commented that the focus of their efforts was on the network providers being approved to work within the MSP program rather than a network provider's subcontractors. Investigators asked ODAS officials who would be responsible for ensuring a subcontractor was not debarred at the time of consideration, and were told it was the MSP contractor's responsibility.

Subcontractor Agreements

In November 2020, KS told investigators that they did not maintain copies of the subcontracts between a network provider and a subcontractor for a resource's services. Similarly, ODAS confirmed to investigators that it did not receive copies of the subcontractor agreements from KS. Investigators concluded that by not obtaining copies of the contracts between the providers and subcontractors, KS was unable to verify that the appropriate provisions were incorporated into the subcontract as expected.

MBE Providers and Subcontractors

Investigators reviewed a Client Business Review (CBR) submitted by KS to ODAS in August 2020, and noted more than 80% of the total dollar amount expended on the MSP contract in the fiscal year went to MBE- and Encouraging Diversity, Growth and Equity (EDGE)-certified providers. When considering past investigations of MBE vendors supplying IT consultants, investigators were aware of incidents of MBE vendors bidding on opportunities which they did not have the ability nor the staff to provide the contracted services. In these instances, the MBE vendor subcontracted with another vendor to provide the services, and in some instances the subcontracted vendor was not an Ohio-certified MBE. Investigators analyzed the data from a spreadsheet provided by KS and found that 61 of 70 network providers were Ohio-certified MBEs who subcontracted with another provider for the resource; and that 49 of those 61 subcontractors were network providers who were not Ohio-certified MBEs.

Investigators asked KS about the instances in which MBE-certified network providers submitted subcontracted resources from non-MBE certified subcontractors in response to MBE-specific postings. KS stated network providers engaged in this practice due to the MBE set-aside requirement for agencies and that most state agencies use the MSP contract to fulfill that requirement. KS told investigators that it was brought to ODAS' attention that while the goal of the MBE certification program was to afford MBE providers opportunities, the reality was that open market (non-MBE) providers were subcontracting with MBE providers to supply resources to the agencies. KS claimed ODAS gave the "green light" or "thumbs up" on this practice, indicating it was permissible.

Debarment

In November 2020, KS told investigators that their staff reviewed the State of Ohio debarment list maintained by ODAS to ensure a network provider was not debarred and

was eligible to conduct business with the State of Ohio; however, KS could not identify how frequently their staff reviewed this list. KS clarified that ODAS notified KS when a network provider had been debarred, and the network provider was placed on the “Restricted List” and did not receive notification of new postings. However, an ODAS official stated he was unaware of any guidance ODAS provided to KS on the frequency for reviewing the State of Ohio debarment list maintained by ODAS.

DEBARMENT

Resource Terminations

Investigators asked KS whether state agencies utilizing its resources were required to notify KS with the reason that a resource was terminated and/or the project was canceled prior to the identified service end date. KS stated there was no requirement for an agency to disclose why the project was terminated, but that once KS had received notification of the early project cancellation, the project was marked as closed, preventing the resource from billing additional hours. Investigators asked KS whether the reason for the early termination or project cancellation was documented within the KS computer systems to ensure a “problem” resource did not get passed on to another agency. KS explained this information was documented on an internally shared spreadsheet, and that the determination was flagged in the timekeeping system along with the reason the resource was terminated. If applicable, the flagged resources were placed on a “do not hire list.” KS explained this determination and notes were available to the MSP Program Team who had the responsibility of ensuring resources were eligible for rehire. KS commented that network providers often left letters off the spelling of a resource’s name as to not tie a negative review back to a specific resource’s profile, but that the KS MSP Program Team reviewed the resume information of resources against the information on file to detect deceptive discrepancies.

An ODAS official stated the department was not notified if a resource was terminated prior to the project end date. Investigators asked if ODAS would be notified if a termination occurred due to an issue with the resource, and confirmed ODAS would likely be notified and would work with the agency to secure a replacement resource. The official was unaware of any guidance issued by ODAS to state agencies requiring them to disclose the reason for the early termination of a project.

Resource and Vendor Complaints

KS told investigators that state agencies were “aware” they were to contact KS should an issue arise with a resource. KS stated that issues between network providers and their subcontractors were resolved between those two parties and KS was not involved. Investigators asked an ODAS official if complaints regarding resources were sent to ODAS, and were told state agencies could utilize the “complaint to



vendor” process developed for ODAS State Term Schedule contracts. There were also network provider roundtable meetings held by KS as an opportunity to discuss complaints. Investigators found there was no written guidance for a complaint process under the MSP contract.

Improper Billing of Hours

Investigators asked KS how a complaint was resolved in which a resource improperly billed work hours for services, and how those funds were recouped. KS stated it issued a credit to the state agency for the entire invoice and that KS directed the state agency to cancel the invoice billing the questionable hours. The resource then corrected the time that was improperly entered into the KS timekeeping system, supervisory approvals were obtained, and a new invoice was generated and sent to the state agency for payment. When asking ODAS how the improper billing of funds were handled, investigators were told it would be an issue for the state agency who had initially approved the improper payment to resolve rather than ODAS.

ODAS Oversight and Guidance

The Request for Proposal (RFP) awarded to KS by ODAS contained provisions to assist ODAS in overseeing the MSP program. ODAS confirmed there were quarterly meetings held between ODAS and KS to discuss the MSP program. These meetings were opportunities for agencies to ask questions and for KS to present any problems. Investigators asked an ODAS official whether he had received the reports from KS that were required by the RFP and if so, to what extent ODAS used those reports. The ODAS official confirmed he received many of the required reports, and those reports were scanned for unusual information, but that there were also several reports detailed in the RFP he could not recall receiving.

Conclusion

The Inspector General’s Office determined Knowledge Services significantly complied with the provisions of the terms and conditions of the Request for Proposal awarded by the Ohio Department of Administrative Services for a Managed Services Provider to facilitate the “hourly based IT Staff Augmentation Program.” Additionally, the Inspector General’s Office found KS and ODAS had implemented processes to ensure compliance with the Request for Proposal terms and conditions and State of Ohio procurement policies. However, investigators noted Knowledge Services often relied upon its providers to ensure compliance with applicable terms and conditions.

As a result of this investigation, the Inspector General’s Office issued 42 recommendations to the Ohio Department of Administrative Services to strengthen the agency’s internal control systems and to clarify procurement guidance provided by ODAS to state agencies, boards, and commissions. The report of investigation was referred to the Ohio Auditor of State’s Office for consideration during a review of an agency’s internal control system in subsequent audits.

Ohio Department of Transportation

2021 Report

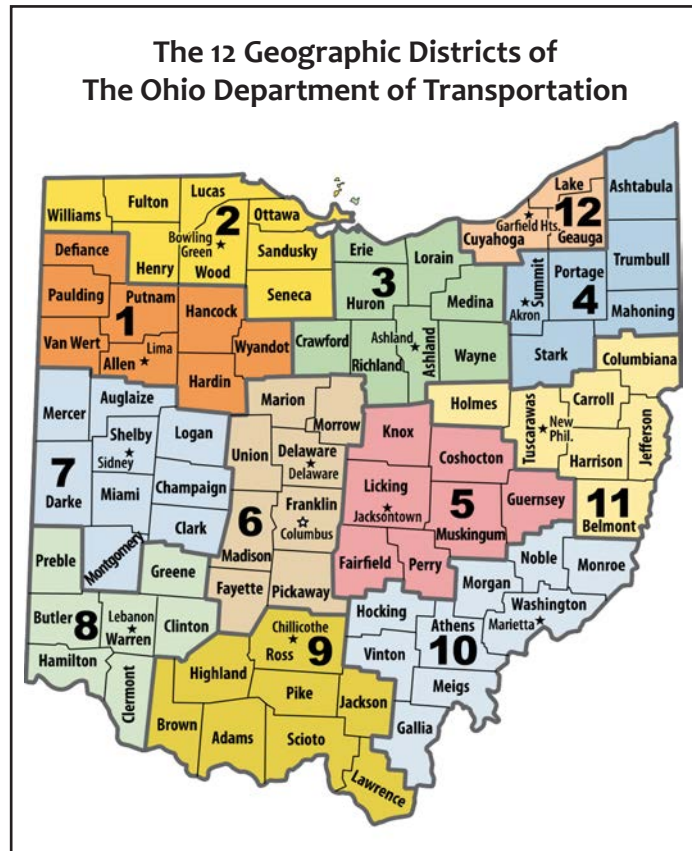
The responsibilities of the deputy inspector general for the Ohio Department of Transportation (ODOT) were created in 2007 with the enactment of Ohio Revised Code §121.51. This section directs a deputy inspector general to investigate “... all wrongful acts and omissions that have been committed or are being committed by employees of the department.” In addition, the deputy inspector general is charged with conducting “... a program of random review of the processing of contracts associated with building and maintaining the state’s infrastructure.”

