OFFICE OF THE STATE INSPECTOR GENERAL

Report to the Governor and the General Assembly of Virginia

Fiscal Year 2021 Annual Report
September 2021



Michael C. Westfall, CPA, CIG, CFE
State Inspector General
Report No. 2022-ADM-001

MESSAGE FROM THE STATE INSPECTOR GENERAL



Michael C. Westfall, CPA, CIG,

The global pandemic affected all of us. It forced the Office of the State Inspector General to alter the way it did business, but in this fiscal year 2021 annual report, I am pleased to share with you the tremendous work OSIG staff performed while dealing with the effects of the pandemic. OSIG staff kept their focus, and productivity remained high. They always had OSIG's mission in mind as they continued to conduct investigations, audits, reviews, interviews and inspections both virtually and in person. Staff remained steadfast in their responsibilities and continued to perform at the elevated standards we set for ourselves.

OSIG's numerous investigations and audits in executive branch agencies resulted in many recommendations for improved internal controls, efficiency and effectiveness.

Published reports are on the OSIG <u>website</u>. The Audit Unit doubled the number of published performance audits and issued 33 findings and 78 recommendations for improvements. The number of reports the Behavioral Health and Developmental Services Unit published also doubled from the previous fiscal year. The number of complaints to the Behavioral Health and Developmental Services Complaint Line reached 657, and OSIG's Healthcare Compliance Manager and his BHDS Unit staff processed them in a timely, proficient manner. The State Fraud, Waste and Abuse Hotline closed 195 cases, while the Investigations Unit opened 25 executive branch state agency investigations.

OSIG's investigations of allegations against the Virginia Parole Board, the release of OSIG's findings and recommendations, and the review by outside counsel of OSIG's policies and procedures regarding Hotline investigations received a good amount of our time and effort, and throughout, OSIG staff maintained their outstanding levels of professionalism, independence and ethics.

I am in my seventh year at the Office of the State Inspector General, more than three years serving as State Inspector General. I could not be prouder of the accomplishments of my staff, especially during this turbulent year, and I look forward to what the next year will bring. We continue to make a difference and have a positive effect on the operations of the Commonwealth. OSIG takes to heart its focus on its mission, values and goals. As State Inspector General, my staff and I work to deter fraud, waste, abuse and corruption and promote integrity and ethical conduct. Our efforts to work and train hard to accomplish all that we do is a testament to their character.

TABLE OF CONTENTS

MESSAGE FROM THE STATE INSPECTOR GENERAL	1
OSIG RESPONSIBILITIES AND FY 2021 HIGHLIGHTS	3
OSIG'S MISSION, VISION, CORE VALUES AND GOALS	6
OSIG'S ORGANIZATIONAL STRUCTURE	8
INVESTIGATIONS AND ADMINISTRATION DIVISION	9
INVESTIGATIONS UNIT	9
STATE FRAUD, WASTE AND ABUSE HOTLINE	18
INTERNAL AUDIT OVERSIGHT AND TRAINING SERVICES	23
TECHNOLOGY AND SECURITY SERVICES	26
AUDIT AND INSPECTIONS DIVISION	
BEHAVIORAL HEALTH AND DEVELOPMENTAL SERVICES UNIT	
COMMUNICATIONS AND OUTREACH	
CONTACT INFORMATION	50

OSIG RESPONSIBILITIES AND FY 2021 HIGHLIGHTS



In accordance with Title 2.2 Chapter 3.2 (§ 2.2-307 through 2.2-313) of the *Code of Virginia*, the Office of the State Inspector General is responsible for:

- Investigating complaints alleging fraud, waste, abuse or corruption by an executive branch state agency, non-state agency or officers, employees or contractors of those agencies.
- Administering the Fraud and Abuse Whistle Blower Reward Fund.
- Overseeing the State Fraud, Waste and Abuse Hotline.
- Conducting performance reviews of state agencies.
- Providing training and coordination of standards for the Commonwealth's internal audit functions.
- Performing inspections and making policy and operational recommendations for the Department of Behavioral Health and Developmental Services facilities and providers.
- Reviewing operations of the Virginia Tobacco Region Revitalization Commission. Consistent with these responsibilities, OSIG completed the following activities during fiscal year 2021:

Investigations and Administration Division

• Investigations Unit

- Opened 25 executive branch state agency investigations.
- o Investigated allegations of fraud, conflicts of interest, misappropriation, procurement violations, and waste and abuse.
- o Referred 14 cases for prosecutorial consideration.
- Closed 31 cases.
- Made one presentation and staff participated in 312 hours of training.

State Fraud, Waste & Abuse Hotline

- o Assigned 214 cases for investigation.
- Of the 195 cases closed, 22 percent were substantiated and 78 percent were unsubstantiated.
- o Investigated 21 cases in-house for allegations that involved an agency head, internal audit employee or an "at-will" employee.
- Completed two workpaper reviews of Internal Audit departments or Hotline coordinators and four follow-up investigative reviews for compliance with recommendations.
- Made two presentations and staff participated in nearly 400 hours of training.

• Internal Audit Oversight and Training Services

- o Conducted one quality assurance review.
- Coordinated eight training courses, in which 581 internal auditors from across the Commonwealth participated, earning up to 31 continuing professional education credits to maintain certifications necessary for their positions.

Audit and Inspections Division

Audit Unit

- Published six performance audits.
- Issued 33 findings and observations.
- Issued 78 audit recommendations.
- Staff earned 843 hours of continuing education supporting 25 certifications.
- Presented six virtual presentations to state and national audit organizations as well as the state Chief Audit Executive Roundtable.

Behavioral Health and Developmental Services Unit

- Processed 657 complaints.
- o Participated in unannounced inspections of 12 DBHDS facilities.
- Published a special project on mortality review of Department of Behavioral Health and Developmental Services facilities.
- Staff participated in nearly 150 hours of training to enhance their skills.

Communications and Outreach

- o Presented to 17 local, state and national organizations' meetings.
- Responded to 102 Freedom of Information Act inquiries.
- Processed nearly 100 responsive and proactive media contacts.
- o Responded to 706 general inquiry complaints.
- Distributed 13 news releases resulting in multiple statewide media placements.

OSIG Provides Staff Support for Commission on the May 31, 2019 Virginia Beach Mass Shooting

The 2020 Virginia Acts of Assembly Chapter 1289 - Budget Bill - Item 27.20 established the Commission on the May 31, 2019 Virginia Beach Mass Shooting to conduct an independent, thorough and objective review of the tragedy. The General Assembly tasked the Commission with issuing recommendations and improvements that can be made in Virginia's laws, policies, procedures, systems and institutions to prevent a similar incident. OSIG staff provided, and continues to provide, support to this state-level investigation, which consists of 21 members: Five nonlegislative citizen members appointed by the Speaker of the House of Delegates, five nonlegislative citizen members appointed by the Senate Committee on Rules and 10 nonlegislative citizen members appointed by the Governor. The Superintendent of State Police serves ex officio as a nonvoting member of the Commission.

The General Assembly directed the Commission to submit an annual executive summary of its interim activity and work by November 1 of each year.

OSIG'S MISSION, VISION, CORE VALUES AND GOALS



Mission

On behalf of the citizens of the Commonwealth, the Office of the State Inspector General partners with other state agencies to serve as a catalyst for positive change by:

- Facilitating good stewardship of resources.
- Deterring fraud, waste, abuse and corruption.
- Advocating and practicing efficiency and effectiveness.
- Promoting and practicing integrity and ethical conduct.

Vision

Maximize the public's confidence and trust in state government by promoting and practicing the highest level of integrity, efficiency, effectiveness and economy.

