

STATE OF OHIO  
OFFICE OF THE INSPECTOR GENERAL

RANDALL J. MEYER, INSPECTOR GENERAL

REPORT OF  
INVESTIGATION



PRELIMINARY INQUIRY

AGENCY: OHIO DEPARTMENT OF EDUCATION  
FILE ID NO.: 2014-CA00075  
DATE OF REPORT: APRIL 1, 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



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RANDALL J. MEYER, INSPECTOR GENERAL

**REPORT OF INVESTIGATION  
PRELIMINARY INQUIRY**

**FILE ID NUMBER:** 2014-CA00075

**SUBJECT NAME:** Curtis Hewitt

**POSITION:** Education Program Specialist

**AGENCY:** Ohio Department of Education

**BASIS FOR INVESTIGATION:** Complaint

**ALLEGATIONS:** Improper Release of Investigative Information

**INITIATED:** December 10, 2014

**DATE OF REPORT:** April 1, 2015

## **INITIAL ALLEGATION AND COMPLAINT SUMMARY**

On December 7, 2014, the Office of the Ohio Inspector General received a complaint by email from Jeffrey Poulton. Poulton, who stated he was currently under investigation by the Ohio Department of Education (ODE), believed information from the investigation had been leaked to his ex-wife Jennifer Kinney by ODE employee Curtis Hewitt. Poulton said that Kinney and Hewitt were very close friends and had been for decades. Poulton commented in his complaint that Hewitt had expedited Poulton obtaining his teaching license sometime in the past. Poulton further claimed Kinney had used the information obtained from Hewitt to support her filing of a motion on May 15, 2014, at the Franklin County Court of Common Pleas to reallocate parental rights.

The Office of the Ohio Inspector General initiated a preliminary inquiry on December 10, 2014, into the allegation that the Ohio Department of Education leaked information during an investigation.

## **INVESTIGATIVE SUMMARY**

As part of the inquiry, the Office of the Ohio Inspector General reviewed Poulton's complaint as well as additional documentation provided by him to investigators. From this review, it was found that Poulton's concern centered on two names his ex-wife, Jennifer Kinney, provided in a witness list to the Franklin County Court of Common Pleas on May 15, 2014, to support a previous motion filed by her on September 23, 2013, to reallocate parental rights of their daughter. Poulton identified these two names as Jessica Morris and Brandon Novasad. It was Poulton's belief that when Kinney filed her original motion with the court on September 23, 2013, she already had received from Hewitt the two names and other information about the ongoing ODE investigation.

Poulton's complaint identified Novasad as the ODE staff attorney who was investigating the complaint ODE had received against Poulton. Poulton said he was first made aware

of this complaint when he received a letter from the ODE dated October 25, 2013, that advised him to contact Novasad.

On December 16, 2014, an investigator met with ODE staff attorney Brandon Novasad to discuss the complaint received from Poulton by the Office of the Ohio Inspector General. Novasad said the ODE had received a complaint against Poulton from Jessica Morris on October 2, 2013, and that he (Novasad) was assigned to investigate the matter. Novasad said he did not know how Kinney could have obtained Morris' name but felt certain it was not provided by any ODE employee in the Office of Professional Conduct where Novasad worked. Novasad said he first had contact with Kinney when she called the ODE and sent a subsequent email on February 24, 2014. Following this contact, Novasad said he received a packet of information from Kinney that included names of persons she believed could assist Novasad in his investigation.

Also, on December 16, 2014, the Office of the Ohio Inspector General contacted Jessica Morris by telephone to discuss Poulton's complaint. Morris said she had filed a complaint with the ODE in October 2013. When asked if she knew Jennifer Kinney, she said she did know Kinney and had first made contact with her sometime in August of 2013.

During a follow-up telephone call on December 17, 2014, Morris explained how she first came into contact with Kinney. She said Poulton had posted a letter on the Newark Advocates website and Facebook page defending himself of allegations previously reported in the media. These allegations were separate from the complaint Morris had filed. Morris said she 'liked' one of the Facebook comments made by Christine Czinke to the letter and was subsequently contacted by Erica Peoples, a person familiar with Kinney. After this, Morris said she and Kinney began corresponding through the Facebook private message application and became friends.

On December 16, 2014, a voicemail message was left for Jennifer Kinney and on December 17, 2014, Jennifer Kinney contacted the Office of the Ohio Inspector General by telephone. During the call Kinney said she became acquainted with Morris in August of 2013. She reiterated what Morris had stated about the letter Poulton had posted at the Newark Advocate's website and on its Facebook page. Kinney's direct contact with Morris was facilitated by Peoples. Kinney later forwarded an email with attachments of dated screenshots of some of the messages between her, Peoples, and Morris that took place in August of 2013.

### **CONCLUSION**

The complainant, Jeffrey Poulton, believed an employee at the Ohio Department of Education provided confidential investigative information to his ex-wife in September of 2013. However, the two names, Jessica Morris and Brandon Novasad, that Poulton believed to be confidential, concerned an investigation into a complaint filed by Morris with the ODE on October 2, 2013. Until this date, the ODE was unaware of Morris or her complaint and therefore, could not have provided the information to Kinney. During telephone interviews, both Kinney and Morris said they became acquainted with each other in August 2013. Kinney provided copies of Facebook screenshots to support her claim.

Brandon Novasad said he first had contact with Kinney on February 24, 2014. This would have been prior to Kinney filing her witness list with the Franklin County Court of Common Pleas on May 15, 2014. Novasad said when Kinney contacted the ODE making inquiries about Poulton, her call was directed to him (Novasad). Novasad said Kinney's knowledge that he was the attorney conducting the investigation of the complaint filed by Morris against Kinney's ex-husband was not considered confidential and that anyone contacting the ODE with potential information about an open investigation would have been directed to the person conducting the investigation.

Based on the above information, no further investigative action is necessary by the Office of the Ohio Inspector General.

**RECOMMENDATION(S)**

The Office of the Ohio Inspector General has determined that no recommendations are warranted for this report of investigation.

**REFERRAL(S)**

The Office of the Ohio Inspector General has determined that no referrals are warranted for this report of investigation.



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RANDALL J. MEYER, INSPECTOR GENERAL

**NAME OF REPORT: Ohio Department of Education**

**FILE ID #: 2014-CA00075**

**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**  
**April 1, 2015**

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