According to biennial budget documents for fiscal years 2020 and 2021, ODOT had an annual budget of more than \$3 billion in capital and operating expenditures. ODOT is one of the state’s largest agencies in terms of employees, with more than 5,000 staff members located in 12 districts throughout the state, and a headquarters in Columbus. Oversight is important to ensure that operations are conducted efficiently and effectively.

Since the role of the deputy inspector general for the Ohio Department of Transportation was created in August 2007, there has been a continued focus on all aspects of contract processes and procedures, including the bidding process, purchasing of services, and cost overruns.

The cooperation and working relationship between the Inspector General’s Office, ODOT’s leadership team, and chief investigators office supports ODOT’s endeavor to responsibly manage the public’s money.

In 2021, there was one case opened and three cases closed in the Transportation Area of the Inspector General’s Office. As part of the lifespan of a case, the number of cases closed may reflect cases that were opened in previous years.



Source: www.transportation.ohio.gov

Summaries of Selected Cases - Transportation

OHIO DEPARTMENT OF TRANSPORTATION

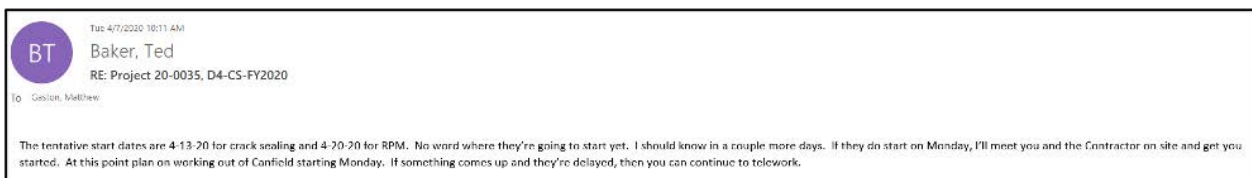
FILE ID NO: 2020-CA00011

On June 1, 2020, the Inspector General's Office received notification from the Ohio Department of Transportation (ODOT) of suspected wrongdoing or illegal activity involving ODOT Transportation Engineer Matthew Gaston. ODOT reported Gaston allegedly falsified the times he reported working from May 5, 2020, through May 22, 2020, totaling 112.3 hours. For the period in question, and at a pay rate of \$32.01/hr., Gaston was paid \$3,594.72 in wages and \$1,198.24 in benefits, totaling \$4,792.96. Surveillance video allegedly showed that from May 5, 2020, through May 22, 2020, Gaston's ODOT-assigned vehicle was never driven from the ODOT Mahoning County garage in Canfield, Ohio. The Inspector General's Office opened an investigation into the alleged activity on June 16, 2020.

Investigators learned Gaston was assigned to manage a crack sealant project and raised pavement marker project for all counties located in ODOT District 4. Due to Covid-19 work restrictions, Gaston had been permitted to work from home. On April 7, 2020, Gaston was instructed by ODOT management to cease working from home and to begin working from the ODOT Mahoning County garage on April 13, 2020.



Example of crack sealant project



On May 21, 2020, ODOT Transportation Manager Ted Baker reviewed Gaston's work product and found numerous deficiencies. Baker stated that he called ODOT Transportation Manager Ron Sharp at the Mahoning County garage and asked if either Gaston's personal vehicle or his ODOT-assigned vehicle was parked on the premises on May 21, 2020. Sharp replied that Gaston's personal vehicle was not on the premises and his ODOT-assigned vehicle was parked at the garage. Baker checked Gaston's time records through Kronos and discovered that on May 21, 2020, Gaston reported working from 6:58 a.m. to 4:22 p.m.

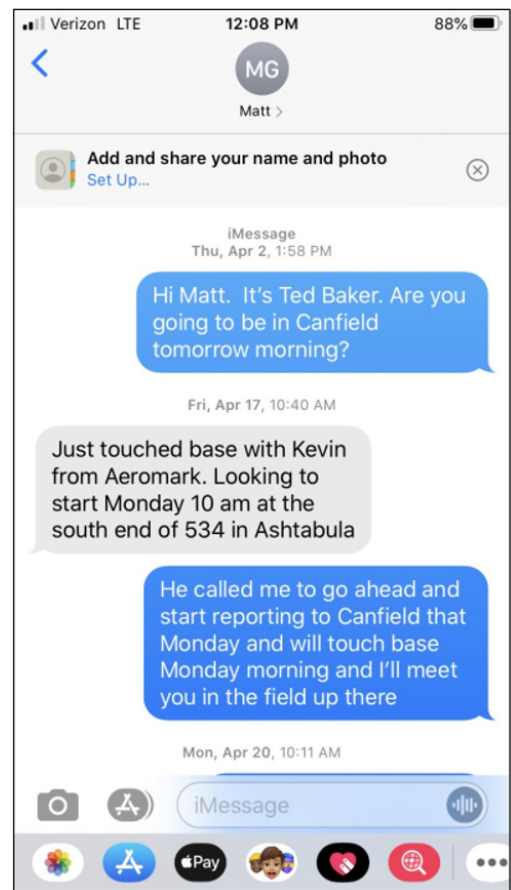


Example of raised pavement marker

Baker told investigators that he requested a meeting with Gaston, to be held on May 26, 2020, to discuss his concerns about Gaston's work deficiencies and to inquire about the hours Gaston reported working on May 21, 2020. On May 26, 2020, Gaston sent an email to Baker stating that on May 25, 2020, he had attended a gathering at a friend's house and was not feeling well. Because he reported having a fever, Gaston was directed not to return to work until he met ODOT's safety guidelines for Covid-19. Subsequently, Gaston used leave time and did not work for one week. Baker traveled to the Mahoning County garage and reviewed the video surveillance with Sharp for the time period in question. Baker discovered Gaston's ODOT-assigned vehicle was not used between May 5, 2020, and May 22, 2020, although Gaston reported working 112.3 hours for the period. Baker also discovered Gaston's personal vehicle was not parked at the Mahoning County garage site during the same period. Sharp also checked the fuel logs for the ODOT vehicle assigned to Gaston and discovered Gaston had not fueled the vehicle since April 21, 2020.

On July 22, 2020, investigators interviewed Matthew Gaston at the ODOT Mahoning County garage. Gaston told investigators that during the period from May 5, 2020, through May 22, 2020, he had driven his personal vehicle and did not drive his ODOT-assigned vehicle to and from project sites. Gaston stated that due to the Covid-19 pandemic, and since his father was high risk, he was endeavoring to stay away from people and public places such as the Mahoning County garage and was avoiding physical contact with anyone at the project sites. Gaston told investigators that he was working from his home during the period from May 5, 2020, through May 22, 2020. Gaston, however, admitted that his supervisor, Ted Baker, had directed him to work out of the Mahoning County garage effective April 13, 2020. Investigators confirmed with ODOT Chief of Staff/Assistant Director of Business and Human Resources Pamela Vest Boratyn that Gaston did not obtain authorization to work for ODOT from home for the period from May 5, 2020, through May 22, 2020.

Gaston admitted to investigators that on some occasions, he would only travel to and from his assigned project sites and perform no further work for the remainder of his work day. Investigators asked Gaston how often after traveling to his project sites would he just go home and not perform any additional work for that day, and he answered, "I don't know. Forty or fifty percent of the time." Gaston further acknowledged to investigators that he was traveling to locations that were not related to his ODOT work and admitted to "dragging things out" and wasting time by driving routes through different counties, or simply staying at home. Gaston told investigators that he had personal issues affecting



his work and acknowledged he had not sought help to resolve the issues. Gaston acknowledged that approximately a month earlier, ODOT management provided him with a pamphlet for the State of Ohio Employee Assistance Program whereby he could seek counseling.

On September 15, 2020, Gaston resigned from his position at the Ohio Department of Transportation. The report of investigation was provided to the Mahoning County Prosecuting Attorney's Office for consideration.

