

STATE OF LOUISIANA

OFFICE OF STATE INSPECTOR GENERAL



GOVERNOR'S OFFICE OF HOMELAND SECURITY AND EMERGENCY PREPAREDNESS

Misuse of State Vehicle and Other Irregularities

Date Released:

January 10, 2008

File No. 1-08-0008

STATE OF LOUISIANA

OFFICE OF
STATE INSPECTOR GENERAL



**Governors Office of Homeland Security
and Emergency Preparedness**

**Misuse of State Vehicle and
Other Irregularities**

Sharon B. Robinson, CPA, CIG, MBA
State Inspector General

A handwritten signature in black ink, appearing to read "K. Blanco", is written over a horizontal line.

Approved by:
Governor Kathleen Babineaux Blanco

January 7, 2008
File No. 1-08-0008

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State of Louisiana
DIVISION OF ADMINISTRATION

OFFICE OF STATE INSPECTOR GENERAL
Sharon B. Robinson, CPA, CIG, MBA
(225) 342-4262
1-800-354-9548
FAX (225) 342-6761

KATHLEEN BABINEAUX BLANCO
GOVERNOR

JERRY LUKE LEBLANC
COMMISSIONER OF ADMINISTRATION

January 7, 2008

Honorable Kathleen Babineaux Blanco
Governor of the State of Louisiana
P.O. Box 94004
Baton Rouge, LA 70804-9004

Re: Case No. 1080008

Dear Governor Blanco:

This report addresses concerns raised about the Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP). The report includes six recommendations that, if implemented, could help improve GOHSEP's operations.

We provided drafts of the report to Mr. Perry "Jeff" Smith, Mr. Josh McNemar, Ms. Annick Leger, and Ms. Delania LeBlanc. Written responses from Mr. Smith, Mr. McNemar, and Ms. LeBlanc are included as Appendix A. Ms. Leger did not provide a response.

Respectfully submitted,

A handwritten signature in purple ink that reads "Sharon B. Robinson".

Sharon B. Robinson, CPA, CIG, MBA
State Inspector General

SBR/DM/kn
Enclosure

Executive Summary

Audit Initiation

The Office of State Inspector General received a complaint containing four allegations of wrongdoing by employees at the Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP). On November 28, 2007, we held an entrance conference with GOHSEP Acting Director Jeff Smith and Deputy Director Fred Palmer to advise them of the allegations and our plan to conduct an investigation. Mr. Smith offered complete cooperation with our office and issued a directive requiring all GOHSEP employees to cooperate with our investigation.

Our objective was to determine if the allegations were valid. We found that two allegations pertaining to unauthorized use of a GOHSEP vehicle and improper use of "banked" compensatory time were valid.

Summary of Findings

Our investigation resulted in the following findings:

- Joshua Lee McNemar, a GOHSEP temporary unclassified employee at the time, used an agency vehicle for personal use from Saturday, June 23, through Sunday, June 24, 2007, without authorization. Mr. McNemar traveled over 200 miles in the vehicle during the weekend. Mr. McNemar then altered the official vehicle log (MV-3) in an attempt to hide the use of the vehicle. Mr. McNemar was not truthful when questioned by the GOHSEP Internal Audit (IA) staff regarding the use of the vehicle resulting in the IA issuing a report which contained factual inaccuracies. Although Mr. McNemar was directed by the GOHSEP Acting Director to cooperate with the OIG investigation, Mr. McNemar was not truthful with an OIG auditor when first questioned about his use of the vehicle. During a second questioning session by OIG auditors, Mr. McNemar gave a more accurate account of his use of the vehicle.

Following the GOHSEP IA investigation and issuance of its report, Mr. McNemar was promoted to a permanent unclassified position in the GOHSEP.

- Annick Leger, a GOHSEP temporary unclassified employee, allowed Delania LeBlanc, a GOHSEP temporary unclassified employee at the time, to "bank" compensatory time (accumulate compensatory time without reporting it through proper channels) after being advised by the Human Resources Manager that the practice was prohibited. Ms. Leger supervised Ms. LeBlanc at the time. Ms. Leger also entered time for Ms. LeBlanc and signed Ms. LeBlanc's name on an official time sheet submitted to the Human Resources Department which indicated Ms.