Core Values

The Office of the State Inspector General pledges to uphold the following core values in its work and with each other:

- It models integrity, trust and ethical behavior.
- It is dedicated, objective and innovative.
- It intentionally creates an environment of equity, diversity and inclusion that encourages collaborative communication and operation.
- It is vigilant, competent, accountable and respectful.

Goals

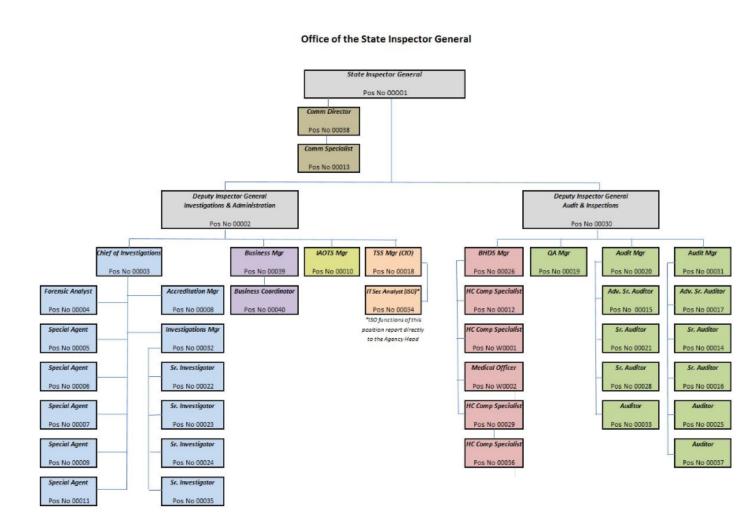
- Ensuring investigations, inspections and audits are performed in a timely, accurate and relevant manner so that stakeholders can make informed decisions, take appropriate actions and improve programs.
- Increasing confidence and trust in government.
- Attracting, developing and retaining a qualified, diversified and exceptional workforce by encouraging individualism and initiative in its staff.
- Continuing to be recognized as an entity that adds value to the commonwealth and seeks to improve the lives of the individuals herein through creative solutions.
- Promoting effective working relationships and communication with internal and external stakeholders.



State Inspector General Michael C. Westfall (second row, second from right) speaks to staff during the OSIG All Staff Meeting on May 18, 2021.

OSIG'S ORGANIZATIONAL STRUCTURE

OSIG programs within the Investigations and Administration Division and the Audit and Inspections Division are efficient and effective, and the office meets statutory mandates and better serves the citizens of Virginia.



INVESTIGATIONS AND ADMINISTRATION DIVISION



INVESTIGATIONS UNIT

OSIG Investigations Unit statutory authority and legislative mandates are delineated in Code of Virginia § 2.2-309[A](3-6), § 2.2-309.2 and § 2.2-311; and include:

- Investigate the management and operations of state agencies, non-state agencies
 and independent contractors of state agencies to determine whether acts of fraud,
 waste, abuse or corruption have been committed or are being committed by state
 officers, employees or independent contractors of state agencies or any officers or
 employees of non-state agencies.
- Investigate to resolve allegations of fraudulent, illegal or inappropriate activities concerning disbursements from the Tobacco Indemnification and Community Revitalization Endowment and the Tobacco Indemnification and Community Revitalization Fund.



OSIG Chief of Investigations Katrina Goodman (fifth from right) attended the Women in Law Enforcement Leadership Summit in Henrico, Virginia, on March 19, 2021.

Investigations' Statistical Summaries

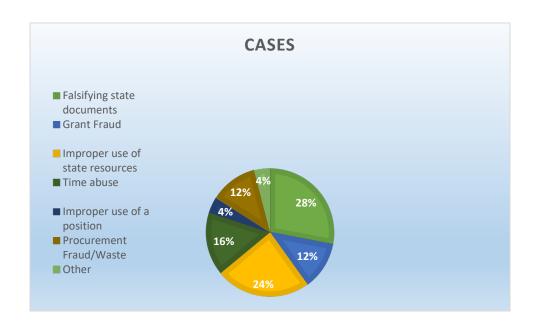
In FY 2021, the Investigations Unit closed the following executive branch state agency investigations:

- Department of Behavioral Health and Developmental Services
- Department of Conservation and Recreation
- Department of Education
- Department of Environmental Quality
- Department of Fire Programs (two cases)
- Department of Forestry
- Department of Juvenile Justice
- Department of Motor Vehicles
- Department of Social Services-Franklin County
- Department of Wildlife Resources
- Greensville Correctional Center
- Marion Correctional Center
- Northern Virginia Community College

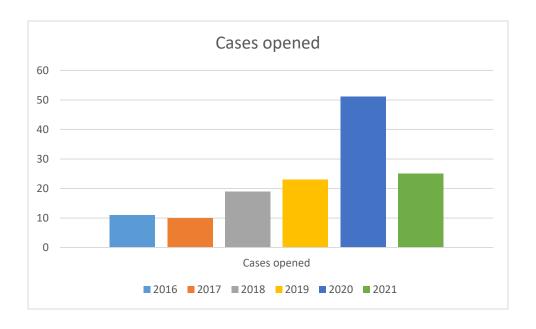


- Piedmont Virginia Community College
- Tidewater Community College/VCCS
- VA Department of Agriculture & Consumer Services (two cases)
- VA Department of Health (three cases)
- VA Department of Taxation
- VA Department of Transportation (seven cases)
- Virginia State University (two cases)

In FY 2021, the Investigations Unit opened 25 executive branch state agency investigations.



INVESTIGATIONS UNIT FY 2021 CASE SUMMARY			
Cases opened	25		
Cases closed	31		
Cases resulting in corrective action recommendations	7		
Cases referred for prosecution	14		
Open cases carried over from FY 2020	45		
Cases open at the end of FY 2021	39		



Noteworthy Cases Completed in FY 2021

Department of Motor Vehicles

In March 2017, OSIG received a State Fraud, Waste and Abuse Hotline complaint. The complaint alleged that a Department of Motor Vehicles employee who was the Motorcycle Safety Program Manager of the Virginia Rider Training Program might have had a conflict of interest with his/her official duties. Those duties included contracting for training-related services for the VRTP. The complainant alleged, among other things, that the manager steered contracts to companies that provided bribes, including Motorcycle Safety League of Virginia Inc., a company owned by the manager and three friends.

The investigation revealed that beginning in at least 2011 and continuing to March 2018, the manager accepted bribes from outside contractors. They included a \$15,000 payment from the sham sale of a motorcycle in 2011, additional cash payments totaling more than \$74,000 between February 2014 and February 2018, and the use of a Ford F-450 pick-up truck for personal purposes. In exchange, the manager performed official actions to benefit the preferred VRTP contractors who provided the bribes.

On February 24, 2020, the former manager pled guilty to his role in a seven-year bribery conspiracy in violation of 18 U.S.C. §§ 371 and 1343. On January 12, 2021, in

the U.S. District Court in Richmond, the manager was sentenced to 28 months in federal prison, ordered to make restitution of \$89,200 to the DMV and serve three years of supervised probation upon release.

Tidewater Community College

On June 4, 2018, the Tidewater Community College Interim Director of Central Financial Aid reported to OSIG that a financial aid advisor at Norfolk State University had allegedly obtained financial aid through false pretenses. The advisor allegedly completed financial aid applications listing no income in order to obtain financial aid funds for personal gain.

The investigation revealed that the advisor prepared and submitted Free Application for Federal Student Aid applications indicating that she did not have any earned income for the years 2014-2018, when NSU employed her in its financial aid office. The advisor also indicated on the applications that she was not required to file a federal tax return because her income was zero. By stating that she did not have any income, she qualified for federal Pell grants and other financial aid that she otherwise would not have received.

