

Privilege/Redaction Log
Preliminary Investigation Memo Dated September 11, 2007

Provided November 9, 2007
Barbara Forsland
Minnesota Department of Transportation
Data Practices Compliance Analyst
651-366-4822

| Section | Privilege |
|---|--|
| Page 1, Items 3, 6-9 | Not determined to be a basis for discipline per M.S. 13.43 subd 1(5) therefore are private data per M.S. 13.43 subd 4. |
| Page 2, Paragraph 1, lines 5-6, second paragraph, lines 1-3 and lines 6-8 | Not determined to be a basis for discipline per M.S. 13.43 subd 1(5) therefore are private data per M.S. 13.43 subd 4. |
| Page 3, Allegation 2, lines 5-6 | Private personnel data M.S. 13.43 subd 4 |
| Page 3, Allegation 3 | Not determined to be a basis for discipline per M.S. 13.43 subd 1(5) therefore are private data per M.S. 13.43 subd 4. |
| Page 3, Allegation 4, line 3 | Private personnel data M.S. 13.43 subd 4 |
| Page 4, Telephone Numbers | Not Government data; personal data. |
| Page 4, Paragraph 2, lines 2-3 | Not determined to be a basis for discipline per M.S. 13.43 subd 1(5) therefore are private data per M.S. 13.43 subd 4. |
| Page 5, Allegation 6 – Page 8, paragraph 1 | Not determined to be a basis for discipline per M.S. 13.43 subd 1(5) therefore are private data per M.S. 13.43 subd 4. |
| Page 8, Allegation 10 Paragraph 3 | Private personnel data M.S. 13.43 subd 4 |
| Page 8, Allegation 10, Paragraphs 4-7 | Not determined to be a basis for discipline per M.S. 13.43 subd 1(5) therefore are private data per M.S. 13.43 subd 4. |
| Attachments 1, 2 | Private data per M. S. 13.43 subd 4 |



Memo

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September 11, 2007

To: Lisa Freese,
Deputy Commissioner

From: Daniel E. Kahnke, CGFM
Audit Director

A handwritten signature in black ink, reading "Daniel E. Kahnke", is written over the printed name of the sender.

Subject: Investigation of Allegations Made
Against Sonia Morphew Pitt,
Mn/DOT's Homeland Security Officer

The Office of Audit received several allegations regarding activities of Sonia K. Morphew Pitt, Director, Office of Homeland Security on August 23, 2007.

The allegations received were as follows:

- 1) Traveling without authorization.
- 2) Changing travel authorization forms after they had been approved.
- 3) [REDACTED]
- 4) Making personal calls on her Mn/DOT cell phone.
- 5) Upgrading flight seat assignments and charging it to Office credit card.

- 10) Having Mn/DOT pay for her airline flight when she goes on vacation.

To investigate these allegations, we looked at business expenses, cell phone usage, travel authorizations and had numerous discussions with many individuals. We looked at the business credit card assigned to Sonia Pitt and talked to the Office of Aeronautics. It should be noted that much of the information was already assembled which is an indication that "others" within the Department have this information as well. We did have Sonia's emails pulled for our review.

We will discuss each allegation in detail and conclude with our opinion.

Allegation #1 - Traveling without authorization

We found three recent instances where Sonia was in travel status without proper authorization. Her trip to Palm Springs in June of 2007 to attend the ITS Annual Meeting was extended to Las Vegas, Nevada. As a result of this, Sonia did not use her return trip to Minneapolis which was already paid for in advance. Sonia had the Office of Aeronautics purchase a ticket to Las Vegas

[REDACTED]

[REDACTED]

We also noted that the Las Vegas trip was for vacation purposes therefore, the trip should have never been paid for by Mn/DOT. Authorization was never requested because it would have been rejected. The cost of the additional flight was \$184.40.

