

PROCESSES PROCEDURES PRACTICES

GETTING TO KNOW
YOUR
OFFICE OF THE INSPECTOR GENERAL



OVERVIEW

- On September 3, 2024, City Council approved legislation “walk[ed]-in” by the mayor’s office that created a temporary task force to examine Office of the Inspector General’s (OIG) work and make recommendations to the mayor and the Council to update OIG’s Charter provisions.
- OIG received no notice of this legislation and was afforded no opportunity to respond to the mayor’s office’s presentation, which contained multiple misstatements and mischaracterizations concerning our work.
- The mayor’s office identified as “areas of concern” OIG investigative actions that are consistent with industry standards and practices in offices of inspector general across the country.
- OIG stands by its work and looks forward to informing the task force and the public regarding how its practices fit within national standards.
- For several months, OIG and its board have provided resources and offered to assemble experts for the mayor’s office to give a greater understanding of how offices of inspector general operate.
- The mayor’s office has not been receptive. Instead, the mayor’s office assembled a task force and gave it a mandate with a timetable that defies comprehensive fact finding and analysis—the task force must complete its review and offer its assessment within 45 days of the passage of the legislation (October 18, 2024).
- To better inform the public and lay a foundation for the work of the task force, OIG provides the following background and details regarding some of the processes and procedures that guide its work.



WHY OIG EXISTS

- Seven years ago, the U.S. Attorney's Office for the Northern District of Georgia announced indictments of high-level City of Atlanta employees and contractors, all of whom pleaded guilty or were found guilty at trial for having committed fraud against the city.
- As a result, *The Task Force for the Promotion of Public Trust* was formed to examine ways to strengthen the City's ethical environment. Holding five public hearings over a five-month period, staffed by Bloomberg Associates, the Task Force weighed the existing City oversight entities, reviewed integrity models from across the country, and met with the inspectors general of Baltimore and Philadelphia.
- The Task Force recommended the creation of an independent office of the inspector general.
- OIG was established in 2020 to guard against fraud, waste, abuse, and corruption by city officials, employees, and vendors. OIG was created as an independent agency, reporting to a governing board in order to protect OIG's work from city officials who might interfere or influence an investigation or review.
- OIG serves as a watchdog agency for the advancement of integrity in municipal operations and is committed to serving the City of Atlanta, including its residents, employees, and all who have a vested interest in the success of the city.



GOOD GOVERNMENT

- Independence is at the heart of an effective office of inspector general
- Offices of inspector general issue fact-driven reports based on professional investigative standards
- When a jurisdiction has an effective office of inspector general, it sees:
 - ❖ Reduction in time to detection of fraud, waste, abuse, and corruption
 - ❖ Reduction in severity of misconduct
 - ❖ Increased opportunity for internal solutions
 - ❖ Decreased opportunity for outside intervention / judgment
 - ❖ Cost savings



OIG AT A GLANCE

In accordance with Article 8 of the Charter of the City of Atlanta, OIG is authorized to investigate allegations of fraud, waste, abuse, and corruption. OIG does this work to ensure the lawful, effective, and efficient administration of the Atlanta city government.

Article 8 outlines the general jurisdiction of the office, including matters of fraud, waste, abuse, and corruption by employees, elected officials, vendors, and members of boards, authorities, commissions, etc. (BACE).

The work is performed through two divisions: the Independent Procurement Review Division and the Compliance Division.

OIG's investigative standards are derived from the Association of Inspectors General's *Principles and Standards for Offices of Inspector General, Quality Standards for Investigations* (July 2024), known as the Green Book. The Green Book is utilized to guide the professional conduct of OIG as it carries out its official duties.



INDEPENDENT PROCUREMENT REVIEW (IPRO)

Article 8 requires the Independent Procurement Review Division to:

- Review all solicitations and cooperative purchasing agreements presented to City Council with an aggregate value of over \$1M to identify any areas of concern in the solicitation process
- Provide the results of its review to the Department of Procurement to facilitate corrective actions before the Council considers legislation to approve the contract
- Provide a report for inclusion with authorizing legislation tracking procurement procedures based on known risks

Article 8 empowers IPro to conduct discretionary reviews on solicitations of any value.



IPro

A Snapshot of IPro’s Reviews and Observations:

2024 SOLICITATION REVIEW REPORTS (TO DATE)

In 2024, to date, IPro has published 47 reports.

Total Contract Value.....	\$709,573,450
Total Observations.....	206
Total Submissions Reviewed.....	142

2023 SOLICITATION REVIEW REPORTS

In 2023, IPro published 52 reports.

