



2023 ANNUAL REPORT

OFFICE OF THE
OHIO INSPECTOR GENERAL
RANDALL J. MEYER

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 770 reports of investigation, issued 1,557 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, from 2013 through 2023, Meyer served on the board of directors of the Association of Inspectors General.

Inspector General Meyer has dedicated his career to public service for more than 35 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 2023 Annual Report. This report is submitted to the governor and members of the 135th 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 the office released from January 1, 2023, through December 31, 2023.



Randall J. Meyer
Inspector General

During 2023, the Inspector General's Office conducted investigations concerning the fraudulent disbursement of millions of taxpayer dollars involving the Ohio Department of Job and Family Services (ODJFS) and the Pandemic Unemployment Assistance (PUA) program. ODJFS identified suspected fraudulent activity related to more than \$25 million in unemployment benefits disbursed by intermittent and contracted workers employed by the agency, and sent referrals to the Inspector General's Office to investigate the alleged unlawful actions. Several of these cases released in 2023 are outlined in this year's annual report.

During my tenure, my staff and I have released 770 reports of investigation, issued 1,557 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 and am dedicated to investigating allegations of wrongful acts or omissions without bias or outside influence in a thorough and impartial manner.

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, without the ability to follow up and ask questions of the complainant, anonymous complaints are often more difficult to investigate and verify.

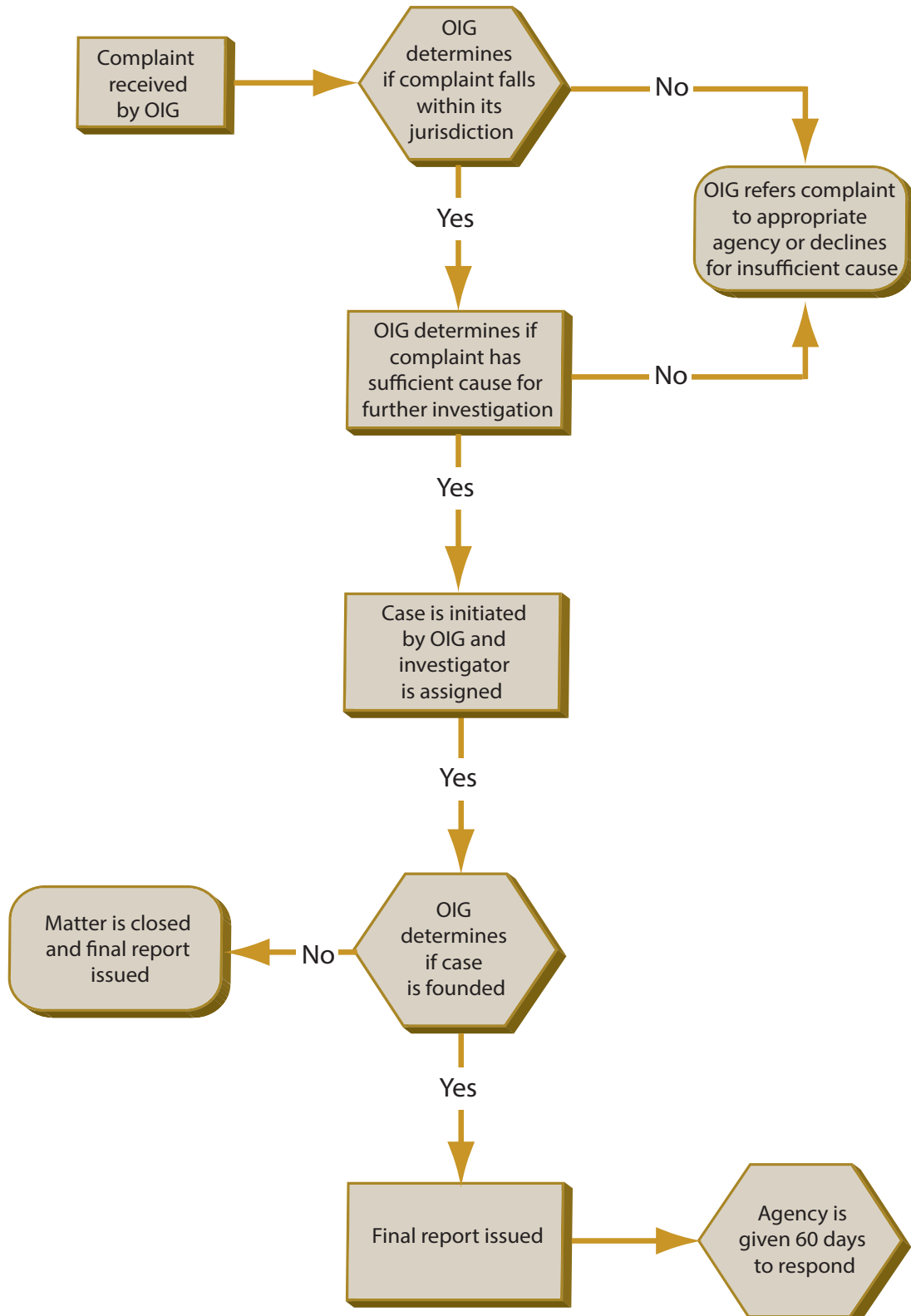
The inspector general may grant complainants or witnesses confidentiality. When appropriate, information received from complainants and witnesses may also be deemed “confidential.” Confidentiality is appropriate when it is necessary to protect a witness. It is also appropriate in cases where the information 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

2023 Statistical Summary

The Inspector General’s Office received a total of 255 complaints in 2023. From 2011 through 2023, more than 4,000 complaints have been reviewed.

2023 Complaint Status				
	<u>GENERAL</u>	<u>ODOT</u> ¹	<u>OBWC/OIC</u> ²	<u>ALL</u>
Cases Opened	16	2	2	20
No Jurisdiction	81	0	0	81
Insufficient Cause	53	3	3	59
Referred	88	4	1	93
Pending ³	2	0	0	2
Complaint Totals	240	9	6	255

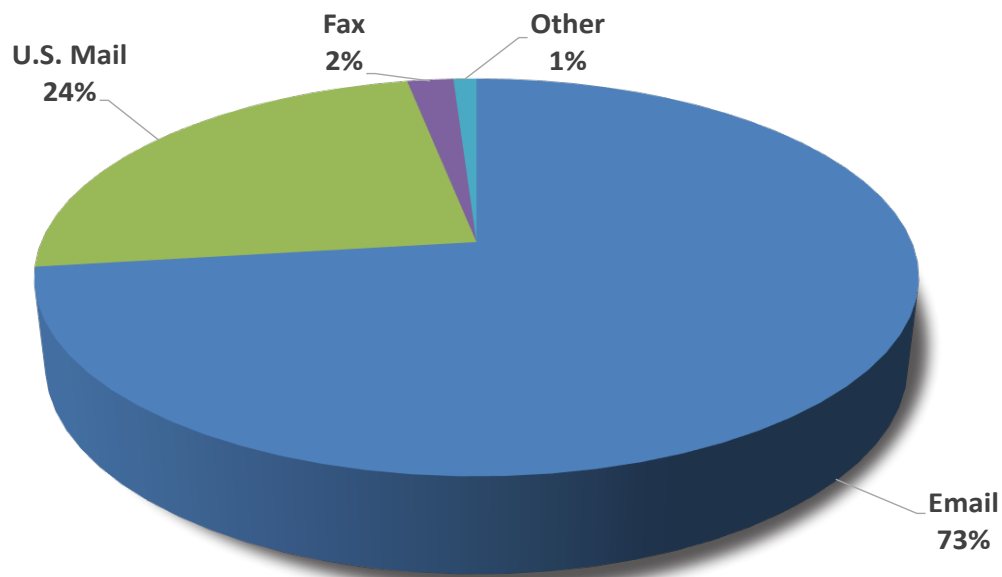
¹ ODOT = Ohio Department of Transportation.

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 2023

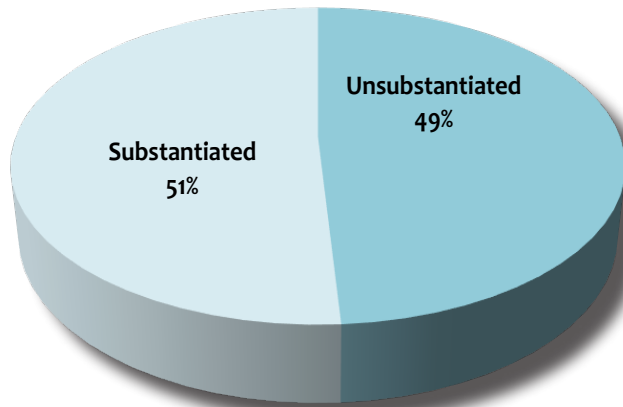


The Inspector General’s Office closed 18 cases in 2023. The number of cases closed may reflect cases that were opened in previous years. The following chart summarizes the outcome of the cases closed during the period covered by the 2023 Annual Report:

Results of Cases Closed in 2023	
Total Recommendations Made to Agencies	38 in 8 cases
Total Referrals	18 in 7 cases
Total Criminal Charges	43 in 6 cases
Identified Monetary Loss	\$6,835,448.89 in 6 cases

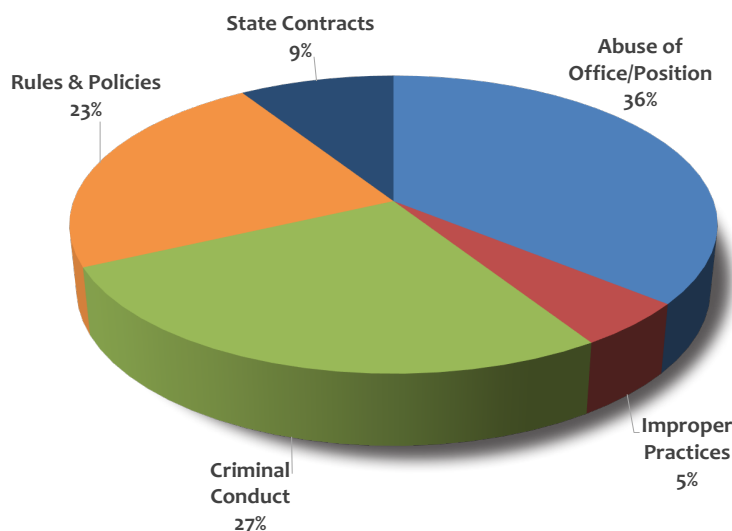
Of the 18 cases closed in 2023, the following chart illustrates the percentage of allegations in closed cases that were found to be substantiated versus those allegations that were found to be unsubstantiated.

Findings of Allegations for Cases Closed in 2023



The following chart shows the types of alleged wrongdoing substantiated in cases closed in 2023. Cases investigated for abuse of office/position (36%), criminal conduct (27%), and violating rules and policies (23%), led the categories in the cases closed for 2023.

Substantiated Allegations by Type in 2023



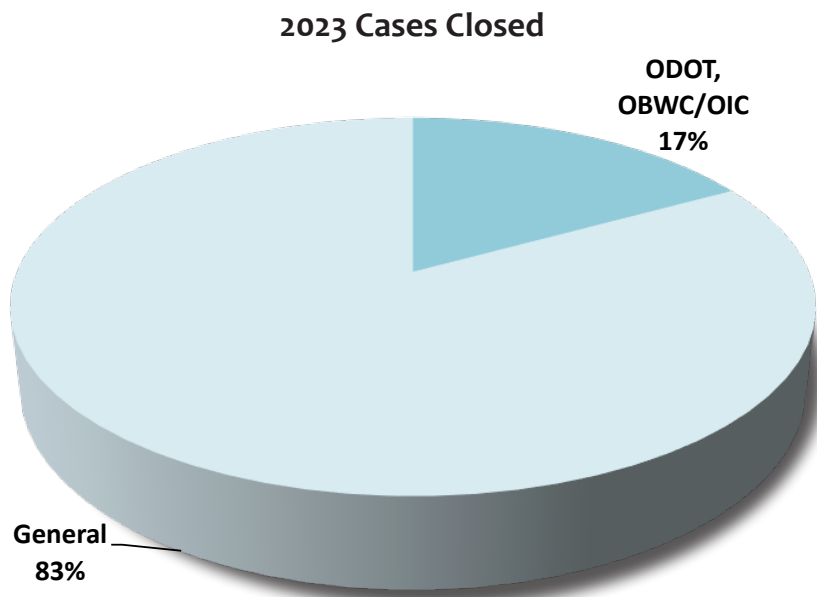
General Area

2023 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.

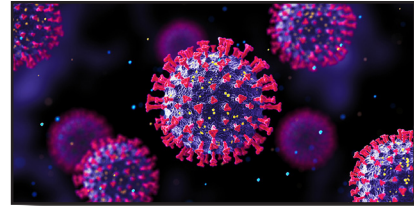
In 2023, there were 16 cases opened and 15 cases closed in the General Area of the Inspector General’s Office. As part of the lifespan of a case, the number of cases closed may reflect cases that were opened in previous years.



GENERAL AREA

A FOCUS ON PANDEMIC UNEMPLOYMENT ASSISTANCE INVESTIGATIONS

In 2020, because of the COVID-19 pandemic and the increased unemployment of millions of Americans, Congress passed various programs to address the crisis. The Coronavirus Aid, Relief and Economic Security (CARES) Act was a \$2.2 trillion economic stimulus bill passed by the 116th U.S. Congress and was signed into law on March 27, 2020. The CARES Act included provisions for the Pandemic Unemployment Assistance (PUA) program. The PUA program provided temporary benefits and support to self-employed individuals, independent contractors, and others who did not qualify for traditional unemployment benefits and had lost work due to COVID-19 related reasons. Additionally, the PUA program provided temporary benefits and support to workers whose earnings averaged less than \$280 per week in their former jobs and permitted qualified applicants to receive these benefits for up to 39 weeks. During the COVID-19 pandemic, the Ohio Department of Job and Family Services (ODJFS) Office of Unemployment Insurance Operations (ODJFS OUI) was responsible for the distribution of PUA benefits to qualified individuals in Ohio.



