



OFFICE OF THE
OHIO INSPECTOR GENERAL

RANDALL J. MEYER, INSPECTOR GENERAL

2011
ANNUAL REPORT



Randall J. Meyer **Inspector General**

Randall J. Meyer is a law enforcement leader with 20 years of experience in public safety management, public corruption, and white collar crime. His diverse background in all aspects of criminal investigations has enabled him to establish valuable working relationships with law enforcement personnel from a wide range of local, state, and national organizations. His knowledge and perspective equips him with the ability to set practical long-term goals, while also recognizing the importance of day-to-day operations and challenges of conducting criminal investigations.

Prior to becoming Inspector General, Randall J. Meyer, a Certified Fraud Examiner, served for three years as Chief of Investigations and five years as the Senior Investigator for the Auditor of State's Special Investigations Unit. The unit's objective was to identify public funds that were misappropriated or illegally expended and to pursue criminal prosecution when warranted. Under Inspector General Meyer's leadership, the Auditor of State's Special Investigations Unit earned the 2008 Agency Award for Excellence presented by the National White Collar Crime Center.

Inspector General Meyer is a commissioned peace officer and served as a detective with the Wilmington Police Department. Additional relevant experience includes having worked as a Gang Investigator at the Ohio Attorney General's Office where he successfully implemented and managed a statewide security threat group database. Inspector General Meyer is a Navy veteran and holds a bachelor's degree in Public Safety Management. He is a certified instructor through the Ohio Peace Officer Training Academy and the National White Collar Crime Center.

A Message from the Inspector General



Randall J. Meyer
Ohio Inspector General

In keeping with the requirements of Ohio Revised Code §121.48, it is my privilege to present to the Governor and members of the 129th Ohio General Assembly, the *Office of the Inspector General's 2011 Annual Report*. This report provides insight into the duties of this Office and its role in maintaining integrity in state government. The following pages outline the mission of the Office of the Inspector General and summarize several investigations completed during the period from January 1, 2011, through December 31, 2011.

The responsibilities of this Office are critical in ensuring that state government and those doing or seeking to do business with the state of Ohio act with the highest of standards. This report demonstrates the dedication of this Office to fulfill its mission of safeguarding integrity in state government.

As an independent state agency, the Office of the Inspector General is committed to investigating allegations of wrongful acts or omissions without bias or outside influence. It is paramount that the investigative process is conducted in a timely, thorough, and impartial manner.

The Office of the Inspector General remains dedicated to the principle that no public servant, regardless of rank or position, is above the law, and the strength of our government is built on the solid character of the individuals who hold the public trust.

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

Safeguarding Integrity in State Government

The Office of the Inspector General was created by an Executive Order of the Governor issued in 1988. At that time, 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 Ohio legislature passed Amended Substitute House Bill 588, which permanently established the Office of the Inspector General as a part of state government.

The mission of the Office has remained the same for more than 20 years. The Office of the Inspector General has continually worked toward the goal of improving the processes associated with state government. While the mission of the Office will remain the same, the operational methods and practices are changing. The qualifications of the professionals are critical to the success of the Office. Agency staff must have subject matter expertise in grant management, criminal analysis, agency operations, fiscal management and procurement, forensic accounting, information technology systems, law enforcement, and human resource management in order to form a diverse team. This comprehensive approach is necessary to combat the ever-changing landscape of public corruption within our state.

Over the past year and in the years to come, the policy of the Office of the Inspector General has been and will be to embrace the use of new technology, to fully utilize staff expertise, and to create a collaborative environment that embodies the mission of this Office.

Responsibilities

The jurisdiction of the Inspector General's Office is limited to the executive branch of state government. It extends to the Governor, the governor's cabinet and staff, state agencies, departments, and boards and commissions. Our 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 employees and staffs are statutorily excluded from the jurisdiction of the Office of the Inspector General. Likewise, we have no authority to investigate allegations concerning any federal,¹ county, municipal or other local officials, agencies, or governing bodies.

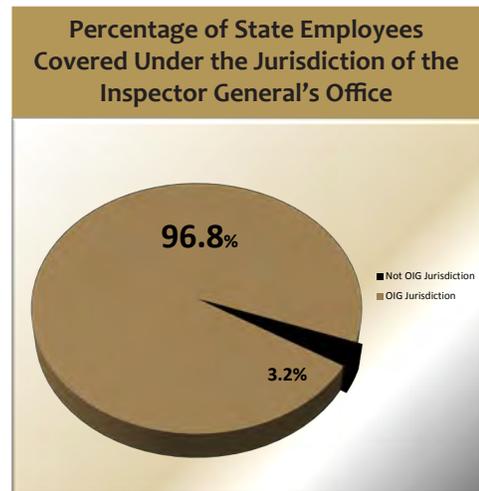
The Inspector General is authorized by law to investigate alleged wrongful acts or omissions committed by state officers or employees. Those individuals who contract with state agencies or who otherwise do business with the state may also fall under the purview of this Office. Investigations may result from complaints received by the Office or through the initiative of the Inspector General.

The Office of the Inspector General does not become involved in private disputes, labor/management issues, or litigation. The Office does not review or override the decisions on the merits of a court or the findings of any administrative body. In order to begin an investigation, allegations of wrongdoing must specifically relate to wrongful acts or omissions committed by state officials or state agencies.

Similarly, the Inspector General's Office is not an advocate for either the state agency or the complainant in any particular case. Our 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. Nonetheless, we reserve the right to make recommendations for improving the internal controls and operations of an agency and may also refer a matter to other appropriate agencies for additional review.

Occasionally, matters investigated fall within the jurisdiction of other agencies such as law enforcement, prosecuting authorities, and regulatory bodies. In such instances, we may refer a case to or work with one or more of those entities in order to conduct a thorough and complete investigation, or to assist policymakers in enacting change.

¹ Every federal agency has its own inspector general. Contact information for those offices can be found by using the "Directory" link at the ignet.gov web site.



Conducting an Investigation

Filing a Complaint

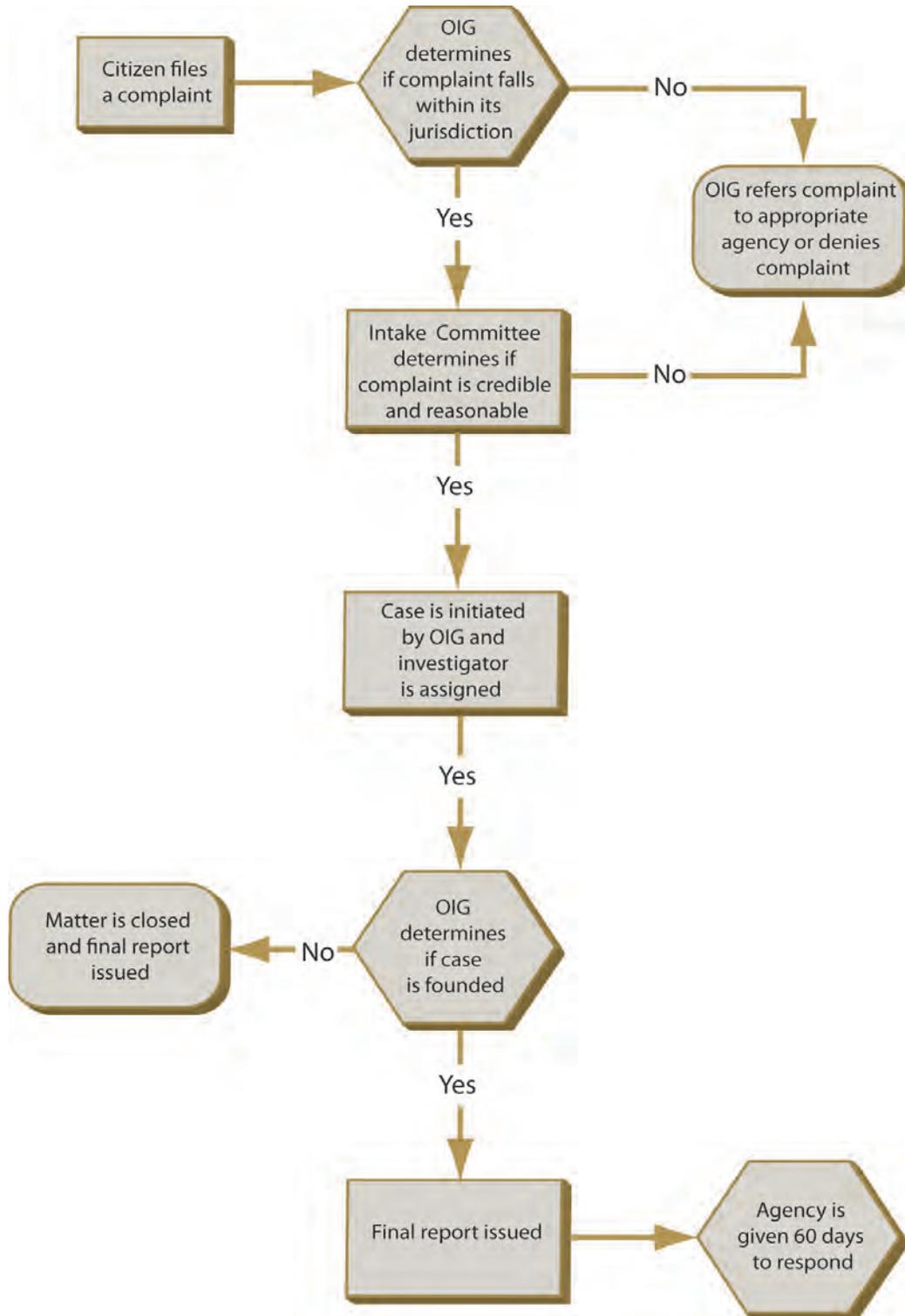
Any private citizen or public employee may file a complaint with the Office of the Inspector General. At times, complaints are forwarded by other agencies or officials. Complaint forms can be downloaded from the Inspector General's web site, or are provided upon request. Complaints can be made anonymously; however, it may be difficult to verify the information provided or ask additional questions of the complainant.