On December 1, 2020, the Financial Aid Advisor pleaded guilty in Norfolk Circuit Court to one felony count of obtaining money by false pretense in violation of *Code of Virginia* § 18.2-178. The advisor was sentenced on February 12, 2021, to five years' incarceration; however, because of the pandemic, the judge suspended the sentence and placed her on probation for five years. In addition, the judge ordered the advisor to pay \$9,892.37 in restitution to Tidewater Community College.

Virginia Department of Taxation

On May 20, 2019, the Virginia Department of Taxation Commissioner notified OSIG about an incident involving the misappropriation of funds by a Virginia Tax employee. The investigation revealed that from March 1 to May 2, 2019, the former Virginia Tax employee claimed 156 hours of overtime that he did not work. By the former Virginia Tax employee's own admission and the background data obtained from Virginia Tax's system applications, he fraudulently reported overtime on Virginia Tax's weekly Overtime Payment Reporting Form resulting in him being paid \$4,279.08 in overtime that he never worked. Prior to OSIG's investigation, Virginia Tax terminated the employee and deducted 156 hours of annual leave from his last paycheck. On December 7, 2020, OSIG obtained one felony indictment from the Richmond City Grand Jury for Obtaining Money by False Pretense. On February 24, 2021, OSIG received notice from Richmond City Commonwealth's Attorney that an agreement had

been reached in the case. The Commonwealth's Attorney stated that on March 10, 2021, the former employee stipulated to the Commonwealth's evidence and would perform 100 hours of community service. The charge would be dismissed once the community service was completed.

Special Initiatives and Projects

Point of Contact Initiative

OSIG designed the Point of Contact initiative to foster professional and collaborative relationships between OSIG and its counterparts within executive branch agencies, usually the Chief Audit Executive or other senior manager. The POC initiative promotes the exchange of information with executive branch agency officials about pertinent activities within OSIG, as well as relevant issues within agencies. OSIG assigns each special agent and senior investigator as a POC liaison representative for several state agencies. POC liaison representatives meet with assigned agency POC counterparts annually.

Education and Training Opportunities

Investigations Unit staff attended 312 hours of training in FY 2021:

- Bullet Proof Mind
- Mass Attacks in Public Spaces
- Counterterrorism and Financial Fraud Forum
- Loss Prevention and Cyber-risk Online Even
- Understanding and Resolving Conflict
- CPR/AED First Aid
- In-Depth Look at Elder Abuse and Financial Exploitation
- Empathy Based Interrogation
- Law Enforcement Officer Summit
- Stress and Stress Management in the Time of COVID and Beyond
- Duty to Intervene
- VCA Summit
- Virginia Chiefs of Police and VACALEA Joint Conference
- FBI LEEDA Command Leadership Institute
- Poverty's Impact on the Brain
- Financial Records Investigation Skills
- Certified Forensic Interviewer
- Virginia Legal Updates
- Applied Ethics/Becoming an Exemplary Peace Officer
- Bloodborne Pathogens

- Fraud Detection and Incident Response (Forensic Auditing)
- ALERRT Active Attack/Shooter Level 1
- ALERRT Civilian Response & Casualty Care (to Active Attack Events)
- DCJS Firearms Instructor and General Instructor Re-certifications
- DCJS Legal Update
- Audit Writing and Ethics
- Financial Crimes Against Seniors Seminar
- USDOJ Antitrust Class
- Bribery and Corruption Case Studies.
- Various fraud-related online webinars/trainings

Certifications, Staffing and Accomplishments

- o Investigation Unit staff hold 26 certifications.
- A chief, five special agents, one accreditation manager and one forensic analyst staff the Investigations Unit.
- In March 2021, Special Agent John Sutherland earned the Certified Forensic Interviewer certification.
- Chief of Investigations Katrina Goodman and special agents Susan Day and John Sutherland are general instructors with the Virginia Department of Criminal Justice Services.
- Special Agent Susan Day is a firearms instructor.

Investigations Unit Certifications by Type	
Certified Fraud Examiner	5
Basic Law Enforcement	5
Certified Inspector General Investigator	4
DCJS General Instructor	3
Certified Fraud Investigator	2
Certified Forensic Interviewer	2
Virginia Contracting Associate	2
DCJS Firearms Instructor	1
Virginia Crime Information Network Operator	1
Virginia Law Enforcement Professional Standards Commission-	1
Senior Assessor	
Total Certifications	26

OSIG hired a new Accreditation Manager in June 2021. Elizabeth Knudson assists the Investigations Unit with obtaining initial accreditation through the Virginia Law Enforcement Professional Standards Commission (VLEPSC) and the Commission on

^{*}ALERRT = Advanced Law Enforcement Rapid Response Training

Accreditation for Law Enforcement Agencies (CALEA) accrediting entities. The entire process, from application to assessment, can take up to 36 months and involves extensive policy revision and the gradual implementation of new or revised procedures. In addition to maintaining OSIG's accreditation process, Knudson assists the agency with the acquisition of grant funds for projects that will greatly enhance the effectiveness and abilities of OSIG as a whole.

Association of Inspectors General - Standards and Principles

The Investigations Unit adheres to the standards and principles published by the Association of Inspectors General, Copyright 2014.

Law Enforcement Liaison and Intelligence Resource Partnerships

Pursuant to *Code of Virginia* § 2.2-311, OSIG maintains a formal Memorandum of Agreement with the Virginia State Police.

OSIG collaborated with the following agencies on cases of mutual interest during FY 2021:

- Virginia State Police.
- Federal Bureau of Investigation.
- U.S. Department of Health and Human Services.
- U.S. Department of Homeland Security.
- U.S. Department of State.

The Investigations Unit participates in regularly scheduled meetings or collaborates with the following law enforcement and professional criminal justice affiliated entities:

- Central Virginia Financial Compliance Task Force.
- Federal Bureau of Investigation.
- Internal Revenue Service Criminal Investigations Division.
- Virginia Association of Chiefs of Police.
- Virginia State Police, Bureau of Criminal Investigations.
- Central Virginia Law Enforcement Chief Executives Association.
- Public Corruption Workgroup with the FBI and Virginia State Police.
- Commonwealth Managers Association.
- U.S. Secret Service.
- U.S. Postal Service's Financial Crimes Task Force.
- Newport News Financial Crimes Task Force.

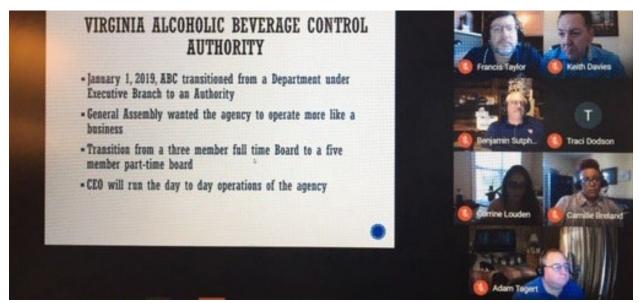
- International Association of Financial Crimes Investigators.
- Crater Criminal Justice Training Academy Board of Directors and Board Training Committee.

The Investigations Unit maintains membership in the following criminal intelligence and investigative resource organizations:

- National White Collar Crime Center.
- Newport News Financial Crimes Task Force.
- Regional Organized Crime Information Center.
- Virginia Fusion Center.

The Investigations Unit observes the applicable professional education and training requirements of the following:

- Association of Certified Fraud Examiners.
- Association of Inspectors General.
- Crater Criminal Justice Training Academy.
- Department of Criminal Justice Services.
- International Association of Interviewers.
- Virginia Institute of Procurement.