The CARES Act stipulated that the distribution of PUA benefits to individuals was to end on December 31, 2020. However, on December 27, 2020, the Consolidated Appropriations Act was signed into law and extended the expiration date set by the CARES Act for the payment of PUA benefits to qualified applicants from December 31, 2020, to March 14, 2021. The Act further extended the number of weeks an eligible applicant could receive these benefits from 39 weeks to 50 weeks. On March 11, 2021, the American Rescue Plan Act was signed into law and extended the payment of PUA benefits to qualified individuals from March 14, 2021, to September 6, 2021, and extended the maximum weeks an eligible applicant could receive these benefits from 50 weeks to 70 weeks. The State of Ohio ended the PUA program on September 4, 2021.

Because the PUA program expanded and loosened eligibility to obtain unemployment benefits for recipients, the Ohio Department of Job and Family Services (ODJFS) received an unprecedented number of unemployment compensation claims. This increase in claims necessitated ODJFS to hire intermittent and temporary contracted workers to process the claims. In fiscal year 2021, ODJFS disbursed approximately \$7.6 billion in pandemic unemployment benefits and later, ODJFS identified millions of dollars of the disbursements as fraudulent. To address the rampant fraud connected to the PUA program, an investigative group was established in Ohio that consisted of the Office of the Ohio Inspector General; Ohio State Highway Patrol; U.S. Department of Labor - Office of Inspector General; and the Ohio Department of Job and Family Services.

Overview of PUA Eligibility, Claim Processing, and Benefit Payments

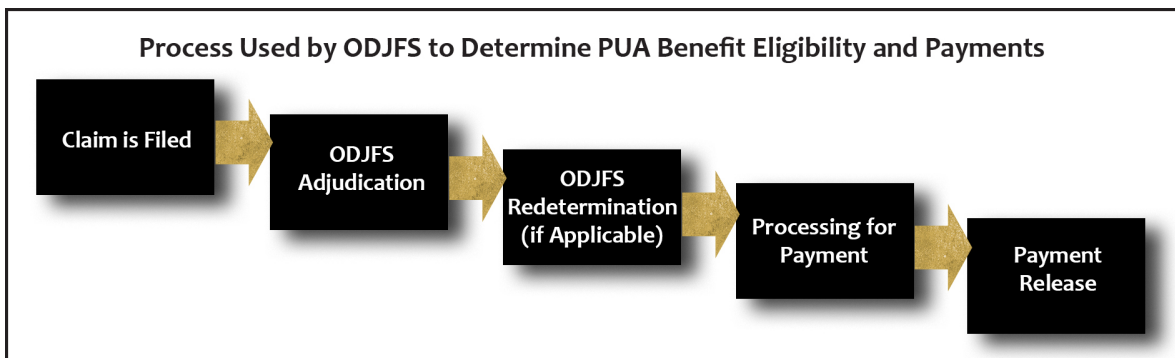
During the period when PUA benefits were available for distribution, ODJFS posted on their website the requirement for PUA applicants to self-certify their COVID-19 eligibility to receive benefits. The U.S. Department of Labor issued guidance and defined PUA eligibility for three groups of people:

- Those previously receiving traditional unemployment benefits who refused to return to work or refused an offer of work because the workplace was not in compliance with local, state, or national health and safety standards directly related to COVID-19.
- Those who provided services to an educational institution or educational service agency and were fully or partially unemployed due to COVID-19 related reasons.
- Those who were laid-off or had their work hours reduced due to COVID-19 reasons.

Also, to insure applicants meet the criteria of eligibility and to strengthen the integrity of the PUA program, the Consolidated Appropriations Act amended the CARES Act by:

- Requiring states to verify the identity of applicants.
- Requiring applicants to substantiate employment or self-employment, and wages earned or paid, to confirm eligibility for pandemic unemployment assistance no later than 90 days from the date of application.

To determine PUA benefit eligibility and the proper release of payments, ODJFS used the following process:



1. The Claimant Applies for Benefits: This is the initial step in the PUA claims process and requires the claimant to:
 - a. Complete a claim application questionnaire;
 - b. Enter their personal, demographic, and work history information;
 - c. Adjust the start date of the claim to the last date the claimant worked/ onset of COVID-19 date. This action is referred to as “backdating;”
 - d. Upload all ODJFS-required documentation into the claims system; and
 - e. Submit the claim.

2. **ODJFS Adjudication:** After the claimant submits the claim to ODJFS, the adjudication step is the initial determination made by ODJFS on the claim based on the accuracy and comprehensiveness of the claimant’s application and uploaded documents.
3. **ODJFS Redetermination (if applicable):** This is a claimant appeal process that occurs when a claim initially adjudicated as “Ineligible” is appealed by the claimant. The claim is either sent to the appeals team or to the redetermination team for further review.
4. **Processing for Payment:** Once the claimant is found to be eligible for benefits, ODJFS performs steps to release benefit payments to the claimant by either direct deposit or by “ReliaCard®,” which is Ohio’s unemployment-specific debit card.
5. **Payment Release:** The claimant receives their benefit payment by direct deposit, or the funds are loaded onto their ReliaCard® for immediate use.

Once ODJFS contacts US Bank ReliaCard®, a debit card with the approved benefit amount is mailed to the claimant.

Claimants could make purchases with the US Bank ReliaCard® anywhere Visa® and Mastercard® debit cards are accepted, or could withdraw their PUA funds in the form of cash from bank ATMs. The US Bank ReliaCard® does not require a personal identification number or PIN for signature-based purchases should the claimant choose credit when making the purchase. However, a PIN is needed for debit card purchases and cash withdrawals from ATMs. The four-digit PIN is created by the cardholder when activating the card.

Summaries of Selected Cases - PUA

OHIO DEPARTMENT OF JOB & FAMILY SERVICES FILE ID NO: 2022-CA00003

On February 15, 2022, the Ohio Department of Job and Family Services (ODJFS) referred an allegation of wrongdoing alleging that former employee and intermittent Customer Service Representative (CSR) Alana Hamilton accessed several Pandemic Unemployment Assistance (PUA) claims and authorized suspicious payments in the PUA claims by removing holds or blocks on the claims, which she was not authorized to do, resulting in PUA funds being released to ineligible claimants. The referral also stated ODJFS evaluated the suspicious PUA payments in question and reported a preliminary determination that identified \$4,300,651.50 in fraudulent PUA disbursements allegedly released to ineligible claimants due to Hamilton’s actions.

Alana Hamilton was employed by the Ohio Department of Job and Family Services as an intermittent customer service representative (CSR) from December 21, 2020, to

October 8, 2021. As a CSR, Hamilton was responsible for reviewing PUA claims to assure claimants submitted the required and proper identity verification and employment verification documents. As a result of a review of Hamilton’s activities in ODJFS’ Unemployment Framework for Automated Claim & Tax Services (uFACTS), the Ohio Department of Job and Family Services made the referral to the agencies comprising the investigative group addressing suspicious and fraudulent PUA activities in Ohio. The uFACTS system maintains an audit trail for ODJFS claim files. The uFACTS system tracks every instance of access to a claim file, and identifies the individual performing the actions. This includes tracking of claim information that is added, altered, or searched.

According to the review conducted by ODJFS, Hamilton improperly searched for specific PUA claimants and improperly redetermined their claims by voiding issues on their ineligible claims, which resulted in previously denied funds being released to the ineligible claimants. ODJFS explained to investigators that the claims they had identified as potentially fraudulent were discovered when the department noticed that documents required to prove a claimant’s eligibility, such as employment and identity verification documents, had not been provided in the claims, and Hamilton improperly voided the hold on those claims, resulting in the release of PUA funds to ineligible claimants. ODJFS records revealed that Hamilton improperly accessed and conducted unauthorized actions in numerous claims during her ODJFS employment.

Investigators examined and evaluated the claims in question for any financial connections between Hamilton and the fund recipients. In furtherance of this effort, investigators obtained Hamilton’s bank records via subpoena. In reviewing Hamilton’s bank records, investigators discovered a total of \$57,250 in electronic payments via Zelle® deposited into Hamilton’s bank account by the entities “Start 2 Finish Learning Academy” and “Start 2 Finish Learning Academy 2.” A search of the Ohio Secretary of State’s website revealed that both entities are day care centers owned by Lasheta McClellan and located in the greater Columbus area. Formerly from Lima, Ohio, Lasheta McClellan resided in Delaware, Ohio, at the time of the investigation and her day care centers were located at:

1. Start 2 Finish Learning Academy: 227 Fairway Blvd., Columbus, OH 43213
2. Start 2 Finish Learning Academy 2: 126 Pinewood Dr., Columbus, OH 43213

Because of the sum of money deposited into Hamilton’s account from the two day care centers owned by Lasheta McClellan, investigators also obtained via subpoena McClellan’s banking records. As a result, investigators discovered an additional \$2,600 sent electronically via CashApp® to Hamilton’s CashApp® account. After further analysis of McClellan’s banking records, investigators identified PUA funds related to 34 individual claims, including McClellan’s own PUA claim, that were either deposited into or associated with one of McClellan’s 12 bank accounts.

... investigators identified PUA funds related to 34 individual claims, including McClellan’s own PUA claim, that were either deposited into or associated with one of McClellan’s 12 bank accounts. ...

From their review of ODJFS records, investigators determined that Hamilton accessed McClellan's PUA claim multiple times. On May 18, 2021, Hamilton voided the fraud designation on McClellan's PUA claim, resulting in the release of thousands of dollars in PUA funds to McClellan. The very next day, McClellan sent a total of \$1,600 via CashApp® to Hamilton.

Hamilton accessed McClellan's claim two more times, once on June 9, 2021, to void the identity verification issue and again on August 24, 2021, to redetermine a denied employment verification issue to eligible status. Hamilton's actions resulted in the improper release of \$41,418 in PUA benefits to McClellan.

Investigators determined the total dollar amount of the 34 PUA claims deposited into McClellan's 12 bank accounts (including McClellan's own PUA claim) was \$508,165 and the total dollar amount Hamilton received from Lasheta McClellan and the day care business accounts McClellan controlled was \$59,850.

Fraud Breakdown

Hamilton/McClellan Collaboration in Fraudulent Activity

Based on interviews and evidence collected, investigators determined that Hamilton and McClellan were working in concert with one another in a scheme to commit fraud in the State of Ohio. The evidence showed frequent communications between the two women regarding activities involving fraudulent PUA claims, records tracking their activity, and payments disbursed between the two parties. Hamilton admitted to investigators during an interview that she was working with McClellan, stating that McClellan would charge claimants a fee to assist them in receiving fraudulent PUA monies. McClellan would, in turn, pay Hamilton a fee for releasing PUA benefits to ineligible claimants. However, Hamilton was not authorized to access the claims and clear issues that resulted in monies being released. In total, 40 fraudulent claims totaling \$1,171,561 were released based on the partnership between Hamilton and McClellan.

Alana Hamilton's Independent Fraudulent Activity

Investigators determined Hamilton also improperly released PUA benefits to claimants independent of McClellan. Hamilton accessed claims with no legitimate work-related purpose and redetermined the identity/employment verification and program eligibility holds without the required documentation in order to release fraudulent PUA monies on the claim. Hamilton maintained records of her activity and recorded payments received from ineligible claimants for her actions. Bank records also confirmed that payments were made by the ineligible claimants to Hamilton for her actions. In total, Hamilton was responsible for improperly accessing and/or releasing PUA benefits to 104 claimants in the amount of \$2,395,594.50.

Lasheta McClellan's Independent Fraudulent Activity

Finally, investigators found that McClellan was also associated with fraudulent claims independent of Hamilton. McClellan maintained detailed records that connected her to

fraudulent PUA claims. Additional records acquired during the investigation, along with claimant interviews, further corroborated that McClellan was involved in the fraudulent release of PUA benefits and that she received payment for her actions from ineligible applicants. Other evidence that connected McClellan to the fraudulent activity included the use of common email addresses, the use of physical mailing addresses associated with McClellan’s day care centers used to receive PUA ReliaCards®, and evidence in her possession that linked her to claimants. Her actions resulted in PUA benefits being released to 86 ineligible claimants totaling \$2,339,512.