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 believed to be in jeopardy. It is also appropriate in cases where the information and documentation provided during the course of an investigation would, if disclosed, enable persons involved in the commission of wrongdoing to escape detection or would otherwise compromise the integrity of the investigation.

The Office of the Inspector General 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, we will make every effort to advise the complainant that he or she may wish to consult with private legal counsel, or will direct him or her to 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, first assistant deputy inspector general, and case manager. A complaint offering credible allegations of wrongful acts or omissions that fall within our jurisdiction is assigned to a deputy inspector general for further investigation. However, if the intake committee determines that no investigation is warranted, or if the complaint concerns a matter outside the jurisdiction of the Office of the Inspector General, an effort will be made to properly refer the complainant.

Filing a Complaint



Types of Allegations

Complaints submitted to the Office of the Inspector General may include a wide range of alleged 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 come to light, and other individuals or entities may become part of the investigation. Examples of acts of wrongdoing that fall under our jurisdiction include the following:

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**

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**

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

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

CONFLICT OF INTEREST

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

Examples:

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

2011: A Year in Transition

2011 has been a year of change and transition for the Office of the Inspector General. With the appointment of a new inspector general, the time was right to incorporate the skills of the investigative support team to address workflow issues, review the method by which cases are processed and reported, and refine the investigative process to reflect industry standards.

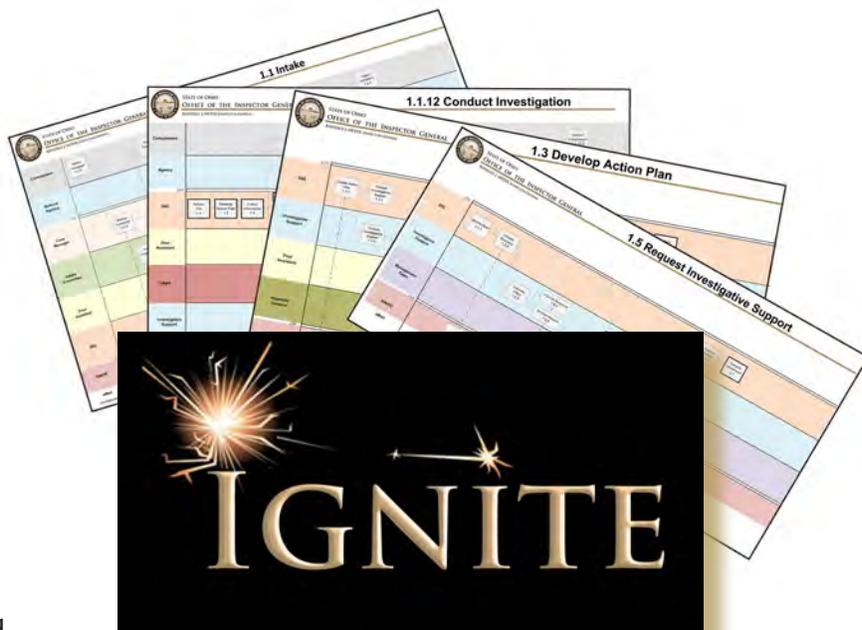
No transition is without the challenges that come with a change in leadership. If there is a time to purposely forge ahead in a new direction, it is often when leadership evolves. Moreover, there was a substantial change in personnel in 2011. Not only was the employee base of the office relatively new, the number of staff was significantly reduced from the year before. This year, the number of employees throughout state government was reduced, and this office was not excluded. There were 27 percent more employees working at the Office in 2010 than in 2011, as staff was reduced from 23 to 18 through the end of 2011. This resulted in an 18 percent reduction in payroll costs from calendar year 2010 to 2011. With fewer staff and less resources, the Office has taken an innovative team approach to achieve its mission. Moreover, the reduction in staff throughout the course of 2011 allowed the Inspector General to gauge the needs of the Office and fill positions with a broader variety of skills. For instance, implementing a proactive approach to identifying wrongdoing, as in intelligence-led policing, required the addition of staff with backgrounds in investigative support functions like criminal analytics, computer forensics, and forensic accounting to assist in data mining and gathering intelligence.

Many investigations were in progress during the transition from one inspector general to another. With the departure of investigators with knowledge of ongoing investigations, and to ensure the completeness and thoroughness of each open investigation, an exhaustive and comprehensive review of every open investigation was required. This allowed investigative staff to gain an understanding of what work had already occurred on investigations in progress, and determine whether sufficient work had been completed to close files or if additional work was needed. The review process also allowed management to assign new investigators and investigative support resources to each ongoing investigation.

These delays meant a decrease in the number of cases closed. However, productivity can never come at the cost of sacrificing a complete and thorough investigation. The reasoning behind this decision is simple. The objective of the Office of the Inspector General is not to see how fast investigations can be completed or how quickly reports can be issued. When a person is accused of wrongdoing, or when the integrity of a person or agency is at stake, the quality of the investigation is paramount.

“... the quality of the investigation is paramount.”

Throughout most of 2011 and continuing into 2012, the Office committed to modernizing workflow through an electronic case management system, the Inspector General's Network for Investigation Tracking and Enforcement (IGNITE). In 2011, the Office dedicated resources to defining systematic requirements and documented the way cases were managed and resources were allocated. This involved developing process models, or workflow diagrams.



Process models visually depict the sequence and interactions of related steps, activities, and tasks needed to produce an outcome. By creating process models, the Office developed a better understanding of existing processes; generated ideas for process improvement; identified bottlenecks, duplication, and delays. This allowed the Office to design new models that incorporated best practices, benchmarks, and industry standards. Furthermore, these models helped define responsibilities, implement internal controls, and identify standards to ensure compliance and consistency from one case to another. A number of processes include metrics to ensure deadlines are met and other performance indicators to provide accountability in a closely managed system.

The integration of the process models and the electronic case management system will optimize the investigative process with a rich set of technical tools to redesign business processes and ensure best practices. IGNITE will allow investigators to better identify relationships between parties, locations, causes, contractors, complaints, and past cases that might not ordinarily be apparent. As the case management system is implemented and populated, leading industry standards will be employed in future cases. Additionally, based on ORC §121.42, the Office's manual of investigative techniques has been modernized to include the workflow documented through process models and established in the case management system, IGNITE. Over the course of 2012, the implementation of process models through office-wide standards will streamline work processes, define and standardize the business model, and achieve IGNITE's ultimate goal of moving cases from the intake process, through a complete and thorough investigation, to the final completion of a report of investigation.

2011 Statistical Summary

The Office of the Inspector General received a total of 414 complaints in 2011. From 1999 through 2011, more than 4,600 complaints were reviewed.

2007 – 2011 Complaint Activity					
	2007	2008	2009	2010	2011
Total Complaints	408	364	431	456	414
Cases Opened	98	77	83	88	89
Cases Declined*	310	287	348	305	298
Referrals	4	16	24	63	27
Cases Closed	58	80	101	78	86

*Investigations are declined in instances in which the Inspector General’s Office has no jurisdiction, where there is insufficient cause to open a case, where the matter is more appropriately handled by another authority, or where the complaint received is designated as “not applicable.” (For example, a complainant sends us a copy of a letter he/she sent to an attorney, a court, or to his/her state representative without other explanation. This would be considered not applicable.)

The chart below highlights the results of the cases closed in 2011.

Results of Cases Closed in 2011	
Findings of Wrongful Acts and/or Omissions	65 in 23 cases
Findings of Appearance of Impropriety	9 in 6 cases
Total Recommendations Made to Agency/Agencies	62 in 17 cases

Office of the Inspector General General Division

2011 Report

The Office of the Inspector General has jurisdiction over the Governor and his staff; all state agencies, as defined in ORC §1.60; the various state boards and commissions; and state colleges and universities.

Pursuant to ORC §121.42, the Inspector General's authority extends to:

- Receiving complaints alleging wrongful acts and omissions and determining whether there is reasonable cause to believe the alleged wrongful act or omission has been committed or is being committed by a state officer or employee.
- 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;



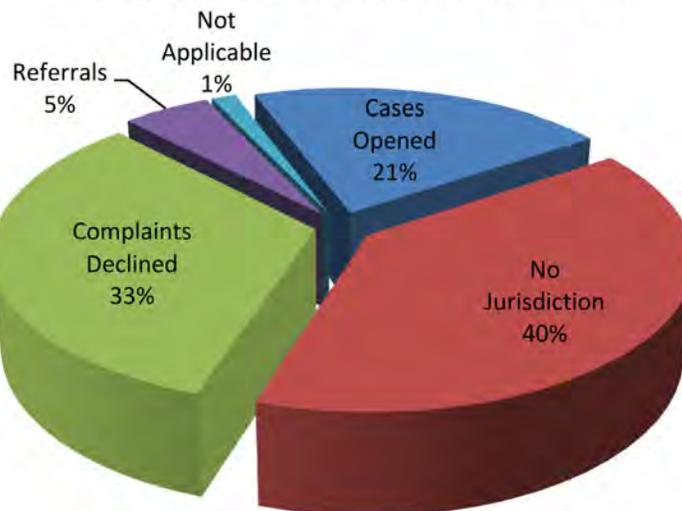
This Office works in conjunction with law enforcement agencies, other state agencies, and state and federal prosecuting authorities to share information, to conduct thorough investigations, and to avoid duplication of efforts.