LeBlanc was on duty from May 7, 2007 through May 11, 2007. Ms. LeBlanc was actually on vacation during that time.

- Delania LeBlanc submitted a copy of an earned compensatory time document to Annick Leger which contained a false date of submission. The document was then submitted to the Human Resources Department as documentation that Ms. LeBlanc had worked 40 hours of overtime. The original document was written in different color ink and the copy was backdated in an attempt to mislead the Human Resources Department into believing the document was prepared contemporaneous with the dates listed on the document (February 1, 2007 through March 23, 2007).

Ms. Leger and Ms. LeBlanc gave false information to the GOHSEP Human Resources Manager during an investigation into the compensatory time issue. Although Ms. Leger had been directed by the GOHSEP Acting Director to cooperate with the OIG investigation, during the original interview conducted by an OIG auditor, Ms. Leger gave false information regarding the documentation of the compensatory time reportedly earned by Ms. LeBlanc. Ms. Leger later requested a second interview at which time she changed her statement.

- The GOHSEP IA issued a report on the incident to GOHSEP management which did not fully outline the extent of the wrongdoing.

Background

The Governor's Office of Homeland Security and Emergency Preparedness' responsibilities include but are not limited to managing federal disaster declarations and coordinating state disaster declarations. Over the years, the mission has evolved to include the spectrum of natural, man-made disasters and as of 2003, the duties and responsibilities for supporting Louisiana's Homeland Security needs. GOHSEP is currently under the leadership of Acting Director, Jeff Smith.

The GOHSEP consists of the following seven sections:

- Disaster Recovery
- Executive
- Information Technology
- Operations
- Preparedness
- Support Services
- Regional Support

Scope and Methodology

We conducted our investigation in accordance with Principles and Standards for Offices of Inspector General as promulgated by the Association of Inspectors General.

The scope of the investigation was limited to the four allegations in the complaint letter. Our procedures consisted of reviewing and analyzing certain GOHSEP records as well as interviewing current and former employees.

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Finding #1: Unauthorized Use of a GOHSEP Vehicle

Joshua Lee McNemar, a GOHSEP temporary unclassified employee at the time, used an agency vehicle for personal use from Saturday, June 23, through Sunday, June 24, 2007, without authorization. Mr. McNemar traveled over 200 miles in the vehicle. Mr. McNemar then altered the official vehicle log (MV-3) in an attempt to conceal his use of the vehicle (See Attachment A). Mr. McNemar was not truthful when questioned by the GOHSEP Internal Audit (IA) staff regarding the use of the vehicle resulting in the IA issuing a report which contained factual inaccuracies. Although Mr. McNemar was directed by GOHSEP's Acting Director to cooperate with the OIG investigation, Mr. McNemar was not truthful with an OIG auditor when first questioned about his use of the vehicle. During a second questioning session by OIG auditors, Mr. McNemar gave a more accurate account of his use of the vehicle.

In spite of the GOHSEP IA investigation and issuance of its report, Mr. McNemar was promoted to a permanent unclassified position in the GOHSEP.

Use of the GOHSEP Vehicle

According to Mr. McNemar, on Saturday, June 23, 2007, at around 10:00am, he drove his personal vehicle to the GOHSEP facility on Independence Blvd. with the intention of obtaining a GOHSEP vehicle for personal use. Mr. McNemar entered the facility and retrieved the keys to a Ford Crown Victoria used as a pool vehicle by authorized employees. Mr. McNemar worked in the same office as the GOHSEP Fleet Manager and had access to vehicle keys. Mr. McNemar then drove the vehicle to his apartment on Corporate Blvd. and loaded a musical keyboard into the vehicle. Mr. McNemar then drove the vehicle to his parents' home in Vidalia, LA and unloaded the keyboard. He left the vehicle at his parents' home and traveled with his parents to Shreveport. On Sunday evening, June 24, 2007, Mr. McNemar drove the vehicle to Baton Rouge and returned it to the GOHSEP facility at around 4:00pm. The entire trip totaled approximately 200 miles.

