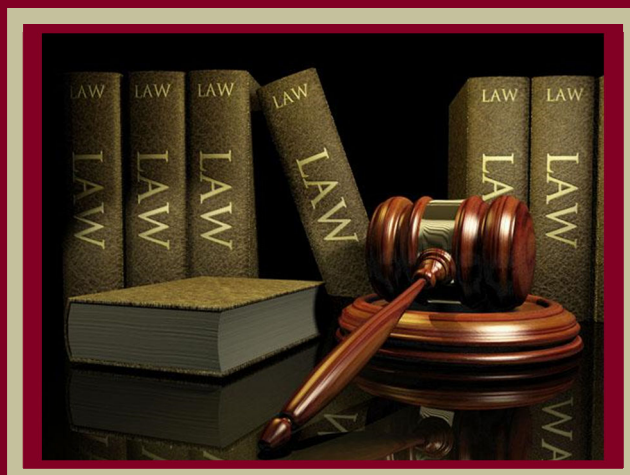
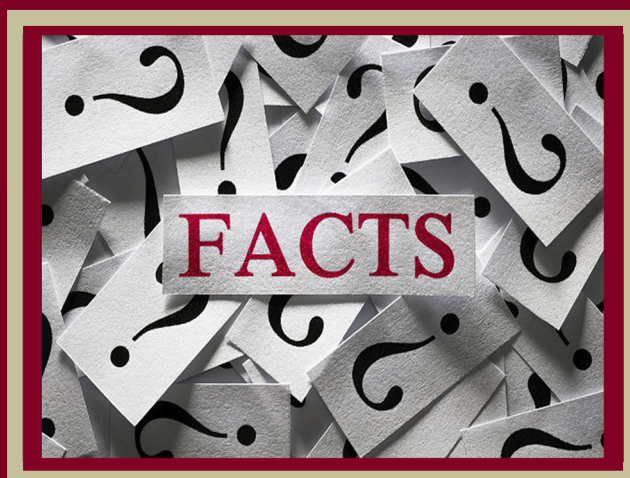
DIVISION OF INSPECTOR GENERAL
Ken Burke, CPA
Clerk of the Circuit Court and Comptroller
Pinellas County, Florida

INVESTIGATION OF MISUSE OF COUNTY EQUIPMENT





Hector Collazo Jr. - Inspector General/Chief Audit Executive

Investigative Team
Melissa Dondero - Assistant Inspector General, CPA, CIA, CIG, CIGA, CIGI, CITP, CRMA, CFS
Jason Stanley - Inspector General II, CFE, CIGA, CIGI, CISA

REPORT NO. 2019-35
NOVEMBER 22, 2019

Ken Burke, CPA
CLERK OF THE CIRCUIT COURT AND COMPTROLLER
PINELLAS COUNTY, FLORIDA

Clerk of the County Court
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Clerk and Accountant of the Board of County Commissioners
Custodian of County Funds
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Division of Inspector General
510 Bay Avenue
Clearwater, FL 33756
Telephone: (727) 464-8371
Fax: (727) 464-8386
Fraud Hotline: (727) 45FRAUD (453-7283)
Clerk's website: www.mypinellasclerk.org

November 22, 2019

Barry Burton, County Administrator
Rahim Harji, Assistant County Administrator

The Division of Inspector General's Public Integrity Unit has completed an investigation of the following allegations related to Adnan Javed, Director of Public Works:

- Mr. Javed takes home a County vehicle. ***Substantiated.***
- Mr. Javed uses a County vehicle and fuel for personal use. ***Unsubstantiated.***
- Mr. Javed tampered with a County vehicle's global positioning system (GPS) device. ***Unfounded.***

To determine whether the allegations were substantiated, we reviewed policies, procedures, and appropriate records. We also interviewed staff and other parties, as needed. Our investigation was performed according to the *Principles and Standards for Offices of Inspector General* and *The Florida Inspectors General Standards Manual* from The Commission for Florida Law Enforcement Accreditation.

We use the following terminology for the conclusion of fact/finding(s):

- **Substantiated** – An allegation is substantiated when there is sufficient evidence to justify a reasonable conclusion that the allegation is true.
- **Unsubstantiated** – An allegation is unsubstantiated when there is insufficient evidence to either prove or disprove the allegation.
- **Unfounded** – An allegation is unfounded when it is proved to be false or there is no credible evidence to support it.

The recommendations presented in this report may not be all-inclusive of areas where improvement may be needed; however, we believe implementation of the recommendations will strengthen the current internal controls.

An Accredited Office of Inspector General

Barry Burton, County Administrator
Rahim Harji, Assistant County Administrator
November 22, 2019

We appreciate the cooperation shown by the staff of the Public Works Department during the course of this review.

