

**THE THIRD ANNUAL
QUALITY ASSURANCE REVIEW
OF THE
JEFFERSON PARISH
OFFICE OF THE INSPECTOR GENERAL'S
(OIG) 2020 REPORTS**

**BY
THE JEFFERSON PARISH
OFFICE OF THE INSPECTOR GENERAL
QUALITY ASSURANCE REVIEW COMMITTEE**

**John E. Benz, Chair
Duke McConnell
Jim Letten**

**Presented to
The Jefferson Parish Inspector General**

June 8, 2021

CC: The Jefferson Parish President

The Members of the Jefferson Parish Council

The Jefferson Parish Ethics and Compliance Commission.

I

INTRODUCTION

The three members of the Jefferson Parish Office of Inspector General's Quality Assurance Review Committee (hereafter OIG Review Committee, Review Committee or Committee) are pleased to present to the Inspector General (hereafter OIG or IG), the Parish President, Council Members and the Ethics and Compliance Commission, this our Third Annual Review of the OIG's 2020 public reports and that office's Annual Report.

We remain grateful for the trust which the members of the Jefferson Parish Ethics and Compliance Commission, Parish Government, Inspector General's Office, and the citizens of the parish have placed in each of us, both initially and through our re-appointments, by continuing to rely upon the three members of this committee to provide an objective view of—and make constructive recommendations on—the IG's 2020 reports.

Moreover, we value and appreciate this continuing opportunity to provide meaningful feedback and input in the form of findings, observations and where appropriate, recommendations to help contribute to and enhance the continued quality of future OIG reports, processes, work product and positive outcomes—all in service to the government and citizens of Jefferson Parish.

The Committee's Continuing Mission and Goals

This is the third such report which the Review Committee has been tasked to produce. In 2019, the first year in which the Committee met and rendered a report, we had to *define* our mission and did so in the first OIG Annual Report which covered 2018. That is to say, the three members of the Review Committee felt—and continue to feel strongly—that in order to ensure that our service continues to have relevance and value, we are bound by the ongoing need and duty to understand and therefore define for the taxpayers what our continuing mission and goals consist of—and equally importantly, *what they do not*...and to remain consistent with those. Stated simply, we have unanimously determined—and both experience and responses have confirmed—that the contours of our mission and goals as stated in our reviews of the 2018, 2019 and 2020 OIG reports remain valid, useful and appropriate.

It is therefore important to note that since the very formation of this Committee, we continue to recognize that our mission is not to re-investigate, analyze, evaluate or pass judgment on the OIG's investigations, decisions, conclusions, findings or recommendations. To do so would, in our estimation, run afoul of both the intent of the Parish in establishing the Review Committee and the essential separation of powers — by potentially intruding on the function, judgment and authority of the OIG as an essential, independent, non-political component of the Jefferson Parish government. Stated simply, we the Committee, do not stand in the shoes of the Inspector General—nor do we seek to supplant or replace that office or any of its members or functions.

Rather, we have unanimously determined that our focus should and does remain on carefully reviewing the OIG's work product and additionally sharing practical observations, recommendations and possible options (collectively and at times individually) which could

hopefully assist the Inspector General’s Office in producing reports of its functions and conclusions in the clearest, simplest, most understandable and easy to address format available under the circumstances; and to further provide, when appropriate, various recommendations and options for the IG to consider with a view to improving future processes and reports issued by that office.

Moreover, and perhaps most critically, we continue to do so without regard to any external or self-serving personal interests, ideologies, philosophies or views.