In order to efficiently investigate matters delegated to this Office by statute, the Office of the Inspector General is organized into four separate areas. Three of the divisions, Ohio Bureau of Workers' Compensation, Ohio Department of Transportation, and American Recovery and Reinvestment Act, have designated deputy inspectors general assigned to fulfill the positions created by statute. The remaining area constitutes the general division which is tasked with investigating all other cases and for handling the daily operations of the Office.

2011 Statistics for the General Division

	<u>2010</u>	<u>2011</u>
Complaints Received	364	352
Cases Opened	42	74
No Jurisdiction	89	139
Complaints Declined	164	116
Referrals	52	18
Not Applicable	17	5
Cases Closed	40	54

Complaints Received in 2011



The *Annual Report* contains a sampling of cases handled by the Inspector General's Office during the course of the year. Additional cases are available for review on the Inspector General's web site or upon request.

Summaries of Selected Cases - General

**OHIO DEPARTMENT OF PUBLIC SAFETY,
OHIO INVESTIGATIVE UNIT
FILE NO. 2011-064**

The Office of the Inspector General received an anonymous complaint alleging that Greg Croft, an agent in charge with the Ohio Investigative Unit, violated the agency's residency policy which required agents to live within 75 miles of their report-in location.

During the time of the investigation, the Ohio Investigative Unit residency policy required all sworn personnel to live within 75 miles of their assigned office. As a result of a promotion, Croft's work location was in Columbus, rather than Cleveland, and his home was no longer within the 75-mile residency limit. Over the next two years, Croft was given numerous extensions to comply with the residency policy and finally purchased a house in the City of Ashland which was within the residency requirement.

However, the house Croft purchased to comply with the residency requirement was not used as his primary residence. Rather, Croft rented the house to a tenant, parked his state-issued vehicle at the site, and continued to maintain residency outside of the 75-mile limit. In an interview, Croft admitted that he never moved into nor resided at the house in Ashland, and that he purchased it to comply with the Ohio Investigative Unit residency policy. By reporting the address of the rental property in the City of Ashland as his home address, Croft falsified a record kept by the state of Ohio and deceived the management of the Ohio Investigative Unit in order to benefit himself.



**OHIO DEPARTMENT OF PUBLIC SAFETY,
OHIO INVESTIGATIVE UNIT
FILE NO. 2011-066**

The Office of the Inspector General received two anonymous complaints regarding Shawn Tatter, an assistant agent in charge with the Ohio Investigative Unit, alleging Tatter misused his state-issued vehicle and falsified his residency on state records.

During the time of Shawn Tatter's promotion and transfer, the Ohio Investigative Unit had a residency policy requiring all sworn personnel to live within 75 miles of their assigned office. Upon his promotion and assignment to the Toledo Enforcement Office, Tatter falsely reported his home address as being in Norwalk, Ohio. He admitted he did not live, stay, or pay rent at that address, but only used the address to appear to be in compliance with the Ohio Investigative Unit residency policy.

Tatter's next transfer was to Columbus, where he again falsely reported his home address, this time as being in Ashland, Ohio. In fact, Tatter lived in Medina, a distance of approximately

100 miles from the Columbus administration office. Tatter admitted that he did not live, stay, or have a key to the Ashland house, but that he did pay to park a vehicle in the driveway. Again, he used the address in order to appear as though he was in compliance with the Ohio Investigative Unit residency policy. Surveillance conducted of Tatter as he traveled to work, as well as radio communication logs and building swipe card records, were used to substantiate the allegation of falsification of records. By falsifying records kept by the State of Ohio, Tatter deceived the management of the Ohio Investigative Unit in order to benefit himself.

OHIO DEPARTMENT OF INSURANCE

FILE NO. 2011-072

The Office of the Inspector General received a complaint alleging the Ohio Department of Insurance submitted proposals to the Ohio Department of Administrative Services to reclassify certain employees around the time that the Ohio Civil Service Employees Association (OCSEA) union contract was being negotiated. The OCSEA contract, effective April 16, 2009, included provisions freezing step increases for state employees and implementing cost savings days. This resulted in employees taking 10 work days off without pay for each fiscal year, thereby temporarily reducing employees' pay by approximately 3.6 to 4 percent each fiscal year.

The complainant alleged that by reclassifying certain employees, the Ohio Department of Insurance was able to increase the employees' pay, thereby ensuring those employees would not lose money when the step freeze and cost savings days included in the union contract were implemented. This investigation led to a review of employees who received multiple pay rate increases during a six-month period; excessive pay rate increases for employees assigned to temporary work levels (temporary assignments to positions of higher responsibility); and violations of the hiring control process.

We found no evidence to support the allegation that certain employees were reclassified around the time the OCSEA union contract was negotiated. However, we did find that the Ohio Department of Insurance did not process personnel actions in accordance with the policies in place at the time. Additionally, some employees were provided significant pay rate increases while assigned to temporary work levels, and Personnel Action forms were processed without Ohio Office of Budget and Management approval as required by the hiring control process.

OHIO DEPARTMENT OF NATURAL RESOURCES,

OHIO DIVISION OF WILDLIFE

FILE NO. 2010-113

The Ohio Department of Natural Resources (ODNR) contacted us and reported possible wrongdoing by Ohio Division of Wildlife personnel. An incident occurred on June 8, 2007, involving two Division of Wildlife officers who allegedly assisted out-of-state residents procure



Ohio resident fishing licenses. This practice would have allowed out-of-state residents to avoid paying for the more costly non-resident fishing licenses by falsifying Ohio residential addresses on their license applications.

The investigation found that Ohio Division of Wildlife officers Aaron Ireland and Josh Zientek assisted two Indiana conservation officers in obtaining resident fishing licenses by instructing an Ohio licensing agent, Stenger's Archery Shop in Hamilton County, Ohio, to use the Ohio Division of Wildlife District 5 Office address as the Indiana officers' home addresses. Because the two Ohio Division of Wildlife officers helped the Indiana conservation officers obtain resident licenses, the Indiana officers benefitted by paying a lower fee than they would have paid as non-residents of Ohio. Officers Ireland and Zientek acknowledged their participation in assisting the two Indiana conservation officers in submitting false information on the fishing license application and by directing the Ohio licensing agent to accept false information. Providing false information on the fishing license application or any government document is a violation of Ohio law.

**OHIO DEPARTMENT OF DEVELOPMENT
FILE NO. 2010-338**

The Office of the Inspector General received a complaint alleging wrongdoing by Thomas R. Maves, a former energy specialist in the Ohio Energy Resources Division of the Ohio Department of Development (ODOD). Maves billed and was reimbursed by a grant recipient for his travel expenses, which exceeded the state's travel limits. Furthermore, Maves bypassed the state's reimbursement process by sending a letter on ODOD letterhead, requesting the grant recipient send the travel payment to his home address. By receiving payment, he allegedly accepted favors or things of value.

This Office pursued additional allegations, including instances where Maves traveled in and outside the state of Ohio without the required prior approval from his supervisors, and filed an out-of-state travel expense report where his supervisor's signature appeared to be forged.



Maves was responsible for grant monitoring; however, he approved payment of expenses not authorized under the terms of the grant agreements. Two grant recipients, Resolve, Inc. of Washington, D.C., and Team Northeast Ohio, of Cleveland, allegedly misused state and federal funds. The following table below details improper expenses Maves submitted directly to the grantees Resolve, Inc., and Team Northeast Ohio for reimbursement.

**Expenses Maves Improperly Charged Against the Resolve, Inc.
and the Team Northeast Ohio Grant Agreements**

<u>Charges to Resolve, Inc. Grant 08-04:</u>	
Travel expenses for Dearborn, Michigan conference (7/30-8/1/08)	\$ 765.39
Travel expenses for Cleveland, Ohio conference (12/8-12/9/08)	\$ 909.22
 Five Steering Committee Dinners:	 \$1,768.27
• 100th Bomb Group (12/6/07)	
• Cap City Diner (3/13/08)	
• Cap City Diner (5/29/08)	
• Brio Tuscan Grille (9/18/08)	
• Intercontinental Hotel (12/9/08)	
 <u>Charges to Team Northeast Ohio Grant 08-35:</u>	
Dinner at Blue Point Grille (2/26/08)	\$ 390.00
 Total charges to Resolve, Inc. and Team Northeast Ohio grants	 <u>\$3,832.88</u>

As depicted in the table, Maves also submitted state travel expense reports to Resolve Grant 08-04 for reimbursement, thereby bypassing ODOD internal controls and the Ohio Office of Budget and Management travel rules. Maves’ travel expense reports did not have valid approvals from his supervisor, were submitted directly to the grantee and not processed by ODOD, and included expenses above the maximum allowable rate set by the Ohio Office of Budget and Management. Additionally, Maves facilitated payment of food-related expenditures with grant money without providing proper documentation of who attended, how many attended, what was served, and what official business was discussed. These meal expenses were inconsistent with federal cost principles and represented an unauthorized use of grant money.

In addition to the improper expenses depicted above, Maves charged \$973.20 for a limousine service to chauffeur employees of Team Northeast Ohio and himself in a van to evaluate various potential wind energy sites.