Total Contract Value.....	\$1,762,804,761
Total Observations.....	149
Total Submissions Reviewed.....	232



COMPLIANCE

Article 8 requires the Compliance Division to:

- Investigate allegations of fraud, waste, abuse
- Educate and train employees and officials on topics determined to present the greatest level of concern, (e.g., anti-corruption trainings)
- Forward allegations, reports, and factual determinations regarding violations of laws, rules, regulations, and internal policies to appropriate departmental personnel, the committee of purview over relevant department(s) highlighted in the reports, and other appropriate stakeholders
- Notify local, state, or federal law enforcement agencies of suspected criminal violations of a law, rule, or regulation related to a matter under the jurisdiction of the Compliance Division
- Notify the subject of a report of the completion of an investigation into any alleged violation of a law, rule, regulation, or internal policy related to matters under the jurisdiction of the Compliance Division
- File with the Governing Board of the Office of the Inspector General and the Ethics Office, the Mayor, and the City Council each January a written report describing the activities of the Compliance Division in carrying out its goals



COMPLIANCE

The Compliance Division acts as a factfinder, obtaining evidence, identifying elements of alleged offenses, and applying evidence to each element as it determines whether an allegation is substantiated or unsubstantiated.

When the division finds the alleged conduct more likely than not occurred, the allegations are substantiated. Compliance then refers its findings to relevant parties. If Compliance identifies: individual misconduct by a city employee or elected official, Compliance refers its findings to the relevant department head or applicable city leader for appropriate disciplinary action; misconduct by a city vendor, Compliance refers its findings to the city chief procurement officer, with possible recommendations of suspension or debarment; or criminal misconduct, Compliance refers its findings to the relevant prosecutor’s office. If the investigation reveals one or more corruption vulnerabilities or other gaps in controls, Compliance will suggest Policy and Procedure Recommendations to the relevant department head or city leader to shore up such gaps.

**A Snapshot of
Compliance
Investigations:**

	2024	2023
Active Investigations	112	74
Closed Investigations	16	20
Substantiated	10	9
Unsubstantiated	6	7.5
Partially Substantiated	-	3.5



EXPERIENCE MATTERS

SHANNON K. MANIGAULT **Inspector General**

Since 2021, Inspector General Manigault has worked to build an office to prevent and detect fraud, waste, abuse, and corruption in the City of Atlanta (City).

Prior to her appointment with the City, Manigault worked for the New York City Department of Investigation (DOI) where she served as the Inspector General of the Fire Department, Department of Sanitation, Taxi & Limousine Commission, Emergency Management, and Conflicts of Interest Board. Manigault's team assessed agency protocols and practices, identified corruption vulnerabilities, issued policy and procedure recommendations, and collaborated with prosecutors to pursue charges against those engaged in criminal misconduct. A certified New York State peace officer, Manigault also planned and executed arrest, surveillance, and undercover operations.

Before DOI, Manigault worked for New York City Council, where she drafted and negotiated legislation concerning New York City procurement and coordinated Council oversight of city agencies. Prior to the Council, Manigault was a litigation associate at Davis Polk & Wardwell LLP, where she conducted internal investigations and represented clients in white collar defense and regulatory matters.

Manigault is a Certified Inspector General. She received an AB from Harvard College and a JD from Harvard Law School.



EXPERIENCE MATTERS

SHELBY J. WILLIAMS

Deputy Inspector General – Compliance Division

Shelby J. Williams has dedicated nearly 30 years to public service. Prior to joining the City of Atlanta, she spent 19 years conducting criminal and administrative investigations with the Miami-Dade County Office of the Inspector General. During her tenure with the Miami-Dade County OIG, in the positions of Assistant Inspector General for Investigations, Supervisory Special Agent, and Special Agent, Williams conducted and oversaw investigations related to election and insurance fraud, theft of surplus funds, construction related frauds, and public corruption. Williams spent 12 years as the Supervisory Special Agent at the Miami International Airport, where she led an investigative team that conducted a broad range of investigations that included financial crimes, grand theft, official misconduct, vendor improprieties, and conflicts of interest. Their efforts led to the successful prosecutions and convictions of several corporations, and aviation and vendor employees, recovering over \$7 million dollars in restitution for the airport.

Prior to joining the Miami-Dade County OIG, Williams held supervisory and investigative positions with various agencies with the State of Florida, including the Department of Revenue, the Department of Children and Families, the Department of Highway Safety and Motor Vehicles, and the Department of Business and Professional Regulation.

