



**OFFICE OF INSPECTOR GENERAL  
CITY OF JACKSONVILLE**

**REPORT OF INVESTIGATION  
CASE NUMBER: 2015-0002**

Steven E. Rohan  
Interim Inspector General

**ISSUE DATE: JULY 21, 2016**

*"Enhancing Public Trust in Government"*

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**OVERTIME FRAUD  
FORMER COJ TRAFFIC ENGINEERING EMPLOYEE CHARGED  
WITH GRAND THEFT AND OFFICIAL MISCONDUCT**

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**EXECUTIVE SUMMARY**

The Office of Inspector General (OIG) received an Office of Ethics, Compliance, and Oversight referral of an anonymous complaint on January 7, 2015, concerning former City of Jacksonville (COJ) employee Todd Jackson (Jackson), Traffic Signal Repairer, Traffic Engineering Division, Department of Public Works, which alleged that Jackson parked his COJ public vehicle at his residence during various times, and also unloaded unknown materials from the COJ public vehicle. On January 12, 2015, pursuant to COJ Ordinance §602.303 (j), the matter was referred to the Office of the State Attorney, Fourth Judicial District (SAO) to investigate allegations relating to Florida Statute (F.S.) § 812.014, Theft.

Pursuant to a Jacksonville Sheriff's Office (JSO), Integrity Unit investigation, Jackson was arrested on September 14, 2015, for violations of F.S. § 812.014(2)(C)(1) Grand Theft, and F.S. § 838.022, Official Misconduct. Immediately following Jackson's arrest, the SAO contacted OIG and requested that the OIG conduct an administrative investigation related to Jackson's official misconduct. Jackson was terminated for cause effective September 17, 2015, and he did not appeal.

The OIG investigation identified that on at least fifteen (15) occasions from January 1, 2015 through August 31, 2015, Jackson had submitted either no documentation or documentation that was incomplete, inaccurate and/or false to support his overtime claims in the amount of \$1,767.02 into the COJ's Citizen Active Response Effort system (C.A.R.E.) and COJ's Traffic Engineering Activity Management System (TEAMS).

The OIG investigation also disclosed that the Traffic Engineering Division lacked internal controls to substantiate and/or verify whether overtime claimed was actually being worked by the Traffic Signal Repairers during the unsupervised On-Call Shift (midnight to 0700 hrs.). The OIG investigation disclosed that for the past three years, the Traffic Signal Supervisor had not conducted any overtime or cell phone usage reviews of its On-Call Shift employees.

As a result of both the JSO criminal investigation and the OIG administrative investigation, Jackson pled guilty and was sentenced to 6 months of community control, which included the

requirements to complete 50 hours of community service, and to pay \$2,337.46 in restitution and \$100 in court costs. The restitution amount was based on \$570.44 of unlawful compensation identified during the JSO criminal investigation, plus an additional \$1,767.02 of unlawful compensation that was identified by the OIG investigation. On April 19, 2016, the OIG transmitted to the COJ Comptroller, a Florida Department of Corrections, Court Ordered Payments Fund check in the amount of \$2,337.46 made payable to the COJ (received by OIG on April 18, 2016 via interoffice mail), which referenced Jackson's case number.

## ALLEGATIONS, GOVERNING DIRECTIVES, CONCLUSIONS, INVESTIGATIVE FINDINGS

### **Allegation (1):**

**Jackson was engaged in official misconduct relating to time and attendance fraud.**

### **Governing Directives:**

Florida Statute 812.014(2) (c) (1), Grand Theft \$300-\$4,999; Florida Statute 838.022, Official Misconduct; COJ Civil Service and Personnel Rules and Regulations, Section 9.05, Reduction in Compensation, Demotions, Suspensions without Pay and Dismissals for cause including conduct unbecoming a public employee, and falsification of records (attendance).

### **Conclusions:**

On at least fifteen (15) occasions during the period of January 1, 2015 through August 31, 2015, Jackson had submitted either no documentation or documentation that was incomplete, inaccurate and/or false to support his overtime claims in the amount of \$1,767.02 into C.A.R.E., and TEAMS.

The OIG investigation also disclosed that the Traffic Engineering Division lacked internal controls to substantiate and/or verify whether overtime claimed was actually being worked by the Traffic Signal Repairers during the unsupervised On-Call Shift. The OIG investigation further disclosed that for at least the past three years, the Traffic Signal Supervisor had not conducted any overtime or cell phone usage reviews of its On-Call Shift employees.