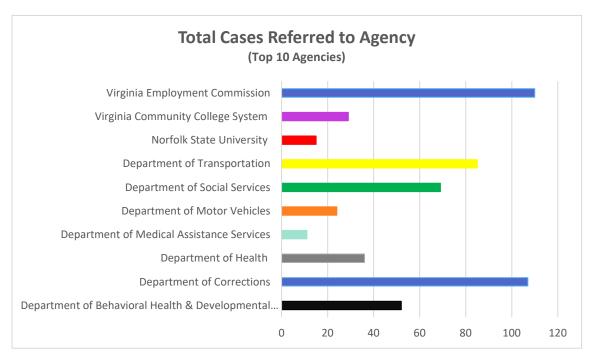
OSIG staff watched a presentation from John Sandhofer, Virginia ABC Assistant Special Agent in Charge, on ABC's Investigations and COVID 19 Response at OSIG's Fall Virtual Staff Meeting on October 22, 2020.

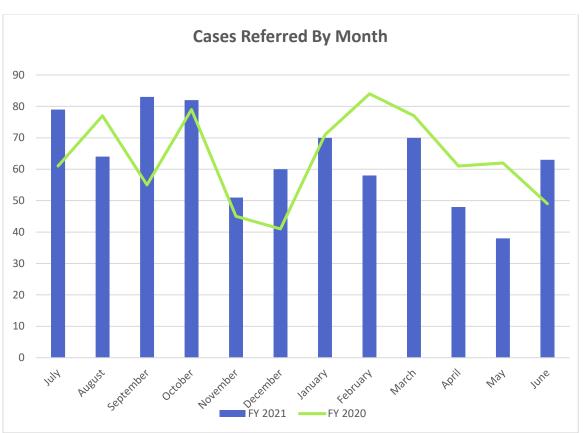
STATE FRAUD, WASTE AND ABUSE HOTLINE

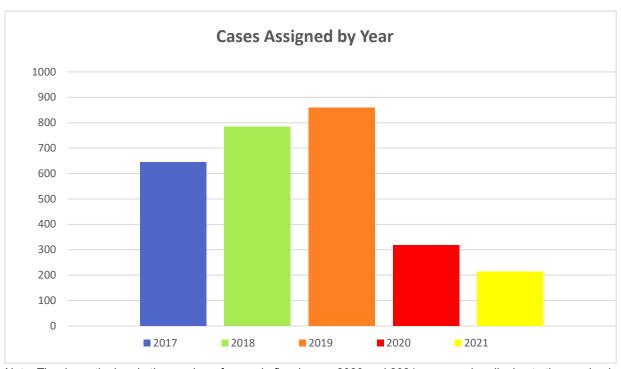


FY 2021 Hotline Statistics

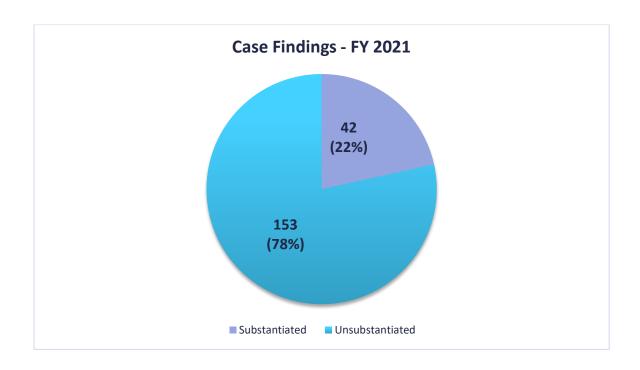
- Of the 1,655 calls received, OSIG determined 214 met the criteria for fraud, waste or abuse and required a formal investigation.
- The most common allegations received were employee misconduct; poor internal
 policies or noncompliance with an agency's internal policy; waste of state funds;
 improper hiring, including violations of state policies; misuse of state-owned
 vehicles and operating inefficiencies.
- Of the 195 Hotline cases closed, 22 percent were substantiated and 78 percent were unsubstantiated.
- Hotline investigators investigated 21 Hotline calls with allegations that involved an
 agency head, Internal Audit employee, an at-will employee or an agency that does
 not have an Internal Audit program. OSIG conducted two workpaper reviews of
 internal audit programs where they performed investigations for the Hotline, with
 four follow-up investigative reviews for compliance with recommendations.

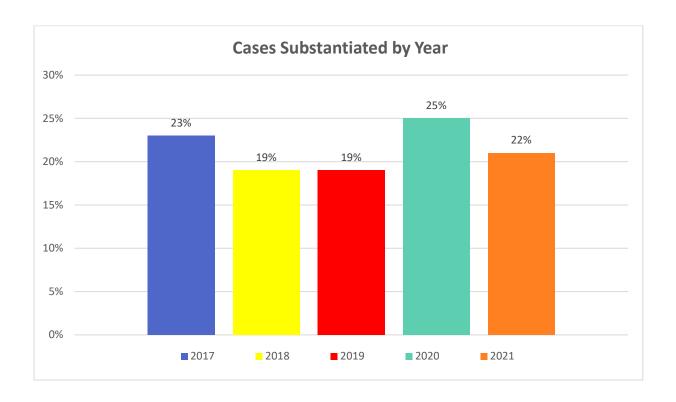






Note: The dramatic drop in the number of cases in fiscal years 2020 and 2021 appear primarily due to the pandemic and state employees working primarily from home.





Hotline Outreach

The Hotline staff presented at two events, including the State Update session and Chief Audit Executive Roundtable event.

Education and Training Opportunities

Hotline staff attended nearly 400 hours of training in FY 2021, including:

- Practical Skills in Financial Investigations
- Empathy Based Interrogation Basic and Advanced
- Skills for Leading and Managing in Today's Hybrid Workplace
- Practical Ethics and COVID Related Fraud.

Certifications, Staffing and Accomplishments

- Hotline staff hold 11 certifications and/or degrees.
- An Investigations Manager and four senior investigators staff the State Fraud, Waste and Abuse Hotline.
- Two new senior investigators joined the team this year and bring a wealth of

- knowledge and certifications with them, including a Master of Business Administration and a Juris Doctorate.
- Senior investigators Gari Melchers and Ephfrom Walker III completed their required continuing education to maintain status as Certified Public Accountants.
- Investigations Manager Richard Scholl attended numerous investigation trainings to maintain status as Certified Fraud Examiner and Certified Inspector General Investigator.

Hotline Staff Certifications/Graduate Degrees by Type			
Certified Inspector General Investigator	2		
Certified Public Accountant	2		
Certified Fraud Examiner	2		
Certified Forensic Interviewer	1		
Master of Public Administration	1		
Master of Business Administration	1		
Juris Doctorate	1		
Virginia Contracting Associate	1		
Total Certifications/Degrees	11		

INTERNAL AUDIT OVERSIGHT AND TRAINING SERVICES



OSIG's Internal Audit Oversight and Training Services' legislative mandates are delineated in *Code of Virginia* § 2.2-309[A](10-12) and include:

- Coordinating and requiring standards for internal audit programs in existence as of July 1, 2012.
- Coordinating and requiring standards for other internal audit programs in state agencies and non-state agencies as needed in order to ensure that the Commonwealth's assets are subject to appropriate internal management controls.
- Assisting agency internal auditing programs with technical auditing issues, and coordinating and providing training to the Commonwealth's internal auditors.

Quality Assurance Reviews

OSIG completed a QAR for the Department of Motor Vehicles on March 1, 2021. The department received an overall rating of "generally conforms," which is the highest rating.

Internal Audit programs that adopt the Institute of Internal Auditors standards are required to have a QAR completed once every five years. OSIG monitors compliance with these standards and provides a cost-effective alternative with its Quality Assurance Review team to conduct QARs. This team eliminates the need for agencies to contract services and can save the agency from \$5,000 up to \$30,000 per QAR.

