

Memorandum



CITY OF DALLAS
(Report No. I17-002)

DATE: October 26, 2016

TO: Honorable Mayor Michael S. Rawlings
Honorable Jennifer S. Gates, Chair – Budget, Finance & Audit Committee
Larry Casto, City Attorney

SUBJECT: Investigative Report:
Department of Dallas Water Utilities – Theft of Water Services

This report provides results of an administrative investigation of an allegation involving the theft of Department of Dallas Water Utilities (DWU) water services by Ms. Virjeania Biggers, DWU Laborer II.¹

In March 2016, DWU Management reported to the Office of the City Auditor (Office) that Ms. Biggers, a DWU employee, was suspected of illegally having her water service reconnected at her home after the service was disconnected for non-payment of her City of Dallas (City) water bill. The Dallas Police Department – Public Integrity Unit (DPD-PIU) conducted a criminal investigation of the allegation. The DPD-PIU conducted surveillance and observed an unauthorized reconnection of Ms. Biggers' water service by a fellow DWU employee (Water Field Representative). Ms. Biggers admitted to DPD-PIU that she had the water illegally reconnected, but also stated that she had mislead the Water Field Representative into reconnecting her service. The estimated illegal consumption of water was valued at \$585.45. On August 12, 2016, DPD-PIU reported to the Office that their investigation was completed, and there was sufficient evidence to file charges against Ms. Biggers for a Class B Misdemeanor theft. Ms. Biggers was arrested on September 12, 2016. The DPD-PIU did not seek criminal charges against the Water Field Representative.

The evidence obtained and reviewed in the Office's administrative investigation is sufficient to support the finding that Ms. Biggers violated the City's Personnel Rules, specifically: dishonesty, disregard of the public trust and theft.

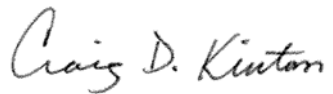
¹ Council Resolution 90-4027 requires the Office of the City Auditor to report to the Mayor, the Chair of the City Council Budget, Finance & Audit Committee, and the City Attorney any apparent violations of law, apparent instances of misfeasance, or nonfeasance by City of Dallas employees. Investigations by the Office of the City Auditor are considered nonaudit projects under the Government Audit Standards and are conducted in accordance with Quality Standards for Inspection and Evaluation established by the Council of the Inspectors General on Integrity and Efficiency, Association of Certified Fraud Examiners Code of Professional Ethics, and City Code.

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The DWU Management reviewed the Office's administrative investigation and concluded that Ms. Biggers' actions were in violation of the City's Personnel Rules. On October 12, 2016, DWU Management stated that Ms. Biggers had received a suspension without pay for a period of ten working days for her participation in the unauthorized theft of services. The DWU Management further stated that the Water Field Representative had also received a suspension without pay for a period of eight working days for his participation in the unauthorized theft of services.

If you have any questions or would like to be briefed regarding this matter, please contact me at (214) 670-3222 or Doug O'Rourke, Assistant City Auditor, at (214) 670-5265.

Sincerely,

A handwritten signature in cursive script that reads "Craig D. Kinton".

Craig D. Kinton
City Auditor

C: Honorable Members of the City Council
A.C. Gonzalez, City Manager
Mark McDaniel, Assistant City Manager
Jo M. (Jody) Puckett, Director – Department of Dallas Water Utilities
Jeanne Chipperfield, Chief of Ethics and Compliance