

STATE OF OHIO
OFFICE OF THE INSPECTOR GENERAL

RANDALL J. MEYER, INSPECTOR GENERAL

REPORT OF
INVESTIGATION



**AGENCY: OHIO DEPARTMENT OF PUBLIC SAFETY –
OHIO INVESTIGATIVE UNIT
FILE ID NO.: 2011-064
DATE OF REPORT: SEPTEMBER 12, 2011**

The Office of the Ohio Inspector General.... The State Watchdog

“Safeguarding integrity in state government”

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REPORT OF INVESTIGATION

FILE ID NUMBER: 2011-064

SUBJECT NAME: Greg Croft

POSITION: Agent in Charge

AGENCY: Ohio Department of Public Safety –
Ohio Investigative Unit

BASIS FOR INVESTIGATION: Complaint

ALLEGATIONS: Falsification of Records

INITIATED: March 25, 2011

DATE OF REPORT: September 12, 2011

INITIAL ALLEGATION AND COMPLAINT SUMMARY

On March 25, 2011, an anonymous letter was received by the Office of the Ohio Inspector General alleging that Greg Croft, an Agent in Charge with the Department of Public Safety's Ohio Investigative Unit, was violating the agency's residency policy which requires agents to live within 75 miles of their report-in location. The complainant alleged that Croft lives in rural Ashland County, beyond the 75-mile limit from his Columbus enforcement office, and led his supervisors to believe that he lives at a City of Ashland residence that is within the residency limits. The complainant included photographs of Croft's state vehicle parked at a residence in the City of Ashland and a photograph of what appeared to be Croft's residence in rural Ashland County.

BACKGROUND

The Ohio Investigative Unit is a division of the Ohio Department of Public Safety which is responsible for enforcing state, federal, and local laws pertaining to liquor, food stamps, and tobacco offenses. Ohio Investigative Unit agents wear plainclothes, are sworn peace officers with arrest power, and are assigned unmarked State of Ohio-owned vehicles for the performance of their official duties. Enforcement offices for the Ohio Investigative Unit are located in Akron, Athens, Cincinnati, Cleveland, Columbus, and Toledo, and the administrative offices are located in Columbus, Ohio.

Ohio Investigative Unit policy INV 100.05 provides guidelines regarding residency requirements and travel time. **(Exhibit 1)** The policy states that "...any sworn personnel promoted into an exempt sworn position must move their residence within the 75-mile radius of their newly assigned office. A newly promoted sworn employee shall have a total of 180 calendar days to move his/her residence within the 75-mile requirement." Additionally, "...all sworn personnel shall immediately advise the Deputy Director of Administration of any change in their residence address or phone number. Personnel shall also update personal information in the Agent's Contact List in OLLE¹ whenever there is a change of any information."

¹ OLLE is the Ohio Liquor Law Enforcement database.

The policy further defines residency as "...the place where civil and political rights are exercised, taxes paid, real and personal property located, driver's licenses obtained, bank accounts maintained, location of club and church membership, whether the agent rents or owns his residence, where the employee resides, how permanent the living arrangement appears, affiliations with social organizations, locations of the agent's physician, lawyer, accountant, dentist, stockbroker, and other services provided."

The following is a brief timeline of Croft's work history with the Ohio Investigative Unit as it pertains to this investigation:

- April 3, 2000 – Croft hired as an Ohio Investigative Unit enforcement agent assigned to the Toledo office;
- August 21, 2000 – Croft transferred to the Cleveland office;
- May 6, 2000 – House purchased by Croft's future wife in rural Ashland County;²
- September 9, 2006 – Croft is married and moved into the rural Ashland County home;
- October 1, 2006 – Croft promoted to Assistant Agent in Charge at the Columbus office;
- October 17, 2008 – Croft purchased a house inside the City of Ashland;
- September 12, 2010 – Croft promoted to Agent in Charge at the Columbus office;
- April 10, 2011 – Croft transferred to the Cleveland office;
- April 12, 2011 – Croft sent an e-mail to Deputy Director Richard Cologie to advise that his new address would be the house located in rural Ashland County.

INVESTIGATIVE SUMMARY

State of Ohio payroll records showed that Croft indicated that his home address was a rural Ashland County residence, listed as being owned by Croft's wife, since April 3, 2000. The distance between this location and the Columbus office is 81.2 miles.³ The Agent Contact Information in OLLE listed Croft's home address as a residence in the City of Ashland. This address is 74.2 miles from the Columbus office, just within the 75-mile residency requirement.⁴ However, OLLE did not list historical information showing when Croft's address was last updated.

