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Description of document: List of various AmeriCorps Inspector General (OIG)

investigations closed 2018-2020

Requested date: 26-January-2021

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Posted date: 02-May-2022

Source of document: FOIA Request

AmeriCorps

Office of the General Counsel

Attn: Freedom of Information Act Officer

250 E Street, SW

Washington, DC 20525 Fax: 202-606-3467 Email: foia@cns.gov

FOIA.gov

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February 24, 2021

Subject: Freedom of Information Act Request No. 2021-18

This letter is in response to your January 26, 2021 Freedom of Information Act (FOIA) request sent via email to the FOIA Officer for AmeriCorps. Your request is for: "A copy of the final report, RoI, Closing Memo, Referral Memo, and other conclusory documents, for each of these closed CNCS OIG investigations: 2018-007-I, 2018-011-I, 2018-022-I, 2019-020-P, 2019-021-P, 2019-022-I, 2019-027-P, 2019-063-P, 2020-021-P, and 2020-037-P."

The AmeriCorps FOIA Office referred your request to this office for processing on January 26, 2021, as the matter relates to records under AmeriCorps Office of Inspector General (formerly known as Corporation for National and Community Service Office of Inspector General) jurisdiction and control.

As requested, please find the attached documents responsive to your request. Personally identifiable information, including the identities of individuals and any other identifying information in the released records, have been redacted based on Exemptions 6 and 7(C) of the FOIA, 5 U.S.C. § 552(b)(6) and (b)(7)(C). Exemption 6 authorizes the withholding of "personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy." Exemption 7(C) authorizes the withholding of "records or information compiled for law enforcement purposes . . . to the extent that production of such law enforcement records or information . . . could reasonably be expected to constitute an unwarranted invasion of personal privacy."

If you are dissatisfied with my action on this request, you may appeal by writing to Fara Damelin, Deputy Inspector General, AmeriCorps, Office of Inspector General, 250 E Street SW, Suite 4100, Washington, DC 20525, or at f.damelin@americorpsoig.gov, within 90 days of your receipt of this letter. In the event you are dissatisfied with the results of any such appeal, judicial review is available to you in the United States District Court for the judicial district in which you reside, or in the District of Columbia, which is where the records you seek are located.

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If you have any questions regarding this response, please feel free to contact me at s.ravas@AmeriCorpsOIG.gov.

Sincerely,

STEPHEN Digitally signed by STEPHEN RAVAS RAVAS Date: 2021.02.24 11:20:26 -05'00'

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Stephen Ravas Counsel to the Inspector General Office of Inspector General



July 07, 2020

TO: 0	IG Investigation 2018-007 (7)(C)
THRU: (b)	sistant Inspector General for Investigations
(b) (7) FROM:S _F	pecial Agent
SUBJECT: (b)	(6) , former Foster Grandparent Program Volunteer (b) (6) (6) (7), AL - Sexual Abuse with a Child under 12. (OIG Case 2018-007) (Founded).
Community (b) (6) (b) (6)	AcGrath, Director, Office of Regional Operations, Corporation for National and Service (CNCS), notified the CNCS Office of Inspector General (CNCS-OIG) that Mr. In the Mr. T
service with class at (b) (6	(b) (6) , CNCS State Office (b) (6) , AL, confirmed the grantee of Mr. (b) (6) arrest. Ms. (b) (6) FGP on January 3, 2014 and was assigned to a kindergarten left the FGP on February 13, 2015, due to health returned to the program on January 5, 2016, once his health issues were resolved.
allegations of Bureau of II suspended	, (b) (6) , FGP, (b) (6) , AL confirmed the incidents occurred in the bathroom and the families of the children in question reported the directly to the Police Department, (b) (6) AL, who in turn notified the Alabama State investigation (SBI) and the school. Ms(b) (6) stated that the school immediately Mr(b) (6) from the school's FGP program and ordered him to stay away from the sequently, Mr(b) (6) was terminated from the FGP. (Exhibits 2 through 4)
CNCS-OIG re	eviewed the (b) (6) FGP's criminal history checks (CHC) on Mr. (b) (6) n.

SUBJECT: (b) (6) former Foster Grandparent Program Volunteer, (b) (6

AL-

Sexual Abuse with a Child under 12 (OIG Case 2018-007) (Founded)

The review revealed that Mr. (b) (6) had no previous criminal history or convictions of sexual abuse. The (b) (6) FGP conducted the CHCs on time and in accordance with CNCS regulations. (Exhibit 5)

Mr. (b) (6) was arrested on January 24, 2018, and indicted on March 9, 2018, by a (b) (6) County Grand Jury for four counts of Indecent Exposure, two counts of Sexual Abuse of a Child Less than 12 Years Old, and one count of Aggravated Criminal Surveillance. (Exhibits 6 and 7)

On June 20, 2019, Mr. (b) (6) pleaded guilty to one count of Sexual Abuse with a Child under 12. Mr. (b) (6) was sentenced to 84 months of confinement on July 29, 2019. He was required to pay \$900.00 in court costs and fines. The remaining charges were dropped against Mr. (b) (6) in exchange for his plea. (Exhibit 8)

On June 14, 2019, CNCS-OIG submitted a recommendation to CNCS to suspend Mr. (b) (6) from doing business with the U.S. Government. (Exhibit 9)

On October 1, 2019, CNCS's Suspension and Debarment Official notified CNCS-OIG that it declined to suspend or debar Mr. (b) (6) due to his conviction and the resulting disqualification from ever serving in CNCS programs. (Exhibit 10)

No further investigative activity is anticipated, and this matter is closed in the files this office.