Williams is a Certified Inspector General, a Certified Inspector General Investigator, and is a member of the International Association of Financial Crimes Investigators. She holds a Bachelor of Science Degree in Legal Studies from Nova Southeastern University, and a Master of Science Degree in Management with a Justice Administration concentration focused on Organizational Culture and Behavior from St. Thomas University.



EXPERIENCE MATTERS

BRADFORD J. GARVEY

Deputy Inspector General – Independent Procurement Review Division

With 20 years of experience in legal support, program evaluation, governmental audit, internal audit, and fraud examination, Bradford J. Garvey has worked with federal, state, and local entities in areas related to program management. Prior to joining the Independent Procurement Review team, Garvey served as a Director of Internal Audit at the State of Georgia Department of Community Affairs where he implemented an internal audit function and conducted risk assessments, performance audits, monitoring efforts, investigations, and internal control reviews.

Prior to working at the State, Garvey spent over six years at the City of Atlanta City Auditor's Office as a Senior Performance Auditor and Performance Audit Manager and worked on audits and investigations spanning various city entities and programs.

Garvey is a Certified Inspector General and Certified Fraud Examiner, and holds certifications in internal audit, risk management assurance, government audit, and construction audit. He is a member of the Association of Inspectors General, the Institute of Internal Auditors, the Association of Certified Fraud Examiners, and the National Association of Construction Auditors. Garvey holds a Bachelor of Arts Degree in Political Science from Emory University and a Master of Public Administration with a Policy Analysis and Evaluation concentration from the Andrew Young School of Policy Studies at Georgia State University.



EXPERTISE MATTERS

OIG is comprised of investigators, auditors, attorneys, a data analyst, and other professionals with undergraduate and graduate degrees in diverse disciplines, and experience in working with regulatory and oversight bodies, law enforcement, and the military. Collectively, OIG staff possesses the education, experience, and training to effectively engage, review, investigate, and assess operations of the City of Atlanta.

OIG Staff Certifications

Certified Inspector General (CIG)
Certified Inspector General Investigator (CIGI)
Certified Inspector General Inspector/Evaluator (CIGE)
Certified Inspector General Auditor (CIGA)
Certified Fraud Examiner (CFE)
Certified Internal Auditor (CIA)
Certified Government Auditing Professional (CGAP)
Certified Construction Auditor (CCA)
Certified Law Enforcement Officer (sworn)
Certification in Risk Management Assurance (CRMA)



TRANSPARENCY AND ACCOUNTABILITY MATTER

Transparency and accountability are critical to the functions of an office of inspector general. These elements serve to keep the City's residents, officials, and employees informed of the work of OIG and foster public trust that OIG is fulfilling its mandate to prevent and detect instances of fraud, waste, abuse, and corruption. OIG encourages Atlanta stakeholders to recognize the role they play in fighting corruption.

OIG reaches stakeholders and shares its work in several ways including:

- Posting reviews, reports, and policy and procedure recommendations on its website
- Bi-monthly reporting of performance metrics and review/investigation details during public, live-streamed meetings to its board
- Engagement with news media for those matters that merit public reports (for criteria determining public reports, please refer to the [FAQs](#) on the OIG website, atloig.org)
- Public awareness outreach and education
 - OIG's investigations largely rely on witnesses to report misconduct. By increasing general awareness of the office and informing stakeholders of our function, and when and how to identify and report potential violations, stakeholders can aid OIG in its efforts to reduce fraud, waste, misconduct, and corruption.



OIG CONCERNS

- Rather than find partnership in advancing a shared goal of integrity in City operations, OIG has experienced a rejection of the office and its work.
 - Non-response to policy and procedure recommendations and challenging the propriety of OIG issuing same
 - Re-investigations of OIG investigations, at taxpayer cost
- Capitalizing on a lack of understanding about how offices of inspector general function, City leadership has vilified practices that are standard—obtaining City equipment in connection with investigations, obtaining financial records via subpoena, informing the public of the work of the office through media engagement, etc.—sowing discord and creating fear of an office that was created to benefit the City.
- Lack of access to records and resources threatens the independence of the office and its ability function.
- Hostility towards OIG from City leadership has increased as the office has investigated, identified, and reported findings of fraud, waste, abuse, and corruption in City of Atlanta government.