² Croft's wife is an Ohio Investigative Unit agent assigned to the Akron office.

³ Google Maps Distance Calculator

⁴ Google Maps Distance Calculator

The Ohio Investigative Unit sent the Ohio Inspector General's Office property records from the Ashland County Auditor's Office for both the City of Ashland and rural Ashland County residences. Records showed that Croft purchased the house in the City of Ashland on October 17, 2008. Croft was listed as the owner of the property; however, any mail regarding the property was directed to the rural Ashland County address, including any tax-related documents. These records also showed that Croft did not receive the 2.5 percent reduction in property tax allowed by the homestead rollback for all owner-occupied property in the City of Ashland. The contract for the sale of the City of Ashland house was purchased through an auction process as a "This is a Cash AS IS" contract which is not subject to financing. Croft purchased the house in the City of Ashland for \$36,750. **(Exhibit 2)**

On April 6, 2011, at 7:00 a.m., the Office of the Ohio Inspector General observed a pickup truck registered to Croft at the rear of the house located in the City of Ashland. A deputy inspector general then traveled to the residence in rural Ashland County, which is approximately 10 miles north of the City of Ashland. A real estate "For Sale" sign was observed in the front yard of the property.

The Office of the Ohio Inspector General obtained documents from the Ohio Investigative Unit regarding Croft's residency issues from Ohio Investigative Unit Deputy Director Mark Bentley. Included in these documents were three memorandums written by Croft to former Ohio Investigative Unit Deputy Director Kevin Page. The first two memorandums, dated January 2, 2008, and June 6, 2008, were requests for extensions in complying with the residency policy. The third memorandum, dated September 23, 2008, reported that Croft had purchased a home within the residency requirement and he would list his change of address in OLLE when the contract for the house was closed on October 17, 2008. Croft further stated that the rural Ashland County house would remain on the market until sold. **(Exhibit 3)**

Croft submitted an additional memorandum on August 11, 2010, regarding a conversation he had with former Ohio Investigative Unit Deputy Director Dave Conley. Croft wrote that Conley noticed that the OLLE records showed that Croft and his wife had different addresses. Croft stated that he advised Conley he was trying to sell their house in rural Ashland County and that the house in the City of Ashland was within the residency requirement. **(Exhibit 3)**

In a June 3, 2011, interview, Croft admitted that his place of residence was the house in rural Ashland County where he resided with his wife and family. Croft also acknowledged that after his promotion on October 1, 2006, he had 180 days to relocate within 75 miles of his assigned Columbus office. Croft stated that he listed his current rural Ashland County residence “For Sale” with the intention of purchasing a home that would comply with the residency policy for both he and his wife. He also confirmed writing several memorandums to Ohio Investigative Unit management asking for and receiving extensions in complying with the residency policy because he was unable to sell his rural Ashland County home.

Croft stated that the location of the house in the City of Ashland complied with the residency policy for both he and his wife and was the reason they purchased it on October 17, 2008. He stated that the rural Ashland County house did not sell and his wife refused to move into the house located in the City of Ashland. Croft indicated that he was struggling financially so he rented the house to his current tenant, Melinda Risner.

After purchasing the house in the City of Ashland, Croft stated he verbally informed former Deputy Director Page that he would continue to park his state-issued vehicle at the Ashland County Sheriff’s Office while he worked on home improvements at the house. He stated that Page told him, “We can’t tell you where you have to sleep at night.” Croft was also asked if he told Ohio Investigative Unit management that he did not live at the house in the City of Ashland. Croft said, “I told them that I’d purchased a home within the policy.” He admitted that he never moved into nor resided at the house and that he purchased it to comply with the Ohio Investigative Unit residency policy. Croft also admitted that he never submitted any documentation advising Ohio Investigative Unit management that he did not live at the house in the City of Ashland. Moreover, he did not inform the Ohio Investigative Unit that he was renting it to a tenant since May 2009. Croft had no documentation or a written lease agreement with the tenant. Croft also admitted that he had a conversation with Assistant Agent in Charge Shawn Tatter about the residency policy.⁵

⁵ For more information regarding Tatter, please see Ohio Inspector General Report of Investigation 2011-066.