Exhibits:

- 1. Email from Ms. McGrath dated January 25, 2018.
- 2. Agent's Investigative Report Agent Activity Summary dated January 30, 2018.
- 3. Mr(b) (6) Suspension from(b) (6) County School Grounds dated January 4, 2018.
- 4. FGP Termination Letter for Mr. (b) (6), dated January 31, 2018.
- 5. National Service Criminal History Check Packet of Mr(b) (6) dated December 30, 2015.
- 6. Alabama Uniformed Arrest Report for Mr. (b) (6) dated January 24, 2018.
- 7. (b) (6) County Grand Jury Indictment of Mr. (b) (6) dated March 9, 2018.
- 8. Felony Sentencing Order for Mr. (b) (6) dated July 29, 2019.
- 9. Suspension Recommendation for Mr. (b) (6) dated June 14, 2019.
- 10. Email from CNCS Suspension and Debarment Official to Stephen Ravas, Counsel to the Inspector General dated October 1, 2019.

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March 19, 2020

TO:	OIG Investigative File 2018 011 (b) (7)(C)
THRU:	(b) (7)(C) Special Agent in Charge
FROM:	(b) (7)(C)
	Special Agent

SUBJECT: Community Health Care Association of New York State: Improper Payments (Founded); Improper Allocation of Time (Founded); AmeriCorps Member Service Outside the Scope of the Grant (Unfounded); Profiting from an AmeriCorps Grant (Unfounded) OIG Case File 2018 011

Executive Summary

The Corporation for National and Community Service, Office of Inspector General (CNCS OIG), has completed its investigation regarding allegations from an anonymous complainant who reported Sunset Park Health Council (SPHC), Brooklyn, NY, operated two separate AmeriCorps programs to make a profit from grant funding and utilized AmeriCorps members (members) to perform personal errands for staff.

The investigation found no evidence to support the allegation that SPHC profited from its AmeriCorps grants. SPHC directly managed the Sunset Park AmeriCorps Program (SPAP) and was also an operating site for the Healthy Futures Corps (HFC) grant, operated by the Community Health Care Association of New York State (CHCANYS), New York, NY.

The investigation also revealed HFC AmeriCorps members assigned to the Ryan/Chelsea Clinton

DATE: March 19, 2020

SUBJECT: Community Health Care Association of New York State: Improper Payments (Founded); Improper Allocation of Time (Founded); AmeriCorps Member Service Outside the Scope of the Grant (Unfounded); Profiting from an AmeriCorps Grant (Unfounded) OIG Case File 2018-011

Health Center (Ryan Health) operating site, were allowed to curtail their length of service by several months if they completed their 1700 service hours early. After approving the curtailment, Ryan Health improperly increased each members' monthly living allowance in order to ensure all the members' stipend was expended before the end of his or her service. Ryan Health allowed certain members to curtail their service even though the members did not have a compelling circumstance for ending their service early. Ryan Health claimed that they continued providing service to the community with the members who did not request a curtailment of their service.

On July 17, 2019, the results of this investigation were submitted to CNCS with the following recommendations for the New York Commission for National and Community Service (Commission):

- Review expenses charged to the HFC and ORC grants, and disallow any time and effort of Mr. (b) (6) that exceeded 100 percent of his total work effort;
- 2. Review the Federal share expended from the HFC grant for Mr. (b) (6) 's salary and disallow any costs that exceeded the allowable budgeted amount;
- 3. Ensure CHCANYS implements controls that ensure staffing costs charged to the grant are billed on actual hours, not budgeted hours;
- Review the time and effort of other CHCANYS employees and ensure that CHCANYS is charging the correct time and effort for their respective grants, and not charging more than 100 percent of their time;
- 5. Ensure sub-grantees' grants and budgets are reviewed and deconflicted when multiple awards are issued to the same organization;
- Review and disallow any extra living allowance paid to Ryan Health members who were allowed to curtail their service; and
- Review CHCANYS or Ryan Health's early exit policy to determine it does not adversely
 affect the needs of the community or incentivize members to shorten their service
 contract for their own convenience.

On September 16, 2019, CNCS provided an Interim Report that reported the following:

• The Commission reviewed Mr. (b) (6) 's total work effort for both CHCANYS grants and determined his level of effort did not exceed 100 percent. No time was disallowed.

DATE: March 18, 2020

SUBJECT: Community Health Care Association of New York State: Improper Payments (Founded); Improper Allocation of Time (Founded); AmeriCorps Member Service Outside the Scope of the Grant (Unfounded); Profiting from an AmeriCorps Grant (Unfounded) OIG Case File 2018-011

- The Commission determined CHCANYS charged less than the amount budgeted for Mr.
 (b) (6) salary. Even though CHCANYS charged less from match and more from Federal funds, it did not exceed the 10 percent cumulative budget adjustment authorized by Federal regulations.
- The Commission determined CHCANYS timekeeping system was not able to demonstrate
 its billing was based on actual hours. The Commission directed CHCANYS to establish a
 timekeeping methodology to track staff time. In addition, CHCANYS was directed to
 conduct a 90 day timekeeping study to estimate amount of time CHCANYS staff actually
 spent on each AmeriCorps grant.
- The Commission reviewed the time and effort of other CHCANYS' employees and determined that CHCANYS did not receive more than 100 percent reimbursement for staff salaries and benefits.
- Based on the Commission's review, CHCANYS did not exceed the budget for staff salary.
 In addition, CNCS management acknowledged that deconflicting budgets when a grantee has multiple grants was a best practice; however, CNCS stated there was no regulatory requirement for grantees to take such action.
- The Commission concurred with the concern that members assigned to Ryan Health may have received excess living allowances; however, the Commission found an additional member that was not identified by CNCS OIG. CNCS directed the Commission to expand their review to ensure all members who received excess living allowances were identified.
- The Commission reviewed the early exit policy of Ryan Healthcare and determined that
 allowing members to accelerate their service balanced the needs of the community with
 the needs of the members. In addition, the early departure of members did not adversely
 affect the community.