Mr. McNemar's unauthorized use of a GOHSEP vehicle may have violated LSA-R.S. 14:68, Unauthorized use of a movable, and/or LSA-R.S. 14:68.4, Unauthorized use of a motor vehicle.

Falsifying Official Vehicle Log (MV-3)

According to Mr. McNemar, after returning the vehicle to the GOHSEP facility, he altered the official MV-3, a public document, to conceal the miles he placed on the vehicle. In an attempt to hide the fact that he had used the vehicle, Mr.

McNemar used “white out” to cover the actual odometer and mileage entries on the MV-3 associated with an official trip by another employee on June 20, 2007. Mr. McNemar then entered false mileage and odometer entries to include the miles he placed on the vehicle. He made no entries on the MV-3 for the dates he actually drove the vehicle.

Mr. McNemar’s falsification of the MV-3 may have violated LSA-R.S. 14:132, Injuring public records, and/or LSA-R.S. 14:133, Filing or maintaining false public records.

GOHSEP Internal Audit Report

The GOHSEP Internal Audit staff conducted an investigation into Mr. McNemar’s unauthorized use of the GOHSEP vehicle. The IA staff interviewed Mr. McNemar and was told that the vehicle was driven to and from Prairieville on Saturday and again on Sunday but that the vehicle was not kept out overnight on Saturday. The IA staff accepted Mr. McNemar’s account as factual without conducting a thorough investigation to verify these facts. The IA staff concluded, based on Mr. McNemar’s statements, that Mr. McNemar only drove the vehicle a total of about 40 miles. As a result, IA issued a report to GOHSEP management which contained factual inaccuracies. Based on the IA report, GOHSEP management issued a reprimand letter to Mr. McNemar and required him to reimburse the GOHSEP for the use of the vehicle. Mr. McNemar reimbursed the GOHSEP \$17.60 (40 miles @ the state rate of 44 cents per mile).

While the dollar value may be immaterial, Mr. McNemar’s unauthorized use of GOHSEP’s vehicle exposed the agency to great risk of liability.

Recommendations:

1. GOHSEP management should take additional disciplinary action against Mr. McNemar based on the actual facts associated with his actions. At a minimum, Mr. McNemar should be required to reimburse the agency \$70.40 (160 miles @ 44 cents per mile) for the additional miles he drove the vehicle
2. GOHSEP management should ensure policies are in place making employees aware of appropriate use of public vehicles and establish penalties for inappropriate use.
3. GOHSEP should prohibit “White Out” on MV-3’s.

Finding #2: “Banking” Compensatory Time In Violation of GOHSEP Policy

Annick Leger, a GOHSEP temporary unclassified employee, allowed Delania LeBlanc, a GOHSEP temporary unclassified employee at the time, to “bank” compensatory time after being advised by the Human Resources Manager that the practice was prohibited (“banking” compensatory time means an employee is allowed to work overtime and then take the hours off at a later time. However, these overtime hours are not documented in the agency’s records). Ms. Leger supervised Ms. LeBlanc at the time. Ms. Leger also entered time for Ms. LeBlanc and signed Ms. LeBlanc’s name on an official time sheet (See Attachment B) submitted to the Human Resources Department. The time sheet indicated Ms. LeBlanc was on duty from May 7, 2007 through May 11, 2007. However, Ms. LeBlanc was actually on vacation that week.

In November of 2006, the GOHSEP Human Resources Manager, Andreas Hansen, learned that temporary employees in the Hazard Mitigation Section were being allowed to bank compensatory time for overtime hours worked. At the time, temporary employees in that section were not supposed to be allowed to work overtime. Mr. Hansen held a meeting with section employees and verbally advised that the practice of banking compensatory time was prohibited. William Haygood, Grant Chief over the Road Home Program in the Hazard Mitigation Section at the time, allowed employees who had banked compensatory time prior to the meeting to take the compensatory time off during the Christmas and New Year holidays of 2006.

According to Mr. Haygood, at some point after the November meeting, Ms. LeBlanc asked him if she would be allowed to use her banked compensatory time for a cruise. Mr. Haygood told her she would be allowed to take the time off using her banked compensatory time.

