



FACT SHEET

ELAINE M. HOWLE
State Auditor

Date: **March 22, 2007**

Report: **I2007-1**

The California State Auditor released the following report today:

Investigations of Improper Activities by State Employees July 2006 Through January 2007

BACKGROUND

Since July 1993 the State Auditor's office has identified improper governmental activities totaling \$23.8 million. The State Auditor has broad authority to perform independent investigations into complaints that state employees have engaged in improper conduct in accordance with the California Whistleblower Protection Act (Whistleblower Act). The Whistleblower Act defines an "improper government activity" as any action by a state agency or employee during the performance of official duties that violates any state or federal law or regulation; that is economically wasteful; or that involves gross misconduct, incompetence, or inefficiency.

KEY FINDINGS

Between July 1, 2006, through January 31, 2007, the State Auditor's office:

- Received 2,443 allegations from the Whistleblower Hotline (hotline), mail, its Web site, or from individuals who visited the office.
- After careful review, opened 268 cases from these allegations—the remainder were outside the office's jurisdiction.
- Substantiated nine investigations, and concluded that some state employees and departments acted improperly as follows:
 - ✓ A Department of Conservation employee engaged in activities that were incompatible with his state employment and improperly used state resources.
 - ✓ A California Exposition and State Fair (Cal Expo) official violated state conflict-of-interest laws when he authorized Cal Expo to purchase his personal vehicle.
 - ✓ An employee with the Department of Health Services failed to subtract his normal commute time while he attended a four-month training academy, resulting in 241.5 hours of compensated time off—a potential overpayment of \$7,453.
 - ✓ A Bureau of Automotive Repair manager did not properly monitor employees under her supervision, resulting in time and attendance abuse by some of those she supervised.
 - ✓ Several entities misused communications technology (telephones, cell phones and computers), including:
 - A Franchise Tax Board employee made or received personal phone calls totaling 495 hours or \$15,765 in salary.
 - A California State University, Bakersfield, employee used a university computer to view pornographic material.
 - A Department of Parks and Recreation employee misused a state-issued wireless phone to make/receive more than 3,300 personal phone calls over a 13-month period.

Of the actions taken by state departments in response to previously reported investigations, some fell short of taking full corrective action:

- The Department of Corrections and Rehabilitation (Corrections) has failed to account for 15,340 hours for three employees, costing the State \$563,785 since May 2003.
- Corrections continued to allow exempt employees to improperly accrue 268 holiday credit hours when they were not scheduled to work, and did not require exempt employees to account for their full workday when absent, costing the State an additional \$30,070.

Contact: ELAINE M. HOWLE **Telephone:** (916) 445-0255 **Internet:** www.bsa.ca.gov
Whistleblower Hotline: **(800) 952-5665**