On February 28, 2020, CNCS provided its final response. CHCANYS conducted a time study of the staff assigned to the HFC and ORC AmeriCorps grants. The study demonstrated that CHCANYS staff did not overcharge the grants; however, (1) CHCANYS charged \$40,023 to the HFC grant that should have been charged to the ORC grant, which will be corrected; (2) CHCANYS did not correctly document how it allocated staff time to each grant, and (3) one employee (Ms. (b) (6) actually spent more time on the AmeriCorps grant than what CHCANYS charged to the grant. CHCANYS was directed to make corrections to how they documented the time spent on each grant.

The Commission concurred with CNCS OIG regarding the payment of excess living allowances to

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members. The Commission disallowed a total of \$29,674.69 of funds from the 2016 and 2017 grant years. Of the amount disallowed, \$24,178.80 was from the Federal share and \$5,449.50 was from match. The disallowed Federal share was offset from the current grant year's reimbursement.

No further investigative activity is anticipated, and this matter is closed in the files of this office.

Exhibits:

- 1. CNCS-OIG Report to Management, dated July 17, 2019
- 2. CNCS Interim Response, dated September 16, 2019
- 3. CNCS Final Response, dated February 28, 2020



July 17, 2019

SUBJECT: Community Health Care Association of New York State: Improper Payments (Founded); Improper Allocation of Time (Founded); AmeriCorps Member Service Outside the Scope of the Grant (Unfounded); Profiting from an AmeriCorps Grant (Unfounded) OIG Case File 2018-011

Executive Summary

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Further investigation revealed that CHCANYS overcharged CNCS for the time and effort of Mr.

(b) (6) , HFC and (b) (6) , Opioid Response Corps (ORC),

SUBJECT: Community Health Care Association of New York State: Improper Payments (Founded); Improper Allocation of Time (Founded); AmeriCorps Member Service Outside the Scope of the Grant (Unfounded); Profiting from an AmeriCorps Grant (Unfounded) OIG Case File 2018-011

CHCANYS. CHCANYS budgeted 95 percent of Mr. (b) (6) time and effort against the HFC grant and an additional 28 percent against the ORC grant. Additionally, Mr. (b) (6) timesheets did not adequately document the percentages of time performed on each grant or other duties that he performed.

The investigation also revealed HFC AmeriCorps members assigned to the Ryan/Chelsea Clinton Health Center (Ryan Health) operating site, were allowed to curtail their length of service by several months if they completed their 1700 service hours early. After approving the curtailment, Ryan Health improperly increased each members' monthly living allowance in order to ensure all the members' stipend was expended before the end of his or her service. Ryan Health allowed certain members to curtail their service even though the members did not have a compelling circumstance for ending their service early. Ryan Health claimed that they continued providing service to the community with the members who did not request a curtailment of their service.

CNCS-OIG recommends CNCS direct the New York Commission on National and Community Service (Commission), Rensselaer, NY, take the following actions:

- Review expenses charged to the HFC and ORC grants, and disallow any time and effort of Mr. (b) (6) that exceeded 100 percent of his total work effort;
- 2. Review the Federal share expended from the HFC grant for Mr. (b) (6) 's salary and disallow any costs that exceeded the allowable budgeted amount;
- Ensure CHCANYS implements controls that ensure staffing costs charged to the grant are billed on actual hours, not budgeted hours;
- Review the time and effort of other CHCANYS employees and ensure that CHCANYS is charging the correct time and effort for their respective grants, and not charging more than 100 percent of their time;
- 5. Ensure sub-grantees' grants and budgets are reviewed and deconflicted when multiple awards are issued to the same organization;
- Review and disallow any extra living allowance paid to Ryan Health members who were allowed to curtail their service; and
- Review CHCANYS or Ryan Health's early-exit policy to determine it does not adversely
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 contract for their own convenience.

SUBJECT: Community Health Care Association of New York State: Improper Payments (Founded); Improper Allocation of Time (Founded); AmeriCorps Member Service Outside the Scope of the Grant (Unfounded); Profiting from an AmeriCorps Grant (Unfounded) OIG Case File 2018-011

We coordinated our investigation through the Acting Counsel to the Inspector General, who reviewed and approved this report.

Summary of Investigation

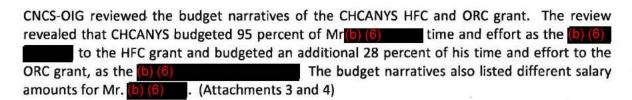
CNCS-OIG received a hotline complaint from an anonymous complainant who alleged CHCANYS and SPHC operated two separate AmeriCorps programs in order to obtain more Federal funding and to make a profit, had members perform service outside the scope of the grant, and utilized members to perform personal errands for the staff. CNCS-OIG conducted a site visit of the CHCANYS and SPHC programs, reviewed timesheets, and interviewed current AmeriCorps members and program staff.

CHCANYS HFC, grant #16AFHNY0010007, served various community health centers and shelters in New York City and New York State, where they provided a variety of services for low income and immigrant families. These services included health education, patient advocacy, financial literacy, benefit enrollment, translation services, transportation assistance for medical appointments, and other services.

SPHC is a Federally Qualified Health Center that provides various health services to the poor. In accordance with its SPAP grant, #15ACHNY0010007, members served at various community health centers and schools to provide health education outreach, benefit enrollment, financial literacy, early literacy, tutoring, and mentoring services to residents of Brooklyn, NY. In addition to directly administering the SPAP, SPHC was also one of five operating sites for HFC. The HFC program provided a variety of services for low income and immigrant families in Brooklyn, NY. These services included health education, patient advocacy, financial literacy, benefit enrollment, translation services, transportation assistance for medical appointments, and other services. (Attachments 1 and 2)

A comparison of the SPAP and the HFC programs showed they were similar, but they did not duplicate efforts. The use of HFC AmeriCorps members at the SPHC operating site appeared to allow for greater service to the community. Commission officials confirmed they were aware of the similarities between the programs and the existence of shared operating sites.