We found evidence that Maves improperly accepted favors or things of value from two Ohio Department of Development grantees, and neglected to effectively monitor the grantees’ wrongful and improper use of the grant funds. Maves resigned his position and reimbursed the state \$3,832.88 for travel and meal expenses, which was returned to the grant funds. However, Maves submitted his resignation letter before ODOD completed its pre-disciplinary process and, as a result, he was not disciplined.

“We found evidence that Maves improperly accepted favors or things of value from two Ohio Department of Development grantees ...”



Source: Jeff Schultice 11/24/09

**OHIO DEPARTMENT OF
NATURAL RESOURCES,
OHIO DIVISION OF WILDLIFE
FILE NO. 2010-416**

The Office of the Inspector General received a complaint that led to the opening of an investigation involving Ohio Division of Wildlife Officer, Brad St. Clair, who allegedly confiscated and destroyed deer antlers unlawfully from an individual who had legally obtained them.

On November 24, 2009, Guernsey County resident Jeffrey Schultice was bow hunting on his property when he found a deer carcass, and only the deer's head and front shoulders remained. An 11-point antler rack was still attached to the head of the deer. Leaving the carcass where it was found, Schultice returned to his home to contact a wildlife officer to report the dead deer and obtain a salvage permit or receipt for the antlers. Schultice made telephone calls to both Ohio Division of Wildlife officers Brad St. Clair and Roby Williams, and receiving no answers, he left voicemails asking each to return his call. Receiving no response that day, Schultice then called the Ohio Division of Wildlife District 4 Office and explained that he was trying to contact St. Clair or Williams to obtain a receipt for the deer antlers.

The following day, November 25, 2009, Schultice made telephone contact with St. Clair and was told that issuing a receipt for deer antlers was not a priority and St. Clair would respond when he found the time, which could take weeks.

With no assurance of a timely reply, Schultice called the Guernsey County Sheriff's Office, and Deputy Sheriff Sgt. Jason May responded to his call. May told Schultice he spoke with Wildlife Officer Williams who authorized the issuance of the receipt. After viewing the deer, May issued a receipt to Schultice for the carcass. Schultice took photographs of the deer before and after he removed the antlers.

DIVISION OF WILDLIFE, Ohio Department of Natural Resources			Form 21 (R1297)
DEER CARCASS RECEIPT			
Please Print			
Date	11-25-09	County	Guernsey
Agency	C.E.S.O.		
Sex	<input type="checkbox"/> Female	<input type="checkbox"/> Button Buck	<input checked="" type="checkbox"/> Male: Number of points 11
Type of kill	<input type="checkbox"/> Motor Vehicle (Crash No. _____)		<input checked="" type="checkbox"/> Other Found Dead in Woods
Name of person receiving deer	Jeff Schultice		
Street address	[REDACTED]		
City	[REDACTED]	State	OHIO
Telephone	[REDACTED]	Issuing officers name	Sgt. Jason S. May
NOTE: In accordance with 1533.121 of the ORC, the deer or parts thereof, will not be sold or given away. The recipient of the deer or any parts thereof, must have a receipt proving ownership. Otherwise possession is illegal.			
Distribution of copies: White - Wildlife officer Yellow - Recipient of deer			DNR 8894

On November 27, 2009, Schultice received a telephone call from Wildlife Officer St. Clair, who wanted to come to his property to view the deer. Schultice informed St. Clair he already received a receipt for the deer from the Guernsey County Sheriff's Office. St. Clair indicated he still wanted to come to the property to view the deer.

Upon his arrival, St. Clair declined Schultice's offer to view the deer carcass and only wanted to see the antlers. Schultice went through his house and into the attached garage to retrieve the antlers. St. Clair followed him into his residence and garage without being invited, took the antlers from Schultice before returning outside, and told Schultice the antlers were being confiscated because he did not like the way the antlers were obtained. St. Clair placed the antlers in his truck, and when Schultice reached for them, St. Clair threatened to arrest him. Schultice asked St. Clair for an explanation as to why he was taking the antlers, and St. Clair would only say he had a gut feeling something was wrong. Schultice told St. Clair he could show him the receipt he was issued by the Guernsey County deputy sheriff; however, St. Clair was not interested in seeing it. St. Clair did not issue a citation to Schultice, but did give him a hand receipt for the antlers.

Schultice made several calls to Ohio Division of Wildlife personnel seeking answers as to why the antlers were taken and when they would be returned. Schultice was informed him he could not have the antlers back and was later advised the antlers were destroyed.

The Ohio Department of Natural Resources had no record of the antlers being logged in as evidence or recovered property, and there was no official record of destruction or disposition of the antlers, as required by department policy. While there was no official record, a copy of a hand receipt provided by ODNR indicated the antlers were destroyed at 8:30 a.m. on December 23, 2009. Additionally, the 2009 property seized/forfeited form submitted by Officer St. Clair did not list the antlers he seized from Schultice.

Our investigation found that Ohio Division of Wildlife Officer Brad St. Clair, without cause, improperly confiscated and disposed of legally obtained property and failed to record the seizure and destruction of property on the annual report as required by department policy. Moreover, the antlers were not logged into evidence and were destroyed without a court order.

On August 16, 2010, Schultice filed a complaint in the Court of Claims of Ohio for the wrongful, unlawful, and malicious confiscation and destruction of the antlers. Schultice accepted a settlement agreement with ODNR for the sum of \$5,000.

American Recovery and Reinvestment Act of 2009

2011 Report



Source: www.recovery.gov

The Ohio General Assembly enacted ORC §121.53 effective July 1, 2009, creating the deputy inspector general for funds received through the American Recovery and Reinvestment Act of 2009.

The deputy inspector general for ARRA is required to monitor state agencies' distribution of ARRA funds received from the federal government and to investigate all wrongful acts or omissions committed by officers, employees, or contractors with relevant state agencies that have received monies from the federal government under the ARRA of 2009. In addition, the deputy inspector general conducts random reviews of the processing of contracts associated with projects to be paid for with ARRA money. In 2011, the ARRA deputy inspector general's team increased by two deputy inspectors general.

The ARRA team implemented a monitoring review program in 2011, and conducted on-site visits to each agency that received ARRA money. Our staff met with each agency under our jurisdiction to introduce ourselves and explain our role in the ARRA monitoring process. Following these introductory meetings, presentations by the agencies were scheduled to gain a better understanding of each grant, how the funding was processed and the internal monitoring in place at each. Depending on the number of grants received at each agency and the complexity of each grant, these presentations lasted anywhere from a few hours to a day, and were scheduled over the course of several months. For those agencies with internal monitoring or auditing departments, separate meetings were scheduled with these employees.

Finally, we obtained copies of audits or other monitoring reports conducted by the Ohio Auditor of State, the Ohio Office of Budget and Management's Internal Audit Section, and federal grantor agencies.

“The Ohio General Assembly enacted ORC §121.53 effective July 1, 2009, creating the deputy inspector general for funds received through the American Recovery and Reinvestment Act of 2009.”

The Inspector General's Office Established the ARRA Monitoring Review Program to:

- Meet with each agency under the Inspector General's jurisdiction to explain our role in the ARRA monitoring process.
- Schedule presentations by the agencies to gain a better understanding of each grant, how the ARRA funding was processed and the internal monitoring in place.
- Schedule separate meetings for those agencies with internal monitoring or auditing departments.
- Obtain copies of audits and other monitoring reports conducted by the Ohio Auditor of State, the Ohio Office of Budget and Management's Internal Audit Section and federal grantor agencies.

Our goal was to gain a thorough understanding of what the grants were intended for and the checks and balances in place. To further this goal, we requested additional documentation including grant agreements, contracts with vendors and sub-recipients, copies of any complaints received and information on how funds were disbursed. Additionally, our staff met with several vendors and recipients of services to understand how the grant process worked at the local level. We also took into consideration complaints received by our office during our reviews. This thorough review allowed the Inspector General's Office to determine which grants were already undergoing review or had been reviewed at the agency level by agencies with oversight of the grants. By doing this, the Office could avoid duplication and focus our resources on areas where attention was needed. During this process, members of the ARRA team were also assigned to other investigations within the Office.

As agencies gained an understanding of the Office of the Inspector General's role and how our staff could be of assistance, some agencies asked to meet to discuss a variety of matters. The concerns ranged from issues with particular vendors, requests for contacts within other agencies, and reviews of additional documents. These reviews were not classified as cases or complaints and were only elevated to case status when warranted. ARRA team members shared, and will continue to share, recommendations to the agencies at the conclusion of the reviews.

The Office of the Inspector General completed the review of the Commission on Service and Volunteerism, also known as ServeOhio, in 2011. The commission received two grants totaling \$1,679,610 to expand services related to the AmeriCorp program. By utilizing existing providers and reporting systems, the commission could ensure the funding was spent within the required time frame. The review of the program resulted in no recommendations. The Commission is an example of how, with the proper controls in place, funds can be spent appropriately and for their intended purpose.

