

STATE OF OHIO  
OFFICE OF THE INSPECTOR GENERAL

RANDALL J. MEYER, INSPECTOR GENERAL

REPORT OF  
INVESTIGATION



AGENCY: OHIO DEPARTMENT OF COMMERCE,  
DIVISION OF UNCLAIMED FUNDS  
FILE ID NO.: 2014-CA00018  
DATE OF REPORT: JULY 30, 2015

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

*“Safeguarding integrity in state government”*

The Ohio Office of the Inspector General is authorized by state law to investigate alleged wrongful acts or omissions committed by state officers or state employees involved in the management and operation of state agencies. We at the Inspector General’s Office recognize that the majority of state employees and public officials are hardworking, honest, and trustworthy individuals. However, we also believe that 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. It is the commitment of the Inspector General’s Office to fulfill its mission of safeguarding integrity in state government. We strive to restore trust in government by conducting impartial investigations in matters referred for investigation and offering objective conclusions based upon those investigations.

Statutory authority for conducting such investigations is defined in *Ohio Revised Code §121.41* through *121.50*. A *Report of Investigation* is issued based on the findings of the Office, and copies are delivered to the Governor of Ohio and the director of the agency subject to the investigation. At the discretion of the Inspector General, copies of the report may also be forwarded to law enforcement agencies or other state agencies responsible for investigating, auditing, reviewing, or evaluating the management and operation of state agencies. The *Report of Investigation* by the Ohio Inspector General is a public record under *Ohio Revised Code §149.43* and related sections of *Chapter 149*. It is available to the public for a fee that does not exceed the cost of reproducing and delivering the report.

The Office of the Inspector General does not serve as an advocate for either the complainant or the agency involved in a particular case. The role of the Office is to ensure that the process of investigating state agencies is conducted completely, fairly, and impartially. The Inspector General’s Office may or may not find wrongdoing associated with a particular investigation. However, the Office always reserves the right to make administrative recommendations for improving the operation of state government or referring a matter to the appropriate agency for review.

The Inspector General’s Office 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.



Randall J. Meyer  
Ohio Inspector General



STATE OF OHIO  
**OFFICE OF THE INSPECTOR GENERAL**

---

RANDALL J. MEYER, INSPECTOR GENERAL

**REPORT OF INVESTIGATION**

**FILE ID NUMBER:** 2014-CA00018

**SUBJECT NAME:** Bradley P. Long

**POSITION:** Account Examiner Supervisor I

**AGENCY:** Ohio Department of Commerce,  
Division of Unclaimed Funds

**BASIS FOR INVESTIGATION:** Agency Referral

**ALLEGATIONS:** Failure to Comply with State Law and/or  
Regulations

**INITIATED:** February 20, 2014

**DATE OF REPORT:** July 30, 2015

## **INITIAL ALLEGATION AND COMPLAINT SUMMARY**

On February 14, 2014, the Ohio Department of Commerce (ODC) contacted the Office of the Ohio Inspector General alleging that Account Examiner Supervisor Bradley P. Long had improperly accessed the CLEAR<sup>®</sup> database to search for information on Andrea Seidt, Commissioner of the ODC Division of Securities, violating agency policy.

On February 20, 2014, the Office of the Ohio Inspector General opened an investigation.

## **BACKGROUND**

The Ohio Department of Commerce is responsible for consumer protection and establishing various regulations for industries and business in the state. The department is comprised of seven divisions: Financial Institutions, Industrial Compliance and Labor, Liquor Control, Real Estate and Professional Licensing, Securities, the State Fire Marshal, and Unclaimed Funds. The director is appointed by the governor and confirmed by the Ohio Senate. The Ohio Department of Commerce is funded through fees and charges on the industries they regulate.<sup>1</sup>

The Division of Unclaimed Funds is responsible for the safekeeping and return of monies designated as “unclaimed.” Each year, due to death, inadvertence or forgetfulness, thousands of people and organizations lose track of monies and intangible personal property in Ohio. Common examples of unclaimed funds are: dormant checking and saving accounts, forgotten rent and utility deposits, uncashed checks, undelivered stock certificates, and uncashed insurance policies.<sup>2</sup>

## **INVESTIGATIVE SUMMARY**

In late November 2013, Account Examiner Supervisor Bradley Long reported to Yaw Obeng, superintendent for the ODC Division of Unclaimed Funds, that he had conducted a search on the CLEAR<sup>®</sup> database of Andrea Seidt, commissioner of the ODC Division of Securities. CLEAR<sup>®</sup> is a “...research system that provides information about a person or business from proprietary sources and public records” that is used by law enforcement, government agencies, law firms,

---

<sup>1</sup> Source: Biennial budget documents.