Improper Allocation of Time



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CNCS-OIG interviewed Mr. (b) (6) who began his employment with CHCANYS in August 2010 and worked in various capacities within the CHCANYS AmeriCorps program. In September 2017, Mr. (b) (6) became the (b) (6) of the CHCANYS AmeriCorps program and supervised the day-to-day operations for the HFC and ORC AmeriCorps programs. Mr. (b) (6) claimed he spent 100 percent of his time on both grants; however, he did not know what percentage of his salary was charged to each grant and did not utilize his timesheet to track the amount of time he spent on each grant. Instead, he utilized a project management software program called "Smartsheets" and his outlook calendar. When shown the budget narrative of the HFC and ORC grant, Mr. (b) (6) was unable to explain how 95 percent of his salary was reportedly billed to the HFC grant, while an additional 28 percent was billed to the ORC grant.

A review of timesheet data received from CHCANYS revealed that from September 1, 2017 to May 25, 2018, Mr. (b) (6) workload for the ORC fluctuated between 10 and 50 percent of his work days. A review of Mr. (b) (6) Outlook calendar between September 1, 2017 and May 25, 2018, revealed that this calendar was underutilized, and therefore did not accurately monitor his daily activities or substantiate the above-mentioned timesheets. (Attachments 5 and 6)

CNCS-OIG received a funding source breakdown of Mr. (b) (6) salary from the Commission, which detailed his salary payments from October 2016 to August 2018. The review found that CHCANYS exceeded the budgeted Federal share of his salary from the HFC grant by approximately \$26,000. The HFC grant years also overlapped for a few months and both contributed to Mr. (b) (6) salary. (Attachment 7)

Improper Payments

CNCS-OIG interviewed Mr. (b) (6) (b) (6) (confirmed that all members had a contractual agreement to serve 10 to 12 months; however, if a member completed 1,700 hours before their original exit date, the member could end their service term early. If a member chose to end their service early, Ryan Health allowed the members to change their contract to reflect the new early departure date. Mr (b) (c) claimed that members who left the program before their original exit date forfeited the remainder of their undisbursed living allowance. Mr (b) (d) added that during the first 30 days of service, Ryan Health also allowed full-time members to change their status to part-time or half-time service, contingent upon the members' needs.

CNCS-OIG interviewed Mr. (b) (6) (b) (6) Ryan Health, who managed community relations for the AmeriCorps program and administered the recruitment, selection, and placement of members at the Ryan Health service sites. Mr (b) (6) stated full-time members could chose to serve between nine to 12 months, contingent upon the needs of

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the member. He confirmed that members had the option to shorten their length of service if they completed 1,700 service hours before their original exit date. Mr. (b) (6) confirmed members who shortened their length received all unspent living allowances. Mr. (b) (6) added that Ryan Health allowed members to sign either a new contract or add an addendum to reflect the new exit date if they met the hour requirements of their original contract.

Ryan Health provided a memoranda, wherein contract amendments documented the date of amendment and updated living allowance amount per the contract amendment. The memoranda stated that despite the members' early departure, the members will complete the service hour requirement and the change will not adversely affect the "achievement of any performance measures or program goals." The memoranda was not generated until after CNCS-OIG conducted a site visit and questioned the practice. (Attachments 8 -10)

A review of the HFC grant and budget narrative revealed the members would receive a living allowance of \$12,630 for their year of service. The CNCS share totaled \$10,284, and the grantee share was \$2,346. The grant application made no mention that members assigned to the Ryan Health operating site would receive a larger living allowance than the rest of the members assigned to the CHCANYS HFC. (Attachment 3)

During a subsequent interview, Mr. (b) (6) stated HFC members assigned to Ryan Health received a total living allowance of \$15,000 per year. Due to the high cost of living in New York, Ryan Health supplemented CHCANYS \$12,630 living allowance with an additional \$2,370. This supplement to the living allowance originated from the Afia Foundation, Inc, New York, NY. Mr. (b) (6) confirmed that HFC members assigned to Ryan Health were permitted to curtail their service period, and to ensure the members' living allowance was liquidated, members' living allowance payments were increased for the remaining pay periods.

CNCS-OIG found no evidence from the Commission authorizing Ryan Health or CHCANYS to increase the living allowance or shorten the term of service. Under these circumstances, members who had a shorter service term had a greater rate of living allowance per month.

A review of payroll and funding source documents of members who served at Ryan Health confirmed that members received more living allowance than their initial contract provided. Members were contracted to receive \$438.46 per pay period of funding derived from CHCANYS and CNCS, and an additional \$138.46 in Afia funding. According to funding source documents, members who curtailed their service received the remainder of their living allowance in inflated payments. These inflated payments contained both CHCANYS and CNCS funding, as well as Afia funding. In total, \$17,708.90 in CNCS and match funds were paid to members for service which they were not performing. This practice may have incentivized members to curtail their service terms. (Attachment 11)

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The following is a list of Ryan Health members who curtailed their service and received an increase in their living allowances above the amount listed in their initial contracted amount:

	Total Excess	CNCS/Match	Afia
Member	Living Allowance	Funding	Funding
(b) (6)	\$2,329.89	\$1,761.87	\$568.02
	\$1,730.61	\$1,308.69	\$421.92
	\$2,307.57	\$1,745.99	\$561.58
	\$2,329.89	\$1,761.87	\$568.02
	\$1,730.61	\$1,308.69	\$421.92
	\$2,692.13	\$2,035.80	\$656.33
	\$1,420.16	\$1,073.93	\$346.23
	\$1,597.68	\$1,208.17	\$389.51
	\$1,597.68	\$1,208.17	\$389.51
	\$1,597.68	\$1,208.17	\$389.51
	\$1,597.68	\$1,208.17	\$389.51
	\$1,242.64	\$939.69	\$302.95
	\$1,242.64	\$939.69	\$302.95
Totals	\$22,174.22	\$17,708.90	\$5,707.96

Subsequent communication with Mr. (b) (6) revealed that Ryan Health amended several of its policies regarding living allowances for FY19 members. Mr (b) (6) explained that members were still permitted to shorten the length of their contract terms, if they were on-schedule to finish their 1,700 hours early and met performance metrics set by site supervision. Furthermore, the members' early exit must not negatively affect the service provided to the community. However, FY19 members' living allowance is set at a fixed amount and an early exit will result in the forfeiture of any remaining living allowance to the member.

Attachments:

- 1. Agent's Investigative Report (AIR) Members CHCANYS HFC, dated June 11, 2018
- 2. AIR CHCANYS Staff, dated June 13, 2018
- 3. Budget Narrative CHCANYS HFC
- Budget Narrative Opioid Response Corps
- CHCANYS Payroll Documents -(b) (6)
- 6. Outlook Calendar (b) (6)
- 7. NY Commission Funding Sources -(b) (6)
- AIR Ryan Health Staff, dated June 13, 2018
- 9. Ryan Health Contract Amendment Memoranda, dated July 10, 2018
- 10. Ryan Health Payroll Documents

DATE:

July 17, 2019

SUBJECT: Community Health Care Association of New York State: Improper Payments (Founded); Improper Allocation of Time (Founded); AmeriCorps Member Service Outside the Scope of the Grant (Unfounded); Profiting from an AmeriCorps Grant (Unfounded) OIG Case File 2018-011

11. Ryan Health HFC Funding Sources

Cc:

Office of General Counsel (Stephanie Soper)
Acting Chief of Program Operations (Erin Dahlin)
Chief Financial Officer (Bob McCarty)



December 29, 2020

TO:	OIG Investigative File 2018-022
THRU:	Assistant Inspector General for Investigations
FROM:	(b) (7)(C) Special Agent in Charge
SUBJECT:	(b) (6) , Inappropriate Relationship with a Student, (b) (6) , CO (Monitor) (OIG Case File 2018-022)
CNCS-OIG o	pened this case solely to monitor the progress and outcome of the allegation(s) v.
of Inspector former Ame	for National and Community Service (CNCS) management notified the CNCS Office General (CNCS-OIG) of an alleged inappropriate relationship between Ms. (b) (6) criCorps member, Public Allies, (b) (6) where the community Service term at (b) (6) School, (b) (6) CO.
conduct beinappropriat student. Du and that th information, (b) (6) behavior vio	School, learned of alleged inappropriate tween Ms. (b) (a) and a minor student. After being informed of the alleged se conduct, Ms. (b) (a) conducted separate interviews with Ms. (b) and the minor ring these interviews, Ms. (c) admitted that she had feelings for the minor student ere had been flirting between her and the minor student. As a result of this School removed Ms. (b) (from the school and made a report to the Sheriff's Office (Sheriff's Office), (b) (6) School and Public Allies. Ms. (b) School and Public Allies terminated Ms. (c) Scho
	office arrested Ms. on May 20, 2018. On September 6, 2018, Ms. plead count of Attempt to Commit Unlawful Sexual Contact. Ms.

year supervised deferred sentence and was required to register as a sex offender and assessed

\$5,243.50 in fees. (Exhibit 3)

DATE: December 29, 2020

SUBJECT: (b) (6) , Inappropriate Relationship with a Student, (b) (6) , CO (Monitor) (OIG Case File 2018-022)

2

No further investigative activity is anticipated, and this matter is closed in the files of this office. This matter will be referred to the OIG Office of Counsel for consideration for potential administrative recommendations to CNCS.

Exhibits:

- 1. Public Allies' Incident Memorandum, dated March 19, 2018
- 2. Plea Deal and Charging Documents, dated September 6, 2018
- 3. Colorado Court Records Report on Ms. dated October 30, 2018



March 30, 2020

(b) (7)(C)

THRU: (b)(7)(C)

Special Agent in Charge

(b) (7)(C)

FROM: (b) (7)(C

Special Agent

SUBJECT: (b) (6) — Possession of Child Pornography (Unsubstantiated) (OIG Case File

2019-020)

The Corporation for National and Community Service, Office of Inspector General (CNCS-OIG) received an allegation from Ms. Erin McGrath, Director, Office of Regional Operations, CNCS, that an unidentified 14-year old student and beneficiary of the (b) (6) County (D) Foster Grandparent Program (FGP), Catholic Charities, (b) (6) CA, took nude photos of herself and posted them on Facebook. The student advised that Mr. (b) (6) FGP Volunteer, (b) FGP, had access to the photos via a fictitious Facebook account.

SA (b) (7)(C) advised that students were interviewed and reported that the student in question did take a nude video of herself and transmitted it to others on Facebook. The students also confirmed that Mr. (b) (6) received the video. During an interview, Mr. (b) (6) admitted he had received a message from the student containing a pornographic video of herself and responded with a "wave sign." Mr. (b) (6) claimed his son had created the account for him and he was unfamiliar with how Facebook worked. Mr. (b) (6) denied soliciting this photograph from the minor student. Mr. (b) (6) gave consent for HSI to seize and search his personal computer and cellular telephone for child pornography. A forensic search of the devices revealed no other instances of child pornography. Prosecution was declined by the (b) (6) County, CA District Attorney's Office due to a lack of evidence. (Exhibit 1)

SUBJECT:(b) (6)

Catholic Charities terminated Mr. (6) from his FGP volunteer position due to a failure to report the incident and a lack of professional boundaries with the female student. (Exhibit 2)

Since prosecution was declined in this case and Mr. (b) (6) is no longer serving with the FGP, this case will be closed.