OHIO DEPARTMENT OF TRANSPORTATION

FILE ID NO: 2020-CA00022

During the investigation involving ODOT Transportation Engineer Matthew Gaston (File ID No: 2020-CA00011), investigators also discovered inconsistencies with policies and procedures related to ODOT and the State Board of Registration for Professional Engineers and Surveyors (Board). As a result of this discovery, the Inspector General's Office initiated a related investigation on December 3, 2020, to evaluate the inconsistencies in the policies and procedures. Specifically, the investigation's focus was to evaluate whether ODOT had employees on staff who were classified as transportation engineers (TEs) who were not properly certified and registered as required by ODOT regulations and ORC §4733.02.



Investigators obtained a list of employees classified by ODOT as transportation engineers and utilized the Ohio license lookup feature on the Ohio.gov eLicense website to determine whether the TEs were properly licensed by the Board. Investigators found several ODOT employees working in TE positions who were not actively registered and certified with the Board pursuant to ORC §4733.02. After discovering these registration and certification irregularities, investigators provided the names of ODOT employees classified as TEs to Enforcement Supervisor Jason McLean of the State Board of Registration for Professional Engineers and Surveyors. Investigators requested McLean review the ODOT list of names to verify who was not properly registered or certified with the Board. McLean informed investigators that 10 ODOT employees on the list were not properly registered with the Board. Investigators forwarded the 10 names to ODOT for review. ODOT confirmed with investigators that the 10 employees were not properly registered, and that the employees had been instructed to immediately complete their registration requirements. On March 24, 2021, ODOT reported to investigators that all 10 employees were properly registered with the Board. The Inspector General's Office later utilized the lookup feature on the Ohio.gov eLicense website to verify that all 10 employees were properly registered with the Board.



Investigators learned from ODOT Employment Services & Classification/ Compensation Manager Shayna Schleich that when an employee is hired at ODOT, the employee is informed that they are responsible for obtaining and maintaining all necessary certifications and registrations. Schleich noted that ODOT requires some TEs to submit a screenshot of test results or certifications as proof they are properly certified, but that no further action is pursued to verify licensure. On March 22, 2021, Schleich provided investigators with a copy of an email that had been sent from ODOT Director of Human Resources Renee Szymanski on July 13, 2020, stating:

Please be sure that we verify active EIT Certificate status for any TE2 Hire/Rehire or Reassignment. Only verifying that the NCEES FE Exam was passed does not verify a valid EIT Certificate as required by the TE2 minimum qualifications ...

... ODOT confirmed with investigators that the 10 employees were not properly registered, and that the employees had been instructed to immediately complete their registration requirements. On March 24, 2021, ODOT reported to investigators that all 10 employees were properly registered with the Board. ...

On March 24, 2021, Schleich notified the Inspector General's Office that ODOT had implemented a process to verify that all ODOT TEs are properly certified and registered with the Board. On May 3, 2021, the State Board of Registration for Professional Engineers and Surveyors Executive Director John Greenhalge informed investigators that it is the responsibility of the employee and their employer to ensure the employee is registered with the Board and has completed the required certification examinations. Senior Assistant Attorney General Charles Carter, who represents the Board, also told investigators that if an engineer is found to be performing engineering work without being registered with the Board, penalties could be imposed.

On May 19, 2021, ODOT Acting Chief Investigator Edward Waters notified the Inspector General's Office that, "Biannual reminders will be sent out, and an annual certification check will be conducted."

OHIO DEPARTMENT OF TRANSPORTATION

FILE ID NO: 2020-CA00005

On February 25, 2020, the Inspector General's Office received a referral from the Ohio Department of Transportation (ODOT) regarding three former ODOT employees: James Barna, Jamie Kimberly, and Brad Jones. The referral alleged the three individuals obtained employment with an ODOT contractor, Amaazz Construction, shortly after separating from ODOT. Barna and Kimberly each allegedly contacted ODOT regarding payment on an Amaazz Construction contract. The referral also alleged that Amaazz Construction had assumed a contract from another company, Nuko Paving. This action gave rise to concerns by ODOT that the former ODOT employees could be utilizing confidential knowledge gained during their ODOT tenure to benefit Amaazz Construction, in addition to violating Ohio ethics law regarding post-employment contact with a public agency.

Ohio Revised Code Section 102.03(A)(1) states:

No present or former public official or employee shall, during public employment or service or for twelve months thereafter, represent a client or act in a representative capacity for any person on any matter in which the public official or employee personally participated as a public official or employee ...

Investigators learned that Barna had been separated from ODOT by the time the contract in question was released for bid. Prior to his separation from ODOT, Barna had been working as the executive director of DriveOhio for more than a year. While Barna did represent Amaazz Construction weeks after separating from ODOT, investigators determined Barna did not personally participate with the contract during times he was working at ODOT.



Investigators learned that Kimberly had been employed at ODOT as a policy member with DriveOhio for just over a year and was still working at ODOT by the time the contract in question was released for bid. Her job description indicated she had no involvement with the contracting process. Investigators determined that Kimberly did represent Amaazz Construction weeks after separating from ODOT, but she did not personally participate in the contract during times she was working at ODOT.

Investigators learned that Jones was still employed by ODOT as deputy director of Construction Management by the time the contract in question was released for bid. Part of Jones' job duties included oversight of the ODOT Construction Management Division's contracts. As such, Jones personally participated in the contract in question. While Jones had personal participation, investigators determined he had no contact with ODOT after his retirement. As such, Jones had made no representation to ODOT.

Investigators learned that the ODOT construction contract process is not considered confidential, and the ODOT Construction Management Division's contracts and bidding documentation are publicly available.

The Inspector General's Office concluded there was no indication that confidential information had been used by Barna, Kimberly, or Jones to benefit Amaazz Construction and found no reasonable cause to believe a wrongful act or omission occurred, and the matter was closed with no further action.

Ohio Bureau of Workers' Compensation and Ohio Industrial Commission

2021 Report

In July 2007, the Ohio General Assembly passed legislation that created the position of deputy inspector general for the Ohio Bureau of Workers' Compensation (OBWC) and the Ohio Industrial Commission (OIC) within the Inspector General's Office. This legislation stated that the inspector general shall appoint a deputy inspector general, and the deputy inspector general shall serve at the pleasure of the inspector general.

The deputy inspector general is responsible for investigating wrongful acts or omissions that have been committed or are being committed by officers or employees of the OBWC and the OIC. The deputy inspector general has the same powers and duties regarding matters concerning the bureau and the commission as those specified in Ohio Revised Code §§ 121.42, 121.43, and 121.45.

In 1912, Ohio law created an exclusive state fund to provide workers' compensation benefits to workers who were unable to work due to a work-related injury. In Ohio, all companies or employers must have coverage from either state funds or be self-insured. For those companies or employers with no employees who meet specific requirements, Ohio law makes workers' compensation coverage elective. OBWC manages 12 service offices, 12 facilities, and approximately 1,540 employees. Currently, the Ohio Bureau of Workers' Compensation system is the largest state-funded insurance system in the nation. According to the bureau's fiscal year 2020 Annual Report, OBWC served 250,250 active employers and paid \$1.35 billion in benefits to injured workers.



*William Green Building
Ohio Bureau of Workers' Compensation
and Ohio Industrial Commission.
Source: <https://www.ic.ohio.gov/>*



Established in 1912, the OIC is a separate adjudicatory agency whose mission is to serve injured workers and Ohio employers through prompt and impartial resolution of issues arising from workers' compensation claims and through the establishment of an adjudication policy.



Hearings on disputed claims are conducted at three levels within the commission: the district level, staff level, and commission level. The governor appoints the three-member commission and the Ohio Senate confirms these appointments. By previous vocation, employment, or affiliation, one member must represent employees, one must represent employers, and one must represent the public.

The OIC has over 300 employees and operates five regional offices and seven district offices throughout the state. According to the commission's fiscal year 2020 Annual Report, the three commissioners and agency hearing officers collectively heard 95,536 claims within the fiscal year.

In 2021, the Inspector General's Office staff attended or reviewed board meeting materials for select OBWC board of directors' audit, investment, actuarial, and/or medical services and safety committee meetings to receive updates on OBWC's divisional activities and new initiatives. The

... [the OIC] mission is to serve injured workers and Ohio employers through prompt and impartial resolution of issues arising from workers' compensation claims and through the establishment of an adjudication policy. ...

Inspector General's Office provided the OBWC board of directors with an electronic copy of the FY annual report containing overviews of noteworthy investigations.