### **Investigative Findings:**

***Statement of Carlton Copeland (Copeland), Traffic Signal Supervisor, Traffic Engineering Division, Department of Public Works, COJ***

Copeland has held the position of Traffic Signal Supervisor since 2012. He was responsible for overseeing the duties of the Traffic Signal Repairers, which in part included maintaining and repairing all traffic signals within Duval County.

Copeland stated that the expectations for the On-Call individual working (unsupervised) during the On-Call Shift (midnight to 0700 hours) was for that individual to receive complaints or trouble calls for traffic signal locations that may be not functioning properly during those hours. The On-Call Shift employee would only handle emergency calls. Non-emergency calls generated during the On-Call shift would be handled later by day shift employee(s). Only one employee was assigned to work as the "On-Call person" during each On-Call Shift and also maintained the On-Call Shift cell phone.

The On-Call Shift employee received emergency calls during the On-Call Shift in one of several ways: (1) by telephone from JSO to the On-Call Shift cell phone; (2) by JSO dispatch to the Traffic Engineering portable radio; or (3) by notification through C.A.R.E. where citizens or employees could send in their complaints electronically.

Once notified, it was the responsibility of the Traffic Signal Repairer to respond immediately to the emergency call in an assigned COJ public vehicle. Subsequent to the call out (after attending to the malfunction) the Traffic Signal Repairer was supposed to create a C.A.R.E. issue, which then interfaced with TEAMS, and created a work order. The Traffic Signal Repairer was responsible for documenting and closing the work order out in TEAMS. Copeland stated that documentation in both C.A.R.E. and TEAMS was to be completed either the same day or during the next shift. Copeland stated that this expectation was not spelled out in any written policy, nor was there a traffic engineering policy that outlined the expectations for the On-Call Shift duties.

In the summer of 2014, Copeland established a record tracking system with JSO, whereby JSO would generate a traffic signal issue/complaint report known as "JSO Signal 91." This report would be for the previous day's traffic signal issue activity and was sent to Copeland daily via email. The JSO Signal 91 report only reflected that JSO dispatch received a call regarding a traffic signal issue from either a citizen or a police officer on patrol. Copeland stated he could track On-Call Shift activity and overtime using C.A.R.E., TEAMS, and JSO Signal 91. However, he had no way to verify that an employee had actually performed the work for which overtime had been claimed during the On-Call Shift.

Copeland had not verified every single overtime entry for Jackson, nor had he ever conducted an overtime audit for any of his employees. Copeland had never conducted a cell phone audit for his employees, which he reasoned would be handled by someone else in the Department of Public Works. Copeland stated that the Traffic Signal Repairer should keep their notes on a memo pad, but stated that he did not require them to turn in any notes. The Traffic Engineering Division did not maintain mileage logs for their vehicle usage.

Copeland understood per union guidelines, the payment requirement for call outs during the On-Call Shift for overtime was a four hour minimum, unless called out before midnight. He stated that he had not articulated expectations to his employees because so many of them had been doing their particular jobs for a number of years and that he believed that the expectations had been set by prior supervisors. Copeland confirmed that as a supervisor, he had a responsibility to the City to ensure that the records were correct and accurate.

***Statement of Nelson Caparas, Chief of Traffic Engineering, Traffic Engineering Division, Department of Public Works, COJ***

Chief Caparas stated that he deferred to Copeland for the On-Call Shift duties and was not familiar with the expectations for the On-Call Shift Traffic Signal Repairer. He was unaware of any On-Call Shift standard operating procedures for the Traffic Engineering Division. Chief Caparas stated that he was doing nothing to ensure that overtime being claimed by employees was being verified.

**Records Review**

OIG reviewed various COJ records for the period January 1, 2015 through August 31, 2015, to include: Jackson's COJ Time and Attendance System (TAS) records, cellular telephone records for both the Traffic Engineering On-Call Shift cell phone and Jackson's assigned COJ work cell phone, COJ radio records, COJ C.A.R.E., and TEAMS records, and various JSO records related to signal malfunctions and call outs to the On-Call Shift Traffic Signal Repairer.