	Number of Fraudulent Claims	Dollar Amount of Fraudulent Claims
Hamilton/McClellan	40	\$1,171,561
Hamilton	104	\$2,395,594.50
McClellan	86	\$2,339,512
Totals	230	\$5,906,667.50

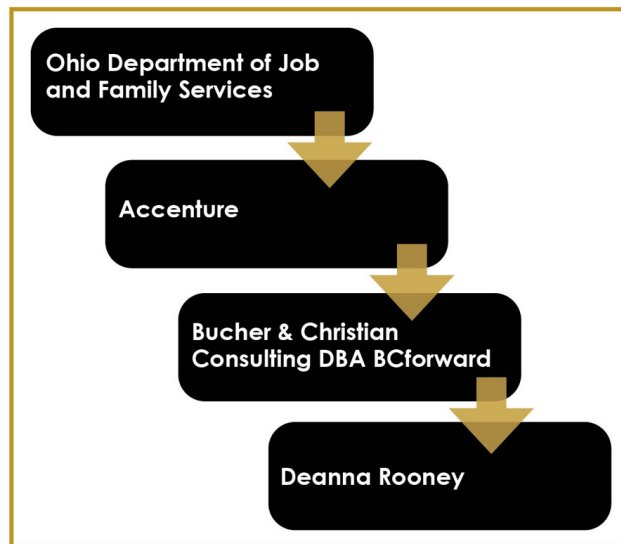
The Inspector General’s

Office referred this report of investigation to the Ohio Auditor of State and the Franklin County Prosecutor’s Office for consideration. The subjects in this report, Alana Hamilton and Lasheta McClellan, were indicted by a Franklin County Grand Jury on August 30, 2023, on 19 counts including Engaging in a Pattern of Corrupt Activity, Theft, Telecommunications Fraud, Tampering with Records, Money Laundering, and Filing Incomplete, False and Fraudulent Tax Returns. In addition, the indictment included a forfeiture specification in the amount of \$3,070,066.08. Due to ongoing criminal cases, the Inspector General’s Office issued this preliminary report of investigation, which will be superseded by a comprehensive report to be released at a later date in order to ensure the integrity of the criminal justice proceedings.

OHIO DEPARTMENT OF JOB & FAMILY SERVICES

FILE ID NO: 2022-CA00004

ODJFS contracted with Accenture, a vendor, who provided additional staffing to help process the unprecedented number of unemployment compensation claims ODJFS received because of the COVID-19 pandemic. Accenture outsourced its contract requirements with ODJFS to sub-vendors who provided staffing resources to process the claims. One of the sub-vendors Accenture contracted with was Bucher & Christian Consulting, Inc. DBA BCforward (BCforward).



In February 2022, the Inspector General’s Office received a referral from the Ohio Department of Job and Family Services (ODJFS) Chief Inspector’s Office reporting suspicious activity by Deanna Rooney, a temporary customer service representative (CSR), who was subcontracted through BCforward to process Pandemic Unemployment Assistance (PUA) claims.

ODJFS reported Rooney improperly cleared fraud issues for several PUA claims. ODJFS determined that the claimants did not provide the required proof-of-income and/or proof-of-identity verification documents, or provided “fraudulent” proof-of-income and/or proof-of-identity documents. Additionally, ODJFS reported suspicious activity by Rooney involving improper redeterminations which negated the overpayment obligation of PUA funds totaling \$23,945 to two claimants that were identified by ODJFS as possible relatives of Rooney.

In support of the referral of suspicious activity, ODJFS provided to the Inspector General’s Office a spreadsheet of the claims Rooney accessed over the course of her employment and the actions she took

within each claim. Investigators reviewed all the information provided by ODJFS and discovered three claims Rooney improperly accessed in which she searched the claimants’ Social Security numbers multiple times, indicating a pattern signifying possible fraudulent activity. Investigators made the determination to further examine the three PUA claims related to Claimant A, Claimant B, and Claimant C.

... Investigators discovered three claims Rooney improperly accessed in which she searched the claimants’ Social Security numbers multiple times, indicating a pattern signifying possible fraudulent activity. ...

Claimant A

Investigators reviewed the records provided by ODJFS and learned Claimant A filed a claim for PUA benefits on May 19, 2020, backdated their claim to March 29, 2020, and was paid a total of \$16,121 in Pandemic Unemployment Assistance for the period from March 29 to October 28, 2020. Investigators also learned Claimant A did not submit any of the required proof-of-identification documentation or proof-of-income documentation to support that the claim was valid and eligible. This resulted in ODJFS placing a fraud indicator on the account, determining that an overpayment had been paid to Claimant A in the amount of \$16,121, and obligating Claimant A to pay \$16,121 back to the State of Ohio. Investigators also determined Rooney improperly searched for and accessed Claimant A’s PUA claim multiple times when she had no legitimate work-related purpose to do so. Additionally, during the initial interview with investigators, Rooney confirmed Claimant A was her relative. On July 14, 2021, Rooney redetermined Claimant A’s PUA claim to “Eligible” in the claims system, and left two notes that said “Eligible – SSN identified” and “no overpayment.” However, none of the documents ODJFS required from Claimant A had been submitted, and investigators concluded Rooney’s actions on the claim were outside the scope and authority of her job duties. Subsequently, Rooney’s actions negated Claimant A’s overpayment obligation of \$16,121 back to the State of Ohio.

Claimant B

Investigators reviewed the records provided by ODJFS and learned that Claimant B filed for PUA benefits on May 13, 2020, backdated their claim to March 15, 2020, and was paid a total of \$25,683 in Pandemic Unemployment Assistance for the period from March 15, 2020, to September 7, 2021. Investigators also learned Claimant B provided to ODJFS the proof-of-identity verification and proof-of-income verification. However, the proof-of-income document that Claimant B provided was determined insufficient because Claimant B provided a 1040 tax document that reported income but did not provide the required employer information. Claimant B failed to provide to ODJFS the requested documentation which resulted in ODJFS placing a partial overpayment designation on the claim and obligating Claimant B to pay \$7,824 back to the State of Ohio. Investigators determined Rooney improperly searched for and accessed Claimant B's PUA claim multiple times when she had no legitimate work-related purpose to do so. Additionally, during the initial interview with investigators, Rooney confirmed Claimant B was her relative. On September 14, 2021, Rooney accessed the claim and left a note that said, "Tax documents were uploaded - redetermination to eligible." However, the tax documents ODJFS required from Claimant B had not been submitted. On September 15, 2021, Rooney redetermined the claim to "Eligible." Investigators concluded Rooney's additional actions on the claim were outside the scope and authority of her job duties. Subsequently, Rooney's actions negated Claimant B's overpayment obligation of \$7,824 back to the State of Ohio.

Claimant C

Investigators reviewed the records provided by ODJFS and learned Claimant C filed for PUA benefits on May 15, 2020, backdated their claim to March 15, 2020, and filed for Pandemic Unemployment Assistance for the period from March 15, 2020, to September 6, 2020. Investigators also learned, upon filing the initial claim, Claimant C did not submit the required proof-of-identification documentation to ODJFS to support that the claim was valid and eligible. As a result, on June 10, 2020, ODJFS determined the claim "Ineligible Indefinitely" and no PUA funds were to be paid to Claimant C. Investigators determined Rooney improperly searched for and accessed Claimant C's PUA claim multiple times when she had no legitimate work-related reason to do so. On

APRIL and MAY 2021 PHONE CONTACT and CLAIM ACCESS		
	<i>Number Of Phone Contacts Between Rooney and Claimant C</i>	<i>Number Of Times Rooney Accessed Claimant C's Claim</i>
4/7/2021	2X	1X
4/9/2021	2X	-
4/14/2021	1X	-
4/15/2021	1X	1X
4/16/2021	1X	-
4/19/2021	1X	-
4/20/2021	1X	-
4/21/2021	1X	-
5/4/2021	4X	-
5/6/2021	1X	-
5/7/2021	2X	1X
5/9/2021	1X	-
5/10/2021	2X	-
5/12/2021	-	1X
5/13/2021	-	1X
5/17/2021	5X	-
5/18/2021	\$13,701.00 RELEASED TO CLAIMANT C	

In the chart above, investigators correlated the timeframe of Rooney and Claimant C's instances of cellphone communication, and Rooney's access to Claimant C's PUA claim.

May 7, 2021, Rooney accessed the claim and left a note that said, “Income Verification 2019 Tax Docs.” On May 13, 2021, Rooney changed the “Ineligible Indefinitely” adjudication to “End Indefinite Denial” and redetermined Claimant C’s PUA claim to “Eligible.” On May 18, 2021, Claimant C was paid \$13,701 in PUA claim funds.

Additionally, investigators examined Rooney’s cellphone records (calls and texts) and discovered 25 instances of cellphone communication between Rooney and Claimant C for the period from April 7, 2021, to May 17, 2021. It was during this time period that Rooney improperly accessed Claimant C’s PUA claim multiple times and improperly adjudicated Claimant C’s claim.

Investigators concluded Rooney’s actions on the claim were outside the scope and authority of her job duties. It was later discovered that Claimant C’s proof-of-income documents submitted to ODJFS, while sufficient for proof-of-income due to the U.S. Tax Schedule C document attached, were insufficient because the claimant’s Social Security number on the claimant’s tax documents had been edited to a series of “X”s, making the document unacceptable for verifying proof-of-income.

The Inspector General’s Office recommended the Ohio Department of Job and Family Services review the PUA claims Rooney accessed, take appropriate steps to recover the overpayments issued for each claim, and develop safeguards to prevent employees and contractors from exceeding the scope of their training and authority. The report of investigation was referred to the Franklin County Prosecuting Attorney and the Ohio Auditor of State. On January 9, 2024, Deanna Rooney entered a plea of guilty on one count of theft and was ordered to pay restitution in the amount of \$23,945.

OHIO DEPARTMENT OF JOB & FAMILY SERVICES

FILE ID NO: 2022-CA00010

On March 11, 2022, ODJFS referred an allegation of wrongdoing by intermittent employee Donesha Shepard to the Inspector General’s Office. Shepard was hired by ODJFS on May 24, 2021, to serve as an intermittent customer service representative (CSR) who was tasked to review PUA claims assigned to her in the ODJFS claims system to determine if the claimants were eligible to receive PUA funds. ODJFS reported that Shepard accessed several unemployment claims and authorized improper payments in PUA benefits. Specifically, ODJFS reported that Shepard took actions she was not authorized to perform by removing fraud holds or blocks on PUA claims to release funds to ineligible claimants. Shepard was terminated on August 6, 2021.

ODJFS provided to investigators records of an audit they had conducted on the 3,797 claims that Shepard accessed in the ODJFS PUA claims benefits system during her employment period. From this audit, ODJFS identified 41 claims Shepard improperly accessed and removed the “fraud-knowing failure” designation, which allowed payments totaling \$799,986 in benefits to be approved for those claimants who had initially been denied.

The Inspector General's Office acquired records from a search warrant and issued numerous subpoenas. The information obtained for review were Shepard's phone records, bank records, and Facebook records. Investigators evaluated the 41 claims for any direct connections or associations to Shepard. During their review of the 41 claims in question, investigators discovered 37 claims involved individuals who resided in Cincinnati, Ohio, who were located near Shepard's residence. Additionally, investigators discovered four of the 41 claims in question were for incarcerated individuals and another four claims were connected to Shepard by telephone calls and text messages to/from the claimants. Investigators also found associations between Shepard and claimants indicating familial connections or who reported having the same residential addresses or email addresses. Of the 41 claims reviewed by investigators, 12 claims were selected for further evaluation.

Investigators evaluated ODJFS records and learned that the 12 claimants under review filed for and received PUA benefits in early to mid-2020. It was also determined that each of these 12 claims were either fraudulent or missing the required documents to continue benefits, and the payments of PUA funds to these claimants were discontinued by ODJFS. The claimants continued to apply for the PUA benefits after they were discontinued, and their claims were denied. Investigators also learned from ODJFS that should a claimant provide the proper documentation to reconcile a fraud hold on the claim, ODJFS would redetermine the claim as eligible. PUA funds continued to accrue from the date the claim was held and any funds released to the claimant were in one lump sum.

Among the unauthorized actions taken by Shepard to approve PUA benefits for the 12 claimants under review was a PUA claim for Claimant #1, which was identified as ineligible in the ODJFS claims system due to missing or suspicious documentation. On August 5, 2021, Shepard improperly accessed Claimant #1's PUA claim in the ODJFS claims system and removed the fraud hold on the claim which released a lump sum payment of \$14,037 to Claimant #1's mother's direct deposit bank account.

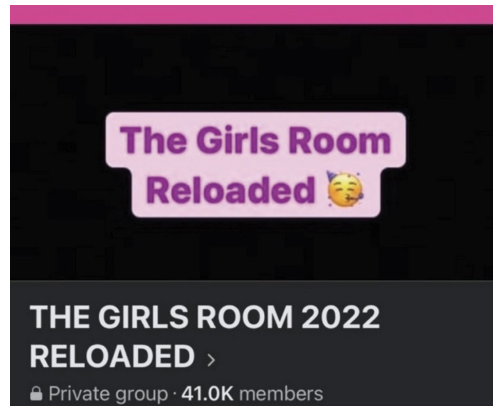
From March 7, 2022, through March 10, 2022, both Claimant #1's mother and a guest were checked into the Palazzo at the Venetian hotel in Las Vegas, Nevada. Photographs were posted on Facebook of Claimant #1's mother and Shepard in Las Vegas at the same time. Claimant #1's mother used the debit card associated with Claimant #1's account, which was in Claimant #1's mother's name, for the purchases she made in Las Vegas.



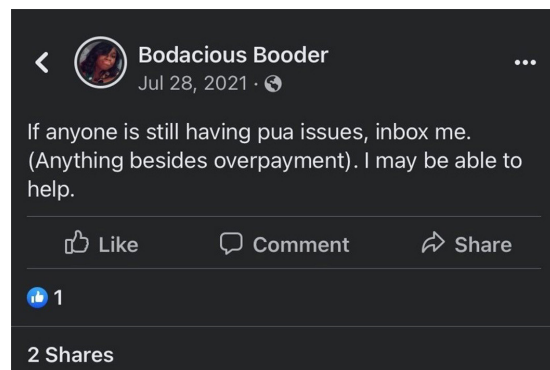
Source: <https://www.venetianlasvegas.com/towers/the-palazzo.html>

From an analysis of telephone and Facebook records, investigators discovered Shepard publicized, both by word of mouth and by her postings on an internet site, that she could remove, for a fee, the fraud holds or denial-of-benefit designations on the PUA claims of ineligible claimants. One of the 12 claimants (Claimant #5) told investigators, "... her name was not Donesha Shepard on Facebook." Claimant #5 explained that she "pulled up" a Facebook contact by the name of Bodacious Booder posted on a Facebook group, "The Girl's Room," and that Shepard/Booder offered to assist individuals in obtaining PUA benefits for claims that had been denied.