Also in 2021, the Inspector General's Office met with the staff from OBWC Fiscal, Compliance & Performance Monitoring, Employer Services, Internal Audit, Information Technology, Legal, and Medical Services divisions to discuss OBWC's processes involving financial activities, claims and employer services, computer systems, employee activities, agency-awarded contracts, oversight of contracts awarded by OBWC, and the results of internal audits conducted. The Inspector General's Office worked jointly with various departments within OBWC, including Special Investigations, Digital Forensics Unit, Human Resources, Labor Relations, and Legal. Additionally, the Inspector General's Office worked closely with various departments within the OIC, including the Executive Director's Office, Hearing Services, Human Resources, Legal, and Information Technology.

In 2021, there was one case opened and three cases closed in the OBWC/OIC area of the Inspector General's Office. As part of the lifespan of a case, the number of cases closed may reflect cases that were opened in previous years.

Summaries of Selected Cases - OBWC/OIC

OHIO BUREAU OF WORKERS' COMPENSATION

FILE ID NO: 2020-CA00008

In 2020, the Inspector General's Office opened an investigation after receiving reports from the Ohio Bureau of Workers' Compensation (OBWC) alleging that two information technology (IT) consultants, Gowtham Andrajula and Pema Dechen, had been submitting their time fraudulently and billing OBWC for hours not worked between July 1, 2019, through November 30, 2019. Andrajula and Dechen were both IT consultants provided as resources to OBWC by Managed Service Provider Knowledge Services (KS) through its network provider Simin Solutions, Inc., a Minority Business Enterprise. The Inspector General's investigation examined the identified OBWC work time claimed by the two IT consultants during times they were purportedly not present working at the William Green Building, and reviewed the level of OBWC supervision for the consultants. Investigators reviewed and compared the consultant time discrepancies identified by OBWC investigators, the consultants' daily timekeeping records in OBWC Timekeeper, and the consultants' work hours invoiced by KS to OBWC. Investigators verified that the hours of each incident identified by OBWC as a discrepancy was invoiced by KS to and paid by OBWC.

Irregularities of Consultants' Workday Arrival Times

From their initial analysis, OBWC identified instances of the two consultants' arrival times not matching what they reported in the OBWC timekeeping system. For each of the instances identified by OBWC, investigators analyzed the two consultants' timekeeping entries, electronic access card data, lobby sign in/out sheets, and security video footage to determine when the consultants actually arrived at their work locations in the OBWC William Green building. From this analysis, investigators confirmed OBWC's findings that on certain dates, the IT consultants' actual arrival times to the William Green Building were later than the times they had reported in OBWC's timekeeping system. For example, security video footage provided by OBWC showed that Dechen (in photo, carrying bags and wearing outdoor clothing) arriving at the William Green Building on November 25, 2019, at 9:11 a.m.



Investigators reviewed the time submitted in the OBWC Timekeeper and the KS computer systems and determined that Dechen claimed to begin work on that day at 7:40 a.m. despite not arriving in the building and on her assigned floor until 9:12 a.m.

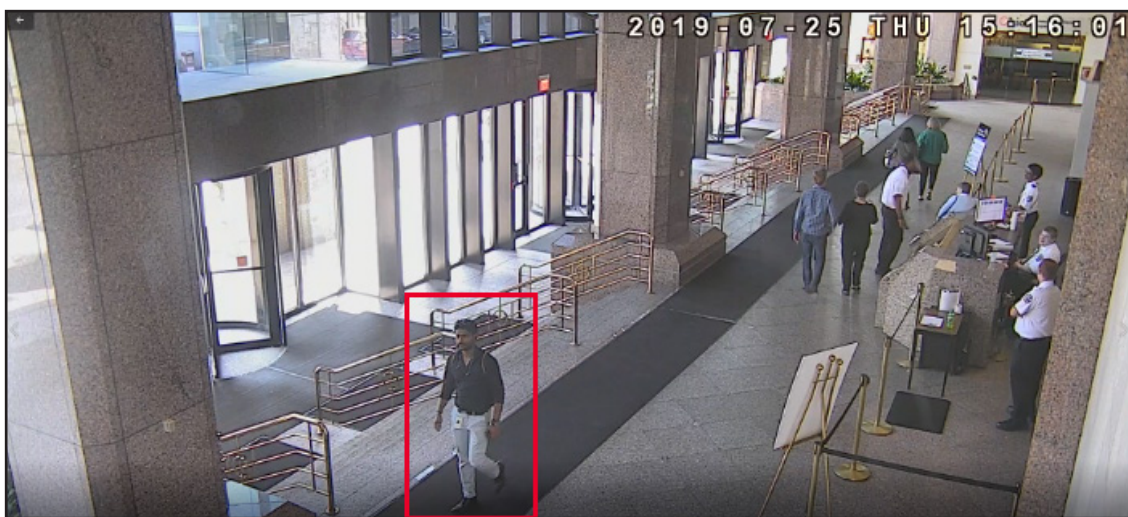
Investigators found six instances totaling 5 hours 20 minutes when Dechen arrived at the William Green Building after her work start times as reported by her in the timekeeping systems. Investigators also found 43 instances totaling 54 hours 30 minutes when Andrajula arrived at the William Green Building after his work start times as reported by him in the timekeeping systems.

Consultants' Absences During the Workday

Investigators analyzed security video footage provided by OBWC and electronic card access data for the two IT consultants and found instances when the consultants took “breaks” during their workdays and did not report departure and return times of their breaks. Investigators found 163 instances totaling 51 hours 52 minutes when Dechen was on “break” and not at the William Green Building, but reported time worked. Investigators also found 102 instances totaling 50 hours 8 minutes when Andrajula was on “break” and not at the William Green Building, but reported time worked.

Irregularities of Consultants' Workday Departure Times

Investigators also identified instances of the two consultants' departure times from work not matching the departure times they reported in OBWC Timekeeper. Security video footage was provided by OBWC to investigators showing the two consultants leaving the William Green Building — with bags and in some instances, outdoor clothing — prior to their work departure times they had reported in their timekeeping. For example, the video footage showed that Andrajula (in photo) left the William Green Building on July 25, 2019, at 3:16 p.m.



However, Andrajula reported that his workday ended at 5:53 p.m. in timekeeping systems used to track and calculate Andrajula's work hours for generating invoices to OBWC.

Investigators found nine instances totaling 16 hours 47 minutes when Andrajula left the William Green Building before his workday end times as reported by him. Investigators determined 34 instances totaling 68 hours 56 minutes when Dechen left the William Green Building before her workday end times as reported by her.

Entry of Timekeeping Data

From their analysis of Andrajula's and Dechen's timekeeping records, investigators discovered that on certain days, the timestamps of the work start times and end times for both consultants were reported one to two minutes apart. For example, the OBWC Timekeeper showed that for October 29, 2019, Andrajula and Dechen had started and ended their workdays at the same times:

Date/Time	Timestamp	Employee Name	Type
10/29/2019 08:13:00	10/29/2019 08:13:42	PEMA DECHEN	IN
10/29/2019 15:38:00	10/29/2019 15:38:30	PEMA DECHEN	OUT
10/29/2019 08:14:00	10/29/2019 08:14:20	GOWTHAM ANDRAJULA	IN
10/29/2019 15:38:00	10/29/2019 15:38:07	GOWTHAM ANDRAJULA	OUT

However, security video footage provided by OBWC showed that on October 29, 2019, Andrajula (in photo) arrived at the William Green Building at 9:32 a.m.



In total, investigators determined the following instances where one IT consultant was absent at the time their start or end time was entered into the OBWC Timekeeper, and the

other IT consultant was present during the time that the start or end time was recorded in the OBWC Timekeeper:

	Andrajula Present When Dechen's Time Was Entered and She was Absent	Dechen Present When Andrajula's Time Was Entered and He was Absent
Number of instances in which the IT consultant had not arrived when the start time was entered into OBWC Timekeeper.	6	38
Number of instances in which the IT consultant had already left when the end time was entered into OBWC Timekeeper.	33	8

The Inspector General's Office questioned how the two consultants' timestamps were so proximal considering that the consultants were not recorded on security video arriving together at the William Green Building. During an interview with OBWC Project Management Office Director Larry King, investigators questioned how the timestamps were so proximal considering that the two consultants were not recorded on video arriving together at the William Green Building. King responded that the only possible scenario he could offer was that the two consultants shared their personal login information and system credentials, and one consultant was signing-in for the other consultant.

According to the Contractor Agreement signed on August 3, 2017, Andrajula and Dechen both agreed to "keep all passwords confidential." In addition, both Andrajula and Dechen had completed State of Ohio cybersecurity trainings in 2018, which incorporated modules on maintaining the confidentiality of passwords and prohibited the sharing of network credential login information.