[REDACTED]

Again in June of 2007, Sonia was scheduled to attend the META Leadership portion of the NPLI class in Washington D.C. from June 12 – June 15, 2007. The flight was scheduled as a round trip from Minneapolis to Washington D.C. However, on May 3, 2007 only one day after the approval of the round trip flight from Minneapolis to Washington D.C., Sonia had Office of Aeronautics book a flight from Las Vegas to Washington D.C. Included in the transaction, was a roundtrip from Washington D.C. to Minneapolis. The return trip to Washington D.C. was never intended to be used. The travel without authorization was between Las Vegas and Washington D.C. and remaining in Washington D.C. for five days past the end of the class. *(Mn/DOT paid for business expenses during this unauthorized five day period).*

In July of 2007 and continuing through August 3, 2007, Sonia was scheduled to complete the NPLI Concluding Seminar at Harvard in Cambridge, MA. Travel authorization was from July 31 through August 3, 2007, and the destination approved was a round trip from Minneapolis to Boston. Sonia Pitt purchased these flights using the office credit card. The traveling without authorization is as follows:

- Flying to Washington D.C. five days prior to authorization, (July 26 – July 30).
- Flying from Boston to Washington D.C. after the class was completed for an additional week. (August 4 – August 11).

Conclusion

We found this allegation is true. Sonia Pitt was traveling without authorization. The authorization form indicates what destination and flights are to be taken and the estimated costs to be incurred. This is what is being approved. The flights and length of stays noted above by Sonia Pitt were never approved since they were not on the original authorization form signed by her supervisors.

The Mn/DOT Business Manual clearly states that Travel Authorizations are required prior to the travel taking place. The Authorizations are for only travel as detailed in the authorizations. The Managers Plan states that travel for non-business purposes is not eligible for reimbursement.

The flight between Palm Springs and Las Vegas needs to be paid back in the amount of \$184.40 and the flight between Las Vegas and Washington D.C. needs to also be paid back to Mn/DOT in the amount of \$293.90. Both of these flights were related to her vacation or was needed due to her vacation in Las Vegas. In addition, the business expenses related to this unauthorized travel that needs to be reimbursed is \$155.00. In each case, one leg of a roundtrip was unused.

Allegation #2 - Changing travel authorization forms after they had been approved.

We found two instances where the Travel Authorization was changed after approval was received. It appears the changes were made to extend the stays or change the destination. This was done to obtain flights from Aeronautics or have expenses paid by Mn/DOT. *(Both changes relate to the unauthorized travel discussion on the previous page).* This allegation appears to be true. It appears to us that the changes on the authorizations were made by Sonia Pitt. [REDACTED]

[REDACTED]

[REDACTED]

Allegation #4 – Making personal calls on business phone during peak hours.

Sonia Pitt has been granted a separate cell phone plan that is not part of the new State overall cell phone shared minutes program. She has received this exception since our current provider has poor service in the [REDACTED] area which is her home.

From February of 2007 through June of 2007, Sonia Pitt has overran her allowed minutes per month by 2,429 minutes during this time period, for additional costs to Mn/DOT in the amount of \$608.47.

Upon review of the individual calls, many of the calls are for personal use. These are only calls during "Peak" times or business hours. This does not include any of her calls on weekends where the calls are free. Per our analysis, 90% of all calls made from Minnesota to out-state locations were for personal use. Additionally, the calls made while outstate to other outstate locations were also for personal use.

We have estimated that again, 90% of the calls are personal. Most of the calls observed are to three different phone numbers. They are:

| Phone Number Called | # of Calls Made | Minutes |
|-----------------------------------|-----------------|---------|
| Dan Ferezan Cell [REDACTED] | 50 | 352 |
| Ferezan Office Phone 202-366-0507 | 226 | 1,780 |
| Family member in CA [REDACTED] | 128 | 528 |
| | Total | 2,660 |

Note: Dan Ferezan is the Transportation Security Program Manager for FHWA.