In April, 2007, Ms. LeBlanc, Ms. Leger, and several other Hazard Mitigation employees were transferred to the Public Assistance Section due to a lack of work load in the Hazard Mitigation Section. According to Mr. Haygood, after the transfer, Ms. LeBlanc came to him and asked if she would still be allowed to take the compensatory time off for her cruise. Mr. Haygood advised Anne Marie Burgard, Ms. LeBlanc’s new supervisor in the Public Assistance Section, about the arrangement for Ms. LeBlanc to take the banked compensatory time off for her cruise. Ms. Haygood stated he understood that the compensatory time Ms. LeBlanc was planning to use had been banked prior to the November meeting. Mr. Haygood, Ms. Burgard, Ms. Leger, and Ms. LeBlanc then met and discussed the time sheet associated with the time period Ms. LeBlanc would be off. He stated he did not recall if Ms. Leger was specifically told to enter the time for Ms. LeBlanc and to sign Ms. LeBlanc’s name to the timesheet.

In an interview with Mr. Hansen, Ms. Burgard stated that Mr. Haygood explained to her that employees in the Hazard Mitigation Section were allowed to use banked compensatory time for time off, and Ms. LeBlanc was the only one who had not taken the time off. He asked Ms. Burgard if Ms. LeBlanc would be allowed to take the time off for her cruise. Ms. Burgard stated that Mr. Haygood confirmed to her that Ms. LeBlanc had worked the hours so she allowed Ms. LeBlanc to take the time off using banked compensatory time for the period of May 7, 2007 through May 11, 2007. Neither Mr. Haygood nor Ms. Leger obtained documentation from Ms. LeBlanc of her overtime hours worked prior to Ms. LeBlanc taking the time off.

Ms. Leger was aware that GOHSEP prohibited employees from entering time for other employees. However, Ms. Leger stated she understood she was supposed to enter the time and sign Ms. LeBlanc's name on the time sheet for the period Ms. LeBlanc was out, and that is what she did.

When the time sheet was submitted to the Human Resources Department, a Human Resources employee noticed the time entered for Ms. LeBlanc. The employee was aware that Ms. LeBlanc was actually on vacation for that week so she approached Ms. Leger and asked for documentation supporting the compensatory time Ms. LeBlanc was allowed to use for the time off. The employee stated that Ms. Leger told her she did not have the documentation with her then and would have to retrieve it.

The Human Resources employee stated that a copy of a document was submitted to Human Resources documenting the date and hours that Ms. LeBlanc had earned the compensatory time. Agency records indicate that no hours were entered into the system for the period May 7, 2007 through May 11, 2007, for Ms. LeBlanc resulting in her not being paid for that week.

Records indicated that GOSHEP management took administrative action against Mr. Haygood for his actions. However, no action was taken against Ms. Leger.

Ms. LeBlanc resigned from GOHSEP on July 5, 2007.

Recommendations:

4. Administrative action should be taken against Annick Leger for allowing Delania LeBlanc to bank compensatory time after being advised that the practice was prohibited and for entering time and signing Ms. LeBlanc name to a time sheet against GOHSEP policy.
5. GOHSEP should issue formal written policies that clearly outline rules regarding the earning, taking, proper documenting, and approval of overtime.

Finding #3: Banked Compensatory Time Document

Delania LeBlanc submitted a copy of an earned compensatory time document to Annick Leger which contained a false date of submission. The document was then submitted to the Human Resources Department as documentation that Ms. LeBlanc had earned the compensatory time. The original document was written in different color ink and the copy was backdated to March 26, 2007, in an attempt to mislead the Human Resources Department into believing the document was prepared contemporaneous with the dates listed on the document (February 1, 2007 through March 23, 2007).

Ms. Leger and Ms. LeBlanc gave similar false information to the GOHSEP Human Resources Manager during his investigation into the compensatory time issue. Although Ms. Leger had been directed by the GOHSEP Acting Director to cooperate with the OIG investigation, during an interview conducted by an OIG auditor, Ms. Leger gave false information regarding the documentation of the compensatory time reportedly earned by Ms. LeBlanc. Ms. Leger later requested a second interview at which time she changed her statement.