IT Consultant Interviews

The Inspector General's Office sent letters via certified mail to the last known addresses for Andrajula and Dechen requesting their participation in a voluntary interview. On June 2, 2021, through her attorney, Dechen declined to be interviewed. On June 16, 2021, the certified letter sent to Andrajula was returned to the Inspector General's Office as unclaimed.

Shortly after the initial discovery of the timekeeping discrepancies in 2019, OBWC terminated the services being provided by Andrajula and Dechen.

Lack of Sufficient OBWC Supervision

The Ohio Bureau of Workers' Compensation informed investigators that the OBWC Timekeeper computer logs for the period from July 1, 2019, through December 6, 2019, showed that the billable work hours reported by Andrajula and Dechen, which were the agreed hours used by KS to generate invoices to OBWC, were not approved by an OBWC

supervisor. During interviews conducted by investigators, OBWC Project Management Office Director Larry King confirmed that he supervised Andrajula and Dechen during this period. King also told investigators that when Andrajula and Dechen left the floor for a non-work-related purpose, such as a break or a lunch, they were required to “clock out” when they left the floor and “clock in” when they returned.

When asked about the extent of his supervision, King:

- Admitted that he had minimal daily interaction with Andrajula and Dechen.
- Admitted to not being particularly familiar with the work Andrajula and Dechen were involved in and solely relied upon reports from his staff on their work progress and overall performance.
- Acknowledged that Andrajula’s and Dechen’s work area was located on a different floor than his office and that he only checked on the consultants once or twice a week.
- Admitted that his work schedule was not the same as the consultants and that he was not present during a portion of the hours Andrajula or Dechen worked, and there was no formal plan in place for who would supervise the consultants in his absence.
- Admitted that he “sporadically” checked and never approved Andrajula’s and Dechen’s entries in OBWC Timekeeper. Investigators learned that OBWC officials had previously notified King that he was required to approve the weekly timesheets of Andrajula and Dechen in OBWC Timekeeper verifying their hours worked.

Total Identified Losses to the State of Ohio

The Inspector General’s Office determined that OBWC was improperly billed for and paid Knowledge Services \$14,151.12 for 121 hours and 25 minutes of reported work time submitted by Andrajula and \$12,251.33 for 126 hours and eight minutes of reported work time submitted by Dechen.

The report of investigation was referred to the Franklin County Prosecutor’s Office, Columbus City Attorney’s Office, and the Ohio Auditor of State.

On December 28, 2021, the Ohio Auditor of State released the fiscal year 2021 financial audit of the Ohio Bureau of Workers’ Compensation and issued a Finding for Recovery in accordance with Ohio Revised Code §117.28 for public monies illegally expended against Gowtham Andrajula for \$14,151, Dechen for \$12,251, and Guidesoft Inc dba Knowledge Services for \$26,402, jointly and severally, and in favor of the Ohio Bureau of Workers’ Compensation, Fund 7023, in the amount of \$26,402.

... The Inspector General’s Office determined that OBWC was improperly billed for and paid Knowledge Services \$14,151.12 for 121 hours and 25 minutes of reported work time submitted by Andrajula and \$12,251.33 for 126 hours and eight minutes of reported work time submitted by Dechen. ...

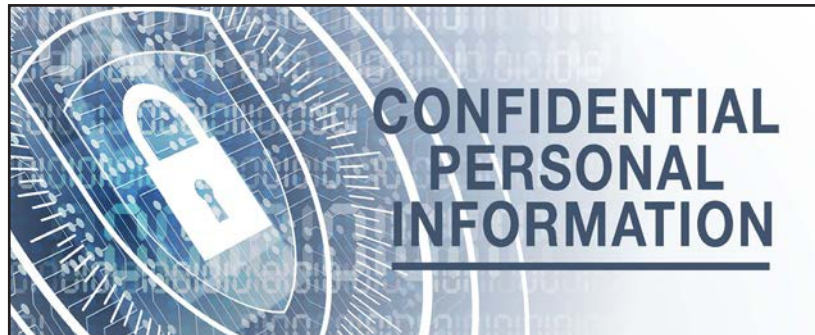
On November 26, 2021, OBWC notified the inspector general that the Ohio Bureau of Workers’ Compensation and the Ohio Department

of Administrative Services had been holding a series of meetings with both Knowledge Services and Simin Solutions, Inc. to discuss the recoupment of the funds paid to KS for the services invoiced, but not provided, by the two IT consultants during the periods in question. OBWC further explained that Simin Solutions, Inc. was working with ODAS and OBWC to verify the amount owed and finalize repayment.

OHIO BUREAU OF WORKERS' COMPENSATION

FILE ID NO: 2021-CA00014

On July 15, 2021, the Ohio Bureau of Workers' Compensation notified the Inspector General's Office that three OBWC employees were allegedly involved in the improper access and/or transmission of confidential personal information (CPI). Based on a review of the complaint, the Inspector General's Office determined the elements involved were better suited for an investigation by the Ohio Bureau of Workers' Compensation, while being monitored by an assigned deputy inspector general. On November 3, 2021, the OBWC Special Investigations Department Employee Safety and Integrity Unit (ESIU) notified the Inspector General's Office that they had completed their internal investigation.



According to the OBWC ESIU investigative report, Workers' Compensation Claims Specialist Melody

Vermillion filed an internal equal employment opportunity (EEO) complaint alleging that her supervisor, Workers' Compensation Claims Specialist Supervisor Lynn Benny, had engaged in age and disability discrimination by failing to assign intake job duties to her. In March 2021, Vermillion then filed a civil lawsuit against OBWC in the Ohio Court of Claims and further asserted that Benny engaged in retaliation because of Vermillion's filing of the EEO complaint. Based on a discovery by the OBWC Legal department of potential significant CPI violations, OBWC ESIU was requested to conduct an internal investigation to determine whether the following activity complied with the provisions of OBWC *Memo 4.42 Confidential Personal Information (CPI) Access and Logging*:

- Vermillion sent emails using her OBWC email account to her personal email address that contained confidential personal information (CPI).
- Benny, as Vermillion's supervisor, had sent an email using her OBWC email account to Vermillion's personal email address containing CPI.
- Emails containing CPI were sent internally using their OBWC email accounts between Vermillion and OBWC Health Services Quality Improvement Nurse Jennifer Preston, who was Vermillion's daughter.

OBWC ESIU conducted a detailed review of emails Vermillion sent using her OBWC email account to her personal email address for the period of October 15, 2019, through August 3, 2021, and found that Vermillion had sent a total of 73 emails to her personal email account

containing CPI. OBWC ESIU also determined that during the period of October 15, 2019, through August 3, 2021, there were 31 email chains containing CPI exchanged between Vermillion and her daughter Preston. OBWC ESIU defined an email chain as "... containing multiple emails which include back and forth responses in one email 'chain'." OBWC ESIU reported that for most of the emails containing CPI in which Preston responded to Vermillion, Preston's emails did not include any additional CPI in her responses. However, OBWC ESIU did find three instances in which Preston initiated the email conversations with Vermillion which did contain CPI. Investigators found that the email content included,

... commentary where Preston was expressing her frustrations to Vermillion regarding decisions made by management. The emails were not related to Vermillion's responsibilities and were sent as an expression of frustration, like those sent to Preston by Vermillion.

Lastly, OBWC ESIU found one email sent by Benny using her OBWC email account to Vermillion's personal email account containing CPI. Further review of email activity found that Benny then forwarded the same email 39 minutes later to Vermillion's OBWC email account.

OBWC ESIU notified the Inspector General's Office that the results of its internal investigation were forwarded to the OBWC Labor Relations department to review and determine whether discipline was warranted. On November 16, 2021, OBWC notified investigators that they had begun an administrative investigation into whether the emails sent by Vermillion, Preston, and Benny violated OBWC policies. As a result of this administrative investigation, Preston received a three-day working suspension with pay for violating the *OBWC Disciplinary Policy and Grid: Insubordination (B) Failure to follow supervisor direction and/or failure to follow a written policy of the employer, and Failure of Good Behavior (b) poor judgement*. Additionally, Benny received a one-day suspension with pay for violating the *OBWC Disciplinary Policy and Grid: Insubordination (B) Failure to follow supervisor direction and/or failure to follow a written policy of the employer which included the OBWC Code of Ethics and OBWC Policy No 4.42 Confidential Personal Information (CPI) Access and Logging*.

... Vermillion had sent a total of 73 emails to her personal email account containing CPI. ... there were 31 email chains containing CPI exchanged between Vermillion and her daughter Preston. ... and an email containing CPI was sent by Benny using her OBWC email account to Vermillion's personal email account. ...