<sup>2</sup> Source: Ohio Department of Commerce FY 2014 Annual Report.

companies engaged in fraud prevention and conducting investigative research. Information available in CLEAR<sup>®</sup> includes, but is not limited to: phone data, credit bureau data, motor vehicle registration data and other DMV records, utilities data, real property data, records of persons, criminal and court records, and business data.<sup>3</sup> Long stated he believed that Seidt had unclaimed funds because he noted that four “A. Seidt’s” appeared in WAGERS.<sup>4</sup> Long told Obeng that as part of his process to determine whether Andrea Seidt had unclaimed funds, he had conducted a search of Andrea Seidt’s name on the CLEAR<sup>®</sup> database. Seidt had not filed any claim nor did she have any pending claim with the Division of Unclaimed Funds. Seidt had not contacted Long to request an unclaimed funds claim be initiated on her behalf.

Obeng contacted Denise Lee, division legal counsel, who in turn requested Teri Finfrock, CLEAR<sup>®</sup> administrator, to review the searches conducted by Long. Finfrock was able, by working with the CLEAR<sup>®</sup> vendor, to obtain a summary report of searches conducted by Long for the time period of November 1, 2012, to November 26, 2013. This printed list was manually compared to the claims file at the Division of Unclaimed Funds, and it was discovered that a significant number of searches were run on individuals and businesses who had no pending claims.

Finfrock was then directed by Obeng to work with the CLEAR<sup>®</sup> vendor and acquire a summary report for the same time period (November 1, 2012, to November 26, 2013) for each of the other 13 employees in the Division of Unclaimed Funds. The CLEAR<sup>®</sup> summary reports for these 13 employees were manually compared to claim files at the Division of Unclaimed Funds. Each search was found to appropriately correspond to a claim number which an employee creates when a claimant requests a search for unclaimed funds.

After the review was conducted by Obeng’s staff, it was determined that Long had likely violated the Division of Unclaimed Funds CLEAR<sup>®</sup> policy. On December 20, 2013, Long’s access to CLEAR<sup>®</sup> was suspended. On January 6, 2014, Division of Unclaimed Funds Superintendent Obeng and Department of Commerce Assistant Director Jayme Brown met with

---

<sup>3</sup> Source: Clear.thomsonreuters.com

<sup>4</sup> WAGERS is the Ohio Division of Commerce Division of Unclaimed Funds claims database.

Long and told him that his CLEAR<sup>®</sup> search of Andrea Seidt was prohibited, and Long was instructed to cease these types of searches. Brown directed Obeng to determine if Long had conducted other CLEAR<sup>®</sup> searches on individuals whom he had no valid business purpose to perform the search. The results of this review by ODC staff showed that more than 170 searches were improperly conducted by Long. According to ODC Division of Unclaimed Funds policy, searches of the CLEAR<sup>®</sup> database, "... shall be based on a valid reason directly related to the exercise of the Divisions powers or duties, as authorized under ORC Chapter 169 and OAC 1301:10, and must be commensurate with the employee's duties and responsibilities in the Division." ([Exhibit 1](#)). Additionally, Ohio Department of Commerce policy regarding the employee use of the Westlaw/Thomson Reuters CLEAR<sup>®</sup> database states that staff are to use the "Basic Search" tab to review the records of people or businesses. The "Basic Search" tab provides a level of access to data that most claims examiners and supervisors need in order to complete their work and assigned duties. If an examiner or supervisor believes a comprehensive CLEAR<sup>®</sup> search is needed, he or she must request their authorized supervisor to run the search. The supervisor is required to use the "Comprehensive Search Template," and the data obtained contains Social Security numbers, as well as criminal background information.

Due to the significant number of comprehensive CLEAR<sup>®</sup> searches conducted by Long that had no claim on file in WAGERS, the division's filed-claim database, the ODC was concerned that improper activity was taking place, and contacted the Office of the Ohio Inspector General.

Chief Counsel Diane Lease informed investigators that research should not be done using any agency database until a claimant files a claim with ODC. Upon the filing of a claim, a researcher is assigned to verify claimant information. Upon the conclusion of the work by the researcher, the information is forwarded to an account examiner. The majority of the searches conducted by Long, an account examiner supervisor, did not have a corresponding claim and therefore should not have been run by Long through a CLEAR<sup>®</sup> search. The searches conducted without an open claim were not "... commensurate with the employee's duties and responsibilities in the Division" and thus were in violation of the Division of Unclaimed Funds CLEAR<sup>®</sup> policy.

ODC Division of Unclaimed Funds Legal Counsel Denise Lee provided the Office of the Ohio Inspector General with a copy of Bradley Long's signed acknowledgement that he received the division's CLEAR<sup>®</sup> policy ([Exhibit 2](#)).