A time sheet was submitted to the GOHSEP Human Resources Department indicating that Ms. LeBlanc was on duty for the period May 7, 2007 through May 11, 2007. The Human Resources Department requested documentation from Ms. Leger supporting the 40 hours of compensatory time Ms. LeBlanc had been given credit for to cover the week she had taken off. A Human Resources Department employee stated that shortly after making the request to Ms. Leger for documentation, she witnessed Ms. LeBlanc and Ms. Leger working together preparing a document outlining banked compensatory time reportedly earned by Ms. LeBlanc during February and March of 2007. A copy of the document was submitted to the Human Resources Department as documentation that Ms. LeBlanc had earned 40 hours of compensatory time (See figure below). The copy submitted had a note written on it which read, "ANNICK, THIS IS MY TIME THAT HAS BEEN MADE UP. THANKS, DELANIA 3/26/07".

FEBRUARY		MARCH	
1 1 1/2	19 2 HRS	1 x	20 TRAINING
2 2 HRS	20 (HOLIDAY)	2 x	21 " "
5 x	21 x	5 2 HRS	22 2 HRS
6 x	22 x	6 1 1/2	23 2 HRS
7 2 HRS	23 2 HRS	7 x	
8 2 HRS	24 2 HRS	8 1 1/2	
9 x	27 x	9 2 HRS	
12 2 HRS	28 x	12 2 HRS	18 1/2 HRS
13 2 HRS		13 1 1/2	19 HRS
14 2 HRS		14 2 HRS	
15 x	2 1 1/2 HRS	15 2 HRS	
16 2 HRS		16 x	
		19 TRAINING	

ANNICK,
THIS IS MY TIME
THAT HAS BEEN MADE
UP.
THANKS,
DELANIA
3/26/07

When Ms. Leger was questioned by Mr. Hansen regarding the reported earned compensatory time document, Ms. Leger told Mr. Hansen that she (Ms. Leger) had the document since March of 2007. Ms. LeBlanc told Mr. Hansen that she had prepared the document in February and March of 2007, as she worked the hours. Ms. Leger's statement to Mr. Hansen conflicted with statements she gave to the OIG auditor.

When Ms. Leger was originally questioned by the OIG auditor, she said that on the Monday following Ms. LeBlanc's vacation, Human Resources requested she (Ms. Leger) provide documentation that Ms. LeBlanc had earned the 40 hours of compensatory time. Ms. Leger said she requested the documentation from Ms. LeBlanc and received multiple sheets listing the compensatory hours earned. Ms. Leger stated she gave the sheets back to Ms. LeBlanc and directed her to compile the data onto one sheet for Human Resources. Ms. Leger said she witnessed Ms. LeBlanc compiling the data from the multiple sheets onto a single sheet but did not assist Ms. LeBlanc in writing the data on the single sheet. She said Ms. LeBlanc gave her a copy of the original document.

The OIG auditor explained to Ms. Leger that her explanation of the events conflicted with the documents in question. Ms. Leger was then asked if the multiple sheets she claimed were used to prepare the single document actually existed. Ms. Leger stated that there were multiple documents.

In a subsequent interview, Ms. Leger recanted her statement to the OIG auditor and admitted she had not been truthful during the original interview. Ms. Leger stated that although she had seen multiple sheets containing compensatory time notes near Ms. LeBlanc's computer during February and March, Ms. LeBlanc did not give her these sheets after Ms. Leger requested documentation from Ms. LeBlanc. Ms. Leger stated she did not witness Ms. LeBlanc prepare the original earned compensatory time document (See figure at right), and Ms. LeBlanc only gave her a copy of the document. Ms. Leger stated she could not verify the accuracy of the information on the document but believes Ms. LeBlanc worked the hours. Ms. Leger stated she did not notice the date (3/26/07) on the document and does not know why Ms. LeBlanc placed that date on it. She said she knows the document was not created at that time and believes it was created after Human Resources requested the documentation.