OIG LEGISLATIVE NEEDS

Among other legislative initiatives, OIG seeks to:

Strengthen the office's ability to function independently

- *Allowance for in-house counsel*
- *Establishment of confidentiality provisions*
- *Revision of the current access provisions*

Clarify employee rights

- *Revision of the current cooperation provisions*

Bolster confidence regarding OIG and oversight of OIG

- *Requirement of periodic peer review*
- *Empowerment of the State of Georgia Office of the Inspector General to conduct investigations of any allegations of fraud, waste, abuse, or corruption against OIG staff*
- *Revisions to qualifications of inspector general and board members*

Ensure investigation of any misconduct involving the City dollar

- *Revision of the current jurisdiction provisions*



MAYOR'S STATED FINDINGS

MAYOR'S COMMENTS	OIG SNAPSHOT
<p>PROCUREMENT VOLUME:</p> <p>Over 14,000 procurement transactions have been processed since January 2021.</p>	<p>IPro reviews the solicitation process of select City procurements (those with an aggregate contract value of over \$1 million that are presented to Council) from inception until the consideration of legislation by Council. IPro does not review the administration of awarded contracts after the IPro report has been attached to legislation for Council consideration.</p> <p>IPro reports note areas of risk, conflicts, file completeness, and areas of perceived deficiencies identified during the review of the procurement process leading up to consideration of award.</p> <p>For more information regarding the work performed by IPro, visit atloig.org.</p>
<p>INVESTIGATIONS:</p> <p>Over 1,000 investigations conducted, only 47 findings were reported by the Ethics Office & OIG.</p>	<p>OIG and the Ethics Office are separate entities with separate mandates. The number of investigations and findings will be different and based upon different sets of criteria. The Ethics Office is an independent city office, led by the Ethics Officer, charged with bringing the City into compliance with the Code of Ethics (Standards of Conduct) and instilling a culture of ethics and integrity within city government. OIG as an independent city office, led by the Inspector General, which serves as a watchdog for government operations within the City of Atlanta. OIG conducts investigations and reviews, provides education and advice, and enforces rules and regulations to ensure the lawful, effective, and efficient administration of the Atlanta city government.</p> <p>While the investigations conducted by the OIG Compliance Division yield investigative findings that are detailed in closing documentation, those investigative findings are not quantified.</p> <p>For more information regarding the work performed by OIG, view the annual reports section of atloig.org.</p>



MAYOR'S STATED AREAS OF CONCERN

MAYOR'S CONCERNS	OIG'S PRACTICE PROCEDURE
<p>Lack of Review or Authorization for an Investigation:</p> <p>The board is not aware of the institution of an investigation or the basis for opening an investigation.</p>	<p>The Governing Board of the Office of the Inspector General and the Ethics Office (Governing Board) is established in the Charter to ensure the independence of OIG. One of the ways that it does so is by appointing a qualified inspector general who, at a minimum, meets statutory requirements. While the inspector general is responsible to the Governing Board, under the Charter, the inspector general is responsible for the affairs, operations, and management of OIG. Initiating investigations is a core operational function of OIG.</p>
<p>Lack of Notice:</p> <p>Interviewees are not notified of the interview topic in advance or their status as a witness or the subject of an investigation.</p>	<p>OIG sometimes shares information regarding the topic of the interview when there is little risk of compromising evidence. Typically, to protect the integrity of the investigation, interviewees are not advised of the nature of the investigation until the actual interview.</p> <p>Interviews are conducted as part of OIG's fact gathering process. The status of an interviewee—as subject or witness—may not be known at the time of an interview. Under such circumstances, OIG would not inform the interviewee of their status.</p>
<p>Confidentiality:</p> <p>Interviewees are prohibited from disclosing the existence of an investigation, interview, or its contents to anyone inside or outside the organization.</p>	<p>OIG seeks to maintain confidentiality during an investigation. This not only helps protect the integrity of an investigation, but, importantly, protects individuals (who have merely been alleged to have engaged in misconduct) from reputational harm by allegations that may be ultimately unsubstantiated.</p>



