



GOOD GOVERNMENT

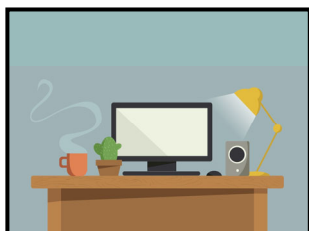
Committed to Honesty and Integrity in City Government

Kamau C. Marable — Editor-In-Chief

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FROM THE DESK OF THE IG

Truth, Consistency and Integrity

Of all the positions I've held in the past 30+ years as a lawyer, I've learned what to say, how to do things and spent time building bridges.

However, in the last 5 years, in my capacity as the Inspector General (IG), I have been learning what not to do, what not to say and, in the process, may have burned a bridge or two or maybe three.

Being the head of the Office that is required to ensure honesty and integrity in our government is not easy. It is not a job for the faint of heart or anyone with a weak constitution. Thus, "Pepto" has now become my loyal friend. I have a job where, I cannot turn my head away from the issue at hand or put cover my eyes or stall for time when there is a difficult decision to make.

It is difficult because I am fully aware that every decision I make on behalf of the Office will affect somebody and could potentially cause a cascading effect on how the City governs itself or with whom we conduct business. The role of an IG is not to please or advocate for anyone.



IG Ellen Ha

An IG definitely should not embellish the truth or be concerned about the standing of anyone. Most importantly, an IG should not haggle or negotiate facts. There is no "let's make a deal."

At times, an IG must ask the hard questions. We work hard to obtain the answers to the questions and find the evidence that will lead us to the truth. Being honest means being truthful. Being truthful means having integrity. However, sometimes, truth, when told, can hurt. Truth will always reveal itself and is consistent. It is the consistency in the truth that defines and builds integrity.

There is a saying, "to err is human." It is true. People can make a mistake or two. However, sometimes people must be shown the error of their ways, in order to correct the error that was either made in earnest attempt to do good or with mal intent. It is only when an error is acknowledged and recognized that we can find the strength to correct the error and move on in life.

TRUTH

CONSISTENCY

INTEGRITY



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EMPLOYEE SPOTLIGHT

MEET...Edyth

By Beverly Murray



Tell me about yourself and your family.

I am a mother of three. I have a 30 year-old, a 28 year-old, and an 18 year-old. I like to line dance in my spare time, and I love Disney World.

How would you describe your role with the OIG?

I have been doing investigations primarily, but one of the key things that I came to the office to do was to establish an audit function. We have periodically been able to conduct a few audits and I'm proud of that. But I think my primary role is to foster the audit function in the office.

Edyth Porter-Stanley

What do you love most about your job?

I like that this is the type of job where you feel like you can make a small difference for people. I like my coworkers. It's an environment where people feel like they can express their opinions without judgment. Everybody works well together. There is always something new constantly coming up and things that we've never had to deal with before. So, there's always a new challenge.



Edyth at Disney

What have been some of the most important lessons you have learned throughout your career?

I have learned that government isn't that different than private industry as much as people think. Most of my career, I've been in government. One of the challenges that government faces is that there are so many different functions that the city provides and trying to do them all under the same umbrella. It's challenging. Personally, one of the things that I've learned is that people bring to their jobs their good traits and their not so good traits. And that's why audit and investigation are important

because we need to keep each other honest and that's what audit and investigation brings to any organization.



Edyth and Family

What do you enjoy doing outside of work?

I like to line dance. I've been doing that for about 12 years now, and it is a great way to exercise and also to meet people from all facets of life. I also like to go to Disney World. I've been to the park 50 times probably. And this is my first year with an annual pass, so I'll be going a lot more this year.

What is one word your friends/family use most often to describe you?

Funny. I've frequently been told that I should do stand up comedy. I have been told by my daughter that I'm not allowed to, because she knows most of the jokes would be about her.

What is something you always wanted to try or learn?

I've always wanted to learn French. I don't necessarily have a desire to go anywhere where French is the language of origin or where they predominantly speak French. But for some reason, I've always wanted to learn that language.

What is a dream that you want to make come true one day?

I have always wanted to have a nonprofit that would provide housing to people who fall through the cracks, people who aren't at poverty level. but aren't able to actually sustain the life that they want to have a home, a good job and just to give them a safe place to get a fresh start.



