

## Whistleblower Hotline Report:

Allegations of waste and mismanagement in the District Attorney Victims Assistance Program



Whistleblower Hotline staff investigated allegations of fraud, waste, and abuse by staff in the District Attorney Office Victims Assistance Program. Investigative assistance was provided by Beery, Elsner, and Hammond, LLP. Staff found evidence to substantiate findings related to remote work and abuse of position.

## Hotline Tip

On March 20, 2024, the County Internal Auditor received a Whistleblower tip regarding staff in the Office of the District Attorney Victims Assistance Program from a confidential tipster. The tipster's concerns included allegations that employees conducted personal business during work hours, falsified timesheets, and did not provide adequate training. These allegations are addressed in this report.

Other allegations related to preferential treatment for male employees, use of derogatory terms about employees, and drug use in the workplace were not within the purview of the Whistleblower program. These were referred to the Deschutes County Personnel, Administrative and Legal team which found them to be not substantiated.

## Background

The Office of the District Attorney mission is "to seek justice, ensuring that the guilty are held accountable, that the innocent are protected from unwarranted harm, and that the rights of all citizens, particularly victims of crime, are respected." As a part of this mission the Office has a unit dedicated to advocating for victim's rights and helping victims navigate the criminal justice process. The unit consisted of a supervisor and eight and a half full time equivalent victim advocates.

## Investigation

Investigators conducted interviews with unit staff and reviewed the case management system activity and door access data.

**Evidence indicates that an employee may not have worked when they were supposed to be working remotely:** While an employee had permission to work out of town, they recorded working two full days but recorded only one to two hours of activity in the case management system. In another instance, they were recorded as being "out" on

the roster, had no door activity, and only recorded a half hour in the case management system when the time sheet indicated they worked a full day.

The employee stated that they worked full days while out of town on a long case file that did not require logging into the system. The employee could not recall the other instance or explain the discrepancy between the time sheet and roster. The employee signed a remote work agreement that was specific to the Victim Assistance Program. However, the agreement was not as detailed as the County agreement form, which also required documentation of productivity and supervisor monitoring.

**A supervisor rented property to an employee:** The supervisor rented property to an employee's partner and the employee lived in the house. There does not appear to be a conflict-of-interest violation because the supervisor disclosed the situation. However, there was a potential abuse of position violation. The supervisor used their position to identify a renter and did not need to advertise the property or pay for background checks. If the tenant learned of the opportunity to rent the property via the work connection or if the supervisor used their official position with the County to find the tenant, it would be a violation of Oregon Ethics Law.

**Not substantiated findings:** There was not enough evidence to substantiate that:

- The supervisor conducted excessive personal business during work hours.
- The supervisor requested staff perform personal tasks.
- The supervisor provided inadequate training resulting in government waste.
- The supervisor and another employee falsified timesheets.

## Recommendations

We offer the following recommendations to reduce the chance of receiving similar complaints in the future.

1. Require all staff working remotely to complete the County remote work agreement.
2. Require that Victims Assistance Program staff receive Oregon Ethics Law training.

## Response

The Office of the District Attorney responded to the Whistleblower report and implemented all recommendations.

### About the Whistleblower Hotline

Deschutes County's Whistleblower Hotline is the secure, anonymous way to report fraud, waste, or abuse involving the County government, its employees, or vendors. When the Office of Internal Audit finds waste or abuse of position via the Hotline, it is required by law to notify the Board of County Commissioners. This report, which is delivered to the commissioners, serves as that notice. It is also released publicly to inform about substantiated Hotline tips. For more information about the Hotline, visit [deschutes.org/administration/page/whistleblower-hotline](https://deschutes.org/administration/page/whistleblower-hotline)