On June 9, 2011, the Office of the Ohio Inspector General interviewed former Deputy Director Page regarding his knowledge of the Croft residency issue. Page stated he recalled the memorandums in which Croft requested extensions of the time to comply with the residency requirements. He indicated that when Croft accepted the promotion to Assistant Agent in Charge in 2006, Croft was aware that he had to move within a certain mileage requirement. Page said that he was aware that Croft purchased the house in the City of Ashland, was parking his state vehicle at that house and was driving his personal vehicle to the rural Ashland County residence where he lived with his wife. Page said that, "...basically after they were off duty, we couldn't tell them where they could go after that." When asked if he had a conversation with Croft about not being able to tell employees where they could sleep, Page said, "Uh, no. Not --- frankly I would never --- I wouldn't ever just condone it for the, you know, this is how you get around it. I wouldn't ever say that to anybody like that. Uhm but they knew it."

The Inspector General's Office also interviewed former Deputy Director Conley regarding his understanding of the Croft residency issue on June 9, 2011. Conley stated that when looking through the OLLE records he noticed that Croft had a different address from his wife. Conley said he asked Croft if there was a problem or something of which they needed to be aware. Conley stated that Croft told him "No" and that they were just trying to sell the house. Conley said he asked Croft if he was living in the house in the City of Ashland as listed in OLLE. Croft said that he was.

The Office of the Ohio Inspector General interviewed the tenant of the house owned by Croft in the City of Ashland on June 10, 2011. Melinda Risner stated she believed she moved into the house on June 1, 2009, and that she had no written lease agreement. She confirmed that she paid \$500 a month in rent to Croft, and the utility services were in her name. She stated that until recently, Croft would park his vehicle at the rear of the house.

The Inspector General's Office contacted the Income Tax Department for the City of Ashland to determine who must file income tax returns with the City of Ashland. Income Tax Specialist Karen Mollette stated that anyone residing or doing business in the City of Ashland must file an income tax return. In this case, if Croft claimed to reside in the City of Ashland, he would be required to file a return. If Croft lived outside the City of Ashland but received income from the rental of his property, he would also be required to file a tax return. The Tax Department

confirmed that Croft had not filed any income tax returns with the City of Ashland and Croft himself admitted this during his interview.

Additional reports were obtained by the Ohio Inspector General's Office regarding Risner and Croft's residences. Risner was listed as living in the house in the City of Ashland from November 2008 to the present. The reports did not list the house as Croft's current or previous address. On January 21, 2009, Croft renewed his Ohio driver's license, listing the rural Ashland County address as his home.

CONCLUSION

During the time of Croft's promotions, the Ohio Investigative Unit residency policy required all sworn personnel to live within 75 miles of their assigned office. After Croft's promotion on October 1, 2006, he was unable to sell his home in rural Ashland County that is located beyond the 75-mile residency limit. On October 17, 2008, after receiving several extensions in complying with the Ohio Investigative Unit residency policy, Croft purchased a house in the City of Ashland which was within the residency requirement.

Croft falsely reported the address of the rental property in the City of Ashland as his home address in OLLE. Croft admitted that he did not live or move into the house in the City of Ashland, but did park his state-issued vehicle at the house. When questioned by former Deputy Director Conley as to why he had a different address than his wife, Croft did not report that he did not live at the house in the City of Ashland, or that he had rented it to a tenant. Croft also stated he was having financial difficulties in maintaining two residences, yet he was able to purchase the house in the City of Ashland with \$36,750 in cash. Ultimately, Croft falsified a record kept by the State of Ohio and deceived the management of the Ohio Investigative Unit in order to benefit himself.

Accordingly, we find reasonable cause to believe a wrongful act or omission occurred in this instance.

RECOMMENDATIONS

The Office of the Ohio Inspector General makes the following recommendations and asks that the Ohio Department of Public Safety's Ohio Investigative Unit respond within 60 days with a plan as to how these recommendations will be implemented:

1. The Ohio Department of Public Safety's Ohio Investigative Unit should conduct an administrative investigation into the actions of Agent in Charge Greg Croft to determine any discipline or training needed;
2. The Ohio Department of Public Safety's Ohio Investigative Unit should review the residency policy with employees to assure compliance. It is noted that during the course of this investigation, the Ohio Investigative Unit revised the residency policy.

REFERRALS

This report is being forwarded to the Franklin County Prosecutor's Office; the Columbus City Attorney's Office, Prosecuting Division; and the City of Ashland Income Tax Department.

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