Representatives from the Office of the Ohio Inspector General met with ODC Chief Information Officer Alan Shellhause and Chief Information Security Officer Jim Dixon in order to review the capabilities of the ODC's database activity monitoring software, Imperva. Imperva is a software package used by the Ohio Department of Commerce to electronically log access to searches of databases covered by the department's CPI policy. The Imperva Security Software was implemented at ODC in order to eliminate the need for manual written CPI logs. In March 2014, the Office of the Ohio Inspector General worked with Dixon, using the Imperva security software, in an attempt to recall the CPI logs for the time period of November 1, 2012, to November 26, 2013. The analysis concluded that recorded database activity logs were only maintained by ODC for a 90-day period. Therefore, Imperva access records could not be cross referenced with the CPI searches using CLEAR<sup>®</sup>. Investigators could not determine Long's actual use of the confidential personal information he obtained or viewed while conducting CLEAR<sup>®</sup> searches because there were no active claim files where the accessed documents were scanned and preserved. Long was unable to recall if he had printed the information from CLEAR<sup>®</sup>.

On May 19, 2014, the Office of the Ohio Inspector General interviewed ODC Deputy Chief Legal Counsel Teri Finfrock. She explained that she acts as the ethics officer, conducts ethics training, and is responsible for contact with Westlaw/Thomson Reuters CLEAR<sup>®</sup>. Finfrock stated that she is the administrator who issues and controls passwords affording access to CLEAR<sup>®</sup>. Finfrock noted that she is not familiar with how CLEAR<sup>®</sup> is used and has not accessed the application.

Finfrock said that Westlaw tracks CLEAR<sup>®</sup> usage through an application called Quickview. Quickview can provide a snapshot of a user's activity for the previous 12 months. Finfrock worked with a Westlaw representative to obtain the usage reports that were provided to the

Office of the Ohio Inspector General for Bradley Long and the other Unclaimed Funds Division staff.

The Office of the Ohio Inspector General interviewed ODC Division of Unclaimed Funds Account Examiner Supervisor Bradley Long on April 2, 2014. Long stated that he supervised four employees and that his supervisor was Yaw Obeng, superintendent for the division. Long described his division as "... breathes in unclaimed funds and breathes out ..." and that he "... helps people." Long used this as a metaphor to describe how he believed the state acquires, then distributes, unclaimed funds.

The claims processing operation at the Division of Unclaimed Funds was discussed with Long, who provided a general overview. Long indicated that he used several databases in his daily job activities, including WAGERS and CLEAR®.

Long recounted the incident in November 2013 when he conducted a search on Andrea Seidt. Long stated that an ODC employee had casually mentioned that his division chief, Andrea Seidt of the ODC Division of Securities, had unclaimed funds. Long stated that a couple days later, he ran a check on "A. Seidt," using the WAGERS database. Long said the check listed four properties, with four separate addresses, and one of the entries contained a Social Security number. Having the Social Security number, Long said he then accessed the CLEAR® system, ran the Social Security number, and found that the Social Security number matched all four properties.

Long said he then wrote the properties and the amounts of unclaimed funds on a plain sheet of paper and took it to his division chief, Yaw Obeng. Long said he told Obeng that he thought Seidt might have unclaimed funds and asked if Obeng wanted to create a claim, or if Obeng wanted to talk to the director directly about creating a claim. Long said he suggested to Obeng that the division could process the claim and have a check prepared, and then make a presentation to Seidt at the weekly chiefs' meeting.

Long said that Obeng asked him why he ran a check on Seidt. Long told Obeng that a co-worker made a comment that Seidt may have unclaimed funds. Long then checked the claim files, and discovered that there were four "A. Seidt" claims. Long said he did not hear anything about the matter until several weeks later, when he was summoned to a meeting about the number of CLEAR<sup>®</sup> searches he had been running. Long said that he tried to run CLEAR<sup>®</sup> reports on most claims and added them to the claim files.

Long described the process of adding CLEAR<sup>®</sup> reports to claim files, but was unable to explain to interviewers what he did with the CLEAR<sup>®</sup> reports on individuals for which no claims had been filed. Long admitted to signing an acknowledgement of receipt of the ODC Confidential Personal Information policy. Long also stated that he attended a CPI training held on September 13, 2011, and that he signed the sign-in sheets for the training.

Long said that he kept CLEAR<sup>®</sup> access logs for about eight to nine months, and would forward them to the division chief. Long said that when he asked Obeng's assistant what they did with the logs, she told Long that he was the only person turning them in.

Long described his process for running a CLEAR<sup>®</sup> report. Long said that when an individual enters the system, there is a multiple box check list, or menu. Long stated that he would first click on "none," then go back, and "cherry pick" the items he wanted, so he would access only the information he needed. In WAGERS, Long said that occasionally "they" would run Social Security numbers through, just to see how many properties were associated.