II

THE OFFICE OF THE INSPECTOR GENERAL HAS REMAINED FULLY ENGAGED AND PRODUCTIVE DURING THE PANDEMIC

The Committee is happy to report that in spite of unprecedented challenges presented by the Covid19 pandemic—including over a full year of severely limited contact among individuals and departments within all branches of government (save through varying types of emerging electronic communication platforms); resultant unprecedented and unforeseen delays in many Parish and other services; associated personnel shortages due to the above; and a myriad other disconnects and malfunctions between individuals and offices with otherwise interdependent responsibilities (whether avoidable or not)—the IG and his staff of professionals worked diligently with undiminished focus and energy, as illuminated here by IG McClintock in excerpts from the OIG’s 2020 Annual Report:

2020 was an exceedingly unique year that presented challenges few could have anticipated. The response to the COVID 19 pandemic severely limited our ability to engage directly with Parish employees and others in the customary manner. At the same time Parish government appropriately shifted much of its focus towards responding to the pandemic and the related public health issues. The JPOIG staff adapted to the new environment and was able to produce some outstanding reports. The work of the office combined with a more collaborative atmosphere within Parish government resulted in an excellent and productive year.

I am very proud of the entire JPOIG team and their relentless mission focus. We are all thankful for the support of the Ethics and Compliance Commission team, for without their contributions and guidance we could not have accomplished all that we have.

II OIG 2020 AND 2021 RESPONSES TO COMMITTEE RECOMMENDATIONS

The OIG Review Committee notes that an essential component of the Quality Assurance Review Process is the goal of establishing and testing the consistent responsiveness of the Office of the Inspector General, in order to ensure that this important office is willing to listen and itself be responsive and accountable to the citizens it serves—even as it works to ensure that those governmental components it monitors are as well.

Indeed, in last year's 2020 Report on the OIG's 2019 performance, we noted that within just two weeks of the Review Committee's first report delivered on May 10, 2019, the IG had *responded to every one* of the 8 recommendations with a detailed response memorandum sent on May 24, 2019. In that response, the Inspector General recognized the Committee's suggestions as a "series of meaningful and valued recommendations." All of those recommendations were accepted—6 in total, 2 in part.

The IG continues to build on a history and tradition of eager and effective responsiveness to the recommendations of the Committee in the pursuit of excellence and increased accountability of government.

For example, the 2019 QAR Report (published in 2020) made one recommendation to the Parish Administration to consider enacting a protocol which would require that Parish Security Department incident reports be routinely forwarded to the JPOIG for review. These reports can include information which is of value to the JPOIG mission to detect and prevent fraud, waste and abuse.

That recommendation was acted upon by the Administration, resulting in the JPOIG receiving incident reports as follows:

Committee 2020 Recommendation:

As the IG maintains that all Parish Security Department incident reports should be routinely forwarded to the OIG for review as these reports contain information related to previously undetected fraud, waste and abuse or be relevant to matters currently under review by the OIG—the Parish Administration should consider enacting a protocol which would require that all such reports are provided by the Parish Security Department to the OIG.

The IG's response:

Recently, the recommendation was acted upon by the Administration. This resulted in the JPOIG receiving incident reports. The JPOIG appreciates the level of detail in which the QAR considers the data and their thoughtful recommendations.

Regarding a process which the IG deems to be a valuable tool, in 2018 the QAR recommended that the JPOIG implement a "*Recommendation Tracker*."

The IG acted on that recommendation and generated a *Recommendation Tracker* that reflects each recommendation made by the JPOIG and the subsequent responses by the recipients in

various Jefferson Parish departments and subdivisions. (The most recent version of the tracker may be found on www.JPOIG.net or via the following link: JPOIG Recommendation Tracker.) (See Section IV, below.)

As reported by IG McClintock, that product remains highly useful and productive to this date and is used with excellent effect in this report. In fact, the IG stated in last year's report that "*...This product would not have been developed, but for the work of the QAR.*"

Now, in 2021, we in the Committee take great pleasure in reporting for the third consecutive year that this Inspector General and the office itself has been and remains since the very inception of the review process, not only responsive, but scrupulously so—indeed to the extent that the Committee's single, key recommendation was followed-up on by the IG and acted on by the Parish Administration as noted in this year's report.