Training

In the chart below are the eight internal audit training courses that OSIG coordinated in FY 2021. Class size increased significantly over previous years because OSIG offered the classes virtually. The virtual format also resulted in cost savings in time and travel for the 581 participants. Some auditors attended multiple training classes, resulting in a cost savings to their agency and enabling the participants to receive continuing professional education credits from each of the courses attended. Internal auditors from across the Commonwealth who participated in all of the classes could earn up to 31 continuing professional education credits to maintain the certifications necessary for their positions. One of the courses also had an ethics component that satisfied the ethics requirement for certified public accountants and the Institute of Internal Auditors.

Starting in fall 2019, OSIG began offering free training courses to executive branch agency internal auditors. OSIG has a statutory obligation to provide training to this group. OSIG management determined it would help smaller departments with budgetary constraints by providing the training courses at no cost.

Fiscal Year 2021 Training

Name of Course	Date(s)	Number of Students	
Auditing 2020	October 6-7, 2020	87	
Fraud Risk Assessment	November 9-10, 2020	90	
Roundtable	October 20, 2020	38	
IT Governance	December 7, 2020	77	
IT Auditing for Non-IT Auditors	December 8, 2020	71	
Audit Report Writing/IIA & CPA Ethics	March 22-23, 2021	88	
IA Best Practices and Fundamental Principles	April 20-21, 2021	43	
State Updates	April 13-14, 2021	87	



OSIG's Internal Audit Oversight and Training Manager Vernon Harry (second row, far right) hosted a Chief Audit Executive Virtual Roundtable on October 20, 2020, to discuss attorney-client privileged documents and FOIA, and performance audits and Hotline investigations processes.

Agency Risk Management and Internal Control Standards

In FY 2021, OSIG completed the Agency Risk Management and Internal Control Standards review in compliance with the Virginia Department of Accounts ARMICS. The program includes agency control environment, risk and financial controls assessments. ARMICS developed fieldwork programs and workpaper templates for OSIG to document current and future years' fieldwork under the standards. ARMICS completed FY 2020 requirements before the DOA's September 30 deadline. ARMICS fieldwork determined OSIG has a strong internal control program with no significant weaknesses.

TECHNOLOGY AND SECURITY SERVICES



OSIG's Technology and Security Services Unit provides technological advancement and support for key initiatives, as well as oversight of policies and procedures that safeguard agency information and assets. The TSS staff, which consists of a manager and an information security officer, accomplished the following in FY 2021:

- Rolled out OSIG's new phone system.
- Migrated servers from the Commonwealth Enterprise Solutions Center to the new state data center.
- Completed a national cybersecurity review.
- Rolled out a new cybersecurity training system.
- Maintained the agency's COV information security standards.
- Implemented the BOX (secure file sharing and collaboration) application.
- Implemented the Power BI application.
- Created agency credentials.
- Implemented Single Sign-On for applications.
- Continued participation in the application migration to Cardinal.
- Refreshed agency computers.
- Migrated agency computers to Windows 10 OS.
- Continued assistance for agency staff teleworking.
- Decommissioned the server for agency cost savings.
- Reviewed and updated the Annual Risk Assessment and submitted it to VITA Commonwealth Security and Risk Management.
- Reviewed and updated the Business Impact Analysis and submitted it to VITA CSRM.
- Reviewed and updated the agency Continuity of Operations Plan.
- Performed the annual COOP exercise.

OFFICE OF THE STATE INSPECTOR GENERAL FISCAL YEAR 2021 ANNUAL REPORT

- Reviewed and updated the agency Disaster Recovery plan.
- Participated in the annual COV Disaster Recovery exercise.
- Reviewed and updated agency IT policies.
- Continued IT training for TSS Unit staff.
- Continued integrating OSIG business units into the Pentana application.
- Performed IT systems moves, adds and changes.
- Updated the agency website.

AUDIT AND INSPECTIONS DIVISION



AUDIT UNIT

The OSIG Audit Unit's legislative mandates are delineated in *Code of Virginia* § 2.2-309[A](10) and § 2.2-309.2 and include:

- Conducting performance reviews to assess the efficiency, effectiveness and economy of executive branch agencies' programs and operations.
- Assessing the condition of the accounting, financial and administrative controls of state and non-state agencies as necessary.
- Reviewing the condition of the Tobacco Region Revitalization Commission's accounting, financial and administrative controls.

Audit Standards

The Audit Unit follows Generally Accepted Government Auditing Standards issued by the U.S. Government Accountability Office. In 2018, the GAO issued a revision to the standards that supersedes the 2011 revision. These changes reinforce the principles of transparency and accountability and strengthen the framework of high quality government audits. The GAO also made limited technical updates to the 2018 revision in 2021 that is effective for performance audits beginning on or after July 1, 2019, and has been adopted by the Audit Unit for new audits.

Issued Reports

In FY 2021, OSIG published six performance audits presenting 33 findings and 78 recommendations.



Natural Resources Secretariat Law Enforcement: Diversity, Recruitment and Hiring Practices

This performance audit of the Department of Conservation and Recreation, Department of Wildlife Resources and Marine Resources Commission assessed the diversity in recruitment and hiring for fiscal years 2014-2019. It focused on the following areas:

- Consistency in diversity recruitment strategies with similar size and type of law enforcement agencies.
- o Effectiveness of the diversity recruitment strategies.
- Pre-employment testing and fairness in those tests to female and minority candidates.
- Fairness of application screening and interviewing of female and minority candidates.
- o Existence of an inclusive work environment and employee diversity training.
- Effectiveness of outreach and educational programs to promote hunting, fishing and outdoor recreation.

The chart below demonstrates that while Virginia has diversity in its population, little diversity existed in the makeup of law enforcement in the Natural Resources Secretariat.

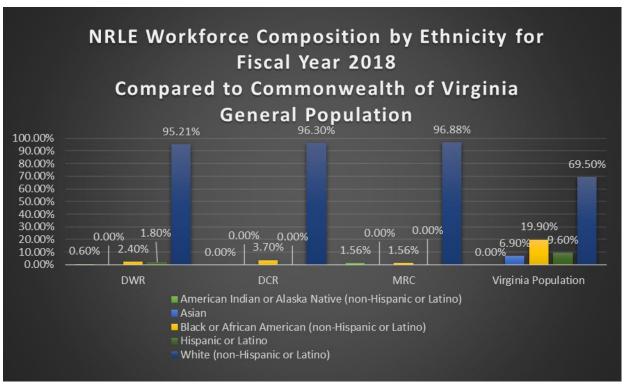


Chart prepared by OSIG Audit Unit-2021.

The report contained 12 findings with 36 recommendations, including:

- NRLE agencies, under the guidance of the Secretary of Natural and Historic Resources and the Commonwealth's Chief Diversity, Equity and Inclusion Officer, should create a shared recruiter position that is focused on diversity.
- o Each NRLE agency needs to create community engagement director positions.
- Community engagement needs to be improved through better use of existing resources and the cultivation of new resources.
- o Diversity and inclusion strategic plans need to be developed or improved.
- Recruiting efforts for a diverse and inclusive workforce need expanding.

The chart below represents the recommended approach to community engagement by category and component.

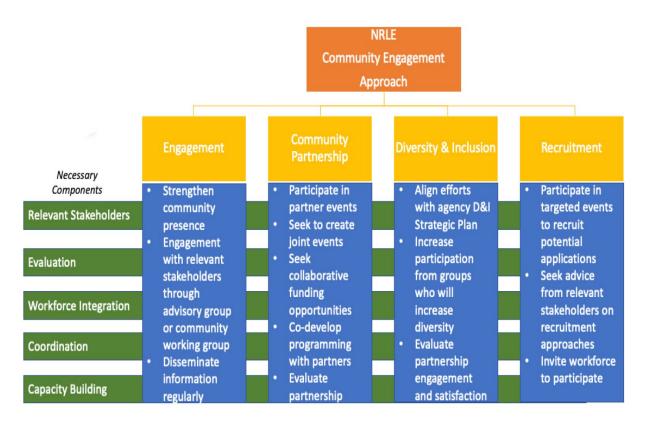


Chart prepared by OSIG Audit Department-2021.