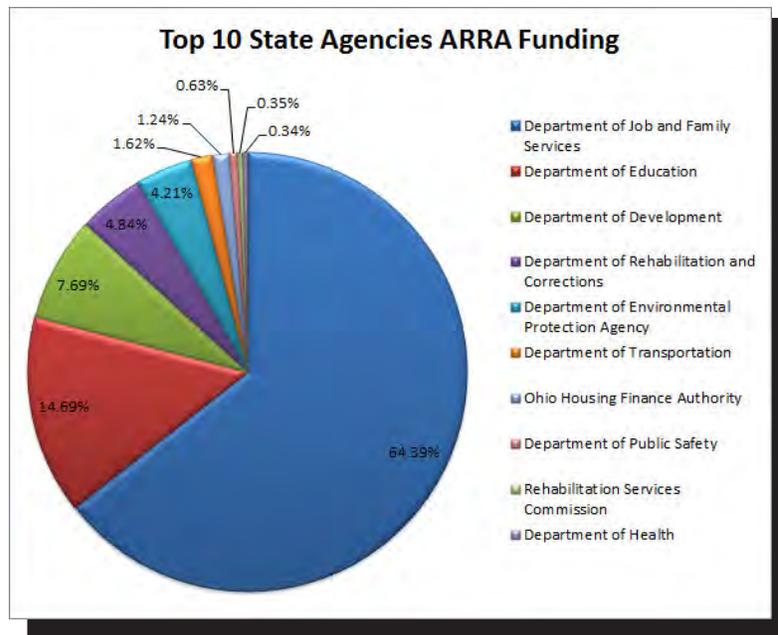


Source: www.ohiocivilwar150.org

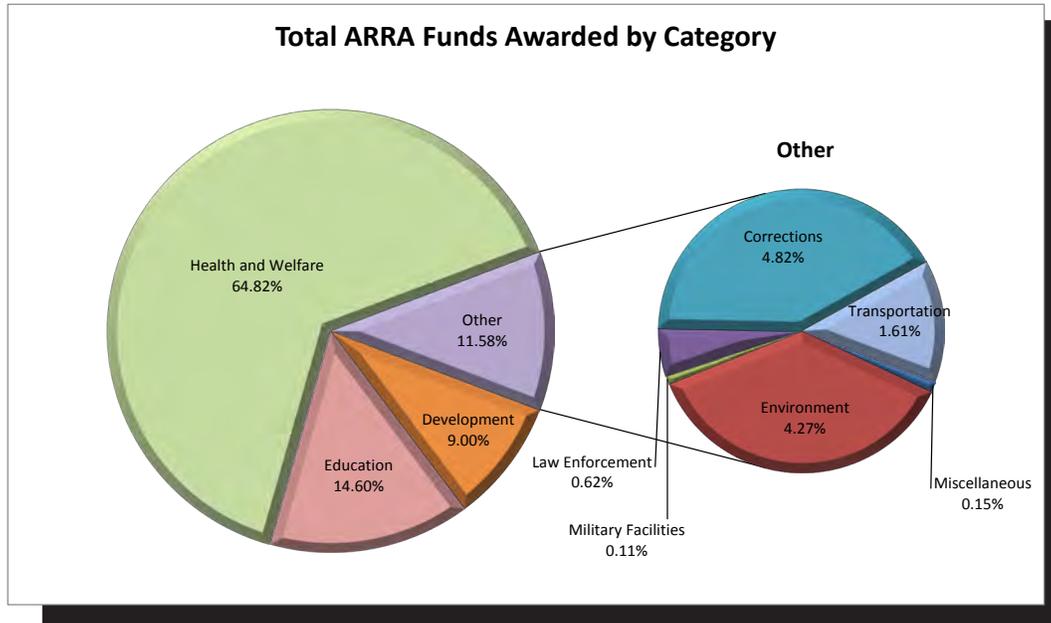
The ARRA team participated in the ARRA Task Force, comprised of various state agencies including the Ohio Auditor of State’s Office, the Ohio Attorney General’s Office, the Ohio Ethics Commission, and the Ohio Department of Public Safety, as well as federal agencies including the FBI, the U.S. Attorney’s Office for the Southern District of Ohio, and federal inspectors general from various departments.

2011 Statistics for the ARRA Division		
	2010	2011
Complaints Received	19	6
Cases Opened	10	4
No Jurisdiction	3	1
Complaints Declined	5	0
Referrals	1	1
Not Applicable	0	0
Cases Closed	7	2

Twenty-one state agencies received ARRA funds totaling \$6,762,551,359 as of December 31, 2011. Of the 21 state agencies, 10 were awarded \$6,722,182,926, or 99.4 percent of the ARRA funds. The following chart identifies those agencies and the amount received:



The \$6.762 billion in ARRA funds awarded in the form of grants, loans, and contracts was used to provide the following types of assistance:



CATEGORY	AWARDED
Miscellaneous	\$10,164,732.00
Environment	\$288,598,194.00
Military Facilities	\$7,631,811.00
Law Enforcement	\$42,653,536.00
Corrections	\$325,666,520.00
Development	\$608,393,888.00
Transportation	\$108,821,996.40
Education	\$987,246,275.00
Health and Welfare	\$4,383,374,406.96
Total	\$6,762,551,359.36

Summaries of Selected Cases - ARRA

OHIO DEPARTMENT OF DEVELOPMENT, HOME WEATHERIZATION ASSISTANCE PROGRAM FILE NO. 2010-108

An investigation was opened on March 16, 2010, to determine whether the Ohio Department of Development (ODOD) Home Weatherization Assistance Program (HWAP) was complying with specific monitoring requirements dictated by the terms governing a \$266 million grant made available to Ohio through the federal American Recovery and Reinvestment Act of 2009, as administered by the United States Department of Energy (USDOE).

The Weatherization Assistance Program is a federally funded low-income residential energy efficiency program administered at the state level. Funded by the U.S. Department of Energy, it is designed to increase the energy efficiency of residential dwellings for eligible participants whose annual household income is at or below 200 percent of the federal poverty guidelines. The program aims to reduce participants' household energy expenditures and improve participants' health and safety. Weatherization projects include attic, wall, and basement insulation; insulation of heating distribution systems; air sealing to reduce infiltration of outside air into the building; electric base-load measures which addressed lighting and appliance efficiency; and health and safety inspections and testing.

In Ohio, the Weatherization Assistance Program is known as the Home Weatherization Assistance Program (HWAP) and falls under the jurisdiction of the Ohio Department of Development, Community Development Division, Office of Community Assistance (OCA). With the distribution of ARRA money to Ohio, the budget for HWAP increased to \$266 million to cover the three-year period from 2009-2012, compared to \$66 million received in the previous three-year period – a 303 percent increase. Ohio planned on weatherizing an estimated 32,000 housing units with the increase in funds. A housing unit is a single family home, a mobile home, or an apartment within a multi-family complex.

The Ohio Department of Development contracted with sub-grantees across the state, including local governments, non-profit agencies, and community action agencies, to provide weatherization services. These sub-grantees are responsible for administrative and programmatic oversight, which includes the labor involved in performing weatherization work. A portion of sub-grantees hire employees or subcontractors to provide weatherization services. Other sub-grantees have agreements with delegates to provide the weatherization services. In these instances, sub-grantees only have administrative oversight and have neither employees nor subcontractors who provide weatherization services. Delegates, like sub-grantees, might be other local governments, non-profit agencies, or community action agencies.

Our investigation into the Home Weatherization Assistance Program found that ODOD failed to adhere to the principal monitoring terms of the grant agreement outlined under the Ohio Department of Development State Plan in a number of areas.

ODOD technical monitors failed to inspect an adequate number of weatherized housing units. Technical monitors were charged with the structural inspection of weatherized housing units to ensure the work completed was safe and met quality control standards. ODOD failed to inspect at least 5 percent of the housing units weatherized at the sub-grantee level as required under the terms of the grant for 19 of 34 sub-grantees in program year 2009 and another 15 of 34 sub-grantees in program year 2010.

“Our investigation into the Home Weatherization Assistance Program found that ODOD failed to adhere to the principal monitoring terms of the grant agreement...”

Additionally, when technical monitors found that sub-grantees or delegates failed to properly weatherize housing units, ODOD should have increased the number and frequency of inspections. Our investigation found that for those sub-grantees and delegates having a rating of less than 90 percent, ODOD failed to increase the number of housing units inspected during the next program year five times; failed to increase the frequency of the inspections five times; and failed to increase *both* the number of units inspected and the frequency of the inspections eight times.



ODOD did not submit technical monitoring reports within 30 days after completing periodic monitoring duties with a sub-grantee or delegate, as required by the State Plan. We found the number of days for a technical monitoring report to be released averaged 52 days in program year 2009, and 25 days in program year 2010. During program year 2009, 24 technical monitoring reports were issued two months or more after the date they were due. ODOD management acknowledged the delay in the completion and release of monitoring reports and took steps to resolve the issue in program year 2010.

ODOD did not provide guidance on how to select weatherized housing units for inspection. Sub-grantees were either provided the list of housing units for inspection or allowed to designate which housing units to inspect. By allowing the sub-grantee to select the housing units for inspection, ODOD was exposed to the possibility that sub-grantees might handpick their best housing units and avoid the worst, or that documents would be created or altered to meet program requirements. Nevertheless, ODOD still found corrections were needed in almost half of the weatherized housing units inspected.