No further investigative activity is anticipated, and this matter is closed in the files of this office.

Exhibits:

- 1. HSI Report of Investigation (ROI)
- 2. Mr. (b) (6) s Termination Letter



April 20, 2020

TO:	OIG Case File 2019-021
	(b) (7)(C)
THRU:	(b) (7)(C)
	Special Agent in Charge (b) (7)(C)
FROM:	(b) (7)(C) Special Agent
SUBJECT	- Sexual Assault of a Minor (Monitor) (OIG Case 2019-021)
stated b	G opened this case solely to monitor the progress and outcome of the allegation(s) elow. CNCS-OIG did not conduct an investigation as the allegation(s) is not related to easte, or abuse.
Office of (membe) three fe subsequ	oration for National and Community Service (CNCS) management notified the CNCS of Inspector General (CNCS-OIG) that Mr. (b) (6) AmeriCorps Member r), City Year, (b) (6) FL, was alleged to have hugged and touched the waist line of male students at his service site, (b) (6) Middle School (b)), (b) (6) FL. A ent post to Facebook featured an image of Mr. (b) (6) and accused him of raping younging guns to carry out acts of rape, and impregnating a minor.
Florida, that Mr. around t	G coordinated with Ms. (b) (6) FL, who related that several students at (b) notified school leadership (b) (6) made them feel uncomfortable by giving them hugs and placing his hands their waists. Subsequently, (b) County Public Schools (b) suspended Mr. (b) AmeriCorps program.
(b) (6) pursue t the repo revealed evidence	G coordinated with Sergeant (b) (7)(C), (b) (7)(C). Sheriff's Department (b), FL, who confirmed receipt of the allegation. Sgt (b) (7)(C) stated (b) would not his matter. However, (b) was investigating Mr. (b) (6) on another matter unrelated to orted inappropriate touching at (b). Subsequent coordination with Sgt (b) (7)(C) (c) is investigation of Mr. (b) (6) was not presented to prosecutors due to lack of and was closed. A Search of (b) County Clerk of Court records confirmed Mr. (b) (6) revious criminal cases related to sexual assault or harassment. (Exhibit 1)
	ited Mr. (b) from service due to a decision by (b) that Mr. (b) 's presence on

This case will be closed because (b) 's investigation determined that there was insufficient evidence to refer the matter for prosecution, and Mr. (b) (6) was exited from the AmeriCorps program.

No further investigative activity is anticipated, and this matter is closed in the files of this office.

Exhibits:

- 1. (b) (6) County Circuit Court Records Search for Mr. (b) dated April 2, 2020
- 2. Timeline of Events Concerning Mr (b) (6) from (b) , dated April 10, 2019



March 13, 2020

TO: OIG Investigation 2018-005

(b) (7)(C)

THRU:

Assistant Inspector General

for Investigations

FROM:

Special Agent in Charge

SUBJECT: Minnesota Literacy Council, Saint Paul, MN; Prohibited Lobbying Activities Under

CNCS's Annual Appropriations Act for FY2019 (Unsubstantiated) (OIG Case File 2019-

022)

The Corporation for National and Community Service, Office of Inspector General (CNCS-OIG) received allegations that the Minnesota Literacy Council (MLC), Saint Paul, MN, may have engaged in prohibited lobbying activities. In an effort to determine whether the activities in question violated Federal statutes and regulations prohibiting lobbying activities, CNCS-OIG reviewed MLC timesheets, and information regarding a conference call discussing opposition to the planned restructuring of CNCS. Further, the former Acting Counsel to the IG conducted a legal analysis of the activities identified and could not conclude that the evidence supported a finding that MLC engaged in prohibited lobbying activities based upon the information available.

CNCS-OIG could not determine whether the activities here fall within the definition of prohibited political activity, as defined in 45 C.F.R. § 2556.705. In addition, based on the available evidence, CNCS-OIG could not determine whether the brief conference call took place during official paid time or lunch time. Finally, it is unclear whether posting information on a website or hosting a conference call is legally sufficient to constitute "coerc[ing] other individuals into engaging in political activity."

No further investigative activity is anticipated, and this matter is closed in the files of this office.

Exhibits:

1. Report of Investigation to CNCS Management, dated February 6, 2020.



February 6, 2020

TO:

Desiree Tucker-Sorini

Director, AmeriCorps VISTA

(b) (7)(C)

THRU:

(b) (7)(C

Assistant Inspector General

for Investigations

FROM:

(b) (7)(C)

Special Agent in Charge

SUBJECT:

Minnesota Literacy Council, Saint Paul, MN; Prohibited Lobbying Activities Under

CNCS's Annual Appropriations Act for FY2019 (Unsubstantiated) (OIG Case File 2019-

022)

Executive Summary

The Corporation for National and Community Service, Office of Inspector General (CNCS-OIG) received allegations that the Minnesota Literacy Council (MLC), Saint Paul, MN, may have engaged in prohibited lobbying activities. In an effort to determine whether the activities in question violated Federal statutes and regulations prohibiting lobbying activities, CNCS-OIG reviewed MLC timesheets, and information regarding a conference call discussing opposition to the planned restructuring of CNCS. Further, the former Acting Counsel to the IG conducted a legal analysis of the activities identified and could not conclude that the evidence supported a finding that MLC engaged in prohibited lobbying activities based upon the information available.