We note that this level and degree of transparency and responsiveness is exemplary and continues to resoundingly evidence an Inspector General and staff which are genuinely dedicated to the highest standards in terms of efficiency in responding to the needs of parish government and the citizens they serve.

IV THE INSPECTOR GENERAL'S 2020 ANNUAL REPORT SUMMARY/OVERVIEW

Having read, reviewed, analyzed and discussed the aforementioned reports, the Review Committee unanimously agrees once again that Inspector General David McClintock and his team of highly qualified specialists continue to serve the public in a highly professional, thorough, ethical, and effective manner in arriving at and presenting the results of their investigations, positions, recommendations and monitoring reports with the primary goals of providing genuine transparency, thereby deterring and reducing fraud, waste and abuse—as well as simply offering in some instances options and recommendations for more efficient and cost-effective expenditure of taxpayers' money.

In our third consecutive year of Quality Assurance Review, this Committee—aside from recommendations, suggestions and possible options offered herein—once again congratulates and thanks the Inspector General and his staff on a job well done.

The JPOIG completed 9 audits and 3 investigations, as well as, other inquiries/tracking in which it published 7 reports and 6 follow-up reports which in turn questioned the expenditure of a total of \$5,063,364 in taxpayer funds—far exceeding the expenditures of \$1,575,444 questioned in 2019—in spite of the challenges of Covid19. (This productivity exceeds the 6 reports and 1 follow-up of 2019, again—notwithstanding the pandemic's challenges.)

Additionally, there were 2 monitoring efforts which continued through 2020 that involve (1) a large lease of a public institution valued at \$563 million and (2) the expenditure of \$53.1 million in BP settlement funds.

The OIG cases in question include the following:

- 2017-0027 (Audit) Security Services Contracting. Questioned: \$3,699,813
- 2016-0044 (Audit) Transit: Bus Bench Advertising; Questioned: \$176,832
- 2018-0020 (Investigation) Parks and Rec: Lafreniere Fin. Controls/Lost Rev.
Questioned: \$247,692
- 2017-0042 (Audit) Council: Advertising and Communications. Questioned: \$44,553
- 2016-0021 (Audit): Follow-Up Jefferson Parish Finance Authority.
- 2014-0027 (Audit): Follow-Up Rickey Jackson: Courage House.
- 2014-0029 (Investigation) Follow-Up Constables & Justices of the Peace – Parish Funding.
- 2020-0035 (Other) COVID Monitoring Memo.
- 2015-0002 (Audit) Follow Up Marrero Ragusa VFC.
- 2019-0003 (Audit) Office of Fire Services.
- 2017-0017 (Investigation) Parks and Rec: Lafreniere Concert Events. Questioned: \$894,474
- 2016-0013 (Audit): Follow Up Herbert Wallace Memorial VFC.
- 2013-0032 (Audit): Follow Up Harvey VFC.

Total Questioned Costs: \$5,063,364

In addition to the aforementioned questioned costs, the OIG monitored the handling of funds as follows:

- BP settlement funds-Deepwater Horizon: \$53,119,542.
- Hospital lease negotiations and monitoring: \$563,000,000.

Monitored Funds Total: \$617,694,986.

The IG’s Recommendation Tracker—A Success Story at Work:

As stated, the Review Committee continues to applaud the ongoing positive results of the IG’s acceptance of the Review Committee’s recommendation from its First Annual Report (on the Inspector General’s 2018 Annual Report published in March of 2019), resulting in a highly transparent, effective and *quick reference* summary matrix or “*Recommendation Tracker*” (Excel Spreadsheet Format) setting forth with great clarity a number of reporting results for each IG report.

Acting on the Committee’s recommendation, the IG has compiled a single “*Recommendation Tracker*”, which reflects each recommendation made and the subsequent responses (or absence thereof) of the recipients.

