

STATE OF OHIO  
OFFICE OF THE INSPECTOR GENERAL

RANDALL J. MEYER, INSPECTOR GENERAL

REPORT OF  
INVESTIGATION



AGENCY: OHIO DEPARTMENT OF TRANSPORTATION  
FILE ID NO.: 2017-CA00043  
DATE OF REPORT: JULY 10, 2018

## The Office of the Ohio Inspector General ... The State Watchdog

*“Safeguarding integrity in state government”*

The Ohio Office of the Inspector General is authorized by state law to investigate alleged wrongful acts or omissions committed by state officers or state employees involved in the management and operation of state agencies. We at the Inspector General’s Office recognize that the majority of state employees and public officials are hardworking, honest, and trustworthy individuals. However, we also believe that the responsibilities of this Office are critical in ensuring that state government and those doing or seeking to do business with the State of Ohio act with the highest of standards. It is the commitment of the Inspector General’s Office to fulfill its mission of safeguarding integrity in state government. We strive to restore trust in government by conducting impartial investigations in matters referred for investigation and offering objective conclusions based upon those investigations.

Statutory authority for conducting such investigations is defined in *Ohio Revised Code §121.41* through *121.50*. A *Report of Investigation* is issued based on the findings of the Office, and copies are delivered to the Governor of Ohio and the director of the agency subject to the investigation. At the discretion of the Inspector General, copies of the report may also be forwarded to law enforcement agencies or other state agencies responsible for investigating, auditing, reviewing, or evaluating the management and operation of state agencies. The *Report of Investigation* by the Ohio Inspector General is a public record under *Ohio Revised Code §149.43* and related sections of *Chapter 149*. It is available to the public for a fee that does not exceed the cost of reproducing and delivering the report.

The Office of the Inspector General does not serve as an advocate for either the complainant or the agency involved in a particular case. The role of the Office is to ensure that the process of investigating state agencies is conducted completely, fairly, and impartially. The Inspector General’s Office may or may not find wrongdoing associated with a particular investigation. However, the Office always reserves the right to make administrative recommendations for improving the operation of state government or referring a matter to the appropriate agency for review.

The Inspector General’s Office remains dedicated to the principle that no public servant, regardless of rank or position, is above the law, and the strength of our government is built on the solid character of the individuals who hold the public trust.



Randall J. Meyer  
Ohio Inspector General



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RANDALL J. MEYER, INSPECTOR GENERAL

**REPORT OF INVESTIGATION**

**FILE ID NUMBER:** 2017-CA00043

**SUBJECT NAME:** Shannon Hitt, Transportation Manager 3  
District 2, Bowling Green

**AGENCY:** Ohio Department of Transportation

**BASIS FOR INVESTIGATION:** Complaint

**ALLEGATIONS:** Misuse of State Equipment;  
Secondary Employment

**INITIATED:** November 29, 2017

**DATE OF REPORT:** July 10, 2018

## **INITIAL ALLEGATION AND COMPLAINT SUMMARY**

On November 16, 2017, an Ohio Department of Transportation (ODOT) administrative staff member learned that Transportation Manager 3 Shannon Hitt used her ODOT-issued computer equipment to assist her husband in his for-profit business. The administrative staff member reported this information to District 2 Director Patrick McColley who then referred the matter to the ODOT Office of Investigative Services (ODOT-OIS). ODOT-OIS began an internal investigation and found that Matthew Hitt, the husband of Shannon Hitt, was the owner of “Classic Industries,” located in Swanton, Ohio.<sup>1</sup> During the ODOT-OIS investigation, items were discovered on Shannon Hitt’s shared ODOT network drive that utilized the Classic Industries logo and letterhead. ODOT-OIS referred this matter to the Office of the Ohio Inspector General, and an investigation was opened on December 1, 2017.

## **BACKGROUND**

### *Ohio Department of Transportation*

The Ohio Department of Transportation is responsible for maintaining the state’s system of highways, as well as overseeing the state’s rail, aviation, and public transportation systems. The department has 12 districts along with a central office located in Columbus, Ohio. The director, who serves as the agency’s chief executive officer, is appointed by the governor and confirmed by the Ohio Senate. The majority of ODOT funding comes from federal and state taxes on motor fuels.<sup>2</sup>

The Ohio General Assembly enacted Ohio Revised Code §121.51, effective July 3, 2007, which created the deputy inspector general for the Ohio Department of Transportation (ODOT). The statute designated this deputy inspector general “... shall investigate all wrongful acts or omissions that have been committed or are being committed by employees of the department” and provides the deputy inspector general the same powers and duties regarding matters concerning the department as those specified in sections 121.42, 121.43, and 121.45 of the Ohio Revised Code for matters involving ODOT.