The chart below lists the 15 overtime incidents that were identified during the OIG investigation as not being able to be verified or substantiated as legitimate call outs based on a review of records and interviews:

Overtime Date	Overtime Start Time	Overtime End Time	Overtime Hours	Overtime Paid
(1) 1/6/2015	12:22 AM	1:47 AM	4	\$110.00
(2) 1/10/2015	5:30 AM	6:28 AM	4	\$111.24
(3) 2/12/2015	2:26 AM	3:18 AM	4	\$120.72
(4) 2/14/2015	5:40 AM	6:21 AM	4	\$120.72
(5) 3/18/2015	1:28 AM	1:50 AM	4	\$113.97
(6) 5/8/2015	12:28 AM	1:45 AM	4	\$116.23
(7) 5/9/2015	1:43 AM	3:08 AM	4	\$116.23
(8) 5/29/2015	5:56 AM	7:08AM	4	\$113.97
(9) 5/30/2015	12:21 AM	12:53 AM	4	\$120.72
(10) 5/30/2015	5:36 AM	6:47 AM	4	\$120.72
(11) 8/11/2015	5:53 AM	6:35AM	4	\$120.50
(12) 8/12/2015	6:00 AM	7:10AM	4	\$120.50
(13) 8/16/2015	6:27 AM	7:23 AM	4	\$120.50
(14) 8/17/2015	6:43 AM	7:51 AM	4	\$120.50
(15) 8/20/2015	3:01 AM	3:57 AM	4	\$120.50

(Note: Jackson's pay rate changed throughout the timeframe, which accounted for the variance in overtime paid.)

Of note, twelve (12) of these fifteen (15) overtime requests were noted by Jackson to be originated by "General Citizenry" (per a review of both C.A.R.E. and TEAMS records) which generated from the same telephone number (904-630-4541). A review of both Traffic Engineering Division On-Call Shift and Jackson's work cell phones disclosed that the 904-630-4541 telephone number contacted the On-Call Shift cell phone one-hundred thirty six (136) times and Jackson's assigned work cell phone ninety (90) times during January 1, 2015 through August 31, 2015.

During the OIG investigation, this telephone number (904-630-4541) was determined to have been disconnected. Exhaustive attempts by the OIG to identify the subscriber both through the COJ, as well as through the issuance of a subpoena by the SAO, proved unsuccessful.

**RECOMMENDED CORRECTIVE ACTIONS**

1. Review the current COJ Traffic Engineering Division policy and procedures, and establish a current On-Call Shift policy. OIG recommends establishing written policies and procedures that will ensure that work completed is sufficiently, thoroughly and consistently documented in both C.A.R.E. and TEAMS, and also provides for appropriate review by management.
2. Establish internal control processes through written policies and procedures that will provide COJ management with a consistent way to verify the accuracy of overtime hours claimed by employees within the Traffic Engineering Division.
3. Advise if any personnel action was taken as a result of this investigation.

**IDENTIFIED, QUESTIONED, AND AVOIDABLE COSTS****Identified/Recoverable Costs:** \$2,337.46**Avoidable Costs:** \$45,000

Identified/Recoverable Costs are defined as losses from disbursements or activities associated with fraudulent or negligent activity, or mismanagement, which have a substantial likelihood of recovery.

Avoidable Costs are defined as dollars that an entity will not have to expend. The elimination of the On-Call shift effective October 1, 2016, as proposed the Administration's corrective action (below) will result in an annual savings of \$15,000 per year, resulting in \$45,000 of avoidable costs for the duration of the Mayor's term.

**MANAGEMENT COMMENTS AND CORRECTIVE ACTION**

On May 20, 2016, the Chief Administrative Officer, Office of Mayor Lenny Curry, City of Jacksonville, FL was provided the opportunity to submit a written explanation or rebuttal to the findings as stated in this Report of Investigation within ten calendar days. On June 10, 2016, a written response was received from the Office of Mayor Lenny Curry. The OIG then met with the Administration to clarify the response, which resulted in a revised response from the Administration dated July 13, 2016, attached to this report.

In substance, the Administration has decided that the Traffic Engineering Division will implement a third shift effective October 1, 2016, and discontinue the On-Call shift, resulting in an approximate cost savings of \$15,000 annually to the City of Jacksonville. Further, Automatic Vehicle Locators were installed in five of the ten trucks used by the Division, and these trucks will be utilized during the second and third shifts. Additionally, new policies related to On-Call Service Overtime and Vehicle Mileage have been implemented. The Chief of Traffic Engineering Division and the Traffic Signal Supervisor were counseled as to their respective responsibilities related to ensuring compliance with City policies.