MAYOR'S STATED AREAS OF CONCERN

MAYOR'S CONCERNS	OIG'S PRACTICE PROCEDURE
<p>Lack of Criteria or Standard of Review:</p> <p>There are no standard procedure or criteria approved by the board as to when an investigation should be initiated. Discretion is left solely to the OIG without oversight of these decisions.</p>	<p>The Governing Board is established in the Charter to ensure the independence of OIG. One of the ways that it does so is by appointing a qualified inspector general who, at a minimum, meets statutory requirements. While the inspector general is responsible to the Governing Board, under the Charter, the inspector general is responsible for the affairs, operations, and management of OIG. Initiating investigations is a core operational function of OIG. Discretion is ceded to the appointed inspector general, who has the requisite experience, training, and credentials to make such decisions, consistent with the principles and standards of the field.</p>
<p>Lack of Access to Legal Representation:</p> <p>The Inspector General does not allow City attorneys to be present, even when City actions are involved, illuminated by the office recently requesting that a personal attorney leave the interview.</p>	<p>OIG has never requested an employee's private attorney to leave an interview.</p> <p>OIG does not allow City attorneys to participate in interviews of City employees. Even in connection with City actions, the City attorneys represent the interests of the City. This presents a conflict with the interests of the individual employee. Having a City attorney attend an interview of a City employee would also decrease the likelihood an employee would disclose information regarding fraud, waste, abuse, and corruption for fear of retaliation, and could run afoul of state whistleblower protections.</p> <p>OIG informs interviewees that they may have a personal attorney present during interviews.</p> <p>OIG interviews are voluntary.</p>



MAYOR'S STATED AREAS OF CONCERN

MAYOR'S CONCERNS	OIG'S PRACTICE PROCEDURE
<p>Lack of Clarity About Reporting Relationship:</p> <p>The OIG indicates to the administration that operationally she reports to the public and is not accountable to her board, the Mayor or the City Council for the methodology and process for conducting an investigation.</p>	<p>OIG and the inspector general are accountable to the Governing Board and have never represented otherwise. Decision-making regarding office operations rests with the inspector general, who has the experience, training, and credentials to make such determinations, consistent with the principles and standards of the field.</p> <p>OIG was created as an independent agency reporting to the Governing Board in order to ensure that it would be able to perform its oversight responsibilities without interference from City officials or others who might attempt to influence OIG's work. This structure protects OIG investigations and reviews and the manner in which they are conducted.</p>
<p>Special Access Requirements:</p> <p>The IG Office has requested access to all City emails without the access being routed through an open records custodian, full Oracle access for staff, without limitation and access to unredacted Law Department invoices for external counsel.</p>	<p>The Charter requires all city officials and employees to allow immediate access to all public records and property in the custody of the City of Atlanta, with the exception of privileged and confidential material. Independent access to records is critical to any OIG's ability to carry out its function. A structure that allows the mayor's office to pick and choose what information OIG receives—an approach the mayor's office has stated that it espouses and has been implementing in responses to OIG requests—delegitimizes factfinding.</p>



MAYOR'S STATED AREAS OF CONCERN

MAYOR'S CONCERNS

OIG'S PRACTICE | PROCEDURE

Device Seizure:

The IG Office purports the authority to seize City-owned devices without any formal process beyond an OIG request, pending confirmation of an open investigation. No review of the basis for the seizure by the oversight board.

The Charter requires all city officials and employees to allow immediate access to all property in the custody of the City of Atlanta. When OIG recently obtained City-owned property from a department, for tracking and accountability and to document chain of custody, OIG issued a property receipt.

While the inspector general reports to the Governing Board, the inspector general is responsible for the affairs, operations, and management of OIG. Obtaining City property (and the City records they contain) is a core operational function of OIG.

The mayor's office has suggested that OIG has obtained and searched City employees' personal equipment and bags without warrants. OIG has never taken or searched an individual's personal property. If an investigation required the search of anyone's personal property, OIG would work with a prosecutor to obtain a warrant.

Violation of Personal Space:

Interviews are conducted with employees at the interviewee's home or other nonwork locations, requiring the employee to exit their home and consent to the interview.

Typically, OIG arranges to meet with individuals at the OIG office for interviews; OIG will sometimes arrange to meet with individuals at their designated work location or at other locations of their choosing.

Of the hundreds of interviews OIG has conducted to date, OIG has only twice attempted to meet with a City employee at home without prior arrangement. In both instances, the employees were teleworking from home and the attempted interviews occurred during normal City of Atlanta business hours. In one instance, the interview proceeded; in the other, the interviewee refused the interview.

OIG interviews are voluntary.



WHAT IT MEANS TO



- To support the independence of OIG, keeping it free from outside influence or interference
- To help ensure OIG is provided the tools to conduct its work
- To reject attempts to prevent OIG from conducting its work
- To recognize the value of OIG, even when you and your affiliates are being held accountable
- To help protect the public fisc
- To value integrity of City operations
- To prioritize the best interests of the City



CITY OF ATLANTA
OFFICE OF THE INSPECTOR GENERAL

404-546-2270

inspectorgeneral@atlantaga.gov

atloig.org

X  @AtIOIG



City of Atlanta - Office of the Inspector General