From a review of Shepard's Facebook messages, investigators learned that after a fee was agreed upon between Shepard and a claimant, Shepard would submit a note in the ODJFS PUA claims system stating that no fraud was detected in the claim or would note that the required documents had been provided to enable Shepard to remove the fraud hold designation on the claim. This action by Shepard released the denied accrued PUA benefits to the claimant, and the claimant would receive a lump sum direct deposit payment to their bank account, or the funds would be loaded to a ReliaCard® debit card. Investigators also established from their review of bank records and Facebook messages that after the PUA monies were received by the claimants, Shepard was paid her fees by electronic payment, or by meeting the claimant in person to receive money orders or cash.



Screenshot Claimant #5 provided of the Facebook group, "the Girls Room."



The offer of PUA assistance Shepard/Booder posted in the Facebook group.

Author	Bodacious Booder (Facebook: 100001262610793)
Sent	2021-08-04 20:40:33 UTC
Body	Can you send me yo claimant ID
Author	Claimant #5
Sent	2021-08-04 20:40:48 UTC
Body	Yes
Author	Claimant #5
Sent	2021-08-04 20:41:03 UTC
Body	[REDACTED]
Author	Bodacious Booder (Facebook: 100001262610793)
Sent	2021-08-04 20:47:26 UTC
Body	I can approve all 20 weeks. It'll be \$8,200 give or take depending on if you have them taking taxes out, My fee would be \$1000. If I put it through today it would be here Friday
Author	Claimant #5
Sent	2021-08-04 20:48:18 UTC
Body	Okay bet
Author	Bodacious Booder (Facebook: 100001262610793)
Sent	2021-08-04 20:49:24 UTC
Body	Ok cool. I'm bouta work on it now.

Pictured above is a Facebook conversation between Shepard/Booder and Claimant #5 discussing Shepard's actions on Claimant #5's PUA claim.

On November 29, 2022, investigators interviewed Donesha Shepard. Shepard admitted that, for a fee, she would remove the fraud hold designation on PUA claims that had been determined to be ineligible. Shepard confirmed investigators' findings that individuals had contacted her through Facebook to provide her with claim numbers or SSNs of other PUA claimants in order for Shepard to remove the fraud holds on their claims, resulting in the release of PUA monies to the claimants. Though Shepard stated she could not recall the total amount of fees she obtained from claimants to release the holds on their PUA benefits, she noted that she did receive a substantial amount through electronic payments or cash.



In above photo, on left, are money orders Claimant #7 sent to Shepard through Facebook Messenger on August 9, 2021, which Claimant #7 obtained to pay Shepard's fee. On right is photo of money order deposits into Shepard's bank account.

she could not recall the total amount of fees she obtained from claimants to release the holds on their PUA benefits, she noted that she did receive a substantial amount through electronic payments or cash.

The Inspector General's Office concluded Shepard improperly released the holds on the 12 ineligible claims, fraudulently releasing payments of the PUA benefit funds (see the chart on right).

On February 8, 2023, the Hamilton County Grand Jury returned True Bill indictments of Theft 20913.02(A)(2)[F-3], Tampering with Records 2913.42(A)(1)[F-3], Telecommunication Fraud 2913.05(A)[F-3], Bribery 2921.02(A)[F-3], Bribery 2921.02(B)[F-3] against four individuals involved in this report of investigation. The four individuals pled guilty and were sentenced to the charges in Hamilton County. The Inspector General's Office also referred this report of investigation to the Ohio Auditor of State for consideration.

Ineligible PUA Claimants	PUA \$ Amounts Improperly Released to Claimants by Shepard
Claimant #1	\$14,226
Claimant #2	\$14,226
Claimant #3	\$ 9,714
Claimant #4	\$13,686
Claimant #5	\$10,692
Claimant #6	\$ 8,673
Claimant #7	\$0
Claimant #8	\$11,670
Claimant #9	\$ 4,347
Claimant #10	\$ 9,036
Claimant #11	\$ 9,714
Claimant #12	\$ 5,733

Summaries of Selected Cases - General

OHIO DEPARTMENT OF JOB & FAMILY SERVICES

FILE ID NO: 2022-CA00020

In August 2022, the Inspector General's Office received a referral from the Ohio Department of Job and Family Services (ODJFS) involving ODJFS Training Officer Mariam Makni alleging she misused State of Ohio Information Technology (OIT) resources and inaccurately reported her times worked. The referral explained that after Makni failed to present a training session she was scheduled to lead on July 14, 2022, ODJFS conducted a review of her State of Ohio computer activity and network history. The ODJFS review indicated evidence Makni may have used her ODJFS-assigned computer to perform legal work for the Barbin Law Office (Barbin Law) during her scheduled ODJFS work times.

The Inspector General's Office received and reviewed and/or analyzed the following records from ODJFS:

- ODJFS policies and procedures.
- Makni's personnel file.
- Electronic access card data for the Rhodes State Office Tower.
- A computer geolocation report for Makni's ODJFS-assigned Microsoft Surface tablet, which specified the location of the device during times for the period of June, July, and August 2022.
- Computer activity monitoring data for Makni's ODJFS-assigned Microsoft Surface tablet, which captured a graphic representation of the tablet's computer screen as the user was seeing it while active on the device for the period of July 19 to August 2, 2022.
- Computer tracking data which detailed times Makni's ODJFS-assigned Microsoft Surface tablet was unlocked or the user was logged into the device.
- Makni's ODJFS state-issued email account.

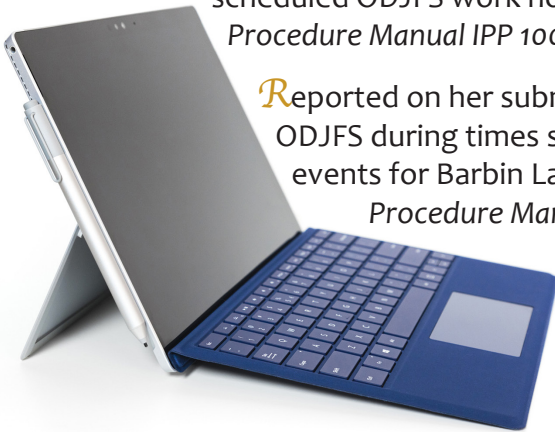
Investigators also interviewed Brad Barbin, Esq., of the law firm Barbin Law. Barbin confirmed to investigators that Makni performed legal work as an independent contractor for his firm. He told investigators that in June 2022, Makni was paid by his firm to attend a trial in Lawrence County, Ohio, and in July 2022, Makni attended a legal conference at Miami University in Oxford, Ohio. Investigators determined Makni did not notify ODJFS in writing of her outside employment with Barbin Law and had not completed and submitted the ODJFS Notification of Outside Employment form, as required by ODJFS Internal Policy and Procedure Manual. Investigators requested Barbin review Makni's user activity that was captured by computer activity monitoring software to identify any work Makni may have performed on the device for his law firm. For the period under review, Barbin identified to investigators various days and times Makni evidently performed work for the law firm on her ODJFS-assigned device. Investigators also obtained and reviewed copies of all payments issued to Makni from Barbin Law for her legal services and the corresponding dates she performed the services.

From their review and analysis of records provided by ODJFS, and records and information obtained from Brad Barbin, investigators determined Makni acted improperly when she:

Used her ODJFS-assigned computer to perform work for Barbin Law during concurrent times she reported working for ODJFS on her submitted timekeeping records, in violation of ODJFS *Internal Policy and Procedure Manual IPP 10002 Computer and Information Systems Usage*;

Date	Makni Reported ODJFS Work Hours	Makni "Start Time" for Barbin Law	Makni "End Time" for Barbin Law	Overlapping Hours Makni Reported Working for ODJFS and Barbin Law
7/19/2022	7:30 a.m. - 4:30 p.m.	4:00 p.m.	5:25 p.m.	30 minutes
7/20/2022	8:00 a.m. - 5:00 p.m.	8:46 a.m.	1:08 p.m.	3 hours 22 minutes
7/22/2022	8:00 a.m. - 5:00 p.m.	10:30 a.m.	10:56 a.m.	26 minutes
7/22/2022	8:00 a.m. - 5:00 p.m.	2:20 p.m.	4:49 p.m.	2 hours 29 minutes
7/25/2022	8:00 a.m. - 5:00 p.m.	3:32 p.m.	3:39 p.m.	7 minutes
7/27/2022	7:30 a.m. - 4:30 p.m.	3:54 p.m.	4:57 p.m.	36 minutes
7/28/2022	8:00 a.m. - 5:00 p.m.	11:25 a.m.	11:43 a.m.	18 minutes
			TOTAL	7 hours 48 minutes

Used her ODJFS-assigned computer to perform work for Barbin Law outside of her scheduled ODJFS work hours, in violation of ODJFS *Internal Policy and Procedure Manual IPP 10002 Computer and Information Systems Usage*;



Reported on her submitted timekeeping records working for ODJFS during times she was actually performing work or attending events for Barbin Law, in violation of the ODJFS *Internal Policy and Procedure Manual IPP 5101 Employee Leave*;

Performed work for ODJFS at remote locations that were not her approved home office location, in violation of ODJFS *Internal Policy and Procedure Manual IPP 0006 Telework Policy*;

Failed to file the ODJFS Notification of Outside Employment form and obtain approval for outside employment, in violation of ODJFS *Internal Policy and Procedure Manual IPP 5003 Outside Employment*.

Investigators concluded Makni improperly reported on her submitted timekeeping records working for ODJFS a total of 45 hours and 48 minutes during times she was actually performing work or attending events for Barbin Law. Investigators calculated the financial loss to the State of Ohio was \$1,609.39.

Source of Time	Hours Makni Spent Working for Barbin Law on ODJFS Time	Makni's ODJFS Hourly \$ Pay Rate	State Employer Paid \$ Benefit Rate (30% of hourly rate)	Makni's Total Hourly \$ Rate (pay + benefit)	Total \$ Loss to State of Ohio
Employee Monitoring Software	7 hours 48 minutes	\$27.03	\$8.11	\$35.14	\$274.09
Hours Noted in Makni's Calendar as Working for Barbin Law	22 hours	\$27.03	\$8.11	\$35.14	\$773.06
Barbin Law Payment for Trial June 6, 2022, and June 8, 2022	16 hours	\$27.03	\$8.11	\$35.14	\$562.24
				Total	\$1,609.39

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

OHIO DEPARTMENT OF JOB & FAMILY SERVICES

FILE ID NO: 2022-CA00027

On December 7, 2022, the Inspector General's Office received a referral from the Ohio Department of Job and Family Services (ODJFS) of suspected illegal or improper activity conducted by ODJFS Office of Workforce Development (OWD) Employment Professional Maria Ford. In the referral, ODJFS reported concerns regarding Ford's job performance and suspicions that Ford, "... may be spending time during her workday [sic] on her outside advocacy pursuits associated with a nonprofit organization she operates." Additionally, ODJFS reported Ford allegedly stored records related to a nonprofit she had incorporated on her ODJFS computer. Lastly, ODJFS expressed concerns that Ford was providing non-work-related services that ODJFS questioned were overlapping with, "... her [Ford's] ODJFS employment when generating communications around these outside activities by using her ODJFS email account and signature."

In addition to reviewing and analyzing records from ODJFS, the Inspector General's Office issued subpoenas to financial institutions holding accounts either in the name of, or associated with Ford or her nonprofit, The Healing, Empowering, Loving, and Preparing Center (The H.E.L.P. Center). Lastly, investigators interviewed Maria Ford and questioned ODJFS staff about Ford's activities.

Outside Employment

Investigators interviewed Ford about the establishment of her nonprofit (The H.E.L.P. Center), its activities, and her involvement with the Central Ohio Restored Citizens Collaborative (CORCC). Ford acknowledged that she had incorporated The H.E.L.P. Center to assist individuals being released from prison and those who were living in poverty. Ford stated that The H.E.L.P. Center had no employees. Ford told investigators she had discussed

her volunteer work with ODJFS Office of Workforce Development Program Delivery Manager Stephen Carson, and that she did not receive any compensation from The H.E.L.P. Center. Carson noted to investigators that Ford had disclosed to him that she volunteered with other organizations, but had failed to disclose that she was the owner/founder/executive director of The H.E.L.P. Center.

Investigators examined records obtained from ODJFS and those subpoenaed from financial institutions for accounts held in the name of or associated with Ford and determined:

- The H.E.L.P. Center was involved in obtaining birth certificates and state identification cards for individuals; assisting individuals in obtaining emergency rental assistance; and subletting rooms or properties leased by The H.E.L.P. Center to those in need.
- Ford made 23 cash withdrawals from The H.E.L.P. Center's bank account and deposited the cash totaling \$9,225 into her personal bank account. These withdrawals/deposits matched dollar for dollar and were deposited either the same day or within 24 hours of each other.
- Ford did not complete and submit a JFS 01793 Notification of Outside Employment form to ODJFS for her involvement with The H.E.L.P. Center.

Investigators learned through inquiries with both Carson and Ford's former supervisor, Aprille Kisner, that Ford had disclosed she volunteered with other organizations. However, Ford failed to disclose that she had incorporated the nonprofit (The H.E.L.P. Center) and served as its director.