Long said that CLEAR<sup>®</sup> is used in four ways:

1. To review claims submitted with no Social Security number. Social Security numbers are required, since the state must now pay claimants interest on any unclaimed funds.
2. To confirm a claimant's identification, for claims under \$2,000, when no operator's license number (OLN) or Social Security number is submitted by the claimant.
3. To verify information reported by a claimant.
4. To generate claims for call-ins, walk-ins, etc.

Long described to investigators his various ideas and efforts for outreach, in order to return more unclaimed funds to the proper people. Long said that he ran CLEAR<sup>®</sup> searches on individuals where no claims were made and ran CLEAR<sup>®</sup> on “VIPs” like elected officials or people in the news. Long stated that he did not know if he had violated any agency policy, stating, “... I’m just trying to help people.”

Investigators told Long that he had the most CLEAR<sup>®</sup> searches not related to any specific claim in the system and asked Long to explain these accesses in the CLEAR<sup>®</sup> database. Long responded that he was just trying “... to help people” ... “To the extent that I can find and help people, I’ll do it.” Long was unable to provide to investigators any explanations as to where the information he had obtained in these searches had gone. Regarding his generation of CLEAR<sup>®</sup> reports, Long repeatedly insisted to investigators that no information acquired during the searches was ever disseminated outside the Ohio Department of Commerce, or was used inappropriately, or for any personal gain.

At the conclusion of his interview, Long stated that he would examine his recollections about the CLEAR<sup>®</sup> reports he had generated where there was no claim filed. Long stated he would contact investigators “... if I can figure out what happened.” After this interview, Long did not contact investigators with further information.

Bradley Long resigned his position at the Ohio Department of Commerce, Division of Unclaimed Funds, on April 15, 2014.

The Office of the Ohio Inspector General obtained the state of Ohio email messages sent and received by Bradley Long for the time period of January 1, 2012, through February 1, 2014. A review of the messages did not reveal evidence indicating that CLEAR<sup>®</sup> information was disseminated outside the Department of Commerce, Division of Unclaimed Funds.

## **CONCLUSION**

In November 2013, Ohio Department of Commerce Division of Unclaimed Funds Account Examiner Supervisor I Bradley Long admitted to conducting a search of the CLEAR<sup>®</sup> database

of Andrea Seidt, commissioner of the ODC Division of Securities. Seidt had filed no claim for unclaimed funds with the division. Long's searches of the CLEAR<sup>®</sup> database were in violation of the ODC policy on the use of CLEAR<sup>®</sup>.

A review of the CLEAR<sup>®</sup> searches conducted by all Ohio Department of Commerce Division of Unclaimed Funds claims staff for the period of November 2, 2012, to November 21, 2013, showed that approximately 171 of Long's searches in CLEAR<sup>®</sup> did not have any corresponding claims or assets/property on file with the ODC Division of Unclaimed Funds. Investigators determined that these searches were in violation of ODC policy.

**Accordingly, the Office of the Ohio Inspector General finds reasonable cause to believe wrongful acts or omissions occurred in these instances.**

### **RECOMMENDATIONS**

The Office of the Ohio Inspector General makes the following recommendations and asks the director of the Ohio Department of Commerce to respond within 60 days with a plan detailing how the recommendations will be implemented. The Ohio Department of Commerce should:

1. Determine if additional staff training for the proper accessing and retention of CLEAR<sup>®</sup> information is warranted.

### **REFERRALS**

A copy of this report of investigation will be provided to the Columbus City Attorney for consideration.



STATE OF OHIO  
**OFFICE OF THE INSPECTOR GENERAL**

---

RANDALL J. MEYER, INSPECTOR GENERAL

**NAME OF REPORT: Ohio Department of Commerce,  
Division of Unclaimed Funds  
FILE ID #: 2014-CA00018**

**KEEPER OF RECORDS CERTIFICATION**

**This is a true and correct copy of the report which is required to be prepared by the Office of the Ohio Inspector General pursuant to Section 121.42 of the Ohio Revised Code.**

**Jill Jones  
KEEPER OF RECORDS**

**CERTIFIED  
July 30, 2015**

*MAILING ADDRESS*

OFFICE OF THE INSPECTOR GENERAL  
JAMES A. RHODES STATE OFFICE TOWER  
30 EAST BROAD STREET – SUITE 2940  
COLUMBUS, OH 43215-3414

*TELEPHONE*

(614) 644-9110

*IN STATE TOLL- FREE*

(800) 686-1525

*FAX*

(614) 644-9504

*EMAIL*

OIG\_WATCHDOG@OIG.OHIO.GOV

*INTERNET*

WATCHDOG.OHIO.GOV