FEBRUARY		MARCH	
1 1 1/2	19 2 HRS	1 X	20 TRAINING
2 2 HRS	20 (HOLIDAY)	2 X	21 11:00
5 X	21 X	5 2 HRS	22 2 HRS
6 X	22 X	6 1 1/2	23 2 HRS
7 4 HRS	23 2 HRS	7 X	
8 2 HRS	24 2 HRS	8 1 1/2	
9 X	27 X	9 2 HRS	
12 2 HRS	28 X	12 2 HRS	15 1/2 HRS
13 2 HRS		13 1 1/2	
14 2 HRS		14 2 HRS	
15 X	21 1/2 HRS	15 2 HRS	
16 2 HRS		16 X	
		19 TRAINING	

Ms. Leger also could not explain why Ms. LeBlanc would have used different color ink when she prepared the original document since the document was not prepared contemporaneous with the dates on the document.

Ms. Leger also admitted she had not been truthful during her interview with Mr. Hansen.

We contacted Ms. LeBlanc and advised her that her statements to Mr. Hansen regarding the earned compensatory document were in question. Ms. LeBlanc stated she was busy and would call back. As of the date of this report, Ms. LeBlanc has not returned the call.

Recommendation:

6. The GOHSEP management should consider taking administrative action against Annick Leger due to her false statements given to the Human Resources Manager during his investigation and her false statements to the OIG auditor during the original interview. The fact that the GOHSEP Director had directed Ms. Leger to cooperate with the OIG investigation should be taken into account when considering the extent of the administrative action.

Time Sheet for Org Unit				Time Sheet for PP							Week No.						Total Hrs	
Week Day / Date	MON	TUE	WED	THU	FRI	SAT	SUN	12-May	12-May	SUN	12-May	12-May	12-May	12-May	12-May	12-May	12-May	Total Hrs
BETHLEY, SHAMETRA	7:25	5:25	7:25	5:25	7:00	1:30	7:00	5:00	7:10	5:00	7:10	5:10	5:10	5:10	5:10	5:10	5:10	50
EMPLOYEE NUMBER	206256																	
SIGNATURE	<i>[Signature]</i>																	
NAME	HANCHETT, BONNIE																	
EMPLOYEE NUMBER	208554																	
SIGNATURE	<i>[Signature]</i>																	
NAME	JACKSON, VANESSA																	
EMPLOYEE NUMBER	205601																	
SIGNATURE	<i>[Signature]</i>																	
NAME	JONES, ALEXIS																	
EMPLOYEE NUMBER	199759																	
SIGNATURE	<i>[Signature]</i>																	
NAME	LEBLANC, DELANIA																	
EMPLOYEE NUMBER	203678																	
SIGNATURE	<i>[Signature]</i>																	
NAME	LEGER, ANNICK																	
EMPLOYEE NUMBER	206256																	
SIGNATURE	<i>[Signature]</i>																	
NAME	MANSFIELD, CLARESSA																	
EMPLOYEE NUMBER	197030																	
SIGNATURE	<i>[Signature]</i>																	
NAME	DENORA, MARLENE																	
EMPLOYEE NUMBER	875																	
SIGNATURE	<i>[Signature]</i>																	

Delania's name signed by Ms. Leger.

Entries made by Ms. Leger.

- Legend
- LA - Annual Leave
 - LB - Sick Leave
 - LW - Leave without pay
 - Z001 - Comp Time earned
 - Z002 - overtime pd system calc.
 - FL - Funeral Leave
 - ZA03 - Overtime Paid @ 1.5
 - LH - Holiday Paid
 - JD - Jury Duty
 - ZA02 - overtime pd @ ST rate

OK

[Handwritten initials]

[Signature]
ANNEMARIE BURGARD

Time Administrator's Signature/Date:

I, the employee and/or time administrator certify that the entries I have made are correct and true. Incorrect or false entries may be cause for disciplinary action.

APPENDIX A

Responses



KATHLEEN BABINEAUX BLANCO
GOVERNOR

State of Louisiana

GOVERNOR'S OFFICE OF HOMELAND SECURITY AND EMERGENCY PREPAREDNESS

PERRY JEFF SMITH, JR., CPA
COLONEL (RETIRED)
ACTING DIRECTOR

January 7, 2008

Ms. Sharon Robinson, CPA, CIG, MBA
State Inspector General
P. O. Box 94095
Baton Rouge, LA 70804

RE: Agency Response to Case No. 1080008

Dear Ms. Robinson

The following is the agency response to each of the findings on the above referenced report.

