

Memorandum



CITY OF DALLAS
(Report No. I14-001)

DATE: April 2, 2014

TO: A.C. Gonzalez, City Manager

SUBJECT: Investigative Report:
Department of Sustainable Development and Construction –
Harassment of Citizen

City of Dallas Administrative Directive 2-14: *Fraud, Waste and Abuse Procedures* directs the Office of the City Auditor (Office) to report to the City Manager specified investigative audit findings. This report summarizes the results of an investigation of an allegation involving a Department of Sustainable Development and Construction (SDC) Senior Inspector harassing a City of Dallas (City) citizen.

On August 30, 2013, a female citizen, who speaks only Spanish, reported that the Senior Inspector was at her home on August 29, 2013 to conduct a gas test inspection when he touched her inappropriately, asked her inappropriate questions about her immigration status, and made sexual innuendos which made her feel uncomfortable. The citizen and her husband called the Dallas Police Department (DPD) via 9-1-1 to report the Senior Inspector's behavior. The DPD notified SDC Management, who in turn contacted the Office.

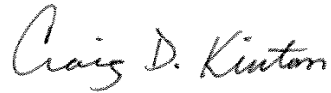
After receiving the initial information, the Office involved DPD's Public Integrity Unit (DPD-PIU). The DPD-PIU interviewed the citizen; however, she did not want to press charges against the Senior Inspector. Based on the citizen's request not to prosecute, the Office began its investigation of the Senior Inspector's conduct.

The evidence obtained supports the finding that the Senior Inspector's actions violated City Personnel Rules, specifically: indifference towards work; disturbance; misconduct; and, disregard of public trust.

The SDC – Building Inspection Division reviewed the allegations and evidence concerning the Senior Inspector. Based on the seriousness of the allegations and the evidence supporting those allegations and other concerns about job performance, it was determined termination of employment was the appropriate disciplinary action. Building Inspection, working with the Department of Human Resources (HR), initiated the termination procedure and, upon receiving the pre-termination hearing letter, the employee decided to retire as of March 18, 2014.

If you have any questions or would like to be briefed regarding this matter, please contact me at 214-670-3222 or Amy Messer, Assistant City Auditor, at 214-670-5347.

Sincerely,

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

Craig D. Kinton
City Auditor

C: Honorable Members of the Budget, Finance & Audit Committee
Theresa O'Donnell, Interim Assistant City Manager