Respectfully Submitted,

Hector Collazo Jr.
Inspector General/Chief Audit Executive

cc: The Honorable Chairman and Members of the Board of County Commissioners
Ken Burke, CPA, Clerk of the Circuit Court and Comptroller

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INTRODUCTION

Synopsis

On July 29, 2019, the Division of Inspector General (IG) initiated an investigation after receiving an anonymous letter, which alleged Adnan Javed, Director of Public Works:

1. Was taking home a County vehicle.
2. Was using a County vehicle and fuel for personal use.
3. Tampered with a County vehicle's GPS device.

During the course of the investigation, we confirmed Mr. Javed had taken home his assigned County vehicle on a frequent basis since his employment with the County began in September 2018. There was insufficient evidence to conclude that Mr. Javed used his County vehicle for personal use. We also concluded that Mr. Javed had not tampered with the vehicle's GPS device. We determined the GPS device stopped reporting data as a result of it not being transferred to a new vehicle Mr. Javed received in April 2019.

During our interview with Mr. Javed on October 8, 2019, he admitted to taking home his assigned County vehicle numerous times, but denied ever using the vehicle for personal use nor having any knowledge of where the GPS device was located.

Background

The Public Works Department manages essential vehicular, pedestrian, and drainage infrastructure as well as critical natural and urban environmental resources for Pinellas County. The department works with citizens to provide services such as mowing, urban forestry, mosquito control, traffic control, sidewalk, road, drainage, and bridge maintenance, as well as develop and manage capital projects for the County while ensuring protection of natural and built resources.

The Public Works Department is one of the largest departments in the County, consisting of six divisions, including:

- Customer & Technical Services Division
- Transportation Division
- Stormwater & Vegetation Division
- Environmental Management Division
- Construction Division
- Survey & Mapping Division

Adnan Javed, Director of Public Works, began his employment with Pinellas County in September 2018. As director, he is responsible for overseeing the above divisions and ensuring they are operating efficiently and effectively and in the best interest of the public.

In 2015, Pinellas County entered into a contract with Synovia Solutions, LLC (Synovia) to obtain GPS devices for various departments, including Public Works. Hardware installed in vehicles gathers GPS and vehicles' diagnostic information and then transmits it to cloud based software. The software provides an interface for departments to receive and disseminate vehicle tracking, engine diagnostics, and driver behavior monitoring. Public Works currently utilizes over 300 GPS devices through Synovia.

The IG initiated an investigation after receiving an anonymous complaint that Mr. Javed had been taking home his County vehicle and using it for personal use, and had potentially tampered with the GPS device. As part of our investigation, we reviewed policies and GPS records, conducted surveillance, and interviewed appropriate staff. In addition, we conducted an inspection of Mr. Javed's vehicle in an attempt to locate a GPS device or identify any signs of tampering.

During the course of the investigation we determined that Mr. Javed received a new County vehicle on April 19, 2019. At that time, the GPS device was removed from his old vehicle and

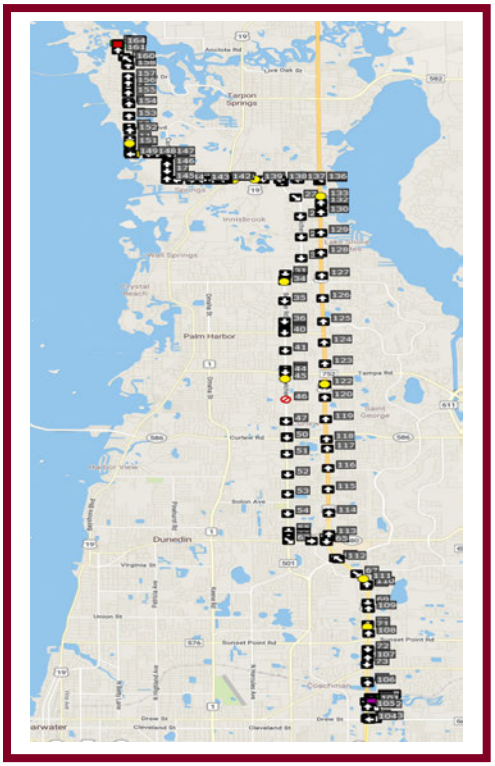
given directly to Mr. Javed with the direction to install the GPS device in the new vehicle. The GPS device was never installed in the new County vehicle.

When we interviewed Mr. Javed on October 8, 2019, he attempted to mislead investigators by denying any knowledge of his vehicle's GPS device or why his vehicle would not have one installed. We confirmed through emails and employee statements that three weeks prior to our interview, Mr. Javed was notified by email and subsequently discussed with his staff that his vehicle's GPS device was either not functioning or not installed.

We concluded that Mr. Javed violated Personnel Rule D5 (insubordination) and D11 (unauthorized use of County equipment), by ignoring direct orders from the Assistant County Administrator (ACA) and taking his County vehicle home on multiple occasions without authorization.