The Inspector General's Office concluded Ford violated the ODJFS Outside Employment Policy when she accepted compensation for work performed for a nonprofit, charitable, religious, public service, or civic organization, and when she failed to notify ODJFS in writing that she was seeking or was involved with outside employment by completing and submitting a Notification of Outside Employment form.

Advocacy Activities & Nepotism

In its referral to the Ohio Inspector General's Office, ODJFS expressed concerns about the time Ford spent on tasks or activities associated with her various outside advocacy activities, as well as concerns that Ford referenced her ODJFS employment in correspondence for those activities.

Investigators reviewed and/or analyzed ODJFS records and conducted interviews and inquiries with Ford and ODJFS staff. From the review and analysis of records and information obtained through interviews, investigators determined:

- Ford used her ODJFS email address as a point of contact for: the Central Ohio Restored Citizens Collaborative (CORCC) on the Relink.org website; her appointment to the Franklin County Reentry Advisory Board; and for the City of Columbus emergency rental assistance applications to accept benefits as a landlord.
- Ford received and sent emails using her ODJFS email account involving requests to contact CORCC customers who were not ODJFS customers or unemployment income

claimants about job opportunities, which was part of her job duties as an ODJFS employment professional.

- During her ODJFS workday, Ford assisted The H.E.L.P. Center customers by using ODJFS resources to obtain records needed to file emergency rental assistance applications. Ford confirmed that other OhioMeansJobs Center partners offered emergency rental assistance when funds were available.
- After introducing herself and offering assistance to customers served by the Pathways Navigator (an ODJFS contractor), Ford received referrals from the Pathways Navigator (an ODJFS contractor) in her ODJFS email account which identified customers in need of birth certificates at no cost.
- Ford drafted letters using CORCC or The H.E.L.P. Center letterhead during her ODJFS workday that supported other organizations or individuals; referenced working as an ODJFS employee; listed the OhioMeansJobs Center mailing address; and/or included her ODJFS signature block.

During her interview, investigators noted to Ford that her description of the services provided by CORCC, The H.E.L.P. Center, and ODJFS appear to overlap between the three entities. Ford replied that there will, "... always be overlap. There's no competition." Investigators asked Ford whether she had communicated with anyone at the ODJFS Legal department or the Ohio Ethics Commission to determine whether a conflict existed between the work she was performing on behalf of The H.E.L.P. Center and the work she was performing for ODJFS. Ford replied to investigators, "I didn't."

The Inspector General's Office determined Ford violated the ODJFS Standards of Employee Conduct Policy, which states, "Employees shall not have a direct or indirect financial interest or other interest that conflicts or appears to conflict with their government duties and responsibilities."

Improper Use of State Resources

Investigators obtained and examined Ford's ODJFS email box and a copy of the files saved to her ODJFS OneDrive (personal cloud storage). Investigators also examined Ford's usage of her ODJFS-assigned desk phone number at the OhioMeansJobs Center. From their analysis of these records, investigators determined Ford:

- Sent or received, using her ODJFS email account, 307 emails associated with The H.E.L.P. Center and 466 emails associated with CORCC.
- Scanned 108 documents associated with The H.E.L.P. Center and 36 documents associated with CORCC, using the scanner located at the OhioMeansJobs Center, and sent the documents to her ODJFS email account.

ODJFS Standards of Employee Conduct Policy

"Employees shall not have a direct or indirect financial interest or other interest that conflicts or appears to conflict with their government duties and responsibilities."

- Stored 194 files associated with The H.E.L.P. Center’s activities and 397 files associated with CORCC activities on her ODJFS network drive.
- Used her OhioMeansJobs Center desk phone during her ODJFS workday totaling more than 14 hours to speak with individuals associated with The H.E.L.P. Center and/or CORCC.
- Used space in the OhioMeansJobs Center Resource Room to meet with The H.E.L.P. Center’s customers.
- Directed individuals to leave documents with, or pick up bus passes, birth certificates, or other items from the OhioMeansJobs Center front desk.

The Inspector General’s Office determined Ford violated ODJFS Standards of Employee Conduct Policy; Computer and Information Systems Usage Policies; Local, Network and Cloud Storage Policy; and ODJFS Telephone Usage Policy.

Improper Access of Confidential Personal Information

ODJFS provided to investigators for their review a copy of Ford’s personnel file including her performance evaluations. While reviewing these documents, investigators discovered a comment written in Ford’s performance evaluation for the period from October 1, 2019, through September 30, 2020 by Ford’s then-supervisor Kisner. In this evaluation, Kisner stated Ford had, “... tried to assist claimants and cleared issues that were not allowable for her work group which resulted in over-payments on several claims.”

Investigators obtained and reviewed applicable ODJFS policies regarding the access and dissemination of confidential personal information and copies of ODJFS PowerPoint presentations that were provided to staff, including Ford. Investigators also obtained and analyzed Ford’s confidential personal information access log for ODJFS’ Ohio Jobs Insurance (OJI) computer system. From this analysis, investigators found that Ford had accessed, in several instances, the same unemployment claim multiple times. Given her job duties did not include managing a group of unemployment claims, ODJFS investigators and the Inspector General’s Office determined the frequency Ford accessed several claims was unusual. During the examination of these accesses, investigators found Ford had accessed two claims belonging to her relatives multiple times. In February 2023, the Inspector General’s Office expanded this investigation to include a review of Ford’s accesses of UI claims.

Claims Filed with Conflict of Interest

Performing any transaction for the claim of a relative, friend, or person with whom a business or financial relationship is strictly forbidden. These claims are to be referred to a supervisor immediately.



Slide from ODJFS PowerPoint presentation that was provided to staff, including Ford.

Investigators selected 1,075 individual claim accesses and Ford’s accesses of 45 UI claims during the period from March 23, 2020, and January 19, 2022, to evaluate whether Ford’s accesses were for valid business reasons. From a review of records, investigators determined Ford improperly accessed confidential personal information when:

- Ford accessed a UI claim in 154 instances in which investigators were unable to determine a valid business reason for the access.
- Ford accessed claims belonging to the individuals (see chart on right) whom she had a familial, personal, or business relationship.

Individual	Relationship	Number of	
		Accesses	Benefits Paid
Relative #1	Relative	13	\$ 37,302.00
Relative #2	Relative	24	\$ 14,997.00
Friend #1	Friend	12	\$ 24,852.00
Friend #2	Friend	2	\$ 7,203.00
Friend #3	Friend	3	\$ 42,444.00
CORCC #1	CORCC	20	\$ 24,088.00
CORCC #2	CORCC	2	\$ 24,998.00
CORCC #3	CORCC	2	\$ 6,194.00
CORCC #4	CORCC	1	\$ 11,178.00
Taxes #1	Business	2	\$ 45,216.00
		81	\$ 238,472.00

In examining these accesses, investigators discovered that certain accesses by Ford resulted in the clearing of issues within a claim. In certain instances, the OJI Computer system or an ODJFS employee may create an issue on a claim, which requires responses or information for fact-finding questions which may result in correspondence being sent to the claimant, their employer, or both. Responses to this correspondence are used to determine whether a claim should be allowed or denied.

Investigators obtained information provided to Ford which identified in what instances Ford was authorized to clear an issue and the steps to be taken to clear an issue. Investigators also obtained and analyzed an ODJFS report listing 2,623 claim issues cleared by Ford and 42 claim issues Ford manually created within OJI from April 15, 2020, through October 31, 2020. Investigators determined Ford improperly cleared or adjudicated an issue in the following instances contrary to ODJFS guidance and procedures:

- Of the 2,422 claim issues Ford cleared (the remainder of the 2,623 issues were either adjudicated as allowed, disallowed, or deferred), investigators determined Ford was not authorized and/or improperly cleared 1,153 issues. Investigators determined ODJFS had identified an additional 588 claim issues which require further review to determine whether Ford was authorized to clear the issues.
- Of the 2,422 claim issues Ford cleared, investigators determined Ford was not authorized and/or improperly cleared 35 issues assigned to the ODJFS Benefit Payment Control Unit; 160 issues noted as “Late Filing (of CC) contrary to ODJFS training; and that in 80 of the 100 issues Ford cleared, she did not document the reason for clearing the issue.
- Though Ford’s duties as an Intake Tier 2 staff person did not permit her to adjudicate claim issues, investigators determined Ford had adjudicated and ruled on 18 claim issues with a decision of “allowed” (6) and “disallowed” (12).

- In 42 instances, Ford manually created an issue within a claim in OJI and improperly cleared 37 of those issues herself within the same day, contrary to ODJFS guidance.

The Inspector General’s Office identified and referred a total of 1,842 issues to ODJFS for further review to determine whether the issues based on the claims’ facts were incorrectly adjudicated by Ford and whether funds improperly paid should be recovered.

Based on information learned during the investigation, the Inspector General’s Office requested ODJFS perform a detailed review of the 109 issues cleared by Ford for 24 claimants (known as a Tier 3 review) to determine whether: 1) Ford was authorized to clear the issue; 2) the issue was appropriately cleared based on the information in the claim; and 3) if not, whether ODJFS determined the funds were improperly paid to the claimant. Investigators examined the analysis completed by ODJFS and learned ODJFS had determined:

- Ford was not authorized to clear 67 of the 109 issues examined and failed to complete the appropriate steps to clear 14 of the 109 issues. In addition, ODJFS determined that the agency needed to obtain additional information from either the claimant and/or employer to determine whether the 14 issues were properly cleared by Ford and whether an overpayment of benefits occurred.

- Ford cleared the 11 issues (see chart on right), but ODJFS was unable to identify whether the paid benefits were proper. ODJFS determined that the agency needed to obtain additional information from either the claimant and/or employer to determine whether the issues were properly cleared by Ford and whether an overpayment of benefits occurred.

Individual	Number of Issues Cleared by Ford Requiring Further Review	Benefit Payments to Be Reviewed
Claimant #5	2	\$ 8,373.00
Claimant #6	5	\$ 7,947.00
Claimant #7	2	\$ 4,966.00
Claimant #8	2	\$ 5,373.00
	11	\$ 26,659.00

The Inspector General’s Office determined Ford violated Ohio Revised Code §1347.15 and ODJFS Standards of Employee Conduct Policy; Data Access Policy; Code of Responsibility Policy, and the Processing of ODJFS Work Actions Policy, when Ford:

- Improperly accessed claims in 154 instances without a valid business reason to do so;
- Improperly accessed claims in 81 instances in which the claimant had a familial, close personal, or business relationship to Ford;
- Improperly cleared six claim issues in which she had a familial relationship with the claimant; and
- Improperly cleared 1,783 claim issues, contrary to ODJFS guidance.

Additionally, ODJFS preliminarily concluded ODJFS had improperly paid benefits to five claimants totaling \$84,414 (see chart on right). These claims are being referred to ODJFS for further analysis and determination of the final amount to be recouped from each claimant.

Individual	Number of Issues		Benefits Determined to Be Improperly Paid
	Number of Issues Cleared by Ford	Identified by ODJFS as Improperly Cleared	
Relative #2	6	3	\$ 14,997.00
Claimant #1	16	1	\$ 39,675.00
Claimant #2	3	1	\$ 8,640.00
Claimant #3	4	3	\$ 20,367.00
Claimant #4	3	1	\$ 735.00
	32	9	\$ 84,414.00

The Inspector General’s Office made 10 recommendations to the Ohio Department of Job and Family Services, and forwarded the report of investigation to the Ohio Auditor of State, the Ohio Ethics Commission, the Ohio Department of Taxation, the Ohio Attorney General Charitable Law Section, the Franklin County Prosecutor’s Office, and the City of Columbus Prosecuting Attorney for their consideration. Ford resigned her position with ODJFS effective July 21, 2023, and was charged with two misdemeanor 1 counts of knowingly accessing confidential personal information belonging to her relatives, in violation of ORC 1347.15(H)1, Ohio Administrative Code 5101:9-22-16, and ODJFS policy.

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

FILE ID NO: 2021-CA00002

Each year the Ohio Turnpike and Infrastructure Commission (OTIC) awards construction contracts as part of its capital improvement program. These projects involve pavement replacement, road resurfacing, and bridge work. During 2019 and 2020, OTIC awarded the construction contracts using a competitive bid process. In each contract for which a need was determined, OTIC issued assignments to firms to provide Construction Administration and Inspection (CA&I) and Material Testing and Quality Control (MT) services. Construction Administration and Inspection services included providing professionally qualified staff, “to observe, inspect and assist in the coordination of various phases of the construction.” Material Testing and Quality Control services are those tests required to be performed in accordance with applicable ODOT and OTIC specifications and involve the sampling and testing of concrete and asphalt.