[REDACTED]
The 2,000 minutes on the phone with this person is about 33 hours in the 5 months – Feb. 1 thru June 30. This is only hours during 'PEAK' or business hours and does not include those calls after 9:00 pm and on weekends. For this reason, we have considered these calls to be personal. However, it is possible that some calls might be business related. We also noted that many are calls made to Dan Ferezan's cell phone during non-business hours as well.

Conclusion

This allegation is true. Sonia Pitt is using her state cell phone for personal use. Mn/DOT Policy Position Statement, Cellular Telephone Use Addendum, dated 2/14/07, states, "The use of state-owned cellular telephone equipment and services is intended for state business. Personal use of state-owned cellular phones is prohibited, except for essential personal calls. We do not believe these calls were essential.

The additional costs incurred by Sonia Pitt in the amount of \$608.47 should be reimbursed to Mn/DOT.

Allegation #5 - Upgrading flight seat assignments and charging to Office credit card.

A review of the Credit Cardholder Purchase Log for the Office of Homeland Security assigned to Sonia Pitt found four instances where Sonia upgraded her seat assignment for total costs of \$122.00. The four upgrades are:

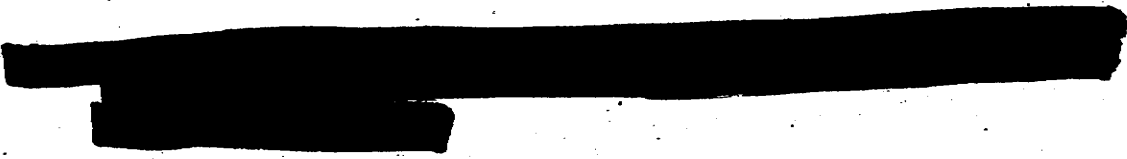
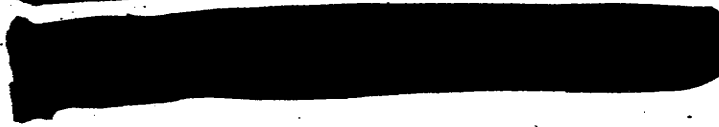


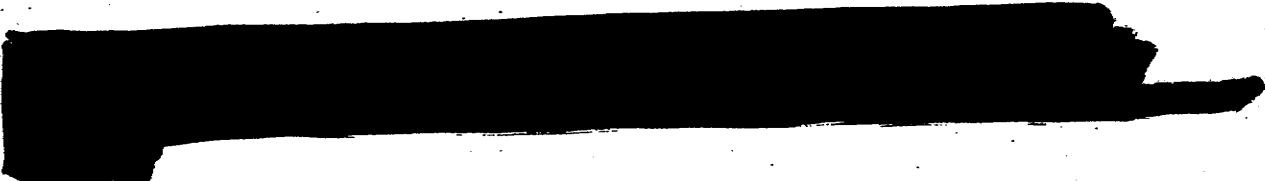
| | | |
|---------------|-----------|---------|
| December 2006 | Northwest | \$15.00 |
| February 2007 | United | \$43.00 |
| June 2007 | United | \$49.00 |
| August 2007 | Northwest | \$15.00 |

The upgrading of her seat assignments is for additional leg room per our review of the web page for each of the airlines used above.

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Conclusion

The Mn/DOT Business Manual, dated April 1, 2005, page 22, Cost of Tickets, states, "Fares for state travel are not to exceed the cost of coach fares". The additional costs incurred by Sonia Pitt in the amount of \$122.00 should be reimbursed to Mn/DOT.



[REDACTED]

Allegation #10 - Having Mn/DOT pay for her flight when she goes on vacation

This allegation is true. We found at least one example where Mn/DOT paid for an airline flight to Las Vegas from Palm Springs. The flight cost Mn/DOT \$184.40.