Finding #1: unauthorized use of a GOHSEP vehicle

It is very clear from the State Inspector General (IG) report that the employee did not tell the truth to the GOHSEP internal auditor (IA) and that the infraction was more serious than originally identified. As brought out in the IG report, GOHSEP did take action on this matter before the IG was involved. I believe that based on the initial IA report the action taken by the agency was reasonable. However, had the entire truth been known to GOHSEP management, a more serious form of punishment would have been metered out.

The agency concurs with the three recommendations on this finding and is also going to take the following additional actions relating to the employee;

1. Suspend without pay for one (1) week
2. Prohibit any favorable personnel actions to include salary increases for a twelve (12) month period
3. Place on probation for a period of twelve (12) months; during which time any infraction of policy or procedures may result in immediate termination

Finding #2 and #3: "banking" compensatory time in violation of GOHSEP policy and banked compensatory time document

These two (2) findings are based on the same event and the IG recommended actions that should be taken (recommendations numbers 4. and 6.) are the same. As with finding #1, GOHSEP IA had already conducted an investigation and taken action. Also, as pointed out in the IG report there was no monetary loss to the state. However, the IG report did disclose additional information and brought out the fact that a current employee had been untruthful with the IA and did prepare improper documentation to support claims of compensatory time.

Ms. Sharon Robinson
Page 2
January 7, 2008

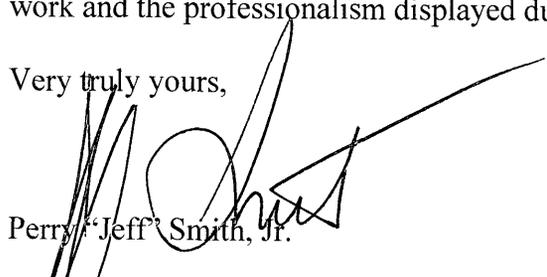
GOHSEP management concurs with recommendations 4 and 6 and will place a letter of reprimand in the employees file. This letter will remain in her file for six (6) months and will be removed if there are no further violations of policy and procedure by the employee. In discussing this matter with the IG auditor, it is my understanding that he feels this is a good employee and this investigation helped her "learn a valuable lesson".

Recommendation number 5 has been addressed by way of an overtime policy and policies on documenting time and attendance.

Effective January 14th, 2008 I will no longer be the Director of GOHSEP. By way of this response I am directing the Deputy Director of GOHSEP, Fred Palmer, to insure that the actions stated in this response are completed by January 31, 2008 and that the GOHSEP internal auditor, Mr. George Schmidt, follow up on the actions and issue a closing letter to the IG not later than February 15th 2008.

I would like to commend that staff of the State Inspectors General's Office for the quality of work and the professionalism displayed during this matter.

Very truly yours,



Perry "Jeff" Smith, Jr.

cc Jimmy Clark
Terry Ryder
Fred Palmer
George Schmidt
Susan Severance



KATHLEEN BABINEAUX BLANCO
GOVERNOR

State of Louisiana

GOVERNOR'S OFFICE OF HOMELAND SECURITY
AND
EMERGENCY PREPAREDNESS

PERRY JEFF SMITH, JR., CPA
COLONEL (RETIRED)
ACTING DIRECTOR

January 3, 2008

Sharon B. Robinson, CPA, CIG, MBA
State Inspector General
Office of State Inspector General
150 Third Street, Third Floor
Baton Rouge, LA 70804

Re: Case No. 1080008

Dear Ms. Sharon Robinson:

I would like to start off by apologizing for my wrongdoing. As a beginner at state employment, I would like to ask for some latitude in this investigation. I was raised in a christian, conservative home, taught principles and values and knowing right from wrong, but I feel that I have a lot of learning to do with employment and government. I have a deep love for politics and I have a strong desire to be successful in Louisiana government and I do not want anything to stand as a stumbling block in my career. This incident is my first offense and I would hope that this would be considered a warning and learning tool for the future.