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RED FLAGS OF PUBLIC CORRUPTION



Red Flags of Unjustified Sole Source/ Selection Fraud

By Jennifer Bentley

A sole source is a non-competitive purchase. In sole source procurements, the contract opportunity is not publicly advertised or competitively bid because only one source can supply the goods or services. At times unjustified sole source occurs when a department or procurement official, in collusion with a supplier, improperly awards a contract without competition or prior review. In other words, there is no real explanation that only one supplier is capable of providing the goods or services requested.

Red Flags May Include:

- ❏ Vague justification or documentation supporting a non-competitive sole source award.
- ❏ The request for bids is sent to only one vendor.
- ❏ The contract award is made below the competitive bid limits and is followed by change orders that exceed the bid limits.
- ❏ The scope of the bid is narrowly and specifically written so that only one contractor can meet the specifications.

Another type of contracting fraud is source selection fraud. Those selecting who to award contracts to must select the proposal that represents the best value to the governmental contracting entity. This does not have to be the lowest bidder, but it must be the lowest *responsible* bidder. The source selection process may provide an opportunity for fraud to exist.

Red Flags May Include:

- ❏ Improper relationships exist between the contractor and department/procurement public servant.
- ❏ The department or OCP releases information about procurements to one contractor that is not revealed to another.
- ❏ The City awards contracts to contractors with poor records of performance.
- ❏ The City improperly disqualified some bids.

As always, these red flags should not be taken alone as evidence that fraud is occurring. However, please contact the OIG if you see any of these red flags.



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DEPARTMENT SPOTLIGHT

Human Resources Response to Hiring Practices

By Edyth Porter-Stanley

The OIG received a complaint alleging department hiring managers were not aware of the “Civil Service Rules” and their governance over the City hiring process. During the OIG’s investigation, HR Chief Recruitment Officer Daryl Conrad and Talent Acquisitions Manager Tracey Meek explained HR’s expectations of hiring managers. In addition, at that time, HR did not have a formal hiring manager manual or training process.

At the end of the investigation, OIG provided HR with a draft memo and scheduled a meeting to discuss the OIG’s conclusions and recommendations. In the memo, OIG recommended HR develop formal policies and procedures related to the hiring process which includes providing instructions to hiring managers. In addition, OIG recommended HR establish and require that hiring managers also receive training. At the meeting, Mr. Conrad and HR Director Denise Starr presented OIG with a draft “Hiring Manager Guide for the Recruitment Process.” In addition, they confirmed that HR was establishing formal training and certification for hiring managers.

The OIG’s frequently makes recommendations to reduce the risk of waste, fraud, abuse and corruption in City government. However, the OIG appreciates the proactive effort of the HR administration to address this issue. As such, the OIG acknowledges HR administration’s commitment to ensuring integrity in government operations. We thank the HR staff for their cooperation and participation during the investigation.

The OIG welcomes any opportunity to work with any City department to identify and investigate risks of waste, fraud, abuse and corruption. To arrange for an audit or investigation, please contact our office at 313-628-2517.



Denise Starr



Daryl Conrad



Tracey Meek



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DID YOU KNOW?

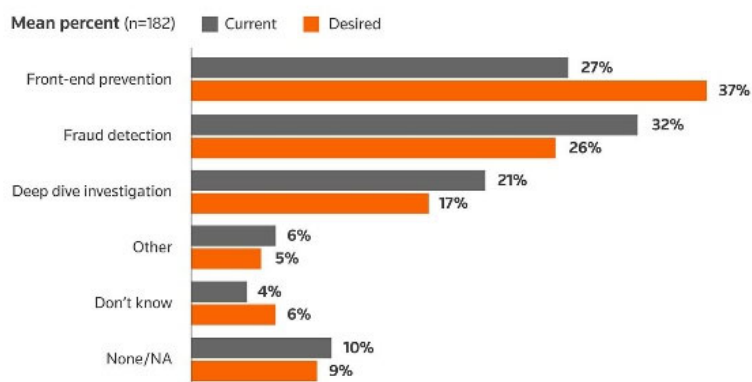
By Kasha Graves & Kaniya Foster

The bedrock of the Detroit OIG and Offices of Inspector General is preventing, detecting, and investigating occurrences of fraud, abuse, waste and corruption. There are numerous reports and surveys conducted when it comes to fraud, waste, and abuse in government. Thompson Reuters Institute states, according to their report the phrase “fraud, waste, and abuse” is used as a catch-all term for various forms of malfeasance involving government resources. It should be understood, however, that separately, these are three different types of misconduct, not all of which are illegal.