ODOD failed to take disciplinary or corrective action toward sub-grantees consistently failing to properly weatherize housing units. The State Plan established provisions for sub-grantees or delegates not meeting production goals and/or work quality standards. According to the State Plan, the Office of Community Assistance could:

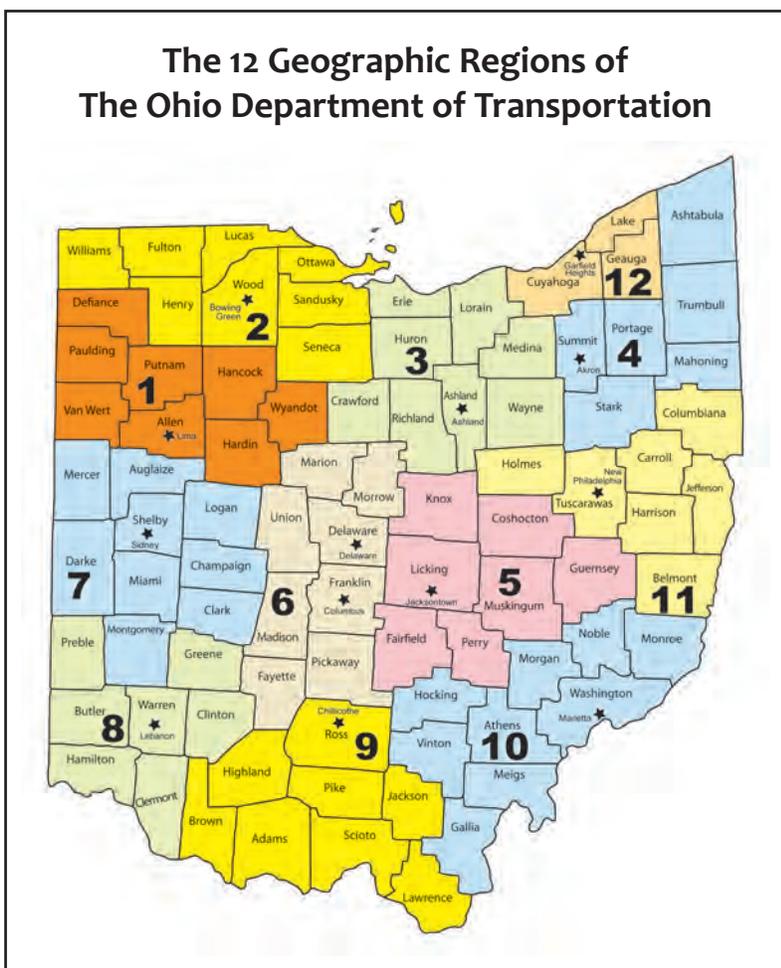
- Allow the recipient to continue operations at the existing funding level and thereafter conduct weekly performance reviews;
- Reduce the funding level for the recipient and provide unexpended dollars to another HWAP provider;
- Require the recipient to select a non-profit delegate in cooperation and with assistance from the Office of Community Assistance to meet production goals in a specified time frame; or
- Reduce the funding to the recipient and provide the dollars on a competitive basis to a qualified non-profit to serve the defined geographic territory.

Ohio Department of Transportation

2011 Report

The responsibilities of the deputy inspector general for the Ohio Department of Transportation (ODOT) were created in 2007 with the enactment of ORC §121.51. The mandates set forth in this ORC section authorize the 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 was charged with conducting “a

program of random review of the processing of contracts associated with the building and maintaining the state’s infrastructure.”



With a \$3.5 billion operating budget, a staff of nearly 5,300 employees, and 40,000 miles of roads to maintain, oversight is necessary to ensure the public’s trust and that operations are conducted efficiently and effectively.

Since the role of the deputy inspector general for the Ohio Department of Transportation was created in August 2007, there has been a continued focus on all aspects of contract processes and procedures, including the bidding process, purchasing of services, cost overruns, and change orders. The impact of tight budgets and the need for improved road infrastructure is always an

area of careful scrutiny. Ensuring that increased investments are well spent, and that policies are in place to safeguard long-term and sustainable transportation systems will continue to be a top priority.

Our continued cooperation with the ODOT leadership team and the ODOT Chief Investigator’s Office will ensure the Department manages the public’s money responsibly.

2011 Statistics for the ODOT Division		
	<u>2010</u>	<u>2011</u>
Complaints Received	44	24
Cases Opened	27	12
No Jurisdiction	1	3
Complaints Declined	9	8
Referrals	7	1
Not Applicable	0	0
Cases Closed	25	24

Summaries of Selected Cases - Transportation

OHIO DEPARTMENT OF TRANSPORTATION FILE NO. 2010-198

The Office of the Ohio Inspector General opened an investigation regarding the grounding of a plane owned by the Ohio Department of Transportation (ODOT). In May 2009, the Federal Aviation Administration (FAA) sent notice to ODOT that the installation of a new digital mapping camera onto their Cessna Caravan did not meet FAA regulations and grounded the aircraft. By May 2010, the plane was still in storage in an ODOT hanger. The purpose of the investigation was to determine if there was any mismanagement by either ODOT Office of Aviation or Office of Aerial Engineering regarding the installation of the new camera.

In March 2009, a digital camera was installed onto a Cessna Caravan to replace the original film camera. Shortly thereafter, ODOT contacted the FAA to verify that the installation met with FAA regulations. However, the



Source: WBNS-10TV, Columbus, Ohio

FAA determined that the camera's installation was a major modification to the aircraft and requested additional information from ODOT regarding the installation. ODOT contracted with a Designated Engineering Representative (DER) to meet the FAA's information request. Shortly after ODOT's contract with a DER was authorized, the Office of Aviation received a letter from the FAA effectively grounding the plane.

In May 2009, a meeting was held with the Office of Aviation, the Office of Aerial Engineering, and the DER. At this meeting, the Office of Aerial Engineering presented documents regarding the mounts used to secure the camera to the plane and information about the camera manufacturer. An Office of Aerial Engineering administrator stated it was his understanding that the DER would take the information and prepare the necessary engineering drawings for FAA approval. However, the DER believed it would be faster for ODOT to redesign the mounts because ODOT did not have certification documents on the mounts currently in use and because ODOT would need to either obtain those documents or have the materials tested to ensure they met FAA requirements.

The Office of Aviation served as the middleman between the Office of Aerial Engineering and the DER during the drawing submission and review process. Drawings were sent to the Office of Aviation and then to Office of Aerial Engineering for any comments or recommended changes. However, some of the later drawings did not reflect the changes recommended by the Office of Aerial Engineering, as the Office of Aviation believed some of the changes were not necessary. Midway through the project, the decision was made by the Office of Aviation to remove the Office of Aerial Engineering from the process.

During the process of redesigning the mounts, it was discovered by ODOT and the DER that the cables and the camera did not meet 2008 FAA specifications. As a result, the digital camera's manufacturer had to hire a separate DER to perform the necessary tests required by the FAA. ODOT noted communication with the manufacturer, located in Germany, was difficult as the original point of contact would not return calls or e-mails. Furthermore, documents provided by the manufacturer had to be translated from German into English and from metric to standard.

Additional complications further slowed the process. The Office of Aerial Engineering initially sent a contract out for bid to hire a manufacturer for new mounts; however, no responses were received. Several vendors responded that it would not be possible to manufacture the parts needed based on the specifications detailed in the DER's drawings. The contract for building the mounts was turned over to the Office of Aviation and a manufacturer was found that met DER's material requirements. Also, during the course of installing the digital camera, ODOT was recertifying the plane from restricted to standard – meaning the plane could be flown for any purpose and outside of state lines – and an annual inspection of the aircraft was required.

The investigation found that ODOT installed a new digital camera onto their Cessna Caravan using the same procedural process as was used to install the original camera. ODOT staff admitted they were not aware of FAA specifications issued in 2008 until after the plane was

grounded. Though ODOT may have reduced the amount of time the aircraft was grounded by contacting the FAA directly before installing the camera, a number of additional factors contributed to the delay. After construction of the mounts and the re-installation of the digital camera, the plane was approved for flight by the FAA in January 2011. Accordingly, the Office of the Inspector General reported no wrongful act or omission occurred in this instance.

OHIO DEPARTMENT OF TRANSPORTATION

FILE NO. 2008-238

A confidential complainant alleged irregularities with ODOT's contract for property management services. ODOT contracted with Possitivity, a not-for-profit, privately held community rehabilitation program, certified to provide these services. Community rehabilitation programs provide jobs and training opportunities for people with disabilities. However, while acting as ODOT's property management services agent, Possitivity simultaneously acted as an agent for other community rehabilitation programs. As an agent for other community rehabilitation programs, Possitivity negotiated contracts for them to provide goods and services to ODOT.

The investigation found a conflict of interest was created when Possitivity agreed to serve as an agent representing the interests of ODOT in negotiating with the community rehabilitation programs. At the same time, Possitivity served as the agent representing the interests of the community rehabilitation programs in negotiations with ODOT. Additionally, Possitivity failed to provide oversight of the other community rehabilitation programs, as required in the property management contract, specifically in the areas of background checks, financial statements, overbilling for services, and accurate timekeeping.

During the course of the investigation, the Office of the Inspector General also identified a misinterpretation of ORC §125.609 by ODOT and the Ohio Department of Administrative Services. This section of the law permits agencies of state government to seek a waiver when the costs for services from a community rehabilitation program are "not advantageous" to the state.

ODOT brought oversight of the property management services in-house and ended the contract with Possitivity.



OHIO DEPARTMENT OF TRANSPORTATION

FILE NO. 2010-394

The Office of the Inspector General received a complaint alleging that ODOT employee, Christine Rehl, misused state time and equipment. An Internet activity report generated by the ODOT Information Technology (IT) section identified that Rehl accessed, over the course of three months, 18,000 non-work related Internet sites while at work.

ODOT’s Internet policy allows for personal use of the Internet, and states, “during work hours it is acceptable to listen to real audio or radio station broadcasts as long as this use does not infringe on employee productivity.”