Vermillion retired from OBWC effective January 1, 2022.

Appendices

Appendix 1: Statutory References

OHIO REVISED CODE

The following are Ohio Revised Code sections relating to the powers and duties of the Ohio Inspector General:

- 121.41 Definitions
- 121.42 Powers and duties of the Inspector General
- 121.421 Inspection of employees of the office of attorney general contractually vested with duties to enforce Ohio casino control commission
- 121.43 Subpoena power – contempt
- 121.44 Reports of investigation
- 121.45 Cooperating in investigations
- 121.46 Filing of complaint
- 121.47 Confidential information
- 121.48 Appointment of Inspector General
- 121.481 Special investigations fund
- 121.482 Disposition of money received
- 121.483 Deputy inspector general as peace officer
- 121.49 Qualifications
- 121.50 Administrative rules
- 121.51 Deputy inspector general for transportation department
- 121.52 Deputy inspector general for workers' compensation

121.41 Definitions

As used in sections 121.41 to 121.50 of the Revised Code:

- (A) “Appropriate ethics commission” has the same meaning as in section 102.01 of the Revised Code.
- (B) “Appropriate licensing agency” means a public or private entity that is responsible for licensing, certifying, or registering persons who are engaged in a particular vocation.
- (C) “Person” has the same meaning as in section 1.59 of the Revised Code and also includes any officer or employee of the state or any political subdivision of the state.
- (D) “State agency” has the same meaning as in section 1.60 of the Revised Code and includes the Ohio casino control commission, but does not include any of the following:
 - (1) The general assembly;
 - (2) Any court;
 - (3) The secretary of state, auditor of state, treasurer of state, or attorney general and their respective offices.

(E) “State employee” means any person who is an employee of a state agency, or any person who does business with the state including, only for the purposes of sections 121.41 to 121.50 of the Revised Code, the nonprofit corporation formed under section 187.01 of the Revised Code.

(F) “State officer” means any person who is elected or appointed to a public office in a state agency.

(G) “Wrongful act or omission” means an act or omission, committed in the course of office holding or employment, that is not in accordance with the requirements of law or such standards of proper governmental conduct as are commonly accepted in the community and thereby subverts, or tends to subvert, the process of government.

121.42 Powers and duties of the Inspector General

The inspector general shall do all of the following:

(A) Investigate the management and operation of state agencies on his own initiative in order to determine whether wrongful acts and omissions have been committed or are being committed by state officers or state employees;

(B) Receive complaints under section 121.46 of the Revised Code alleging wrongful acts and omissions, determine whether the information contained in those complaints allege facts that give reasonable cause to investigate, and, if so, investigate to determine if there is reasonable cause to believe that the alleged wrongful act or omission has been committed or is being committed by a state officer or state employee;

(C) Except as otherwise provided in this division, contemporaneously report suspected crimes and wrongful acts or omissions that were or are being committed by state officers or state employees to the governor and to the appropriate state or federal prosecuting authority with jurisdiction over the matter if there is reasonable cause to believe that a crime has occurred or is occurring. In addition, the inspector general shall report the wrongful acts or omissions, as appropriate under the circumstances, to the appropriate ethics commission in accordance with section 102.06 of the Revised Code, the appropriate licensing agency for possible disciplinary action, or the state officer’s or state employee’s appointing authority for possible disciplinary action. The inspector general shall not report a wrongful act or omission to a person as required by this division if that person allegedly committed or is committing the wrongful act or omission.

(D) Except as otherwise provided in this division, contemporaneously report suspected crimes and wrongful acts or omissions that the inspector general becomes aware of in connection with an investigation of a state agency, state officer, or state employee, and that were or are being committed by persons who are not state officers or state employees to the governor and to the appropriate state or federal prosecuting authority with jurisdiction over the matter if there is reasonable cause to believe that a crime has occurred or is occurring. In addition, the inspector general shall report the wrongful acts or omissions, as appropriate under the circumstances, to the appropriate ethics commission in accordance with section 102.06 of the Revised Code, the appropriate licensing agency for possible disciplinary action, or the person’s public or private employer for possible disciplinary action. The inspector

general shall not report a wrongful act or omission to a person as required by this division if that person allegedly committed or is committing the wrongful act or omission.

(E) Prepare a detailed report of each investigation that states the basis for the investigation, the action taken in furtherance of the investigation, and whether the investigation revealed that there was reasonable cause to believe that a wrongful act or omission had occurred. If a wrongful act or omission was identified during the investigation, the report shall identify the person who committed the wrongful act or omission, describe the wrongful act or omission, explain how it was detected, indicate to whom it was reported, and describe what the state agency in which the wrongful act or omission was being committed is doing to change its policies or procedures to prevent recurrences of similar wrongful acts or omissions.

(F) Identify other state agencies that also are responsible for investigating, auditing, reviewing, or evaluating the management and operation of state agencies, and negotiate and enter into agreements with these agencies to share information and avoid duplication of effort;

(G) For his own guidance and the guidance of deputy inspectors general, develop and update in the light of experience, both of the following:

(1) Within the scope of the definition in division (G) of section 121.41 of the Revised Code, a working definition of “wrongful act or omission”;

(2) A manual of investigative techniques.

(H) Conduct studies of techniques of investigating and detecting, and of preventing or reducing the risk of, wrongful acts and omissions by state officers and state employees;

(I) Consult with state agencies and advise them in developing, implementing, and enforcing policies and procedures that will prevent or reduce the risk of wrongful acts and omissions by their state officers or state employees;

(J) After detecting a wrongful act or omission, review and evaluate the relevant policies and procedures of the state agency in which the wrongful act or omission occurred, and advise the state agency as to any changes that should be made in its policies and procedures so as to prevent recurrences of similar wrongful acts or omissions.

121.421 Inspection of employees of the office of attorney general contractually vested with duties to enforce Ohio casino control commission

(A) Notwithstanding division (D)(3) of section 121.41 of the Revised Code, in order to determine whether wrongful acts or omissions have been committed or are being committed by present or former employees, the inspector general shall investigate employees of the office of the attorney general who are contractually vested with duties to enforce Chapter 3772. of the Revised Code, including any designated bureau of criminal identification and investigation support staff that are necessary to fulfill the investigatory and law enforcement functions of the Ohio casino control commission. The inspector general and any deputy inspector general may administer oaths, examine witnesses under oath, and issue subpoenas and subpoenas duces tecum to employees of the office of the attorney general to compel the attendance

of witnesses and the production of all kinds of books, records, papers, and tangible things deemed necessary in the course of any such investigation.

(B) The inspector general may enter into any contracts that are necessary to complete an investigation. The contracts may include contracts for the services of persons who are experts in a particular field and whose expertise is necessary for successful completion of the investigation.

(C) If the authority of the attorney general terminates or expires, the authority vested in the inspector general by this section terminates upon the conclusion of ongoing investigations or upon issuance of the final report of the investigations.

121.43 Subpoena power - contempt

In performing any investigation, the inspector general and any deputy inspector general may administer oaths, examine witnesses under oath, and issue subpoenas and subpoenas duces tecum to compel the attendance of witnesses and the production of all kinds of books, records, papers, and tangible things. Upon the refusal of a witness to be sworn or to answer any question put to him, or if a person disobeys a subpoena, the inspector general shall apply to the court of common pleas for a contempt order, as in the case of disobedience to the requirements of a subpoena issued from the court of common pleas, or a refusal to testify in the court.

121.44 Reports of investigations

(A) Except as otherwise provided in this section, the report of any investigation conducted by the inspector general or any deputy inspector general is a public record, open to public inspection. The inspector general, or a deputy inspector general, with the written approval of the inspector general, may designate all or part of a report as confidential if doing so preserves the confidentiality of matters made confidential by law or appears reasonably necessary to protect the safety of a witness or to avoid disclosure of investigative techniques that, if disclosed, would enable persons who have been or are committing wrongful acts or omissions to avoid detection. Confidential material shall be marked clearly as being confidential.

(B) The inspector general, free of charge, shall provide a copy of each report of an investigation, including wholly and partially confidential reports, to the governor. In addition, the inspector general, free of charge, shall provide a copy of the report of any investigation, including wholly and partially confidential reports, to a prosecuting authority who may undertake criminal prosecution of a wrongful act or omission described in the report, an ethics commission to which a wrongful act or omission described in the report was reported in accordance with section 102.06 of the Revised Code, and a licensing agency, appointing authority, or public or private employer that may take disciplinary action with regard to a wrongful act or omission described in the report. The inspector general shall not provide a copy of any confidential part of the report of an investigation to a person as required by this division if that person allegedly committed the wrongful act or omission described in the report. The governor, a prosecuting authority, ethics commission, licensing agency, appointing authority, or public or private employer that receives a report,

all or part of which is designated as confidential, shall take all appropriate measures necessary to preserve the confidentiality of the report.