Read the August 19, 2020, report.



Virginia Department of Health, Office of Drinking Water: Drinking Water Regulation

This performance audit of the Commonwealth's oversight of public water systems in Virginia, as it related to safe drinking water laws and regulations between July 2017 and December 2020, focused on the following areas:

- o Effectiveness of continuous monitoring and sample testing.
- o Effectiveness of site inspections.
- Analysis of safe drinking water data by ODW to identify reporting irregularities.
- o Effectiveness of enforcement when ODW finds regulatory violations.
- Assessment and collection of monetary penalties.

The report commended ODW in three areas:

- Recognizing the need for support for regional offices.
- o Recognizing the need for expanded performance measures.
- Updating their Internal Enforcement Manual.

The chart below shows the updated ODW enforcement actions.

Notice of Alleged Violation	Email or Phone Call	Letter of Agreement	Warning Letter	Consent Order	Informal Fact Finding Proceedings & Special Order	Formal Hearing
Documents a violation and stipulates the corrective action required to return a waterworks back into compliance.	Informal tool used to reach out to waterworks in an attempt to have them return to compliance swiftly.	Informal action that acknowledges a violation was observed, the waterworks makes efforts to comply and corrective action(s) are scheduled.	Informal action to schedule a compliance meeting with waterworks to discuss noncompliance.	A case decision authorized by statute and enforceable in court, this negotiated administrative order alleges specific violations, requires specific actions and may include a monetary penalty.	A hearing between ODW and waterworks owner and/or any other representatives to receive evidence, make a finding and determine course of action to address alleged violations of the Virginia Public Supplies law.	ODW and the waterworks present evidence and arguments in a hearing before the Executive Secretary of the Supreme Court of Virginia.

OFFICE OF THE STATE INSPECTOR GENERAL FISCAL YEAR 2021 ANNUAL REPORT

The report contained nine findings with 18 recommendations, including:

- Continued updates and expansion of compliance and enforcement policies and procedures, to include the updates and revisions of internal manuals.
- Assessment of enforcement processes; development of improved management practices; expansion of internal performance metrics and implementation of process tracking systems.
- Use of data analytics to evaluate regional violation trends and corrective action efforts.
- Improved central and regional office oversight of compliance procedures such as public notice and water sampling processes.
- o Development and implementation of enforcement escalation procedures.

Read the June 24, 2021, report.



Department of Conservation and Recreation and Virginia Department of Taxation: Conservation Easements/Land Preservation Tax Credits

This performance audit of conservation easements and related land preservation tax credits in calendar years 2009-2019 focused on the following areas:

- The existence of quality conservation based on criteria of the Virginia Land Conservation Foundation.
- If conservation easements submitted for land preservation tax credits met the intent of the law.
- Effectiveness of easement monitoring by land trust companies and public bodies.
- Completeness of conservation easement reporting by the Department of Conservation and Recreation.
- Support of land preservation tax credits by recorded easements.
- Existence of a fair appraisal.
- o Internal controls over land preservation tax credit transfers.

The report contained five findings with eight recommendations, including:

- The Land Trust Alliance should accredit land trust companies holding easements or donations of land for land preservation tax credits.
- Code of Virginia § 58.1-512 (D)(1) should require:
 - A lower threshold for quality reviews by the DCR.
 - A review by the DCR when the appraised value of the easement qualifies for a land preservation tax credit of \$1 million or more, regardless of the amount of credit taken.

Read the June 23, 2021, report.



Conserved land near Fredericksburg, Virginia



Department for the Blind and Vision Impaired: Virginia Enterprise Business Program

This performance audit of VEB operations as they related to adherence to the Randolph-Sheppard Act for fiscal years 2018-2020 focused on the following areas:

- Maximization of the number of service operator jobs for the blind and vision impaired.
- Accuracy and reasonableness in reporting of set-aside profits for VEB operations.
- Use of funds to advance the opportunities to the blind and vision impaired through other DBVI programs.

The report contained four findings with 13 recommendations, including:

- Develop policies and procedures for evaluating vending sites, including standard documentation useful to all sites.
- o Include the requirements of the Randolph-Sheppard Act in waiver notifications.
- Develop processes to track and follow up on sites issued waivers in order to ensure VEB is notified of all potential opportunities.
- Conduct audits once operations resume (after COVID).
- Update procedures to include how the results will be used, how often the records will be audited, how and when training will be required and the penalties for fraudulent or mismanagement of operations by the vendors.

Read the February 24, 2021, report.



Department of Veterans Services: Virginia Transition Assistance Program

This performance audit of VTAP operations to assist the veteran workforce from January 2017 through September 2019 focused on the following areas:

- Duplication of services between VTAP and employment services at the Virginia Employment Commission.
- Identification of measurable effects that VTAP has on transitioning service members.
- o Internal control over data used to calculate performance measures.

The report contained three findings with three recommendations, including:

- DVS and VEC need to continue improving collaboration to serve transitioning service members better.
- VTAP should examine and update the methods and systems used to calculate its performance measures to make the process more efficient.
- VTAP should establish a process that consistently captures contact with individuals from its own events and from its participation at other entities' events.

Read the July 21, 2020, report.

OFFICE OF THE STATE INSPECTOR GENERAL FISCAL YEAR 2021 ANNUAL REPORT



Statewide: Annual Follow-up of Previous Findings for Fiscal Year 2021 This performance audit focused on follow up items as of June 30, 2020. OSIG reviewed action plans for 17 agencies in response to previously issued performance audits. Forty-two previous findings and recommendations were included.

The report contained no additional findings or recommendations from those issued in previous reports. However, OSIG identified significant issues with two agencies, the Virginia Department of Social Services and the Tobacco Region Revitalization Commission. They did not provide documentation to validate management's response or declined to implement sufficient corrective actions for their findings.

The Department of Corrections submitted a new corrective action plan in response to findings in the previously issued Virginia Correctional Enterprises audit.

Read the March 3, 2021, report.

Ongoing Mandated Reviews:

Virginia Department of Agriculture and Consumer Services and Virginia Lottery: Charitable Gaming

This project, mandated in 2021 Reconvened Special Session 1, Virginia Acts of the Assembly, Chapter 552, Item 105 D1, is to review the regulatory structure of charitable gaming in Virginia, to include, at a minimum:

- Current permitting requirements and exemptions.
- Net revenue dedicated to charitable activities and the types of gaming revenue that are excluded from this calculation.
- Charitable gaming occurring in remote locations not located in the same jurisdiction as the registered address of the charitable organization.
- Enforcement of the "social quarters" and "members and guests" limitation.
- The structure of the Charitable Gaming Board, including any changes needed to prevent conflicts of interest.
- The adequacy of enforcement and resources dedicated to oversight activities of the Office of Charitable and Regulatory Programs.
- Whether regulation of charitable gaming would be better vested with the Virginia Lottery.

OSIG's report to the General Assembly is due no later than October 1, 2021.

Ongoing Performance Audits

As of July 1, 2021, OSIG continued its work on several performance audits:

Virginia Information Technologies Agency and Department of General Services, Office of Surplus Property Management: Removal of Electronic Data from Commonwealth Devices

- This audit reviews data sanitization computer equipment and related electronic devices.
- This audit will determine if agencies are performing the media sanitization and disposal process as required by VITA ITRM Standards and best practices.
- It will also determine if VITA and the Department of General Services have suitable oversight over executive agencies and vendors used for sanitization to ensure the protection of Commonwealth data related to disposal of assets.