Respectfully Submitted,



Steven E. Rohan  
Interim Inspector General  
July 21, 2016

**This investigation has been conducted in accordance with the ASSOCIATION OF INSPECTORS GENERAL Principles & Quality Standards for Investigations.**

cc: IG Distribution A

**OFFICE OF MAYOR LENNY CURRY**

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To: Lisa Green  
Director of Investigations

From: Marlene Russell *Marlene Russell*  
Director of Organizational Effectiveness

Date: July 13, 2016

SUBJECT: Revised Response – Draft Report of Investigation  
Case No. 2015-0002

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Due to upcoming significant changes in the Traffic Engineering Division, the Department of Public Works is submitting a revised response to Case Number 2015-0002. Below are management revised comments.

**Allegation (1)**

Mr. Jackson was engaged in official misconduct relating to time and attendance fraud.

**Recommended Corrective Action 1:**

Review the current COJ Traffic Engineering Division policy and procedures, and establish a current On-Call Shift Policy. OIG recommends establishing written policies and procedures that will ensure that work completed is sufficiently, thoroughly and consistently documented in both CARE and TEAMS, and also provides for appropriate review by management.

**Management Comments:**

The Traffic Engineering Division will implement the 3<sup>rd</sup> shift and no longer have an on-call shift. The implementation of a 3<sup>rd</sup> shift, additional reporting requirement and the installation of Automatic Vehicle Locators (AVL) on the trucks will greatly minimize the issues incurred with the on-call shift. Implementation of the 3<sup>rd</sup> shift also nets an approximate savings of \$15,000 annually. The anticipated start date of the 3<sup>rd</sup> shift is October 1, 2016, if not sooner. The 3<sup>rd</sup> shift will respond to signal calls for repairs and install temporary signs. Other tasks will be to observe any street light outages, traffic signal indication outages and pedestrian signal outages. Employees working the 3<sup>rd</sup> shift will have a list of duties/tasks to perform and will be required to document each one and provide the report to their supervisor the next business day for review.

Automatic Vehicle Locators (AVL) has been installed in five of the ten trucks utilized by the Traffic Signal Repairers. Trucks with the AVL's will be utilized for the second and third shifts. The device not only assists the supervisor with verifying work completed, it also lets him know where employees are located at all times during their shift.

**Recommended Corrective Action 2**

Establish internal control processes through written policies and procedures that will provide COJ management with a consistent way to verify the accuracy of overtime hours claimed by employees within the Traffic engineering Division.

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**Management Comments:**

The Traffic Engineering Division has implemented improved On-Call Service documentation requirements from staff to better ensure accurate overtime hours claimed. These improvements assist the Supervisor and Traffic Engineering Division management in their efforts to validate On-Call service compensation. The improvements consist of the following:

- Requests for Overtime compensation from an On-Call service now require the Repairer to enter the following information (attachment – Policy 2016-001):
  - Call-Out description
  - Location of intersection
  - Who the call came from (National Crime Information Center “NCIC”, CARE or Public – require name & phone #)
  - CARE Issue Number
  - Arrival Time
  - Departure Time
  - Accident Report Number
  - TEAMS Work Order Number
- Modifications to the Signal Cabinet Log Books has been made and now require an entry by the Repairer, anytime work is performed on the Signal, Poles, Signal Heads or any other Signal Equipment. The previous Log Book only required entries if the Cabinet was opened and tests and modifications were performed. The modified Log Book requires the following information:
  - Date
  - Time In
  - Time out
  - Name
  - Activity (with notes)
- Improvements to mileage tracking of City vehicles by requiring daily mileage records in accordance with an Overtime Hours Weekly Records Procedure (attachment – Procedure 2016-001).

Please note with the implementation of the 3<sup>rd</sup> shift the on-call shift will be eliminated and the on-call overtime policy will be voided.

**Recommended Corrective Action 3**

Advise if any personnel action was taken as a result of this investigation.

**Management Comments:**

Mr. Jackson was terminated from City employment. Additionally, Mr. Jackson’s supervisor was counseled on June 16, 2016, concerning his responsibilities to manage On-Call service and overtime compensation oversight. The Traffic Engineering Division Chief was also counseled on June 3, 2016, by the Department Director and on June 16, 2016, by the Chief Administrative Officer. The Traffic Engineering Chief has increased his understanding of the operations and is now actively focused on ensuring compliance with the newly established policies and protocol.

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Please let me know if you have any questions.

