

Memorandum



CITY OF DALLAS
(Report No. I14-004)

DATE: May 29, 2014

TO: Honorable Mayor Michael S. Rawlings
Honorable Jerry Allen, Chairman – Budget, Finance & Audit Committee
Warren M.S. Ernst, City Attorney

SUBJECT: Investigative Report: Department of Equipment and Building Services –
Disturbance and Theft of Fuel

Council Resolution 90-4027 requires the Office of the City Auditor (Office) 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 (City) employees. This report summarizes the results of the Office's administrative review of a Dallas Police Department – Public Integrity Unit (DPD-PIU) investigation into Mr. Kevin Campbell, Department of Equipment and Building Services (EBS) Fuel Transport Operator, who, in separate interactions, verbally abused a citizen and stole City-owned diesel fuel.

On December 16, 2013, a citizen called the Dallas Police Department (DPD) complaining that a City employee followed her home and cursed her for allegedly having cut off the City truck driven by the employee. The DPD investigating officers determined that the City employee involved in the confrontation was Mr. Campbell, and a Class C misdemeanor ticket for disorderly conduct – offensive language was issued to Mr. Campbell. The DPD-PIU referred this matter to the Office for administrative review.

On February 4, 2014, a citizen witnessed a City employee pumping diesel fuel from a City fuel truck into 55 gallon drums located at a residential property. The citizen reported this to EBS Management, who provided the allegation to DPD-PIU. The DPD-PIU investigation determined that the employee observed pumping City fuel into the drums at the residence was Mr. Campbell. The investigation also revealed the owner of the residential property, to whom Mr. Campbell was selling the fuel, was the owner and driver of a tractor trailer.

The DPD-PIU's investigation determined that Mr. Campbell had stolen and sold City-owned diesel fuel. The DPD-PIU obtained an admission from Mr. Campbell and he acknowledged stealing and selling the City's diesel fuel for \$2.00 a gallon. The identifiable loss associated with Mr. Campbell's theft was approximately 190 gallons of diesel fuel priced between \$3.00 to \$3.50 per gallon, totaling the value of the detectable loss to the City between \$572 to \$667.

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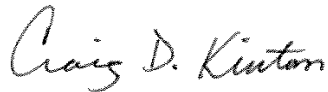
Mr. Campbell admitted the theft of diesel began in October 2013. On April 4, 2014, Mr. Campbell was arrested for felony theft by DPD-PIU. Subsequently, DPD-PIU forwarded the complaint to the Office for administrative review.

The Office's review of the evidence supports the finding that Mr. Campbell's conduct violated City Personnel Rules and the Texas Penal Code.

On May 23, 2014, the Office received EBS Management's response stating Mr. Campbell's employment with the City was terminated effective May 2, 2014 based on DPD-PIU's investigation and the Office's Investigative Results.

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 black ink that reads "Craig D. Kinton". The signature is written in a cursive style with a large initial 'C'.

Craig D. Kinton
City Auditor

C: Honorable Members of the City Council
A.C. Gonzalez, City Manager
Forest Turner, Assistant City Manager