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<sup>1</sup> Secretary of State business filing, dated June 18, 2013.

<sup>2</sup> Source: Biennial budget documents.

## **APPLICABLE RULES, POLICIES, AND PROCEDURES**

ODOT policy 17-015(P), effective November 1, 2015, is applicable to situations where an ODOT employee engages in activities for personal profit during paid work hours. The specific relevant ODOT policies are 17-015(P) 4.E. *Unauthorized/misuse of State equipment or vehicle or property*; 17-015(P) 10. *Engaging in activities for personal profit during paid work hours, including break times*; and 17-015(P) 14. *Misuse of State time*. Penalties for a violation of any one of these applicable policies range from reprimand for a first violation to suspension or removal from employment for subsequent violations. The Office of the Ohio Inspector General determined that Hitt was trained on this policy, and that she acknowledged in writing her training and understanding of the policy on October 27, 2015.<sup>3</sup>

## **INVESTIGATIVE SUMMARY**

The Office of the Ohio Inspector General reviewed the original complaint and the ODOT-OIS investigative materials. Investigators conducted interviews with ODOT District 2 employees to discuss their concerns about Hitt's conduct and to gather evidence of her improper use of State of Ohio equipment to conduct personal business regarding her husband's for-profit company.

On January 10, 2018, the Office of the Ohio Inspector General interviewed ODOT Administrative Professional 4 Caren Dille. Dille informed investigators that Hitt was previously investigated by ODOT for similar conduct on two occasions, which involved her use of an ODOT-issued computer to perform work for her husband's for-profit business during times she was being paid to work for ODOT. The investigations occurred in March 2010 and February 2014, and ODOT investigators determined that Hitt utilized state resources (phone calls, copies, faxes, and emails) for personal matters and to help manage her husband's for-profit business.

On January 10, 2017, the Office of the Ohio Inspector General interviewed Shannon Hitt. Investigators told Hitt that a complaint was received alleging she had conducted personal business using ODOT-issued equipment and during times she was working for ODOT.

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<sup>3</sup> ODOT work rules and discipline policy 17-015(P) eff. date Nov.1, 2015, Certificate of Information Received, signed and dated on October 27, 2015.

Investigators told Hitt that the complaint specifically cited the business she was allegedly performing work for was her husband's truck repair business, "Classic Industries."

Hitt acknowledged to investigators that her husband owned "Classic Industries," and stated that the allegation against her was addressed a "long time ago,"<sup>4</sup> and she had not engaged in that conduct since the last investigation in 2014. Investigators explained to Hitt that the matter in question was from a new complaint, and not about the previous two investigations. Investigators showed Hitt the personal documents found by ODOT-OIS that she had saved to her ODOT-issued desktop computer.<sup>5</sup> Hitt responded that several of the items shown to her were old files from one of the previous ODOT investigations, and that she had never deleted or removed them from the shared drive. Investigators reviewed the dates of the documents shown to Hitt during her interview and determined several documents pre-dated the 2014 investigation. However, investigators also determined several documents on her ODOT-issued computer were dated after 2014, and were therefore added more recently than the previous investigations involving Hitt. Hitt told investigators that, generally, she would only conduct personal business on ODOT equipment before work, after work, at lunch or during breaks.

Investigators showed Hitt ODOT policy 17-015(P) 10. *Engaging in activities for personal profit during paid work hours, including break times*, and explained that ODOT employees are prohibited from performing work and using ODOT equipment for personal profit during both work times and break times. Investigators showed Hitt several documents found on her shared network drive related to her husband's business, Classic Industries, which included: a blank invoice, Christmas card return address labels, and several spreadsheets. Hitt protested, saying that she always worked on these documents and spreadsheets during her lunch or breaks, or before or after work. She stated, "... why would I do this after I was disciplined for doing the same thing in 2014." Investigators again referred to ODOT policy, explaining to Hitt that the rules for using ODOT equipment are different when the work being performed involves an

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<sup>4</sup> Hitt was investigated by ODOT investigators for similar conduct in 2010 and 2014.

<sup>5</sup> "Classic Industries" return address labels, three variations; a document entitled, "Classic Industries Christmas Party; a blank "accounts receivable" document; a document entitled, MattLog, which appears to be a mileage sheet for an over-the-road truck driver; a blank Classic Industries invoice; and spreadsheets for tax years 2014, 2015, 2016 and 2017.

outside business for profit. Hitt denied performing any work on ODOT time for her husband's business.