The Office of the Inspector General requested ODOT to quantify the actual amount of time Rehl spent accessing the 18,000-plus sites. However, ODOT responded that it would be extremely difficult and time consuming to quantify so many Internet hits. ODOT noted that their IT section would have to determine how much of Rehl’s computer usage was appropriate according to departmental policy. This would require extracting Rehl’s work-related Internet use from the Websense query’s total; and also, all Internet use before and after work and during Rehl’s lunch hour. Additionally, the real audio would have to be removed from the query’s total because streaming audio creates continuous Internet activity on Websense and would have contributed to the high page count. Based on the facts that were established and discussions with specialists from the IT section, the ODOT investigators stated that it was within the realm of possibility that Rehl’s total non-work related Internet use was only two to three hours total during the three-month period. However, ODOT’s IT section indicated it could take 40 to 60 hours to prove it. On December 2, 2010, Christine Rehl was interviewed and she admitted to personal Internet use from her state computer. Rehl also stated she believed this use was within the parameters of the ODOT Internet policy. It was determined that Rehl misused the state equipment, and she received a written reprimand.



Bureau of Workers' Compensation and Industrial Commission

2011 Report

In July 2007, the Ohio General Assembly passed legislation that created the position of deputy inspector general for the Bureau of Workers' Compensation and the Industrial Commission within the Office of the Inspector General. This legislation stated that the Inspector General shall appoint the 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 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 ORC §121.42, §121.43, and §121.45.

In 1913, Ohio law created an exclusive state fund to provide workers' compensation benefits so workers were protected if unable to work due to work-related injury. In Ohio, all companies or employers must have coverage either by state funds or be self-insured. The Bureau of Workers' Compensation operates 14 service offices, a total of 16 facilities across the state of Ohio, and has more than 2,200 employees. Currently, Ohio's Workers' Compensation system is the largest state-funded insurance system in the nation. BWC currently serves 256,000 employers and in 2011, managed more than 1.2 million injured workers' claims, including 116,378 new claims.

The Ohio Industrial Commission is a separate adjudicatory agency whose mission is to serve injured workers and Ohio employers through expeditious 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, the staff level, and the 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.

“Currently, Ohio's Workers' Compensation system is the largest state-funded insurance system in the nation.”

The Office of the Ohio Inspector General is in regular contact and has an active working relationship with the BWC Special Investigations Department and the Cyber Crime Team. The cooperation between the Office of the Inspector General and Bureau of Workers'

Compensation has successfully identified instances where employees use their positions or state resources for personal gain. These shared goals between agencies assure state employees are good stewards of the public trust. In the upcoming year, the Office of the Inspector General plans to work jointly with BWC Special Investigations Department to take a proactive approach in identifying areas of wrongdoing or appearances of impropriety.

Among the numerous complaints received by the Office of the Inspector General alleging wrongdoing between agencies, several were related to the Bureau of Workers' Compensation and the Industrial Commission.

One complainant alleged an injured worker was not receiving reimbursement for home modifications, medical services, and nursing care as established in the worker's original BWC claim. The Office of the Inspector General reviewed the records related to the case and found that, in several instances, the proper forms were not completed either by or on behalf of the injured worker. In other instances, the complainant was working with companies not enrolled as approved service providers with the state of Ohio. The injured worker's case file documents that BWC was working with these companies towards making them approved providers. However, during this approval process, payments to the injured worker were delayed. Additionally, Bureau of Workers' Compensation Rule 4123-6-16 gives the injured worker an alternative dispute process by contesting decisions with the Industrial Commission. Since 2007, no contested claims on behalf of the injured worker have been brought to the attention of the Industrial Commission. In this instance, the Office of the Inspector General found no wrongdoing on the part of the Bureau of Workers' Compensation.

2011 Statistics for the BWC/IC		
	2010	2011
Complaints Received	29	33
Cases Opened	9	13
No Jurisdiction	0	2
Complaints Declined	17	15
Referrals	3	3
Not Applicable	0	0
Cases Closed	6	14

Summaries of Selected Cases - BWC/IC

INDUSTRIAL COMMISSION OF OHIO

FILE NO. 2011-089

The Office of the Ohio Inspector General received a complaint alleging the Ohio Industrial Commission Nominating Council failed to act in compliance with ORC §4121.02(D), which impeded upon the process for a timely appointment beyond the June 30, 2011, expiration of Commissioner Kevin Abrams' term on the Industrial Commission of Ohio.

The two functions of the Industrial Commission Nominating Council are to nominate an ombudsman and to nominate candidates to fill vacancies on the Industrial Commission of Ohio. The names of nominated candidates are then forwarded to the Governor of Ohio for final appointment. The nominating council met on June 3, 2011, and discussed an upcoming vacancy. That same day, the council nominated three candidates for the Governor's appointment to fill the vacancy on the Industrial Commission of Ohio.

“The Ohio Industrial Commission is separate from the Bureau of Workers' Compensation and is an adjudicatory agency whose mission is to serve injured workers and Ohio employers through expeditious and impartial resolution of issues arising from Workers' Compensation claims and through the establishment of an adjudication policy.”

The Industrial Commission Nominating Council was required to submit a list of nominees by May 2, 2011, but failed to do so until June 3, 2011. Once the nominations were received, a timely appointment was made in accordance with ORC §4121.02. Although the Ohio Revised Code does not levy penalties or consequences against the nominating council for failure to comply with ORC §4121.02, the process should be followed to ensure the integrity of the appointment process.

OHIO BUREAU OF WORKERS' COMPENSATION

FILE NO. 2011-119

The Office of the Inspector General received a complaint alleging that Ohio Bureau of Workers' Compensation employee Troy Cale falsified his application for employment in 1994. The allegation stated Cale did not possess a Bachelor of Science degree in chemistry from Muskingum College (now Muskingum University). The Office of the Inspector General contacted Muskingum University and determined that Cale did not receive a degree from

the institution. Through further investigation, Cale did not produce a transcript verifying his completion of any degree. Cale resigned effective September 23, 2011.

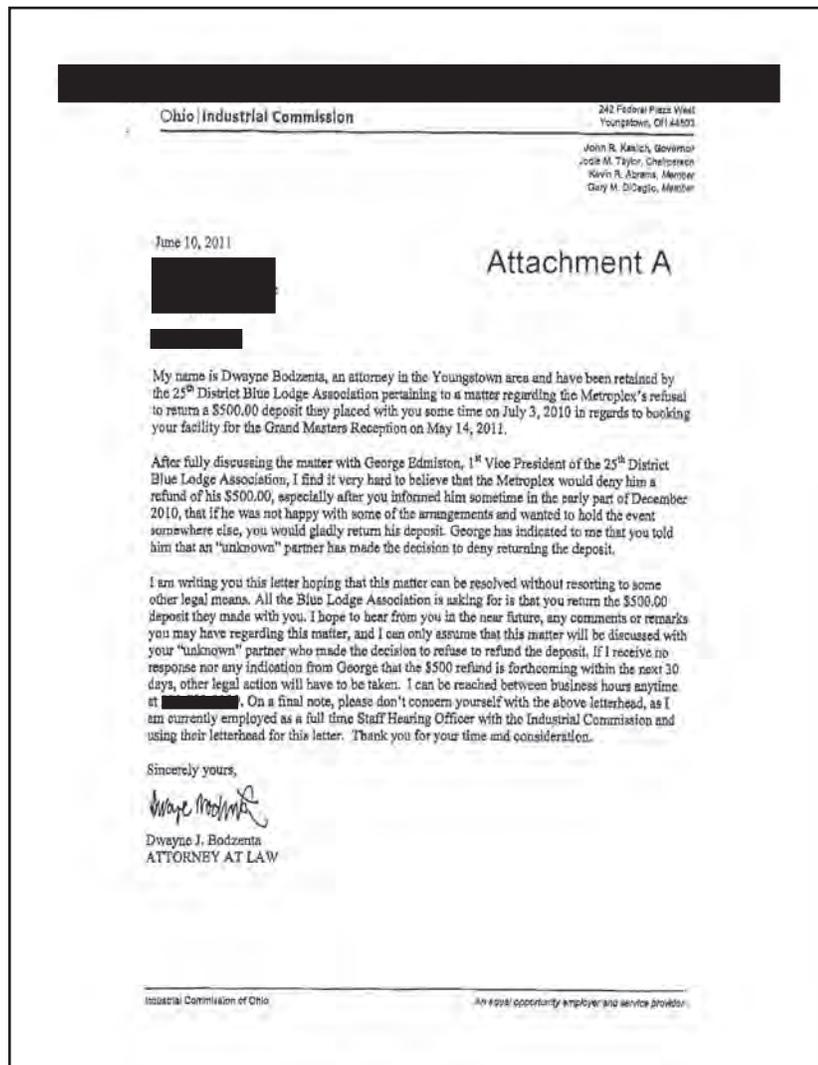
INDUSTRIAL COMMISSION OF OHIO

FILE NO. 2011-132

The Office of the Inspector General received a complaint alleging that Industrial Commission Hearing Officer Dwayne Bodzenta wrote a letter on commission letterhead on a topic that was that was not related to his assigned duties.

Moreover, Bodzenta sent the letter in a commission envelope by certified mail. The certified letter was refused by the intended recipient and sent back to the Industrial Commission. The returned letter was opened in the Industrial Commission mail room and was determined not to be a matter relating to the commission. The mail clerk reported the incident to a supervisor who then informed administration.

Bodzenta's assigned computer at work was examined to determine if there were any files personal in nature or unrelated to actual commission work. The analysis of the computer's hard-drive identified non-commission related documents, including a copy of the letter sent on commission letterhead.