Virginia's Higher Education Institutions: Clery Act Program

- The federal Clery Act requires all colleges and universities that participate in federal financial aid programs provide students and their families with accurate, complete and timely information about crime and campus safety so that they can make informed decisions.
- The audit focuses on internal controls over Clery Act reporting and will be based on a sample of the Commonwealth supported colleges and universities.

Department of General Services, Office of Fleet Management Services: Statewide Fleet Program

- This audit focuses on the Office of Fleet Management's business practices pertaining to vehicle acquisition, disposal and fuel monitoring on a sample of state agencies and institutions.
- The audit will evaluate the business need of pool vehicles owned by the Commonwealth.

Virginia Department of Social Services: Child Protective Services

- This audit focuses on effectiveness and efficiency of Child Protective Services case management from intake through closing.
- The audit will also include an assessment of the sufficiency of the VDSS 24-hour abuse hotline.

Department of Mines, Minerals and Energy: Diversity, Recruitment and Hiring Practices

- This audit focuses on diversity in recruitment and hiring within the Department of Mines, Minerals and Energy.
- OSIG will leverage the work completed for the similar audit of Natural Resources Law Enforcement, as discussed under Issued Reports above.

Virginia Department of Transportation: Snow Removal

- This audit focuses on the effective contract monitoring of snow removal services, as well as the use of automated vehicle locator technology.
- OSIG could not complete the audit because of the lack of a major snowstorm in the 2019-2020 winter.
- COVID-19 delayed the audit in the 2020-2021 winter.





Staff Auditor Kapua Jacunski (left photo) prepares for on-site inspections of snow removal equipment during the VDOT Snow Removal audit. Right photo: VDOT employees prepare snow removal trucks for use.

Department of Forensic Services: Forensic Technical Services

- o This audit focuses on the efficiency of evidence testing within state crime labs.
- OSIG has suspended this audit pending the hiring of an external subject matter expert.

Education and Training Opportunities

Audit Unit staff attended 834 hours of training in FY 2021:

- Certified Internal Auditor Exam Preparation Course
- Audit Report Writing
- Practical Ethics 4.0
- Internal Audit Best Practices and Principles
- Nursing Ethics
- Prevention of Medication Errors
- Value of Empathy in the Patient/Clinician Relationship-The Difficult Patient
- Patient Engagement and Strategies to Build Trust The Difficult Patient

- Introduction to Healthcare Analytics
- Research Methods
- Program Evaluation
- Leadership and Professionalism

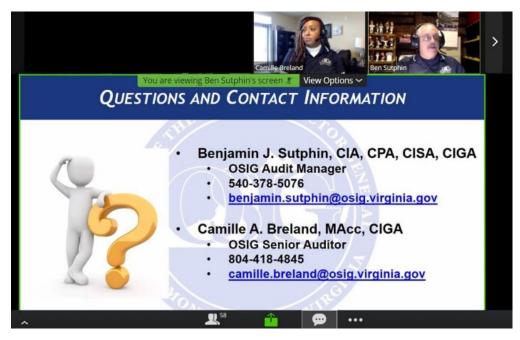
Certifications, Staffing and Accomplishments

- Audit Unit staff hold 25 certifications.
- Audit managers Adam Tagert and Ben Sutphin and Deputy Inspector General -Audit and Inspections Mike Taylor earned their Certified Government Audit Professional designations in FY 2021.

Audit Unit Certifications by Type	
Certified Inspector General Auditor (CIGA)	7
Certified Government Auditing Professional (CGAP)	4
Certified Internal Auditor (CIA)	4
Certified Public Accountant (CPA)	4
Certified Information Systems Auditor (CISA)	3
Virginia Contracting Associate	2
Certified Fraud Examiner	1
Total Certifications	25

- The Audit Unit added a staffing level of Advanced Auditor for Project Management.
- Staff is now comprised of two audit managers, a Quality Assurance Manager, two advanced senior auditors, four senior auditors and three auditors.
- Audit Unit staff made six presentations in FY 2021, including one to the national Association of Local Government Auditors, four to professional audit organizations across Virginia and one to the Chief Audit Executive Roundtable.
- Audit Unit staff participated in 183 training events ranging from one- hour webinars to multi-day events, totaling 834 hours of training.
- Audit Unit staff held officer and board of governors' positions in the Central Virginia and Southwest Chapters of the Institute of Internal Auditors.
- Audit Manager Ben Sutphin served on the Institute of Internal Auditors Chapter Relations Committee.

OFFICE OF THE STATE INSPECTOR GENERAL FISCAL YEAR 2021 ANNUAL REPORT



OSIG staff presented on diversity in hiring and recruitment to IIA - Tidewater and Peninsula AGA chapters in February 2021.

BEHAVIORAL HEALTH AND DEVELOPMENTAL SERVICES UNIT

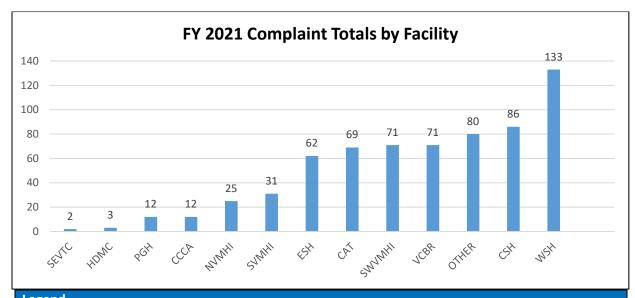


OSIG's Behavioral Health and Developmental Services legislative mandates are described in *Code of Virginia* § 2.2-309.1 and include:

- Conducting annual unannounced inspections of the 12 state facilities operated by the Department of Behavioral Health and Developmental Services.
- Inspecting, monitoring and reviewing the quality of services at state-operated facilities and more than 1,000 licensed providers of behavioral health, substance abuse and developmental services.
- Ensuring that the General Assembly and Joint Commission on Health Care are informed about significant problems, abuses and deficiencies.
- Investigating specific complaints of abuse, neglect or inadequate care.
- Reviewing, commenting on and making recommendations about any reports prepared by DBHDS, as appropriate, and the critical incident data collected by DBHDS.

Monitoring Activities

The BHDS Unit processed 657 complaints in FY 2021.



Legend	
SEVTC - Southeastern Virginia Training Center	CAT - Catawba Hospital
HDMC - Hiram Davis Medical Center	SWVMHI - Southwestern Virginia Mental Health Institute
PGH - Piedmont Geriatric Hospital	VCBR - Virginia Center for Behavioral Rehabilitation
CCCA - Commonwealth Center for Children & Adolescents	OTHER - Community Services Board or Private Provider
NVMHI - Northern Virginia Mental Health Institute	CSH - Central State Hospital
SVMHI - Southern Virginia Mental Health Institute	WSH - Western State Hospital
ESH - Eastern State Hospital	

Reports

DBHDS-Operated Facilities: Policy and Procedures Mortality Review

- The BHDS Unit conducted a review of mortality policies and procedures in facilities operated by the DBHDS, including Central Office.
- The goal of this review was to identify areas of improvement in reporting and reviewing patient deaths in DBHDS facilities.
- This review focused on the policies and processes related to patient deaths and internal review thereof, as well as documentation of patient death reviews.
- This report contained four findings and four recommendations for improvement.

Read the July 27, 2020, report.

Unannounced Inspections of DBHDS Facilities

- OSIG performed physical inspections of 12 DBHDS facilities. The inspections focused on the facilities' ongoing process of adapting to and implementing safety protocols for the protection of staff and patients against the COVID-19 virus. OSIG inspectors noted that DBHDS Central Office provided guidance to the facilities.
- After completion of the site visits, OSIG learned that some DBHDS personnel shared detailed information about the inspections with other facilities. As a result, OSIG was only able to draw conclusions about COVID-19 protocols at the first facility inspected.

Read the December 18, 2020, report.