INVESTIGATIVE FINDINGS

1. *Mr. Javed Used County Equipment In An Unauthorized Manner.*



We reviewed GPS records, conducted surveillance, and confirmed on at least 38 occasions, Mr. Javed took his County vehicle home between November 2018 and September 2019. Per Mr. Javed's supervisor, Mr. Javed did not have authorization to take his County vehicle home. GPS records confirmed Mr. Javed took his County vehicle home 34 times between November 2018 and April 2019. When Mr. Javed was issued a new Ford Explorer on April 19, 2019, the GPS device was not transferred to the new vehicle. Therefore, no GPS records were available subsequent to that date. We conducted surveillance on 12 various days during August, September, and October 2019. We confirmed Mr. Javed took his vehicle home an additional four times during that period.

During our interview with Mr. Javed on October 8, 2019, he admitted to taking home his County vehicle numerous times during the year he worked for the County. He stated that he had taken the vehicle home more frequently in recent months due to his schedule, which required him to be in various parts of the County early in the morning or late in the afternoon. Our review of GPS records showed several instances where Mr. Javed traveled from his home in north Pinellas County, to his office located at the Public Works Campus (22211 US Hwy. 19 N. Bldg. 1), and then back home after work. (As shown in the above image)

Also, during our interview with Mr. Javed, he stated the following:

- No one informed him that he could not take a County vehicle home.
- There is no written policy prohibiting take-home vehicles.
- In his role as a director, he should be able to make the determination regarding taking home a County vehicle.

Based on our interview with Mr. Javed's supervisor, an ACA, we concluded that the ACA informed Mr. Javed on several occasions, both directly one-on-one and indirectly during staff meetings that take-home vehicles are not permitted.

Mr. Javed violated direct orders given by his supervisor. In addition to violating direct orders by taking home his assigned County vehicle, Mr. Javed violated the following Pinellas County Personnel Rules:

- D5 - Insubordination
- D11 - Unauthorized use of County equipment or property

When an employee uses a County vehicle in a manner that was not authorized, it puts unnecessary wear and tear on the vehicle, wastes taxpayer money used to pay for fuel, and diminishes the public's trust. Disregard for County rules and direct orders from management creates a negative tone at the top that could propagate to other County employees.

Mr. Javed resigned from Pinellas County, effective November 30, 2019. Therefore, no management recommendation is necessary with respect to disciplinary action.

2. There Is No Formal County Vehicle Use Policy.

The County currently lacks a documented policy regarding the appropriate use of County vehicles. We discussed the use of take-home vehicles with various departments including Risk Management, Fleet, and Public Works. We concluded that at least 10 years ago during the recession, it was determined by County Administration that County take-home vehicles would not be permitted in any department. This decision was never formally documented nor written in a County policy; the departments we spoke to referred to it as an unwritten rule.

A formal County vehicle use policy would provide guidance and instruction on the appropriate use of County vehicles. Clearly outlining what is and is not permitted when using a County vehicle helps ensure employees know what is expected of them. Additionally, having a documented policy that all employees must review and attest to provides the foundation for enforcing those rules.

The lack of a formalized policy regarding County vehicles creates a risk that directors, managers, and employees may decide what is permitted. Without stating the expectations in written policies, it is possible new hires will not be aware of what is expected, especially if "unwritten rules" are not communicated to them.

We Recommend The County Administrator:

Create a policy related to the use of County vehicles, including take-home vehicles, and disseminate it to appropriate departments and staff.

Management Response:

Management concurs. An administrative directive related to take-home vehicles has recently been created and was disseminated to all appropriate employees.

3. There Are No Formal GPS Policies Or Procedures.

There are currently no policies or procedures in place to govern the proper use and monitoring of GPS devices in Public Works vehicles. Several years ago, the previous ACA requested that all Public Works vehicles have GPS devices installed. Today, that undocumented policy is inconsistently understood amongst Public Works management; consequently, it is applied in an inconsistent manner.

GPS policies and procedures would provide guidance and instruction on the appropriate usage and monitoring of GPS devices. Well documented policies identify key activities and provide a general strategy to decision-makers on how to handle issues as they arise, such as an employee removing a GPS device without authorization. Additionally, having documented policies and procedures helps ensure staff are aware of GPS devices and are informed of what information is collected.

The lack of documented policies and procedures could create an environment in which GPS devices are not always installed in County vehicles. In addition, monitoring and reporting could be inconsistent across divisions or nonexistent within a division.

We Recommend Management:

Create applicable policies and procedures related to the use and monitoring of GPS devices for Public Works vehicles and disseminate them to appropriate staff.

Management Response:

Management concurs. We will develop formal policies and procedures related to the use and monitoring of GPS devices in County vehicles and disseminate them to appropriate staff.

Division of Inspector General

Ken Burke, CPA

Clerk of the Circuit Court
and Comptroller
Pinellas County, Florida

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Write:
Division of Inspector General
510 Bay Avenue
Clearwater, FL 33756