(C) The inspector general shall provide a copy of any nonconfidential report, or the nonconfidential parts of any report, to any other person who requests the copy and pays a fee prescribed by the inspector general. The fee shall not exceed the cost of reproducing and delivering the report.

121.45 Cooperating in investigations

Each state agency, and every state officer and state employee, shall cooperate with, and provide assistance to, the inspector general and any deputy inspector general in the performance of any investigation. In particular, each state agency shall make its premises, equipment, personnel, books, records, and papers readily available to the inspector general or a deputy inspector general.

The inspector general and any deputy inspector general may enter upon the premises of any state agency at any time, without prior announcement, if necessary to the successful completion of an investigation. In the course of an investigation, the inspector general and any deputy inspector general may question any state officer or state employee serving in, and any other person transacting business with, the state agency, and may inspect and copy any books, records, or papers in the possession of the state agency, taking care to preserve the confidentiality of information contained in responses to questions or the books, records, or papers that is made confidential by law.

In performing any investigation, the inspector general and any deputy inspector general shall avoid interfering with the ongoing operations of the state agency being investigated, except insofar as is reasonably necessary to the successful completion of the investigation.

Each state agency shall develop, implement, and enforce policies and procedures that prevent or reduce the risk of wrongful acts and omissions by its state officers or state employees.

Other state agencies that also are responsible for investigating, auditing, reviewing, or evaluating the management and operation of state agencies shall negotiate and enter into agreements with the office of the inspector general for the purpose of sharing information and avoiding duplication of effort.

121.46 Filing of complaint

Any person who knows or has reasonable cause to believe that a state officer or state employee has committed, or is in the process of committing, a wrongful act or omission may prepare and file with the inspector general, a complaint that identifies the person making the report and the state officer or state employee who allegedly committed or is committing the wrongful act or omission, describes the wrongful act or omission, and explains how the person reporting knew or came to his reasonable cause to believe that the state officer or state employee committed or is in the process of committing the wrongful act or omission.

The preparation and filing of the complaint described in this section is in addition to any other report of the wrongful act or omission the person is required by law to make. The inspector general shall prescribe a form for complaints under this section. The inspector general shall provide a blank copy of the form to any person, free of charge. No complaint is defective, however, because it is not made on the form prescribed by the inspector general.

121.47 Confidential information

No person shall disclose to any person who is not legally entitled to disclosure of the information, any information that is designated as confidential under section 121.44 of the Revised Code, or any confidential information that is acquired in the course of an investigation under section 121.45 of the Revised Code.

121.48 Appointment of Inspector General

There is hereby created the office of the inspector general, to be headed by the inspector general.

The term of the inspector general serving on the effective date of this amendment ends January 11, 2021. The inspector general shall be appointed by the governor quadrennially thereafter, subject to section 121.49 of the Revised Code and the advice and consent of the senate, and shall hold office for a term of four years commencing on the second Monday of January. The governor may remove the inspector general from office only after delivering written notice to the inspector general of the reasons for which the governor intends to remove the inspector general from office and providing the inspector general with an opportunity to appear and show cause why the inspector general should not be removed.

In addition to the duties imposed by section 121.42 of the Revised Code, the inspector general shall manage the office of the inspector general. The inspector general shall establish and maintain offices in Columbus.

The inspector general may employ and fix the compensation of one or more deputy inspectors general. Each deputy inspector general shall serve for a term coinciding with the term of the appointing inspector general, and shall perform the duties, including the performance of investigations, that are assigned by the inspector general. All deputy inspectors general are in the unclassified service and serve at the pleasure of the inspector general.

In addition to deputy inspectors general, the inspector general may employ and fix the compensation of professional, technical, and clerical employees that are necessary for the effective and efficient operation of the office of the inspector general. All professional, technical, and clerical employees of the office of the inspector general are in the unclassified service and serve at the pleasure of the appointing inspector general.

The inspector general may enter into any contracts that are necessary to the operation of the office of the inspector general. The contracts may include, but are not limited to, contracts for the services of persons who are experts in a particular field and whose expertise is necessary to the successful completion of an investigation.

Not later than the first day of March in each year, the inspector general shall publish an annual report summarizing the activities of the inspector general's office during the previous calendar year. The annual report shall not disclose the results of any investigation insofar as the results are designated as confidential under section 121.44 of the Revised Code.

The inspector general shall provide copies of the inspector general's annual report to the governor and the general assembly. The inspector general also shall provide a copy of the annual report to any other person who requests the copy and pays a fee prescribed by the inspector general. The fee shall not exceed the cost of reproducing and delivering the annual report.

Amended by 132nd General Assembly File No. TBD, HB 49, §101.01, eff. 9/29/2017.

Effective Date: 09-26-2003; 2007 HB119 09-29-2007.

121.481 Special investigations fund

The special investigations fund is hereby created in the state treasury for the purpose of paying costs of investigations conducted by the inspector general. In response to requests from the inspector general, the controlling board may make transfers to the fund from the emergency purposes appropriation of the board, subject to the following conditions:

- (A) The inspector general shall not request a transfer that would cause the unobligated, unencumbered balance in the fund to exceed one hundred thousand dollars at any one time;
- (B) In requesting a transfer, the inspector general shall not disclose any information that would risk impairing the investigation if it became public, provided that after any investigation using money transferred to the fund from an emergency purposes appropriation has been completed, the inspector general shall report to the board the object and cost of the investigation, but not any information designated as confidential under section 121.44 of the Revised Code.

121.482 Disposition of money received

Money the inspector general receives pursuant to court orders or settlements shall be deposited into the state treasury to the credit of the general revenue fund.

121.483 Status of deputy inspector general as peace officer

A deputy inspector general appointed under section 121.48 of the Revised Code, who has been awarded a certificate by the executive director of the Ohio peace officer training commission attesting to the person's satisfactory completion of an approved state, county, or municipal peace officer basic training program, shall, during the term of the deputy inspector general's appointment, be considered a peace officer for the purpose of maintaining a current and valid basic training certificate pursuant to rules adopted under section 109.74 of the Revised Code.

121.49 Qualifications

- (A) Subject to division (B) of this section, only an individual who meets one or more of the following qualifications is eligible to be appointed inspector general:

- (1) At least five years experience as a law enforcement officer in this or any other state;
 - (2) Admission to the bar of this or any other state;
 - (3) Certification as a certified public accountant in this or any other state;
 - (4) At least five years service as the comptroller or similar officer of a public or private entity in this or any other state.
- (B) No individual who has been convicted, in this or any other state, of a felony or of any crime involving fraud, dishonesty, or moral turpitude shall be appointed inspector general.

121.50 Administrative rules

The inspector general, in accordance with Chapter 119 of the Revised Code, shall adopt, and may amend and rescind, those rules he finds necessary for the successful implementation and efficient operation of sections 121.41 to 121.48 of the Revised Code.

121.51 Deputy inspector general for transportation department

There is hereby created in the office of the inspector general the position of deputy inspector general for the department of transportation. The inspector general shall appoint the deputy inspector general, and the deputy inspector general shall serve at the pleasure of the inspector general. A person employed as the deputy inspector general shall have the same qualifications as those specified in section 121.49 of the Revised Code for the inspector general. The inspector general shall provide technical, professional, and clerical assistance to the deputy inspector general.

There is hereby created in the state treasury the deputy inspector general for ODOT fund. The fund shall consist of money credited to the fund for the payment of costs incurred by the deputy inspector general in performing the duties of the deputy inspector general as specified in this section. The inspector general shall use the fund to pay costs incurred by the deputy inspector general in performing the duties of the deputy inspector general as required under this section.

The deputy inspector general shall investigate all wrongful acts or omissions that have been committed or are being committed by employees of the department. In addition, the deputy inspector general shall conduct a program of random review of the processing of contracts associated with building and maintaining the state's infrastructure. The random review program shall be designed by the inspector general. The program shall be confidential and may be altered by the inspector general at any time. The deputy inspector general has the same powers and duties regarding matters concerning the department as those specified in sections 121.42, 121.43, and 121.45 of the Revised Code for the inspector general. Complaints may be filed with the deputy inspector general in the same manner as prescribed for complaints filed with the inspector general under section 121.46 of the Revised Code. All investigations conducted and reports issued by the deputy inspector general are subject to section 121.44 of the Revised Code.