Hitt was shown an application found on her ODOT-issued computer which she completed for the Ohio Department of Transportation pertaining to a family-owned vehicle and a trailer she used to transport horses. Hitt stated that this application had nothing to do with her husband's business and that any work she conducted on the application was performed during ODOT permissible times. Hitt also was shown a number of items found on her ODOT computer that appeared to be personal and not related to Classic Industries. She acknowledged that these items were on her ODOT-issued computer, but said that she accessed them and conducted work on them during ODOT permissible times.

Hitt was next shown a blank, unused Classic Industries invoice. She claimed the invoice was dated prior to 2014 and was therefore addressed in the two previous investigations ODOT conducted. Hitt said she could not remember if she used the ODOT-issued computer to create the invoice, and noted that the address on the invoice was old and that her husband had not been at that address for more than a year.<sup>6</sup>

Lastly, Hitt was shown a series of spreadsheets found on her ODOT-issued computer. The spreadsheets appeared to be directly related to her husband's business, and included inventory information and annual costs for items such as fuel, permits, repairs, and supplies, among many other business-related items. The file names and dates for the spreadsheets showed creation dates of March 8, 2016, and March 22, 2017, which were dates that were more recent than her last investigation in 2014. Hitt admitted she probably created the spreadsheets during her breaks. Investigators explained again to Hitt that she was not permitted to work on personal for-profit business documents using her ODOT-issued equipment and during times she was being paid to work for ODOT, regardless of whether she was on breaks or not. She then acknowledged that she created the spreadsheets for tax preparation for Classic Industries using ODOT-issued equipment and while at work at ODOT District 2.

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<sup>6</sup> This interview took place in January 2018; the conclusion of the last investigation for similar conduct was in 2014, nearly four years prior.

On January 10, 2018, the Office of the Ohio Inspector General interviewed ODOT Network Administrator Supervisor Lisa Wires. Wires provided access to the shared drive used by Hitt and investigators confirmed the items originally identified for review by ODOT-OIS. Investigators located the spreadsheets that Hitt admitted were prepared on ODOT-issued equipment and during times Hitt was working for ODOT. Investigators reviewed the “created” and “last access” dates for the items, and noted that these dates were more recent than the investigations in 2010 and 2014.

The Office of the Ohio Inspector General requested that Hitt’s computer be collected for forensic review. On January 19, 2018, investigators reviewed the content of Hitt’s ODOT-issued work computer<sup>7</sup> and found that in addition to the items related to Hitt’s husband’s business, there was one other item that appeared questionable. However, this item was not determined to be a violation of the ODOT use policy.

## **CONCLUSION**

The Office of the Ohio Inspector General opened an investigation after a complaint was forwarded from ODOT Office of Investigative Services (ODOT-OIS) alleging ODOT Transportation Manager 3 Shannon Hitt had performed work for her husband’s for-profit business during times she was being paid for work at ODOT and using an ODOT-issued computer. Hitt was investigated previously at ODOT for similar matters in 2010 and 2014. Investigators interviewed Hitt, who initially denied performing work for her husband’s business during times she was being paid to work for ODOT. However, as the interview proceeded and Hitt was shown documents discovered from her shared network drive, Hitt admitted to investigators that she had worked on several documents for her husband’s business, including spreadsheets for tax preparation. Based upon investigations by ODOT-OIS and the Office of the Ohio Inspector General, it was determined that Hitt violated provisions of ODOT policy 17-015(P). Investigators concluded Hitt performed work for her husband’s for-profit business during times she was being paid for work at ODOT using an ODOT-issued computer.

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<sup>7</sup> The information found to substantiate the allegations was found on a network drive mapped from the assigned laptop used by Hitt.

**Accordingly, the Office of the Ohio Inspector General finds there is reasonable cause to believe that a wrongful act(s) or omission occurred in this instance.**

**RECOMMENDATION**

The Office of the Ohio Inspector General makes the following recommendation and asks the director of the Ohio Department of Transportation to respond within 60 days with a plan detailing how the recommendation(s) will be implemented. ODOT should:

- 1) Review this report of investigation to determine if any administrative action is required for the party involved in violation of ODOT policy 17-015(P).

**REFERRAL(S)**

The Office of the Ohio Inspector General has determined that no referrals are warranted for this report of investigation.



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**NAME OF REPORT: Ohio Department of Transportation**

**FILE ID #: 2017-CA00043**

**KEEPER OF RECORDS CERTIFICATION**

**This is a true and correct copy of the report which is required to be prepared by the Office of the Ohio Inspector General pursuant to Section 121.42 of the Ohio Revised Code.**

**Jill Jones**  
**KEEPER OF RECORDS**

**CERTIFIED**  
**July 10, 2018**

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