DBHDS-Operated Facilities: Mortality Review Report to Governor Northam

- OSIG reviewed medical records and other supporting documentation for 95 patient deaths. This report focused on patient-specific issues identified during the review of individual patient records. The goal of this review was to identify opportunities for active prevention of patient deaths through risk reduction and mitigation.
- O This report contained 12 findings and 12 recommendations for improvement.

Read the March 16, 2021, report.

Report on Northern Virginia Mental Health Institute

- OSIG conducted a review after receiving a complaint alleging the Northern Virginia Mental Health Institute was not classifying incidents involving sexual assault and/or battery appropriately and only notifying the Virginia State Police at the Director's discretion.
- DBHDS last revised DI 205 (RTS) 89, Filing Criminal Charges Against Individuals Served in State Facilities in 2012 and last reviewed it in 2017.
- Individuals that were victims of sexual battery were not provided with the opportunity to report the incident to law enforcement.
- DI 205 (RTS) 89, Filing Criminal Charges against Individuals Served in State Facilities, failed to address victims' rights.
- OSIG made seven recommendations to improve the process of Filing Criminal Charges against Individuals Served in State Facilities.

Read the May 27, 2021, report.

Education and Training Opportunities

BHDS Unit staff attended nearly 150 hours of training in FY 2021:

- Certified Internal Auditor Exam Preparation Course
- Audit Report Writing
- Practical Ethics 4.0
- Internal Audit Best Practices and Principles
- Nursing Ethics
- Prevention of Medication Errors
- Value of Empathy in the Patient/Clinician Relationship-The Difficult Patient
- Patient Engagement and Strategies to Build Trust The Difficult Patient
- Introduction to Healthcare Analytics
- Research Methods
- Program Evaluation
- · Leadership and Professionalism

Certifications, Staffing and Accomplishments

- o BHDS Unit staff hold seven certifications and higher degrees.
- The BHDS Unit is comprised of a healthcare compliance manager, healthcare compliance supervisor, and two healthcare compliance specialists.
- o In FY 2021, BHDS Unit staff processed 657 complaints from the BHDS complaint reporting system (phone, email and online portal).
- Initiated a review of mortality policies and procedures in facilities operated by DBHDS.
- Reviewed medical records and other supporting documentation for 95 patient deaths. The goal of this review was to identify opportunities for active prevention of patient deaths through risk reduction and mitigation.
- OSIG performed physical inspections of all 12 DBHDS facilities.

BHDS Unit Certifications/Graduate Degrees by Type		
Master of Public Administration	1	
Master of Arts and English	1	
Certified Inspector General Inspector/Evaluator	1	
Virginia Contracting Officer	1	
Licensed Practical Nurse	1	
Certified Internal Auditor	1	
Assistive Technology Professional	1	
Total	7	

OFFICE OF THE STATE INSPECTOR GENERAL FISCAL YEAR 2021 ANNUAL REPORT



Michael King, DHRM CommonHealth Regional Coordinator (top left), spoke to OSIG staff about the health effects of the pandemic at its virtual Annual Staff Meeting on October 22, 2020.

COMMUNICATIONS AND OUTREACH



In a continuing effort to inform and educate others about OSIG's mission and activities, staff made numerous presentations, participated in panel discussions at state and national gatherings, and attended meetings at the:

- Association of Government Accountants.
- Central Virginia Law Enforcement Chief Executives Association.
- Commonwealth Managers Association.
- Longwood University.
- Newport News Financial Crimes Task Force.
- International Association of Financial Crimes Investigators.
- Institute of Internal Auditors-Southwest Virginia Chapter.
- Radford University.
- U.S. Secret Service Financial Crimes Task Force.
- U.S. Postal Service's Financial Crimes Task Force.
- Virginia Management Fellows Program.

In FY 2021, OSIG drafted and distributed 13 news releases:

OSIG Investigation into \$1.3 Million Tax Fraud Scheme Goes To Court: After a yearlong investigation by OSIG, a retired Virginia Department of Taxation employee will be in court soon to face charges of misappropriating taxpayer funds, totaling nearly \$1.3 million. — June 23, 2021

OSIG Has Its Work Cut Out in Its Work Plan for FY 2022: OSIG released its Fiscal Year 2022 Annual Work Plan to Governor Ralph Northam. — June 22, 2021

OSIG Conducts DBHDS Mortality Review and Recommends Better Training and Documentation: OSIG conducted a review of patient deaths in facilities operated by

DBHDS to identify opportunities for active prevention of patient deaths through risk reduction and mitigation. — March 29, 2021

OSIG Commends DBVI for Vending Machine Program: The Office of the State Inspector General performed an audit of the Department for the Blind and Vision Impaired Virginia Enterprise Business Program to assess the Vending Facility program authorized by the Randolph-Sheppard Act. — March 14, 2021

OSIG Performing Its Duties as Mandated in the Code of Virginia: The Office of the State Inspector General has been performing and continues to perform its duties to the letter of the law, says State Inspector General Michael C. Westfall. — March 4, 2021

OSIG Conducted Independent Investigation of Virginia Parole Board: The Virginia Office of the State Inspector General conducted a thorough and independent investigation of allegations involving the Virginia Parole Board made through the Fraud, Waste and Abuse Hotline. — February 26, 2021

General Assembly Confirms Westfall as State Inspector General: The General Assembly has confirmed the Governor's reappointment of State Inspector General Michael C. Westfall. — February 18, 2021

OSIG Receives Federal Law Enforcement Certification: The Office of the State Inspector General has received certification that OSIG has met certain eligibility requirements set forth by the U.S. Department of Justice to obtain discretionary federal grants. — February 16, 2021

OSIG Teamed with DOJ as Former DMV Program Manager Sentenced for Bribery Conspiracy: The Office of the State Inspector General was part of the team that led to the prosecution of a former DMV employee. — January 12, 2021

OSIG Conducts Unannounced Inspections at 12 DBHDS Facilities but Reports on Only One: The Virginia Office of the State Inspector General (OSIG) performed unannounced inspections at the 12 facilities operated by the Department of Behavioral Health and Developmental Services (DBHDS). — January 7, 2021

State Inspector General Adds New Role: State Inspector General Michael C. Westfall has been elected to serve a three-year term on the Association of Inspectors General Board of Directors beginning January 1, 2021. — October 28, 2020

OSIG Manages More Investigations and Behavioral Health Cases in FY 2020: OSIG released its Fiscal Year 2020 Annual Report to the Governor and General Assembly, reporting that the number of cases handled by its Investigations and Behavioral Health and Developmental Services units more than doubled from last year's numbers. — October 1, 2020

OSIG Finds Opportunities to Increase Diversity in Natural Resources Law Enforcement: OSIG conducted an audit to evaluate the quality of diversity recruitment and hiring practices of law enforcement officers within the Natural Resources Secretariat. — August 20, 2020

CONTACT INFORMATION

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Email: osig@osig.virginia.gov
Website: osig.virginia.gov

State Fraud, Waste and Abuse Hotline

Reports made to the Hotline are anonymous and confidential.

Toll-free number: (within Virginia): 800-723-1615

Mailing Address:

Attention: State Fraud, Waste and Abuse Hotline

P.O. Box 1151 Richmond, VA 23218

Online form: Complete and submit online form

Fax: 804-371-0165

Email: COVHotline@osig.virginia.gov

Behavioral Health and Developmental Services Complaint Line

Phone: 833-333-OSIG (6744)

Email: OSIGBHDSComplaints@osig.virginia.gov

Social Media

Facebook: www.facebook.com/VaOSIG
Twitter: www.facebook.com/VaOSIG

LinkedIn: www.linkedin.com/company/virginia-office-of-the-state-inspector-general

Instagram: https://www.instagram.com/vaosig1/