This *Recommendation Tracker* contains the following information, among other useful data:

- Questioned Costs;
- Post-Report Meeting (Y or N)
- The Total Number of *Potential* Responses (from relevant Parish officials)
- The Number of (*actual*) Written Responses
- The Number of Recommendations Made
- The Number of Recommendations Accepted
- The Number of Recommendations *Accepted In Part*
- The Number of Recommendations *Rejected*
- The Number of “No Positions“ Taken ...and...
- The Number of Corrections Implemented

(That report may be accessed via www.JPOIG.net or via the following link: JPOIG Recommendation Tracker.)

In the collective opinion of the Review Committee, this comprehensive reporting process— together with the other implemented improvements—contributes significantly to an already highly-efficient, effective, and valued OIG reporting and tracking product.

Moreover, this efficient, easy-to-understand, at-a-glance *Recommendation Tracker*, while containing a tremendous amount of information, is also highly useful to the press, taxpayers and government officials alike in following the responsiveness of public representatives, officials, employees and departments which have ethical and legal obligations to serve altruistically, honestly, efficiently and transparently—thereby enhancing the accountability of Parish officials.

According to the IG in the current 2020 Annual Report as captured by the *Recommendation Tracker*:

- The project demonstrates that 39 reports have resulted in 202 recommendations.
- Of those 202 recommendations, the draft report process created 1699 opportunities for parish decision-makers to respond.
- Parish decision makers include department heads, the Parish President’s office, the seven Parish Council offices, and in some cases representatives from quasi-governmental entities.
- The 1699 opportunities to respond resulted in 330 written responses with the cumulative rate of engagement of 19.4% —up from 17% the prior year.

(Quality Review Committee’s note: The statistics refer to action and inaction *under the two previous administrations as well as the present administration.*)

Currently, the *Recommendation Tracker* reflects that of 330 responses:

163 (49%) *accepted* the recommendation;

23 (7%) *accepted in part* the recommendation;
58 (18%) *rejected* the recommendation; and
No position was taken in 86 (26%) of the recommendations.

Further, in the opinion of the Review Committee, by implementing the Committee's recommendation, the actions of the Inspector General and the global outcome of the Parish's actions are clearly demonstrated. As the IG noted, corrective action was committed to or taken by some level of government in 186 of the 330 recommendations made; thus, 56% of all recommendations resulted in some type of corrective action by the Parish.

The Committee notes that this decidedly useful innovation remains in effect, allowing both the IG and the public to observe the responsiveness of its representatives.

V

OIG REVIEW COMMITTEE QUESTIONS AND RECOMMENDATIONS

In the following categories, either the Committee as a whole or individual Committee members have raised questions or offered suggestions and options.

1. Questions regarding adequate funding to support all 3 stated missions of the OIG.

The following 2020 questions propounded to the IG by the Committee members relate to funding to support the OIG:

Committee 2020 Question 1:

Regarding JPOIG mandate and funding, in the 2019 report, the Inspector General references the following provision of the Jefferson Parish Charter:

- *There should be an office of Inspector General which will provide a full-time program of investigation, audit, inspections and performance review of parish government operations...”* Have all three functions been undertaken?*

**Jefferson Parish Charter Section 4.09 Inspector General (A).*

IG 2020 Response:

*The Inspector General reports that “funding levels **are not sufficient** to find all three mandated functions”. (Previous reference to funding levels.)*

Committee 2020 Question 2:

Did the (JPOIG) ever receive funding—or allocation—for the third function listed in the report? (E. G., P.10 of 27 referencing the inability to establish and inspections and performance review section.)

IG 2020 Response:

No, the initial millage allocation was ½ mil and remain established at that level. The JPOIG intends to proceed with a request for renewal at the existing millage rate of ½ mil. in November of 2020. Additional funding can be sought in commitments from the Parish for general funds or additional millages.

Committee 2021 Question 3:

As a follow-up, the Committee asked the IG what the current status of funding is as of the date of this report—i.e., May of 2021.

