

MILITARY DEPARTMENT
OFFICE OF THE ADJUTANT GENERAL
9800 Goethe Road - P.O. Box 269101
Sacramento, California 95826-9101



NGCA-JSZ

5 June 2013

MEMORANDUM FOR Service Members and Employees of the California Military Department

SUBJECT: Blow the Whistle on Government Fraud, Waste and Abuse

1. The California State Auditor office is your confidential avenue for reporting improper activities by state agencies or employees. It is your responsibility as a government employee to report any type of fraud, waste, or abuse, which ultimately protects scarce state resources.

2. In 2012 alone, the State Auditor received 5,505 inquiries and complaints from state employees and members of the public, most of which concerned misuse of state property, improper travel expenditures, and time and attendance abuse. Whistleblower complaints have triggered investigations revealing millions of dollars in wasteful spending in recent years, such as:

a. Three individuals, including two state employees, perpetrated a fraudulent scheme to obtain state documents without paying the required fees. The individuals were convicted of bribery and ordered to pay restitution to the State.

b. A state employee helped two accomplices illegally obtain nearly \$93,000 in unemployment benefits over a two-year period through a conspiracy to defraud the department. The employee and one accomplice were sentenced to federal prison and the second accomplice was sentenced to three years probation.

c. A department overpaid 18 employees nearly \$119,000 over a two-year period by inappropriately paying them an hourly overtime rate for work they performed rather than the hourly straight-time rate they were entitled to receive.

3. What to report: Pursuant to Government Code section 8547.2, subdivision (b), improper acts by a state agency or employee that should be reported to the State Auditor include:

- a. Violations of state or federal law, including theft, fraud, or conflict of interest;
- b. Noncompliance with an executive order or Rule of Court;
- c. Noncompliance with the *State Administrative Manual* or the *State Contracting Manual*;
- d. Misuse or waste of state resources including property or employee time;
- e. Gross misconduct, incompetence, or inefficiency.

4. The State Auditor does not have the authority to investigate violations of internal department policies or procedures.

5. Whistleblowers are protected: If you report an impropriety, you are protected by the Whistleblower Protection Act, which:

a. Requires the state auditor to protect your identity (except from law enforcement).

b. Prohibits intimidation, threats, or coercion by state employees that could interfere with your right to disclose improper governmental activities.

6. If you believe that you have been retaliated against for disclosing an improper governmental activity, you should report this immediately to the State Personnel Board at 801 Capitol Mall, MS53, Sacramento, CA 95814.

7. You have three ways to report information to the State Auditor confidentially:

Call the Whistleblower Hotline at:

800-952-5665

916-322-2603 (Fax)

(Note: The hotline is staffed Monday through Friday, 8 a.m. to 5 p.m. However, callers may leave a brief recorded message during other hours.)

Mail information to:

Investigations

California State Auditor

P.O. Box 1019

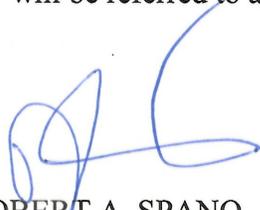
Sacramento, CA 95812

Submit a complaint online to:

<http://www.auditor.ca.gov/hotline>

(Note: The state auditor does not accept complaints sent by e-mail.)

8. Investigation of complaints: The California State Auditor investigates complaints and reports the substantiated allegations to the head of the employing agency, the Legislature, and the Governor. In addition, some of the substantiated allegations will be reported to the general public, keeping identities confidential. Substantiated violations of law will be referred to appropriate law enforcement agencies.



ROBERT A. SPANO
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Director, Joint Staff



REPORT IMPROPER ACTIVITY TODAY

Contact the Whistleblower Hotline **(800) 952-5665**

www.auditor.ca.gov

WHAT TO REPORT

Improper acts by a state agency or employee, such as:

- Violation of state or federal law.
- Noncompliance with an executive order, a Rule of Court, the State Administrative Manual, or the State Contracting Manual.
- Misuse or waste of state resources.
- Gross misconduct, incompetence, or inefficiency.

Some of the most commonly reported improper acts include misuse of state property, improper travel expenditures, and time and attendance abuse.

The California State Auditor does not have the authority to investigate violations of a department's internal policies or procedures.

HOW TO REPORT



(800) 952-5665 *phone*
(916) 322-2603 *fax*



Investigations
California State Auditor
P.O. Box 1019
Sacramento, CA 95812



www.auditor.ca.gov/hotline
Note: complaints not accepted via e-mail

COMPLAINTS ARE INVESTIGATED

The California State Auditor investigates complaints and reports the results of substantiated allegations to the:

- Head of the employing agency.
- Legislature, Governor, and appropriate law enforcement agencies.
- General public, keeping identities confidential.

WHISTLEBLOWERS ARE PROTECTED

The Whistleblower Protection Act requires the California State Auditor to protect your identity.

It also prohibits intimidation, threats, or coercion by state employees that could interfere with your right to disclose improper governmental activities.

If you feel that you have been retaliated against for reporting an improper governmental activity, you should report this immediately to one of the following agencies:

- State and court employees: write to the State Personnel Board at 801 Capitol Mall, MS53, Sacramento, CA 95814.
- University of California (UC) employees: contact the locally designated official for the UC facility at which you are employed.
- California State University employees: write to the Vice Chancellor of Human Resources at 401 Golden Shore, Long Beach, CA 90802 or contact the appointed campus administrator.