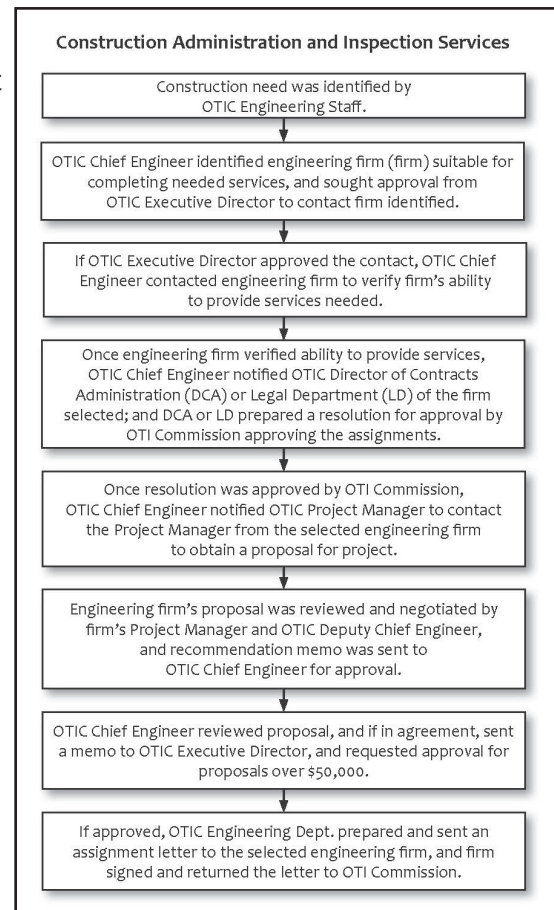
On March 1, 2021, the Office of the Ohio Inspector General received an anonymous complaint alleging that the Ohio Turnpike and Infrastructure Commission (OTIC) was failing to comply with procurement requirements in the Ohio Revised Code. Subsequently, the office opened

an investigation to examine the procurement process used by OTIC to determine whether the process that was followed for the soliciting, awarding, and payment for Construction Administration and Inspection (CA&I) and Material Testing and Quality Control (MT) services complied with OTIC procurement policies and Ohio Revised Code §§153.65 – 153.73. The investigation also examined the level of oversight exercised by OTIC when monitoring the services provided by the engineering firms and payment for services rendered.

Investigators obtained and analyzed Request for Qualifications (RFQ) responses, proposals, Commission-adopted resolutions, assignment letters, invoices and supporting documentation, project files, emails, and other records and obtained responses to investigative inquiries submitted to OTIC staff. Investigators also obtained and reviewed the OTIC Engineering Department standard operating procedures which documented procedures followed when awarding assignments for CA&I and MT services to a firm.

Investigators learned OTIC issued a RFQ in October 2018 for interested firms to provide a Statement of Qualifications identifying which of the 10 service categories they were interested in providing services to OTIC during 2019-2020.

According to the OTIC, the 10 categories of services were collectively considered as a “professional design service” as defined in Ohio Revised Code §153.65(C). During 2019-2020, investigators also learned OTIC awarded assignments to provide CA&I and/or MT services to certain firms who had submitted a response to the Biennial RFQ.



From their review of records and inquiries made, investigators determined that OTIC staff:

- Failed to publicly announce opportunities for “professional design services” costing more than \$50,000.
- Failed to evaluate at least three firms to identify the firm best suited for the project.
- In the case of MT services, failed to obtain and negotiate a proposal from the selected firm.
- Provided no evidence supporting discussions for a firm’s selection or how the selection treated all interests “fairly and equitably” and maximized the value of Ohio Turnpike and Infrastructure Commission funds.
- Did not provide Ohio Turnpike and Infrastructure Commission members with

documentation supporting the rationale for the selection of the firm identified in the Commission's resolution to be assigned to perform the services.

- Failed to provide the Ohio Turnpike and Infrastructure Commission members with the cost associated with the assignment identified in the draft resolution which was subsequently adopted by the Commission.

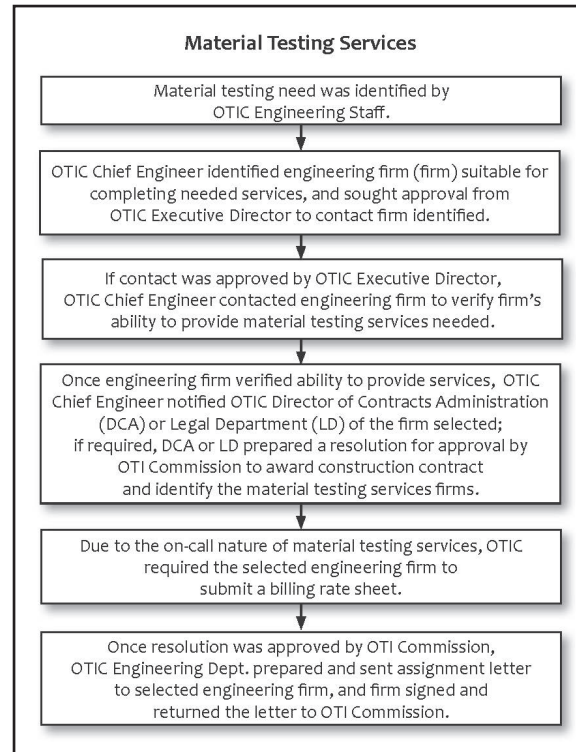
Investigators also examined the OTIC Engineering Department standard operating procedures (SOP) which documented procedures followed when awarding assignments for CA&I and MT services to a firm. According to the guidance in SOP#13, contracts for these services which exceeded \$50,000 required the issuance of a Letter of Interest or Request for Proposal Process.

However, the guidance in SOP#14 for the assignment of CA&I and MT services allowed the OTIC engineering staff to select the consultant [referred to as the "firm"] without a public announcement of the opportunity. Investigators determined the guidance in SOP#14 contradicted the provisions of SOP#13, OTIC Policy 1800.102, and provisions of Ohio Revised Code §§153.65 – 153.73.

Once a firm was selected and the assignment was approved through an OTIC-adopted resolution, investigators determined former OTIC Chief Engineer Anthony Yacobucci signed 10 OTIC project assignment letters for CA&I costs exceeding \$50,000 and for 17 OTIC projects with payments for MT services exceeding \$50,000. Investigators further determined Yacobucci modified the initial cost for seven projects but failed to obtain additional approval as required by the Commission Bylaws in effect at the time of the modifications.

Prior to working on a project, the firm was contractually required to send to OTIC a billing rate submittal for its approval identifying the potential employees for the project and their calculated hourly rate. During an examination of these submittals, investigators found that in certain instances, the firms failed to obtain OTIC approval prior to their employees working on the project and that certain firms failed to submit updated rates for changes in their indirect cost rate. As a result, investigators determined OTIC issued payments to firms for services rendered prior to the approval of the employee working on the project or the employee's identified rate.

Investigators also examined invoices and analyzed the supporting documentation for 461 payments issued to 11 firms for selected projects under review. Investigators found instances where the firms failed to include the required elements on the invoice.



Additionally, investigators found the firms' submitted invoices requesting payment, and the OTIC-remitted payment in certain instances for services rendered or costs incurred, were contrary to the Miscellaneous Professional Services Agreement (MPSA) and RFQ provisions. Services or costs improperly billed included, but were not limited to, a minimum charge instead of the actual hours worked for a task, for work that had been canceled, and for travel time. In addition, investigators found the firm requested and was reimbursed by OTIC for mileage costs exceeding the daily maximum rate reflected in the MPSA terms and conditions.

	No. of Invoices	Total Amount Invoiced
A portion or all of the services invoiced were performed prior to assignment letter date.	27	\$751,560.77
A portion or all of the services invoiced were performed after the not-to-exceed amount was exceeded, and prior to modification to the assignment letter was approved.	14	\$116,285.42
	41	\$867,846.19

The Office of the Ohio Inspector General further determined that OTIC staff relied upon third-party reviews and approval recommendations for certain expenses prior to issuing payment. In addition, OTIC failed to obtain documentation or conduct audits to validate actual hourly rates identified by the firms in the billing rate submittal. Lastly, investigators determined that OTIC staff management reports and oversight focused on the overall project costs, and failed to monitor professional design services costs separately to ensure only necessary and reasonable services were provided and expenses were incurred.

The Inspector General's Office made 11 recommendations to the executive director of the Ohio Turnpike and Infrastructure Commission. Additionally, a letter was sent to the commission containing 58 suggestions for their consideration. The recommendations and suggestions focused on strengthen the agency's internal control systems related to the process for soliciting, evaluating, and awarding contracts for "professional design services;" the rate approval process; and payments for services rendered. The report of investigation was forwarded to the Ohio Auditor of State's Office and the Ohio Ethics Commission for consideration.

OHIO DEPARTMENT OF REHABILITATION AND CORRECTION

FILE ID NO: 2022-CA00021

In August 2022, the Inspector General's Office received a complaint documenting the potential misuse of State of Ohio-owned equipment by Ohio Department of Rehabilitation and Correction (ODRC) Automotive Mechanic 2 Mark Comer. The complainant stated that on March 7, 2022, Comer was observed leaving the Southern Ohio Correctional Facility (SOCF) driving an empty State of Ohio 2016 Ford F550 dump truck. Shortly after Comer left the facility, ODRC Groundskeeper 3 Ron Hardy left the facility to obtain a receipt for gravel being picked up by Comer. Upon returning to SOCF, Hardy gave the receipt for the gravel to ODRC Maintenance Superintendent Chris Abell to pay with his assigned State of Ohio payment card. Several hours later, the complainant observed Comer returning to SOCF and the bed of the dump truck was still empty. The complaint detailed that Comer filled 17 gallons of fuel into the dump truck upon returning to the facility and the fuel disbursement ticket indicated the purpose of the fuel was to "haul gravel water tower."

The complainant noted that they were personally near the water tower that day and did not observe any gravel being delivered to that location, and expressed their concern that the purchased gravel was obtained for personal use. At a later date, the complainant reported an additional concern regarding the recycling of scrap metal and cardboard from SOCF at a local metal recycling facility. The complaint stated that the sales proceeds from recycling the scrap metal and cardboard were not being properly deposited into an SOCF bank account.

Investigators obtained and reviewed the Ohio Administrative Knowledge System (OAKS) payment card report for the card held by Chris Abell and verified that the invoices from Lucasville Sand and Gravel (LSG) were not paid by Abell in March 2022 using a payment card and were paid by voucher nearly eight months later, on November 11, 2022.

Investigators also obtained and reviewed the March 2022 daily vehicle report for unit 460 (2016 Ford F550 dump truck) and discovered irregularities regarding what was listed on the report. Investigators found that there was no driver listed using the dump truck on March 1; however, Comer was listed as the driver of the vehicle on March 7. Additionally, in the box where a destination was required to be reported, investigators found no destination was indicated on March 7. Moreover, investigators found that the report did not specify a beginning mileage for March 7; however, the report did specify the ending mileage for that day was 11,588. Based on the beginning mileage on March 1 and the ending mileage on March 7, the unit 460 dump truck was driven 174 miles between March 1 and March 7.

DAILY VEHICLE REPORT						
Vehicle No: 135-460				Month/Year: 3/22		
Date	Name of Driver (Please Print)	Mileage Beginning	Mileage Ending	Destination	Parking Location	Gas Cost (Purchase) Obl. Cost
1		11414				
2						
3						
4						
5						
6						
7	Comer		11588			17
8						

The March 2022 daily vehicle report listing Comer as the driver on March 7, and showing the 460 dump truck was driven 174 miles between March 1 and March 7.

Hardy was asked if he recalled going anywhere else on March 1 aside from traveling to and from LSG four times to pick up gravel. Hardy responded that he could not remember with certainty, as it had been nine months since the date in question. Without properly completed vehicle mileage logs listing the destination and beginning and ending mileage, investigators were unable to determine where the dump truck was driven and how far each employee drove the vehicle. Both Hardy and Comer told investigators during interviews conducted at SOCF that it is common for employees who drive vehicles not to complete the corresponding vehicle's mileage logs. Investigators reviewed the ODRC Employee and Contractor Use of State-Owned Vehicles 22-BUS-18 which states in part, "Documents, such as the Vehicle Travel Log (DRC1426) is the driver's responsibility to maintain the report each day the state vehicle is used." The Inspector General's Office found reasonable cause to believe that wrongful acts or omissions by SOCF personnel occurred in these instances.

Regarding the complainant's additional concern pertaining to the recycling of scrap metal and cardboard from SOCF, investigators requested from SOCF a written description on how the disposition and sale of scrap metal was processed at the facility. In response to their request, investigators received an email from SOCF Business Administrator Nancy

Behn on November 19, 2022. Behn stated that institutional guidance at SOCF designated the maintenance superintendent as the staff member who was responsible for determining what was deemed scrap metal for sale. Additionally, the maintenance superintendent coordinated with the maintenance designee to transport the scrap metal to a business for recycling and to receive the proceeds or checks from the sale of the scrap metal on behalf of SOCF. Behn told investigators that Comer was responsible for transporting scrap metal to Livingston & Co., Inc. (LCI) and that all the proceeds or checks Comer received from the sale of the scrap metal should have been brought to the SOCF cashier's office for deposit as a pay-in. However, Behn noted that the only pay-in for 2022 occurred on October 29, in the amount of \$239 for aluminum which had been picked up by LCI at SOCF.

Investigators asked LCI about their understanding of SOCF's process for selling scrap metal, and requested a complete transaction history for 2022 of scrap metal purchases from SOCF. Investigators received an email from LCI which reported that SOCF had a revolving credit account at LCI. The email explained that when SOCF brought scrap metal for sale to LCI, the sale amount was credited to SOCF's account instead of a check being issued. When SOCF bought metal from LCI, the sale amount was subsequently deducted from the revolving credit account. LCI provided to investigators a list of all scrap metal sales that had been made by SOCF in 2022. Investigators learned that during 2022, more than 11 separate transactions, totaling \$2,400, were for sales of scrap metal to LCI and credited to SOCF's revolving credit account. Investigators also learned that during 2022, SOCF had purchased from LCI metal supplies in five separate transactions totaling more than \$3,200. As of the end of 2022, SOCF had a credit balance of \$1,199.83 in their revolving account with LCI.

Investigators learned that ORC §125.14 provides an exemption from placing the proceeds from the sale of recyclable goods and materials into the State of Ohio treasury and these exemptions must be granted by the director of the Ohio Environmental Protection Agency. Investigators requested and were provided a copy of the exemption request that was approved in December 2008 for ODRC by the director of the Ohio Department of Natural Resources who was administering the Recycled Materials Fund at that time. Investigators also learned that ORC §125.14 does not address the matter of agencies maintaining a credit account with vendors.