IG 2021 Response:

Funding for the JPOIG and the JPECC was established through the re-dedication of an existing millage that was approved by the voters in 2011. The millage was approved for 10 years. The millage is assessed at .5 mills. This generated \$1.3M in 2020. In November 2020, the voters had the opportunity to renew the existing millage. The millage was approved, thus extending funding through 2032. Current Funding Levels are consistent with and support adequate investigative and audit functions[only]. However, current funding levels [still] do not support a separate inspections and performance review section [as mandated by Charter.]

This Committee continues to report with some concern the facts as stated by the IG that (as noted in the instant OIG Annual Report):

The JPOIG has consistently reported that revenue generated by dedicated millage funding is insufficient to create and staff an inspections and performance review function. During this reporting period, the Bureau of Governmental Research (BGR) examined the JPOIG operations ahead of the millage renewal appearing on November 2020 ballot. The BGR's report recognized the value that an Inspections and Performance Review Program provides to an Office of Inspector General:

Inspections and performance reviews, the third pillar of the program, evaluate the efficiency and effectiveness of government operations and make recommendations for improvement.

An Inspections and Performance Review section would provide a source of factual and analytical information, monitor compliance, measure performance and assess efficiency and effectiveness to provide decision makers with information which would improve government operations. Inspections, evaluations and reviews represent an independent assessment of the design, implementation and efficiency of a particular system, process or program.

Efforts to locate funding for an inspection and review function remains an ongoing effort.

(See: 2020 Annual Report of the Inspector General, page 11 of 31.)

In the collective opinion of the Committee, such Inspections and Performance functions as called for by the Parish Charter, are essential—but also mandated.

The following (2-4) are newly-posed questions by the Committee to the IG.

2. **What would be the cost of the still-unfunded third (Inspections and Performance Review) function which the OIG is tasked with carrying out?**

It is worth noting that the IG's response pointed out that due to relatively low pay scales, his office's turnover is considerable, placing added stress on existing personnel and making it difficult and at times impossible to maintain ideally-productive schedules and avoid backlogs.

In fact, IG McClintock pointed out that his office does not presently have a single auditor or investigator in the office who was in place and so employed during the last peer review. He went on to note that the IG's office only needs ¼ millage increase to begin to mitigate this problem. However, the *New Orleans* Office of Inspector General currently has 23 FTE's (funded positions), compared with the JPOIG's 10.

IG McClintock stated that the cost to put in place adequate assets to carry out the presently unfunded third function of this office would range between \$105,000 to \$307,000 per year, depending on which positions are funded.

According to the IG, the needed ¼ millage would yield an estimated \$625,000 to fund an entire 3-person Inspection and Review Section, while also adding an auditor, an investigator and an analyst. This is especially critical considering that according to the IG:

- Every employee of that office has at least a bachelor's degree.
- 4 are Certified Inspectors General (CIG).
- 4 are Certified Fraud Examiners (CFE).
- 4 have Master's Degrees.
- 3 are Certified Inspectors General Investigators.
- 3 are attorneys, with Juris Doctorates (JD).
- 2 have Master's Business Administration Degrees (MBA).
- 1 is a Certified Information Systems Auditor.
- 1 is a Certified Inspector General Evaluator.
- 1 is a Certified Public Accountant.

To this issue, IG McClintock added that investigations, audits, follow-ups and other matters tend to be very labor, detail and document-intensive—and therefore take a long time to resolve, referring to the aforementioned list of concluded matters in which their respective ages corroborate this. He further indicated that this is largely due to resources or the lack thereof in some instances, which overburdens existing, heavily-tasked staffers on a case-by-case basis.

IG McClintock candidly stated that he would prefer that his office proceed slowly and meticulously, rather than rush and risk missing important issues or resolutions.

Simply stated, indications are that the paucity of resources tends to slow OIG cases down.