Attachments: SOP – Vehicle Mileage, No. TE2016-01 and On-Call Overtime, No. TE2016-02

cc: Steve Rohan, Interim Inspector General  
Sam E. Mousa, P.E., Chief Administrative Officer  
John P. Pappas, P.E., Director of Public Works  
Nelson Caparas, P.E., Chief, Traffic Engineering Division  
Dina Riddle, Department of Public Works  
File No. 2015-0002



**POLICY MEMORANDUM**

Effective: June 3, 2016

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<b>TITLE: Standard Operating Procedure/Policy – Vehicle Mileage</b>	<b>Policy/Procedure Number: TE2016-01</b>
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1. **PURPOSE:** To establish a policy and procedure for the Public Works Department, Traffic Engineering Division that ensures compliance with the established procedure.
2. **CANCELLATION:** All previous memorandums on this subject are cancelled and/or superseded by the policies and procedures contained herein.
3. **AUTHORITY:** Director, Public Works Department

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The Vehicle Mileage Procedure/Policy requires that all employees who is assigned and operates a vehicle submit their daily mileage to the Executive Assistant to the Division Chief weekly at the close of business on Thursday. The Executive Assistant is responsible for maintaining the records by recording the vehicle mileage. The Executive Assistant will report any discrepancies or unusual numbers to the immediate supervisor.

Unassigned vehicles will be the responsibility of each supervisor. The supervisor is responsible for reporting the mileage to the Executive Assistant.

Select vehicles will be inspected each week to confirm mileage by the supervisors. Significant discrepancies between the reported mileage and the actual vehicle mileage may initiate an investigation of usage, which could result in disciplinary action.

On-Call Service, Second Shift and Midnight Shift personnel must log vehicle mileage at the beginning of each shift and at the end of shift. Failure to submit mileage report for each night may initiate an investigation of usage which could result in disciplinary actions.

The vehicle mileage forms are located on the Shared Drive at G:>Shared\Signals\OnCallVehicleMileageReport.xlsx.



**ACKNOWLEDGEMENT OF RECEIPT OF POLICY MEMORANDUM TITLED VEHICLE MILEAGE  
POLICY TE2016-001**

I have read and understand the policy and procedure requirements of Policy/Procedure NDACPS-001 and by my signature below agree to comply with them.

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
EIN

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**Note:** This original signed page must be returned to Traffic Engineering Division, Executive Assistant.



**POLICY MEMORANDUM**

Effective: February 5, 2016

<b>TITLE: Standard Operating Procedure/Policy – On-Call Overtime</b>	<b>Policy/Procedure Number: TE2016-02</b>
<b>1. PURPOSE:</b>	To establish a policy and procedure for the Public Works Department, Traffic Engineering Division that ensures compliance with the established procedure.
<b>2. CANCELLATION:</b>	All previous memorandums on this subject are cancelled and/or superseded by the policies and procedures contained herein.
<b>3. AUTHORITY:</b>	Director, Public Works Department

The On-Call Overtime Procedure/Policy requires that requests for overtime compensation from an on-call service will require the Traffic Engineer Repairer to include and enter the call out description, location or intersection, who the call came from (NCIC – National Crime Information Center, CARE, or public call), CARE Issue Number, arrival time, departure time, crash report number, and the TEAMS Work Order number.

For the public calls, name or phone number of a caller must be included. The NCIC provides a daily report about the previous night to Traffic Engineering. In the past, the overtime request from an On-Call Traffic Signal Service only included the Call Out description and location. This information is required and any omission may be grounds for discipline.

JSO calls to the traffic signal on-call service is received through the NCIC. Public calls to 630-CITY about traffic signals during the after-hours period are automatically routed to the traffic signal on-call service. A Work Order must be created in TEAMS to close out the issue.

Anytime work is performed on the traffic signals, poles, signal heads, and other signal equipment, the activity must be recorded in the log book in the signal cabinet. A record must be noted even if the cabinet is opened and tests and modifications are performed. The Activity Log Sheet will include date, time in, time out, name, activity, and notes.



**ACKNOWLEDGEMENT OF RECEIPT OF POLICY MEMORANDUM TITLED ON-CALL SERVICE  
OVERTIME POLICY TE2016-002**

I have read and understand the policy and procedure requirements of Policy/Procedure NDACPS-001 and by my signature below agree to comply with them.

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
EIN

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**Note:** This original signed page must be returned to Traffic Engineering Division, Executive Assistant.