All officers and employees of the department shall cooperate with and provide assistance to the deputy inspector general in the performance of any investigation conducted by the deputy inspector general. In particular, those persons shall make their premises, equipment, personnel, books, records, and papers readily available to the deputy inspector general. In the course of an investigation, the deputy inspector general may question any officers or employees of the department and any person transacting business with the department and may inspect and copy any books, records, or papers in the possession of the department, taking care to preserve the confidentiality of information contained in responses to questions or the books, records, or papers that are made confidential by law. In performing any investigation, the deputy inspector general shall avoid interfering with the ongoing operations of the department, except insofar as is reasonably necessary to complete the investigation successfully.

At the conclusion of an investigation by the deputy inspector general, the deputy inspector general shall deliver to the director of transportation and the governor any case for which remedial action is necessary. The deputy inspector general shall maintain a public record of the activities of the deputy inspector general to the extent permitted under this section, ensuring that the rights of the parties involved in each case are protected. The inspector general shall include in the annual report required by section 121.48 of the Revised Code a summary of the deputy inspector general's activities during the previous year.

No person shall disclose any information that is designated as confidential in accordance with section 121.44 of the Revised Code or any confidential information that is acquired in the course of an investigation conducted under this section to any person who is not legally entitled to disclosure of that information.

121.52 Deputy inspector general for workers' compensation

There is hereby created in the office of the inspector general the office of deputy inspector general for the bureau of workers' compensation and industrial commission. The inspector general shall appoint the deputy inspector general, and the deputy inspector general shall serve at the pleasure of the inspector general. A person employed as the deputy inspector general shall have the same qualifications as those specified in section 121.49 of the Revised Code for the inspector general. The inspector general shall provide professional and clerical assistance to the deputy inspector general.

The deputy inspector general for the bureau of workers' compensation and the industrial commission shall investigate wrongful acts or omissions that have been committed by or are being committed by officers or employees of the bureau of workers' compensation and the industrial commission. The deputy inspector general has the same powers and duties regarding matters concerning the bureau and the commission as those specified in sections 121.42, 121.43, and 121.45 of the Revised Code for the inspector general. Complaints may be filed with the deputy inspector general in the same manner as prescribed for complaints filed with the inspector general under section 121.46 of the Revised Code. All investigations conducted and reports issued by the deputy inspector general are subject to section 121.44 of the Revised Code.

There is hereby created in the state treasury the deputy inspector general for the bureau of workers' compensation and industrial commission fund, which shall consist of moneys deposited into it that the inspector general receives from the administrator of workers' compensation and receives from the industrial commission in accordance with this section. The inspector general shall use the fund to pay the costs incurred by the deputy inspector general in performing the duties of the deputy inspector general as required under this section.

The members of the industrial commission, bureau of workers' compensation board of directors, workers' compensation audit committee, workers' compensation actuarial committee, and workers' compensation investment committee, and the administrator, and employees of the industrial commission and the bureau shall cooperate with and provide assistance to the deputy inspector general in the performance of any investigation conducted by the deputy inspector general. In particular, those persons shall make their premises, equipment, personnel, books, records, and papers readily available to the deputy inspector general. In the course of an investigation, the deputy inspector general may question any person employed by the industrial commission or the administrator and any person transacting business with the industrial commission, the board, the audit committee, the actuarial committee, the investment committee, the administrator, or the bureau and may inspect and copy any books, records, or papers in the possession of those persons or entities, taking care to preserve the confidentiality of information contained in responses to questions or the books, records, or papers that are made confidential by law.

In performing any investigation, the deputy inspector general shall avoid interfering with the ongoing operations of the entities being investigated, except insofar as is reasonably necessary to successfully complete the investigation.

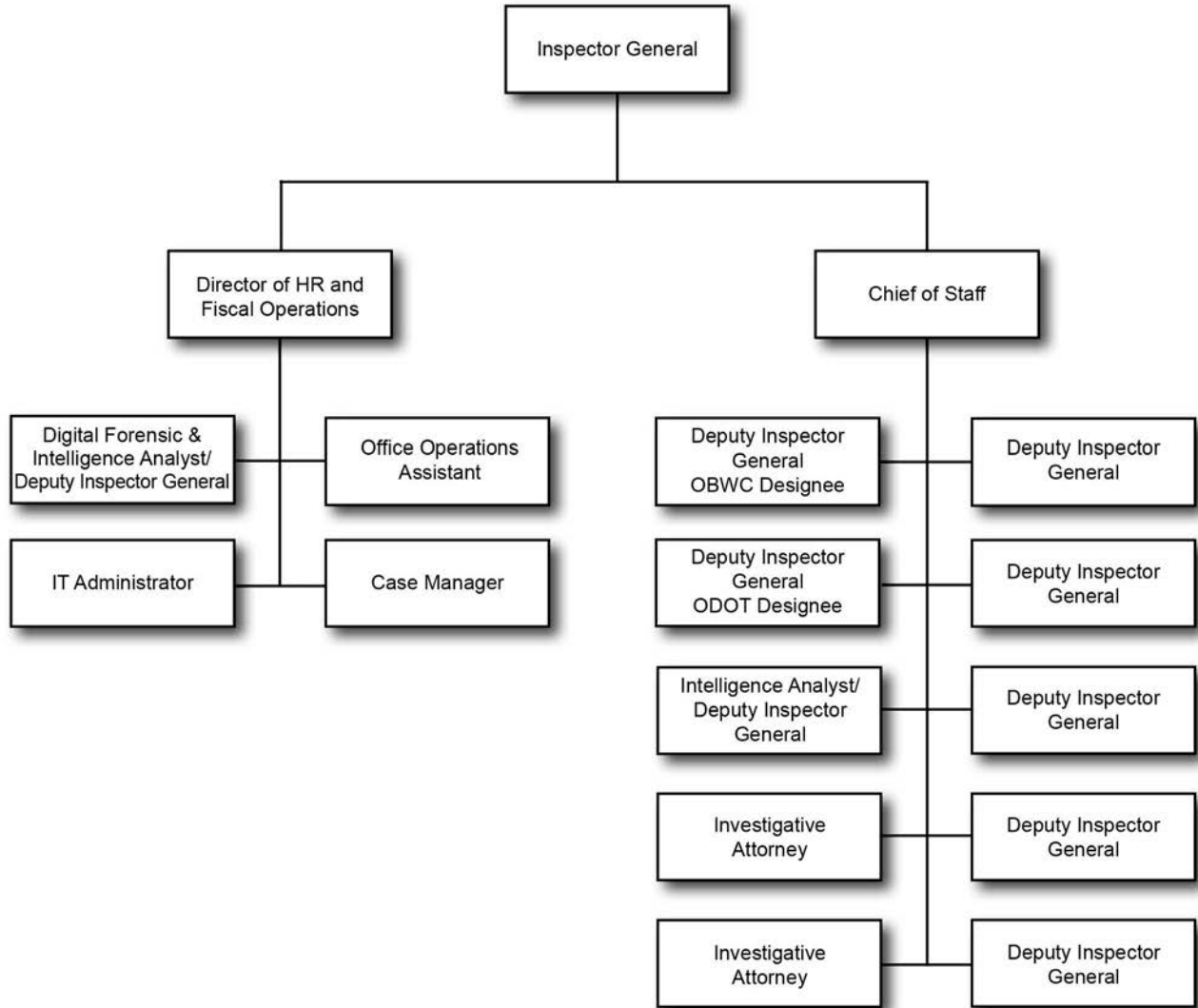
At the conclusion of an investigation conducted by the deputy inspector general for the bureau of workers' compensation and industrial commission, the deputy inspector general shall deliver to the board, the administrator, the industrial commission, and the governor any case for which remedial action is necessary. The deputy inspector general shall maintain a public record of the activities of the office of the deputy inspector general to the extent permitted under this section, ensuring that the rights of the parties involved in each case are protected. The inspector general shall include in the annual report required under section 121.48 of the Revised Code a summary of the activities of the deputy inspector general during the previous year.

No person shall disclose any information that is designated as confidential in accordance with section 121.44 of the Revised Code or any confidential information that is acquired in the course of an investigation conducted under this section to any person who is not legally entitled to disclosure of that information.

Table of Organization

Appendix 2: Table of Organization

Office of the Ohio Inspector General Table of Organization



Contact Information

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