Hence, the OIG's budget is presently not only *insufficient* for it to perform the essential third function—but is also *insufficient* for that office to carry out its missions in a timely fashion.

Committee Recommendation #1:

The Committee here notes that while our role is not to sponsor legislation or request funding—we do assess the OIG's compliance with the Parish Charter and its stated mission—as well as the IG's assessment of his office's capabilities and requirements. It is therefore essential here to note that because the Jefferson Parish Charter is an *imperative*, mandating that the parish “*shall*” provide funding for the OIG program—the only way to comply and solve the existing problems and challenges to the OIG mission fulfillment is for that office to receive adequate resources, which the IG says it does not have.

Therefore, the JPIGQARC recommends that the Parish Council and Administration work together in consultation with the IG to meet the requirements of the Parish Charter.

To successfully accomplish this, the Inspector General asserts that the office needs resources to:

- a. Increase OIG FTE's to support a meaningfully-staffed Inspections and Performance Review function;
- b. Increase OIG FTE's to support at least one each: additional investigator, auditor, analyst; and
- c. Increase salaries and benefits for all existing OIG employees, in order to enhance retention and localized parity.

3. What was the result of the Committee's 2020 recommendation that Parish Security Department incident reports be routinely made available to the OIG?

As referenced hereinabove, set forth in the IG's 2020 Annual Report, this Committee recommended to the Parish Administration that it consider enacting a protocol which would require that Parish Security Department incident reports be routinely forwarded to the JPOIG for review, as these reports can include information which is of value to the JPOIG's mission to detect and prevent fraud, waste and abuse.

The result was that such recommendation was acted upon by the Administration, resulting in the JPOIG now receiving incident reports.

4. Referencing our Recommendation 4 from last year's 2019 OIG Annual Report—that the Parish Council amend the JPIG Ordinance to mandate responses to the findings and recommendations made by the IG in the report: Considering the IG's commitment to support any such ordinance, what if anything has followed?

The IG responded that the Administration did embrace the concept of such legislation, although to date, no response from the Council has been forthcoming.

Committee Recommendation #2:

Considering the foregoing, the Committee reiterates and urges its recommendation that legislation be enacted requiring responses from relevant Parish departments or units to any findings and/or recommendations contained in IG reports.

Committee Recommendation #3:

For tracking clarity and to aid understanding, while the OIG Cases currently carry an inception/opening year number, followed by a numeric number—we suggest adding to that whenever a matter is closed, the year of its conclusion be added, with a slash, hyphen or other indicator, for example: 2018-0029/21 indicating an investigation opened in 2018, and closed in 2021.

VI CONCLUSION

For the third consecutive year of the Committee’s review, Inspector General David McClintock and his staff of professionals were at all times accessible, responsive, candid, clear, helpful, and eager to provide whatever information we requested in order to make our third review as complete, accurate and effective as possible.

More importantly and revealingly, the responsiveness of the IG and his office of outstanding professionals was once again amply demonstrated by his continued availability to respond to any questions at any time despite the challenges of Covid19.

As citizens of Jefferson Parish, we the members of the Quality Assurance Review Committee have an interest—shared with all those who live and work here—in Parish government which is honest, efficient, transparent and responsive to the needs of all. The Office of the Inspector General continues to deliver accountability and oversight of government functions in positive, constructive ways by operating fairly and without political or personal agendas, thus maintaining productive dialogs with all branches with which it interacts. Moreover, it does so while maintaining adequate political, economic, social, personal and other distance and objectivity to enable it to effectively demand accountability and point out shortcomings in Parish government components and processes in need of repair whenever necessary.

We remain grateful for and humbled by the honor and privilege to have the trust of the Parish and citizens we serve in this role—and we thank Inspector General McClintock and his outstanding team for their work, cooperation and dedicated public service. We commend and offer our gratitude to Inspector General McClintock and his entire staff for a job well done in service to us all.