Investigators concluded that, although SOCF had institutional guidance in place, as well as a December 2008 ODNR-approved exemption from placing the proceeds from the sale of recyclable goods and materials into the State of Ohio treasury, SOCF did not have a consistent process in place to reconcile and track scrap metal sales and that the facility was reliant on the vendor (LCI) to maintain its records of these transactions.

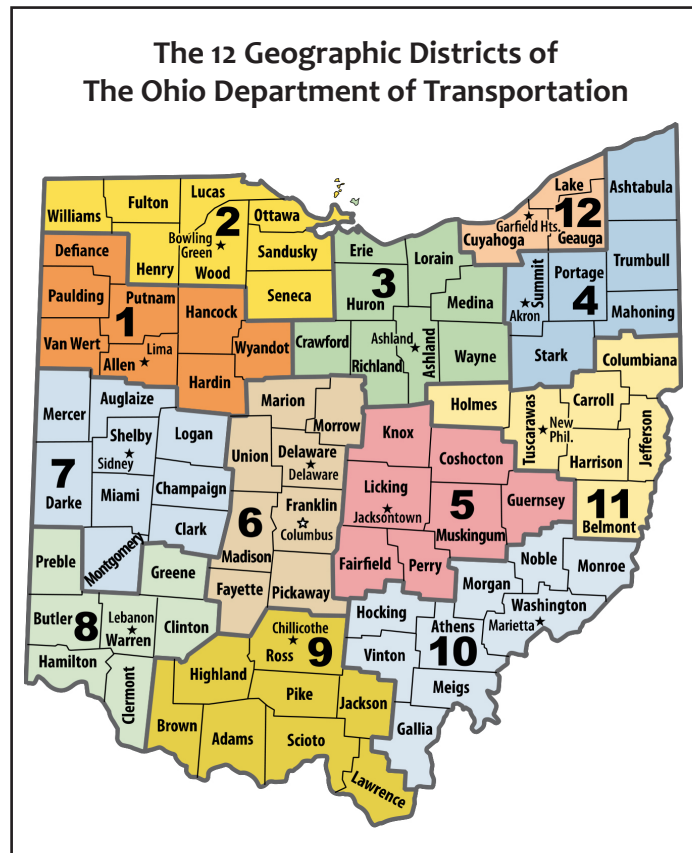
The Inspector General's Office made six recommendations to ODRC, and later, the director of ODRC notified the Inspector General that the department had instituted changes to its processes to resolve the issues cited in the investigation.

Ohio Department of Transportation

2023 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.”

The vast majority of ODOT’s budget is supported by federal and state motor fuel tax revenues and bond proceeds appropriated in HB 74, the FY 2023 - FY 2024 transportation budget bill. ODOT appropriations under HB 74 total \$6.7 billion for the biennium. ODOT is one of the state’s largest agencies, 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.



Source: www.transportation.ohio.gov

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 safeguarding the proper use of state resources, as well as 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 serve Ohio’s transportation needs by responsibly managing the public’s money.

In 2023, there were two cases opened and two 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.

Summaries of Selected Cases - Transportation

OHIO DEPARTMENT OF TRANSPORTATION

FILE ID NO: 2021-CA00020

On September 20, 2021, the Inspector General's Office received a referral from the Ohio Department of Transportation (ODOT) alleging ODOT District 12 Transportation Engineer 2 Nicolas Bycoskie used Lakeland Electric Company (LEC) to grade and landscape his lawn at his newly built personal residence. Lakeland Electric Company was contracted by ODOT to perform electrical work on ODOT project #200164, and Bycoskie was assigned by ODOT to oversee the project. At the time of this investigation, Bycoskie had reportedly overseen approximately six projects as a transportation engineer 2, involving various types of work ranging from paving, tree maintenance, lighting, and bridge work.

Upon becoming aware of the allegation, ODOT Office of Investigative Services (ODOT OIS) gathered employment records and took photos of Bycoskie's residence. On September 16, 2021, ODOT OIS obtained statements from ODOT Transportation Manager David Nimrichter and his supervisor, ODOT Transportation Engineer Keith Hamilton. Nimrichter stated that on September 10, 2021, he conducted an on-site inspection of project #200164 with ODOT Transportation Engineer Ryan Hustosky and LEC Field Superintendent Scott Koch. During Nimrichter's inspection, Nimrichter mentioned Bycoskie had recently built a new home and that there was a substantial amount of work remaining to be completed on his lawn. Koch told Nimrichter that an LEC employee, using LEC equipment, went to Bycoskie's home on a weekend and graded his lawn. Nimrichter stated that after their on-site inspection of the ODOT project was completed, he notified his supervisor Keith Hamilton of the conversation that had taken place regarding Bycoskie. Hamilton then notified ODOT District 12 Headquarters in Garfield Heights of a possible ethics violation.

... a Lakeland Electric Company (LEC) employee, using LEC equipment, went to ODOT Transportation Engineer Bycoskie's home on a weekend and graded his lawn. ...

In both of their statements, Nimrichter and Hamilton expressed concerns about Bycoskie's lack of detail on the ODOT project #200164, whereby he either did not notice or possibly ignored concerns with the work performed by LEC. Due to these issues related to Bycoskie's failure to manage LEC's contract work for ODOT and the allegations that Bycoskie's lawn at his residence was graded by an LEC employee, investigators believed there was enough evidence to support a possible quid pro quo arrangement between Bycoskie and LEC.

On October 28, 2021, investigators interviewed LEC Field Superintendent Scott Koch and David Mueller, the LEC project manager for the ODOT lighting project #200164. Mueller said LEC employee Marco Hernandez performed the grading of Bycoskie's lawn. Koch explained to investigators that during a casual conversation with Bycoskie, Koch showed Bycoskie photographs of landscaping work completed by Hernandez at Koch's residence. Mueller stated it was his understanding Bycoskie later reached out to Hernandez to either ask him to perform the landscaping work or to obtain a quote.

On November 1, 2021, investigators interviewed LEC employee Marco Hernandez. Hernandez stated he was hired by Bycoskie to prep, seed, and spread straw on Bycoskie's lawn and was paid \$3,500. Hernandez noted Bycoskie was his inspector for the ODOT lighting project #200164 that was being completed by LEC. Investigators asked Hernandez what equipment was used on Bycoskie's lawn project. Hernandez stated, "I used my own equipment."

On November 4, 2021, investigators interviewed Nicolas Bycoskie. Investigators had reviewed Bycoskie's ODOT training records and found that Bycoskie completed Ohio ethics trainings on January 21, 2020, and February 16, 2021, and acknowledged receipt of ODOT Policy 17-015(P) – Work Rules and Discipline. Bycoskie confirmed that the lighting project to which he was currently assigned was ODOT project #200164. Bycoskie told investigators that he had a house built in Burton, Ohio, in May 2021, and confirmed to investigators that he had his lawn graded by Marco Hernandez on September 4, 2021. When investigators asked how he knew Hernandez, Bycoskie stated, "He is an associate." Investigators asked who Hernandez worked for and Bycoskie replied, "Lakeland Electric." Bycoskie stated that Hernandez did not provide a written estimate, invoice, or receipt, and that Bycoskie paid Hernandez in cash on September 17, 2021. Investigators noted to Bycoskie that his payment to Hernandez was made one day after the complaint against Bycoskie was received by ODOT. Investigators asked Bycoskie whether, at any time, he believed hiring Hernandez to perform landscaping work would be a conflict of interest. Bycoskie stated that at the time he hired Hernandez, he did not believe it was a conflict because he had paid Hernandez a fair wage and he directly hired Hernandez to perform the work and not LEC. However, at the time of his interview, Bycoskie admitted to investigators that he currently believed his actions were a conflict of interest. Investigators asked and Bycoskie confirmed that he did not contact the Ohio Ethics Commission, LEC, or ODOT to inquire as to whether there were any issues with hiring Hernandez. Bycoskie stated he had previously asked his supervisor about hiring another company who had ties to ODOT to work on his lawn; however, Bycoskie's supervisor told him that it would be an ethics conflict.

Investigators concluded Bycoskie violated ODOT Work Rules and Discipline Policy: 17-015 (P) Failure of Good Behavior when he disregarded the warning from a supervisor against hiring ODOT contractors for personal projects.



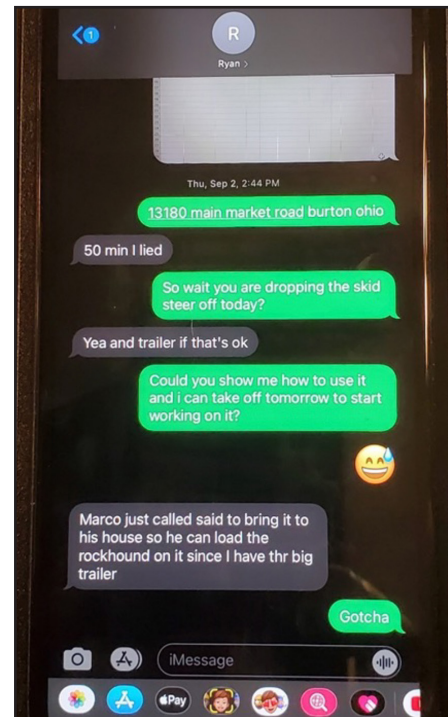
Example of skid steer with "Rockhound" (landscape rake) attached which is used in grading land.

Investigators also asked Bycoskie about a text message found on his ODOT-issued cell phone between Bycoskie and an LEC employee named Ryan Miller about the use of an LEC skid steer to grade Bycoskie's lawn. Investigators asked Bycoskie to explain the text message between he and Miller. Bycoskie stated Hernandez was performing some work for Miller and Hernandez's skid steer had been left at Miller's house. Bycoskie added that Miller was going to drop off the skid steer to his home so Hernandez

could complete his lawn project. However, Bycoskie said the equipment delivery plans changed, and Hernandez went to Miller's house to pick up the skid steer and deliver it to his (Bycoskie's) residence.

Investigators asked who owned the skid steer that Hernandez was delivering to Bycoskie and Bycoskie answered, "I don't know." Bycoskie noted that the skid steer used at his home had a Leppo Rentals sticker on the side and not LEC markings. In total, Bycoskie told investigators that two skid steers, two trailers, and two trucks were brought to his residence to complete the job.

After Bycoskie's interview conducted on the November 4, 2021, investigators called the phone number for LEC employee Ryan Miller, obtained from the text message between Bycoskie and Miller. Investigators told Miller they were calling to inquire about work that was completed at Nicolas Bycoskie's house. Investigators asked if, during Bycoskie's lawn work project, Miller was supposed to deliver equipment to Bycoskie's house. Miller answered, "No." Investigators told Miller of the text message between him and Bycoskie whereby the two men spoke of Miller delivering a skid steer to Bycoskie's residence. Miller stated, "Yes. I never ended up dropping anything off." Investigators asked who owned the skid steer and Miller replied, "Uh Lakeland." Investigators asked if Miller was aware of who arranged for the equipment to be delivered to Bycoskie. There was a pause in Miller's answer and then the phone disconnected.



Green text box is Nicolas Bycoskie.
Black text box is Ryan Miller.

On November 9, 2021, investigators interviewed LEC employee Ryan Miller at a construction project. Investigators asked Miller to explain the text message between he and Bycoskie involving the skid steer. Miller stated he was in possession of the skid steer after using it on an LEC job in Rittman, Ohio. The original plan was for Miller to deliver the LEC skid steer to Hernandez's house. Hernandez called Miller and stated that he would be performing work at Bycoskie's house and requested Miller take the skid steer and trailer to his (Bycoskie's) house. Miller told investigators that before delivery was made, Koch called Miller and stated the skid steer was needed elsewhere and that Hernandez would be picking it up from Miller's house.

On November 22, 2021, investigators called Leppo Rentals to verify if, during the time period of September 4, 2021, a skid steer had been rented by Lakeland Electric Company (LEC). Investigators requested, and Leppo agreed, to review their records for any skid steers rented by LEC, and Leppo agreed to return a call to investigators with their findings. Leppo, however, failed to call investigators back with the information requested. Investigators

checked online and learned Leppo Rentals rents skid steers for \$200 per day and Rockhounds (landscape rake) for \$160 per day.

Investigators concluded Bycoskie violated ODOT Purchasing Ethics and Vendor Visit Policy: 15-009(P) when Bycoskie solicited LEC employees to obtain equipment and perform work at his personal residence. However, investigators were unable to determine that a quid pro quo relationship existed between Bycoskie and LEC.

On January 14, 2022, ODOT notified the Inspector General's Office that Nicolas Bycoskie submitted his resignation to ODOT effective January 29, 2022.

... Investigators concluded Bycoskie violated ODOT Purchasing Ethics and Vendor Visit Policy: 15-009(P) when Bycoskie solicited LEC employees to obtain equipment and perform work at his personal residence. ...

The Inspector General's Office forwarded this matter to the Ohio Ethics Commission for their evaluation. Subsequently, investigators learned the Ohio Ethics Commission had evaluated the matter and forwarded it to the Geauga County Prosecutor's Office for consideration. On August 22, 2023, the Geauga County Prosecutor's Office indicted Nicolas Bycoskie for Bribery and Conflict of Interest. Bycoskie entered a plea of guilty to the Conflict of Interest count and was fined \$500.