The most targeted government programs for fraud are unemployment benefits, Medicare, and federal disaster assistance. During the COVID-19 pandemic people submitted false claims to obtain money that they were not entitled. These perpetrators that committed fraud with grant programs, and unemployment claims were business owners and individuals. There was \$650 billion in extended unemployment benefits that was the responsibility of state and local government to disburse. With that in mind, fraudulent activity was bound to be on the rise.

Figure 1: **Focus of fraud, waste and abuse work**

In 2022, 27% of fraud, waste and abuse work is focused on front-end prevention, but the desire is to spend 37%.



Q4 What percent of your current fraud, waste and abuse work is focused on each of the following:
Q5 What percent of your fraud, waste and abuse work would your department like to see devoted to each of the following:

Source: Thomson Reuters 2022

A majority of those who are actively involved in preventing, detecting, and investigating fraud, waste, abuse say they feel confident that they have the tools and resources necessary to combat fraudulent activity and some departments have increased budget allocations for additional resources.

SPECIAL NOTE OF THANKS AND BEST WISHES!



We would like to thank Ms. Kendall Nelson, who served as our Intern for the summer under the Mayoral Fellowship Program. Ms. Nelson was punctual and she had great interpersonal skills. She was enthusiastic about her assignments and was willing to take on new tasks. We wish her the best as she returns to her University for her senior year!



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CHANGES TO OIG ADVISEMENTS KNOW YOUR DUTIES AND RESPONSIBILITIES By Tiye Greene

Although the OIG has been operating for over a decade, many City employees are still unfamiliar with its function and purpose. In fact, most City employees have not needed to respond to questioning or participate in any OIG interviews. Most of you, then, are likely unaware of the legal advisements and rights and responsibilities forms the OIG uses in its investigations.

If that is the case, we're about to burst your blissfully unaware bubble!

Historically, the OIG has cited to *Garrity v. New Jersey* to illustrate a public servant's rights and responsibilities in OIG investigations and interviews. However, as of August 1, 2023, the OIG discontinued use of the *Garrity* form and began to using the *Kalkines* form in line with *Kalkines v. United States* instead. While both advisements generally serve the same purpose and provide comparable protections, the OIG determined that the principles upheld in *Kalkines* are more consistent with the rights, obligations, and duty to cooperate that are enshrined in the 2012 City Charter. For that reason, we will refer to our advisements as "*Kalkines* advisements" going forward.

We've all seen Law & Order. Or maybe it's The Wire for some other folks. Either way...most of us know how the "Miranda Warnings" go... "*You have the right to remain silent. Anything you say can and will be used against you...and blah blah blah.*" Administrative investigations are very different. As noted above, the Charter requires your full cooperation with OIG investigations. Therefore, silence is not always an option. *Kalkines* and the Charter supports this premise.

Bottom Line: The 2012 City of Detroit Charter obligates public servants to cooperate with any OIG investigation, and the utility of a *Kalkines* advisement is to inform an employee that (1) they have a duty to cooperate and (2) the City has the right to terminate them should they fail to cooperate so long as the City has adequately informed them of their use-immunity rights.

OIG Contact Practical Guidance

Because of the often overlooked but very big differences between criminal and administrative investigations, people don't always know how to respond to requests from the OIG. Fear not... here are a few quick tips on how best to fulfill your charter mandated duties and responsibilities.

- ◆ *Keep calm!* Receiving a call or email from the OIG does not, by itself, mean you have done anything wrong or that you are being investigated..
- ◆ Be mindful of confidentiality requirements, under the Charter. All OIG investigations and related information requests are confidential. However, if the OIG asks to interview during work hours, you should let your supervisor know.
- ◆ Remember you must respond to all OIG inquiries! As discussed above, a failure to respond is punishable under applicable law.
- ◆ Provide truthful and complete responses. Providing false or fabricated answers may open the door to use of those statements against you in future proceedings.