During an interview with the Office of the Inspector General, Bodzenta admitted to writing and sending the letter. Bodzenta stated that, as an attorney, he was asked by a third-party organization to write a letter on their behalf. Bodzenta added that he does not practice law outside of the commission, but did this as a favor for the third-party organization. Bodzenta noted that it was an isolated incident and that he did not receive compensation for the work.

The Office of the Inspector General found that Bodzenta violated Industrial Commission policy and was issued a five-day non-paid suspension.

OHIO BUREAU OF WORKERS' COMPENSATION

FILE NO. 2011-217

The Office of the Inspector General received an allegation that Bureau of Workers' Compensation (BWC) employee Brenda Arnold improperly accessed her own worker's compensation claim while at work using BWC resources. Bureau of Workers' Compensation Policy Memo 4.21 defines Company or BWC Employee (COEMP) claims as all claims past, present or future pertaining to current and former Bureau of Workers' Compensation and Industrial Commission (BWC/IC) employees and their spouses, and claims for all persons residing in the employee's home. BWC policy outlines that accessing COEMP claims are to be performed through the COEMP unit, and states, "no employee of the BWC is permitted to possess or electronically access, using the agency's internal on-line systems [...], any workers' compensation claim file unless the claim file is necessary to the performance of the employee's duties."

The investigation determined that Arnold had improperly accessed her own claim, while at work, from BWC equipment on 99 separate occasions. Although Arnold accessed her claim, a violation of Bureau of Workers' Compensation Policy, it was determined that she made no changes to her claim. At the conclusion of the investigation, the Bureau of Workers' Compensation initiated a pre-disciplinary meeting with Arnold; however, Arnold retired effective December 23, 2011.

Appendices

Appendix 1: Statutory References

OHIO REVISED CODE

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

- 121.41 Definitions
- 121.42 Powers and Duties of the Inspector General
- 121.43 Subpoena power – contempt
- 121.44 Reports of investigation
- 121.45 Cooperating in investigations
- 121.46 Filing of complaint
- 121.47 Confidential information
- 121.48 Appointment of Inspector General
- 121.481 Special investigations fund
- 121.482 Disposition of money received
- 121.49 Qualifications
- 121.50 Administrative rules
- 121.51 Deputy inspector general for transportation department
- 121.52 Deputy inspector general for workers' compensation
- 121.53 Deputy inspector general for funds received through ARRA

121.41 Definitions

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

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

and their respective offices.

(E) “State employee” means any person who is an employee of a state agency or any person who does business with the state.

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

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

121.42 Powers and Duties of the Inspector General

The inspector general shall do all of the following:

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

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

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

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

a wrongful act or omission to a person as required by this division if that person allegedly committed or is committing the wrongful act or omission.

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

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

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

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

(2) A manual of investigative techniques.

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

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

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

121.43 Subpoena power - contempt

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

121.44 Reports of investigations

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

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

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

121.45 Cooperating in investigations

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

The inspector general and any deputy inspector general may enter upon the premises of any state agency at any time, without prior announcement, if necessary to the successful completion of an investigation. In the course of an investigation, the inspector general and any deputy inspector general may question any state officer or state employee serving in, and any other person transacting business with, the state agency, and may inspect and copy any

books, records, or papers in the possession of the state agency, taking care to preserve the confidentiality of information contained in responses to questions or the books, records, or papers that is made confidential by law.

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

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

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

121.46 Filing of complaint

Any person who knows or has reasonable cause to believe that a state officer or state employee has committed, or is in the process of committing, a wrongful act or omission may prepare and file with the inspector general, a complaint that identifies the person making the report and the state officer or state employee who allegedly committed or is committing the wrongful act or omission, describes the wrongful act or omission, and explains how the person reporting knew or came to his reasonable cause to believe that the state officer or state employee committed or is in the process of committing the wrongful act or omission. The preparation and filing of the complaint described in this section is in addition to any other report of the wrongful act or omission the person is required by law to make.

The inspector general shall prescribe a form for complaints under this section. The inspector general shall provide a blank copy of the form to any person, free of charge. No complaint is defective, however, because it is not made on the form prescribed by the inspector general.

121.47 Confidential information

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

121.48 Appointment of Inspector General

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

The governor shall appoint the inspector general, subject to section 121.49 of the Revised

Code and the advice and consent of the senate. The inspector general shall hold office for a term coinciding with the term of the appointing governor. 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.

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.

121.49 Qualifications

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

(1) At least five years experience as a law enforcement officer in this or any other state;

(2) Admission to the bar of this or any other state;

(3) Certification as a certified public accountant in this or any other state;

(4) At least five years service as the comptroller or similar officer of a public or private entity in this or any other state.

(B) No individual who has been convicted, in this or any other state, of a felony or of any crime involving fraud, dishonesty, or moral turpitude shall be appointed inspector general.

121.50 Administrative rules

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

121.51 Deputy inspector general for transportation department

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

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

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

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

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

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

121.52 Deputy inspector general for workers' compensation

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

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

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

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

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

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

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

121.53 [Repealed Effective 9/30/2013] Deputy inspector general for funds received through the American Recovery and Reinvestment Act of 2009

There is hereby created in the office of the inspector general the position of deputy inspector general for funds received through the American Recovery and Reinvestment Act of 2009. 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 funds received through the American recovery and reinvestment act of 2009 fund. The fund shall consist of money credited to the fund for the payment of costs incurred by the deputy inspector general for 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 monitor relevant state agencies' distribution of funds received from the federal government under the "American Recovery and Reinvestment Act of 2009," Pub. Law 111-5, 123 Stat. 115 and shall investigate all wrongful acts or omissions that have been committed or are being committed by officers or employees of, or contractors with, relevant state agencies with respect to money received from the federal government under the American Recovery and Reinvestment Act of 2009. In addition, the deputy inspector general shall conduct a program of random review of the processing of contracts associated with projects to be paid for with such money. 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 such money 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 relevant state agencies 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 relevant agency and any person transacting business with the agency and may inspect and copy any books, records, or papers in the possession of the agency, 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 agency, except as is reasonably necessary to complete the investigation successfully.

At the conclusion of an investigation by the deputy inspector, the deputy inspector general shall deliver to the speaker and minority leader of the house of representatives, president and minority leader of the senate, governor, and relevant agency 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.

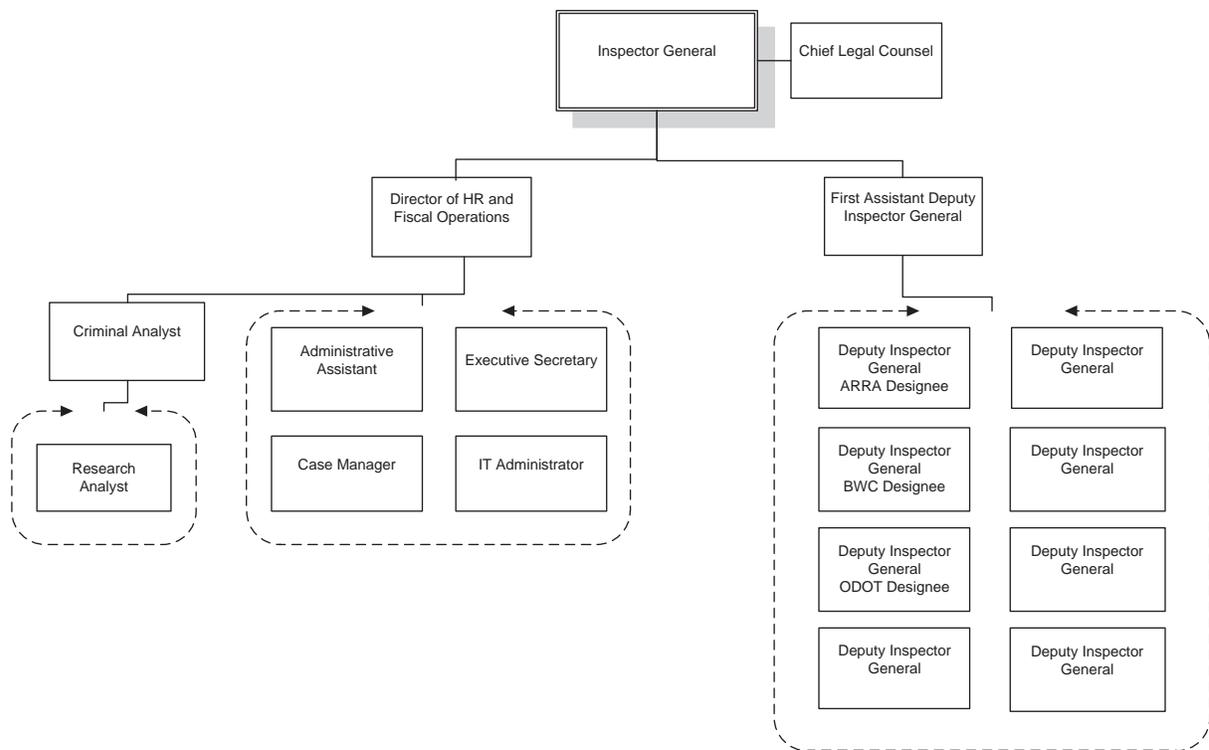
As used in this section, "relevant state agencies" has the same meaning as "state agency" in section 121.41 of the Revised Code insofar as those agencies are the recipients or distributors of funds apportioned under the "American Recovery and Reinvestment Act of 2009," Pub. Law 111-5, 123 Stat. 115.

In this section, "American Recovery and Reinvestment Act of 2009" means the "American Recovery and Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115.

Table of Organization

Appendix 2: Table of Organization

Office of Inspector General Organizational Chart



Contact Information

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