See discussion under "Traveling without Authorization" on page 2.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

**Privilege/Redaction Log
Fact Finding Report**

Provided November 9, 2007
Barbara Forsland
Minnesota Department of Transportation
Data Practices Compliance Analyst
651-366-4822

| Section | Privilege |
|---|---|
| Page 1, Investigative Process | Excised sentences: Much of these data did not provide the basis for discipline but are inextricably intertwined with some public data. Data documenting the basis for discipline are identified in the report findings. |
| Page 2, Paragraph 1 | Continuation of previous page deletion |
| Page 2, Paragraph 2 | Data from these individuals were not determined to be a basis for discipline, per M.S 13.43, subd 1(5) and therefore, are private data per M.S 13.43 subd 4. |
| Page 2, Paragraph 3 | Private data on individuals per M.S 13.43 (4). |
| Page 2, Background | Private data on individuals per M.S 13.43 (4). |
| Page 3, Paragraph 2, line 4 Title Correction | Title should be State Program Administrator Manager Senior |
| Page 3, Complaint Allegations, Paragraph 1 | Name redacted, private data on individual per M.S. 13.43 (4). |
| Page 4, Unauthorized Compensation | Not determined to be a basis for discipline per M.S. 13.43 subd 1(5) therefore is private data per M.S 13.43 subd 4. |
| Page 4, Unprofessional Conduct... | Not determined to be a basis for discipline per M.S. 13.43 subd 1(5) therefore is private data per M.S 13.43 subd 4. |
| Page 4, Subject's Response through Page 35, Paragraph 1 | Much of these data do not provide the basis for discipline or in some cases are private data on others, and in some cases are inextricably intertwined with private and public data. Data documenting the basis for discipline are identified in the report findings. |
| Page 38, last paragraph. | Not determined to be a basis for discipline per M.S. 13.43 subd 1(5) therefore is private data per M.S 13.43 subd 4. |
| Page 39, first paragraph | Not determined to be a basis for discipline per M.S. 13.43 subd 1(5) therefore is private data per M.S 13.43 subd 4. |
| Page 40, Basis of Finding | Names: Data provided in these interviews do not provide a basis for discipline per M.S. 13.43 subd 1(5) therefore are private data per M.S 13.43 subd 4. |
| Page 40, Basis of Finding 4 | Names: Data provided in these interviews do not provide a basis for discipline per M.S. 13.43 subd 1(5) therefore are private data per M.S 13.43 subd 4. |
| Page 40, Finding 5 | Private data per M.S. 13.43 subd 4 |
| Page 45, Findings 19-22 | Not determined to be a basis for discipline per M.S. 13.43 subd 1(5) therefore is private data per M.S 13.43 subd 4. |

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| Page 49, Finding 39 | Language that is private data per M.S., 13.43 Subd 4. |
| Page 50, Finding 44 | Private data per M.S. 13.43 subd 4. |
| Page 54, Basis of Finding 58 | Names: Data provided in these interviews do not provide a basis for discipline per M.S. 13.43 subd 1(5) therefore are private data per M.S 13.43 Subd 4. |
| Page 55, Basis of Finding 60 | Names: Data provided in these interviews do not provide a basis for discipline per M.S. 13.43 subd 1(5) therefore are private data per M.S 13.43 subd 4. |
| Page 57, Basis of Finding 65 | Names: Data provided in these interviews do not provide a basis for discipline per M.S. 13.43 subd 1(5) therefore are private data per M.S 13.43 subd 4. |
| Page 60, Finding 71 | Private personnel data on another individual, M.S. 13.43 subd 4; also, data did not provide the basis for discipline per M.S. 13.43 subd 1(5). |
| Page 61, Finding 74 | Not determined to be a basis for discipline per M.S. 13.43 subd 1(5) therefore is private data per M.S 13.43 subd 4. |
| Page 62, Findings 75, 76 | Not determined to be a basis for discipline per M.S. 13.43 subd 1(5) therefore is private data per M.S 13.43 subd 4. |
| Page 64, Finding 79 | Names: Data provided in these interviews do not provide a basis for discipline per M.S. 13.43 subd 1(5) therefore are private data per M.S 13.43 subd 4. |