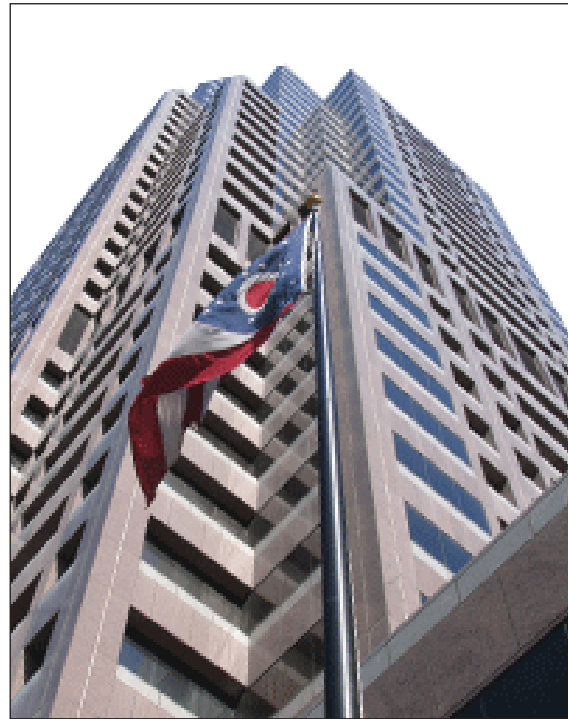
Ohio Bureau of Workers' Compensation and Ohio Industrial Commission

2023 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 1,500 employees. Currently, the Ohio Bureau of Workers' Compensation system is one of the largest state-funded insurance systems in the nation. According to the bureau's fiscal year 2022 Annual Report, OBWC served 256,970 active employers and paid \$1.33 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 approximately 290 employees and operates five regional offices and seven district offices throughout the state. According to the commission's fiscal year 2022 Annual Report, the three commissioners and agency hearing officers collectively heard 90,105 claims during the fiscal year.

In 2023, the Inspector General's Office staff attended or reviewed board meeting materials for select OBWC board of directors' audit, investment, actuarial, governance, and/or medical services and safety committee meetings to receive updates on OBWC's divisional activities and new initiatives. The Inspector General's Office provided the OBWC board of directors, administrator, and commissioners of the Industrial Commission with copies of the FY annual report containing overviews of noteworthy investigations.

... [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. ...

Also in 2023, the Inspector General's Office worked jointly with various departments within OBWC, including Special Investigations, Employee Safety & Integrity Unit, Human Resources, Employee/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 2023, there were two cases opened and one case 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.

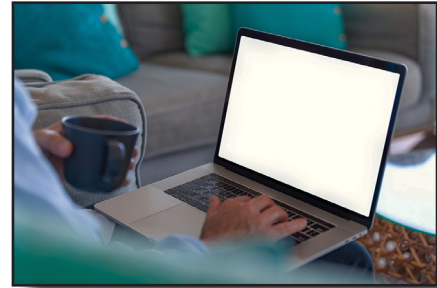
Summaries of Selected Cases - OBWC/OIC

OHIO INDUSTRIAL COMMISSION

FILE ID NO: 2022-CA00022

On August 2, 2022, the Inspector General’s Office was notified by the Ohio Industrial Commission (OIC) of a matter involving OIC Program Administrator 1 Taryn Rogers. Rogers was employed as a program administrator for the OIC Operations Support Office. Rogers began her employment with the OIC in February of 1992 and remained with the agency until her retirement effective November 5, 2022. Her job duties included administering “fleet management” for the OIC.

The OIC reported that it discovered 114 emails allegedly related to personal online shopping activities on Rogers’ OIC-issued email account. On August 31, 2022, the Inspector General’s Office opened an investigation to evaluate the allegations involving Rogers. For the period under review, investigators obtained and examined the following: the contents of emails received by Rogers’ OIC-issued email account; a copy of the hard drive from Rogers’ OIC issued laptop; copies of OIC’s policies related to computer, internet, and email usage; and copies of Rogers’ OIC timekeeping records.



From their review, investigators discovered a total of 600 emails sent by QVC to Rogers’ OIC email address. These 600 emails were sent and received during the period from May 22, 2014, to September 5, 2022. Investigators discovered 206 of the 600 emails were received by Rogers during her scheduled OIC work hours. From this subset of 206 emails, investigators found 116 emails contained information that indicated Rogers may have placed orders during her scheduled work times.

Investigators requested from OIC Rogers’ time-reporting records to evaluate whether the 116 emails in question occurred (sent/received) during times Rogers reported working for the OIC. In response, OIC provided to investigators Rogers’ Kronos time reporting information for the period from December 19, 2020, through November 5, 2022. Investigators compared Rogers’ reported work times to the dates of the 116 emails in question and found 31 emails were received by Rogers during her set scheduled work hours for the period from December 19, 2020, through November 5, 2022. From their analysis of the 31 emails, investigators found:

- The receipt dates and times of three emails could not be substantiated by investigators;
- Seven emails had order dates and times that occurred during times Rogers reported lunch breaks, use of leave time, or a holiday; and
- 21 emails had order dates and times that occurred during hours Rogers had reported working for the OIC.

Investigators examined a copy of Rogers’ OIC-issued laptop hard drive and evaluated the documents saved on the laptop using Microsoft Office Suite software and portable

document files (PDFs). From this review, investigators found PDFs related to a personal car insurance claim, a fitness training flyer, a one-week schedule for gym fitness classes, and a statement from a personal credit card. Investigators also reviewed Rogers' Google Chrome partial browser history and discovered that the OIC-issued laptop's browser history indicated accesses to: qvc.com, amazon.com, hellofresh.com, and ymcacolumbus.org. Moreover, investigators found emails sent to Rogers' OIC email account from other retailers including Amazon, ShopHQ, and HSN.

Investigators reviewed three OIC policies: *IT001* ("E-mail Policy"), *HR062* ("Computer Use"), and *IT002* ("Internet Use"). Investigators determined that these policies do not specifically prohibit employees from using their OIC-assigned computer, OIC-provided email address, and OIC internet, from engaging in online shopping activities during work hours. However, both OIC Policy *HR062* and Policy *IT002* prohibit OIC employees from using state-issued computers and state-internet resources to engage in activities that have the appearance of impropriety to either the State of Ohio or the agency. Accordingly, the Inspector General's Office concluded there was reasonable cause to believe OIC Program Administrator 1 Taryn Rogers engaged in activities exhibiting the appearance of impropriety.

Based on recommendations made by the Inspector General's Office, the Ohio Industrial Commission is in the process of reviewing its policies regarding employee email, computer, and internet usage. The agency stated that its review will consider whether to revise these policies to expressly prohibit employees from personal shopping on State of Ohio-issued resources or equipment.

THOMAS P. CHARLES (1942-2024)



THOMAS P. CHARLES

Thomas Charles, who served as Ohio's Inspector General from 1998 thru 2010, passed away on January 23, 2024. Charles was appointed inspector general by Governor George Voinovich in September 1998 and was reappointed by Governors Bob Taft and Ted Strickland. During his tenure at the Inspector General's Office, Charles and his staff completed and released over 800 reports of investigation. Charles worked for the State of Ohio for nearly 50 years, serving also in the positions of Legislative Inspector General and Public Safety Director. Charles retired from the State of Ohio in 2013.



2023 Community Outreach

Inspector General Meets with International Dignitaries and U.S. Department of State Representatives



The International Visitors Council (IVC) of Columbus was established in 1965 “... to build partnerships between Central Ohioans and citizens of other countries that strengthen democratic ideals encourage economic development and promote cultural understanding through the exchange of knowledge and ideas.” IVC is affiliated with the U.S. Department of State and coordinates meetings between international government representatives and state government officials.

In 2023, Inspector General Meyer spoke to 16 delegates representing 12 countries: Armenia, Bosnia & Herzegovina, Bulgaria, Croatia, Czech Republic, Italy, Latvia, Lithuania, Netherlands, Romania, Serbia, and Ukraine. During these meetings,

the Inspector General explained the role of the Inspector General’s office (IGO) and its mission to investigate corruption and uphold government accountability. The Inspector General also addressed how the checks and balances function between the three branches



of government, and how the IGO’s mission helps preserve government integrity, both in its administrative processes and in its elected officials. During the last 13 years involved with the IVC program, Inspector General Meyer has met with over 230 delegates representing 42 countries.



Inspector General’s Office Participates in Buckeye Boys State Program

In June 2023, the Inspector General’s Office once again participated in the American Legion Buckeye Boys State. The American Legion Buckeye Boys State (BBS) is an eight-day hands-on experience “...in the operation of the democratic form of government, the organization of political parties, and the relationship of one to the other in shaping Ohio government.” BBS offers various sessions to students on how the different divisions of Ohio government interact and function. BBS is the largest Boys State program in the nation with hundreds of young men from high schools and the home-schooled community participating each year. Representing the Inspector General’s Office in 2023, deputy inspectors general Kerri Kellogg, Nancy Moore, and Emily Blair advised young men on how to establish a working inspector general’s office, define its duties, and conduct investigations. The Inspector General’s Office has been involved in this important program for over 10 years.

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 Inspector General Definitions
- 121.42 Inspector General - Powers and duties
- 121.421 Investigation of casino control commission enforcement personnel
- 121.43 Subpoena power – contempt
- 121.44 Reports of investigation
- 121.45 Cooperating in investigations
- 121.46 Filing complaint - form
- 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 Inspector General 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 Inspector General - Powers and duties

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 Investigation of casino control commission enforcement personnel

(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 complaint - form

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.
 - (5) At least five years service as a deputy inspector general 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.

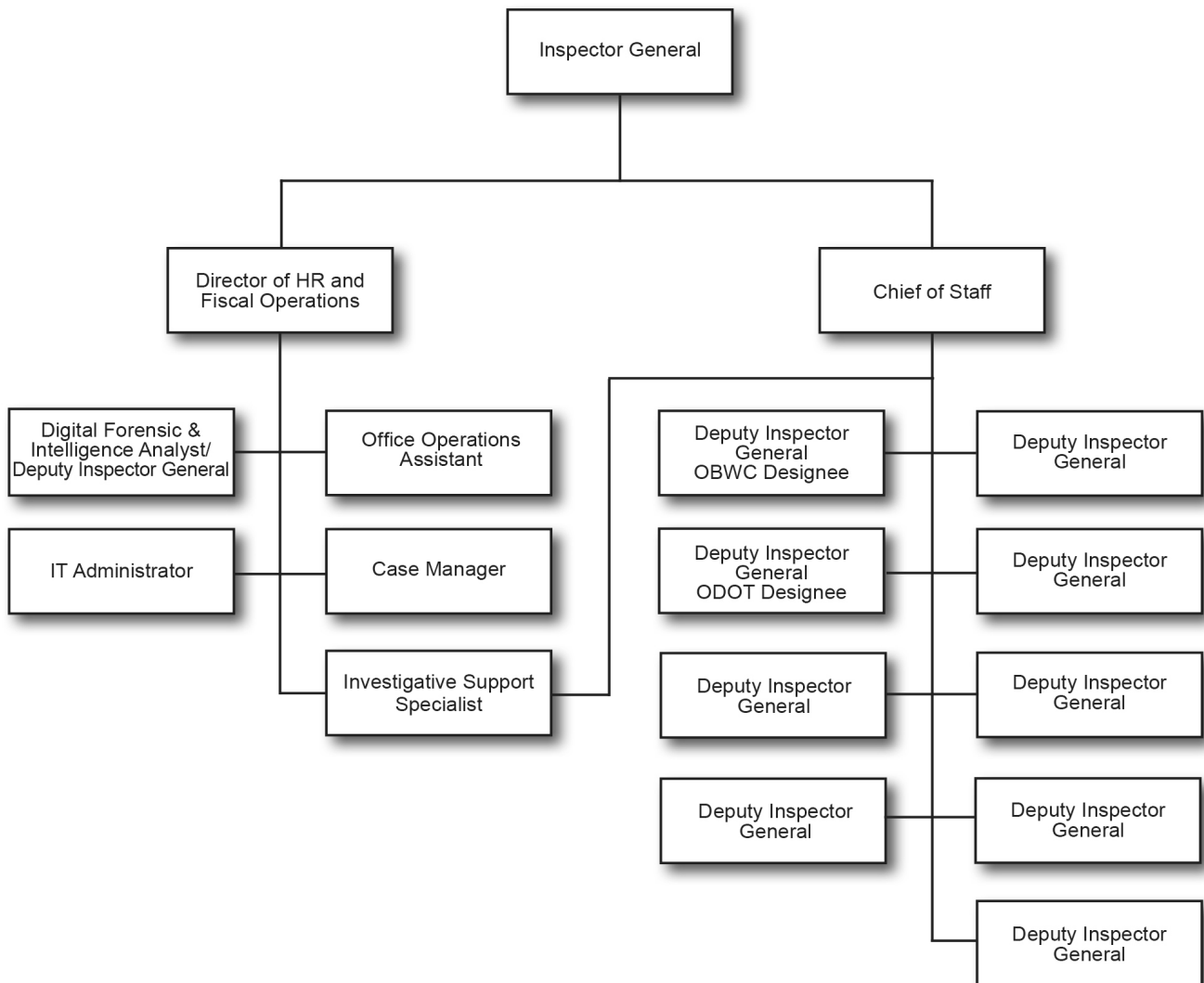
At the conclusion of an investigation conducted by the deputy inspector general for the bureau of workers' compensation and industrial commission, the deputy inspector general shall deliver to the board, the administrator, the industrial commission, and the governor any case for which remedial action 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

Mailing Address:

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Columbus, Ohio 43215-3414

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Email and Internet:

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watchdog.ohio.gov (Website)

Follow us on LinkedIn:



<https://www.linkedin.com/company/ohio-office-of-the-inspector-general>



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