As I told Mr. David Morales, I have felt and continue to feel that I am a target to some employees at GOHSEP, because of my age and political connections. I almost consider it as harassment and I feel that I was targeted with this investigation.

The second paragraph of the first block of the investigation report says, "In spite of the GOHSEP IA investigation and issuance of its report, Mr. McNemar was promoted to a permanent unclassified position in the GOHSEP." I do not consider the position that I accepted in September a "promotion", but rather only being officially hired as a GOHSEP employee.

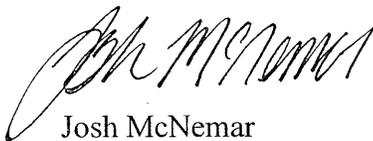
Also, since becoming a temporary GOHSEP employee on December 5, 2007 and then becoming a permanent GOHSEP employee on September 24, 2007, I have never seen or signed a Policy regarding state vehicles. I also have never seen a policy stating that white-out can not be used on MV-3's.

I am not saying that I am innocent, but rather asking for another chance. I honestly do not feel that I should be terminated from my position with the state of Louisiana because of this

one incident. I would be more than happy to agree to pay GOHSEP \$70.40 for the additional miles that I drove, as mentioned in Recommendation one (1).

Again, I hope that you will show some latitude in this investigation due to this being my first offense.

Sincerely,

A handwritten signature in black ink, appearing to read "Josh McNemar". The signature is fluid and cursive, with a large initial "J" and "M".

Josh McNemar
Assistant Facility Manager
Governor's Office of Homeland Security and Emergency Preparedness

JLM

Enclosure

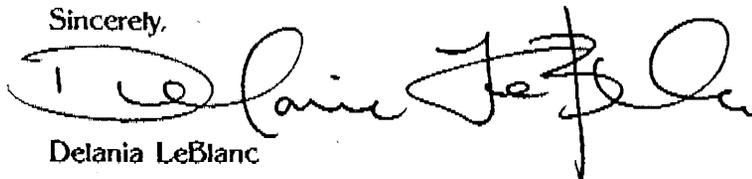
January 8, 2008

Dear Ms. Robinson:

After reviewing the document I have found that for the most part, I do agree, but would like to state the following:

- Bill Haygood gave me permission sometime in late 2007 to bank time.
- I agree I was out of the office 05/07/2007-05/11/2007.
- Annick Leger did mark the time sheet as if I was at work, but the time marked was actually "BANKED TIME" for hours that I did work prior to my trip.
- It should be noted that the time submitted showing the "Banked Time" for February and March was compiled using all "Banked Time" up and until May 7, 2007.
- The time was compacted into February and March 2007 in an effort to show that the "Banked Time" was accrued while under the supervision of Bill Haygood.
- I am not sure if a question has been raised about weather I actually worked this time because I had labeled it, "Delania's MAKE-UP TIME", but the hours listed on the sheet is actual time that I did work. Although the dates may not be accurate the hours were in fact worked prior to my trip.

Sincerely,

A handwritten signature in black ink, appearing to read "Delania LeBlanc". The signature is written in a cursive style with a large initial "D" and a long horizontal stroke.

Delania LeBlanc

APPENDIX B

Inspector General's Comment

State Inspector General's Comment

In Mr. Smith's response, he states that "In discussing this matter with the IG auditor, it is my understanding that he feels this is a good employee and this investigation helped her learn a valuable lesson." The IG auditor was relaying information received from Mark Riley, GOHSEP Assistant Deputy Director – Disaster Recovery, to Mr. Smith, regarding the employee. It should be pointed out that the IG auditor also suggested to Mr. Smith that when determining the extent of disciplinary action to be taken against the employee, he should consider the fact that the employee was untruthful to the GOHSEP Internal Auditor and Human Resource Manager when questioned by them. In addition, it was pointed out to Mr. Smith that he should also consider the fact that the employee was insubordinate to him (Mr. Smith) when she was untruthful to the IG auditor since he (Mr. Smith) had issued a written directive to GOHSEP employees requiring them to cooperate with the IG investigation. The IG auditor suggested to Mr. Smith that he consider the type of work the GOHSEP is involved in and decide if an employee who would be untruthful under these circumstances should be working for the GOHSEP.

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