Summary of Investigation

CNCS alerted CNCS-OIG that MLC staff may have engaged in prohibited activities by lobbying against the CNCS Transformation and Sustainability Plan (TSP). Specifically, CNCS reported that MLC placed information on its website arguing against the TSP and informed CNCS-OIG that MLC received approximately 78% of its funding from CNCS.¹

¹ We note that according to its most recent 990, "Return of Organization Exempt from Income Tax," MLC received only about 10% of its revenue from the CNCS grant.

MLC staff also led an approximate 30-minute conference call with a number of other CNCS grantee staff during which they discussed ways to enlist Congressional members in opposition to CNCS's TSP.

CNCS-OIG conducted a legal analysis as to whether these actions were prohibited political and lobbying activities, defined as activities "directed toward the success or failure of a political party, candidate, for partisan political office, or partisan political group² under 45 C.F.R. § 2556.710. This regulation applies to VISTA sponsors, their employees, and subrecipients,³ and expressly prohibits (1) influencing or interfering with election results, and (2) coercing any individual to engage in political activity.⁴ However, these prohibitions and restrictions only apply when VISTA sponsors, their employees, and subrecipients engage in an activity supported by CNCS funding and when the individuals identify themselves as acting in their capacity as an official of a VISTA project receiving CNCS funds, or others could reasonably perceive them to be acting in such a capacity.⁵ Further, VISTA sponsors and subrecipients are expressly permitted to, among other things, "be politically active in connection with a question that is not specifically identified with a political party," and can "participate in the nonpartisan activities of a civic, community, social, labor, or professional organization."⁶

CNCS-OIG could not determine whether the activities here fall within the definition of prohibited political activity, as defined in 45 C.F.R. § 2556.705. In addition, based on the available evidence, CNCS-OIG could not determine whether the brief conference call took place during official paid time or lunch time. Finally, it is unclear whether posting information on a website or hosting a conference call is legally sufficient to constitute "coerc[ing] other individuals into engaging in political activity."

^{2 45} C.F.R. § 2556.705.

³ Id. at § 2556.700(b)(c).

⁴ Id. at § 2556.710.

⁵ Id. at § 2556.775.

⁶ Id. at § 2556.715(2)(3).

⁷ Id. at § 2556.710(b).

DATE: February 6, 2020

Minnesota Literacy Council, Saint Paul, MN; Prohibited Lobbying Activities Under CNCS's Annual Appropriations Act for FY2019. (Unsubstantiated) (OIG Case File 2019-022)

For these reasons, CNCS-OIG could not substantiate the allegation that MLC engaged in prohibited lobbying or political activities.

Given the significant interest in CNCS's Transformation and Sustainability Plan at the time, it might have been useful for CNCS to issue contemporaneous guidance to all grantees specific to legislative lobbying.

If you have any questions, you may contact SAC(b) (7)(C) at at (b) (7)(C)

Attachment:

1. MLC Website

Cc:

Acting Chief of Program Operations (Erin Dahlin)
Office of General Counsel (Stephanie Soper)
Audits and Investigations Program Manager (Rachel Turner)



August 11, 2020

TO:

OIG Investigation 2019-027

(1	(7)(C)	
THRU:	b) (7)(C) Assistant Inspector General for Investigations	
FROM:	Special Agent	
SUBJECT:	(b) (6) AmeriCorps Member, PowerCorp. (b) (b) (6) with a Student (Founded) (2019-027)	, PA – Sexual Contact

CNCS-OIG opened this case solely to monitor the progress and outcome of the allegation(s) stated below. CNCS-OIG did not conduct an investigation because the allegation(s) is not related to fraud, waste, or abuse in a CNCS program.

Mr. James Stone, Senior Program and Project Specialist, Office of AmeriCorps State and National, Corporation for National and Community Service, (CNCS-ASN), Washington, DC notified the CNCS Office of Inspector General (CNCS-OIG) of an allegation involving an AmeriCorps member (member) accused of having an intimate relationship with a minor.

Mr. Stone forwarded an Incident Report from PennSERVE (Commission), Harrisburg, PA, regarding an allegation that Mr. (b) (6) member, PowerCorps (b) AmeriCorps Program (Grant #15ACHPA0010002), engaged in an intimate relationship with a student who attends (b) (6) a public (b) (6) school in (b) (6) PA., where Mr. (b) served. The incident report reflected that the (b) (6) became aware of the allegation regarding Mr. (b) (6) s involvement with a minor on or about January 10, 2019 and notified PowerCorps (b) the same day. Also on January 10, 2019, PowerCorps (b) directed Mr. (b) not to return to his service site until further notice. (Exhibit 1)

According to the incident report and a letter from PowerCorps(b) attached to the report, on or about January 11, 2019, (b) (6) informed PowerCorps(b) that (b) (6) believed "there was enough credibility to the situation to warrant a report to the [PA] Department of Human Services (DHS)."

PowerCorps(b) then discussed the allegation with Mr (b) (6) who "denied any involvement or contact with any student outside of the service site or his service responsibilities." During the conversation, PowerCorps(b) informed Mr. (b) (6) that he was suspended from the AmeriCorps program, effective January 11, 2019. (Exhibit 1)

DATE: August 11, 2020

SUBJECT: (b) (6) AmeriCorps Member, PowerCorp. (b) (6) PA – Sexual Contact with a

Student (Founded) (2019-027)

On March 4, 2019, (b) (6) informed PowerCorps that DHS would be handing the investigation over to a criminal investigator. According to the incident report, PowerCorps alerted the Commission about the matter on March 4, 2019, and began the process for dismissing Mr. (b) (6) from the AmeriCorps program. (Exhibit 1)

The (b) (6) Policy Department Investigation found sufficient probable cause that Mr. (b) (6) engaged in a sexual relationship with a 16-year-old (b) (6) student for approximately three months and issued an arrest warrant. Mr. (b) (6) was arrested and charged with the following offenses under the Pennsylvania Consolidates Statutes:

- 1. School-Intercourse/Sexual Contact with Students 18 § 124.2 §§A.21;
- 2. Endangering Welfare of Children-Parent/Guardian/Other Commits Offense 18 § 4304 §§A1;
- 3. Corruption of Minors Defendant Age 18 or Above 18 § 6301 §§A1ii; and
- 4. Unlawful Contact with Minor Sexual Offenses 18 § 6318 A1. (Exhibit 2)

According to the criminal docket, Mr. (b) (6) plead guilty on October 17, 2019 in the Court of Common Pleas for (b) (6) County to one count of School-Intercourse/Sexual Contact with Student and one count of Unlawful Contact with a Minor. Mr. (b) was sentenced to 8 – 16 months confinement, three years' probation, and required to pay \$657.75 in court costs. Mr. (b) (6) was given six months credit for time served and paroled on December 17, 2019. Mr. (b) (6) was also required to register as a Tier II Sex Offender. (Exhibits 3 and 4)

This matter will be referred to CNCS-OIG's Counsel for the Inspector General (CIG) to consider whether debarment action should be taken against Mr(b) (6)

No further investigative activity by the CNCS-OIG Investigation Section is anticipated, and this matter is closed in the files of this office.

Exhibits:

- 1. Commission Incident Report and PowerCorps Memo regarding Mr (b) (6). March 5, 2019.
- 2. Court Documents and Affidavit of Probable Cause regarding Mr (b) (6) July 24, 2019.
- 3. Criminal Docket regarding Mr(b) (6) December 5, 2019.
- 4. First Judicial District of Pennsylvania Court Summary regarding Mr. (b) , December 5, 2019.

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April 23, 2020

TO:	OIG Investigative File 2019-063 (b) (7)(C)
THRU:	(b) (7)(C) Special Agent in Charge
FROM:	(b) (7)(C) Special Agent
SUBJECT:	Ms. (b) (6) , former AmeriCorps member, YMCA of (b) (6) (b) (6) , IL: Sexual Assault (Monitor) (OIG Investigation 2019-063)
stated below	pened this case solely to monitor the progress and outcome of the allegation(s) v. CNCS-OIG did not conduct an investigation because the allegation(s) is not aud, waste, or abuse.
Inspector Ge	gement notified the Corporation for National and Community Service, Office of eneral (CNCS-OIG) of the alleged sexual relationship between Ms. (b) (6) riCorps member (member), YMCA of (b) (6) (YMCA), (b) (6) IL, and ys at YMCA.
male program knowledge of allegations. T YMCA proper Department	vas an 18-year-old female member at the YMCA. YMCA staff observed a group of m participants between the ages of 15 and 17 years old speaking about sexual of Ms. (b) (6)
predated her	ted an investigation and found Ms. (b) (6) 's relationships with the YMCA participant AmeriCorps service and continued during Ms (b) (6) 's AmeriCorps service. DCFS the allegations were unfounded and the matter was closed.
case (#(b) (6) sexual misco	ordinated with Detective (b) (7)(C) (b) (6) (e) Police Department, regarding his (b) (7). Results from Detective (b) (7) is investigation revealed that the alleged and uct between Ms. (b) (6) and the 17-year-old male was not a crime in their The relationship between Ms. (b) (6) and the 17-year-old male began before Ms.

(Monitor) (OIG Investigation 2019-063)

(b) (6) s AmeriCorps service and continued during her service. The case was referred for prosecution to the local District Attorney's office and was declined.

No further investigative activity is anticipated, and this matter is closed in the files of this office.

Exhibit:

1. Member Roster from eGrants of Ms. (b) (6) searly exit



December 8, 2020

TO:	OIG Investigative File 2020-021
THRU:	(b) (7)(C) (b) (7)(C)
	Assistant Inspector General for Investigations (b) (7)(C)

FROM: (b) (7)(c)
Special Agent in Charge

SUBJECT: NCCC-Vicksburg - Distribution of Narcotics - Vicksburg, MS (OIG Investigation 2020-021)

The Corporation for National and Community Service, Office of Inspector General (CNCS-OIG), received complaints involving CNCS employees at the AmeriCorps National Civilian Community Corps (NCCC) Vicksburg Campus, Vicksburg, MS, campus. CNCS also received similar complaints.

The complaints containing the following allegations regarding CNCS employees assigned to the NCCC-Vicksburg Campus:

CNCS-OIG coordinated with Ms. Marcia Gresham, Senior Human Resource Specialist, Office of Human Capital, CNCS, (CNCS-OHC) and Ms. Kathy Jones, Director, Workforce Relations, CNCS-OHC. Ms. Gresham was not aware of any previous related complaints concerning the CNCS employees at NCCC-Vicksburg. Ms. Gresham indicated there was not a CNCS policy that outlined NCCC staff must dismiss NCCC members in certain circumstances upon conclusion of a sexual

SUBJECT: NCCC-Vicksburg - Distribution of Narcotics - Vicksburg, MS (OIG Investigation 2020-021)

assault investigation, rather it was at the discretion of NCCC staff. Ms. Gresham and Ms. Jones also mentioned CNCS follows the drug policy for Federal employees. (Exhibit 1)

On April 30, 2020, CNCS-OIG referred this matter to CNCS and suggested CNCS determine whether the conduct alleged, if true, would violate existing CNCS and NCCC policies and interview NCCC staff relative to the complainant's allegations. (Exhibit 2)

No further investigative activity is anticipated, and this matter is closed in the files of this office.

Exhibits:

- 1. Agent's Investigative Report Agent Activity Summary
- 2. OIG Request for Management Action, dated April 30, 2020
- 3. CNCS Response, dated August 13, 2020



April 30, 2020

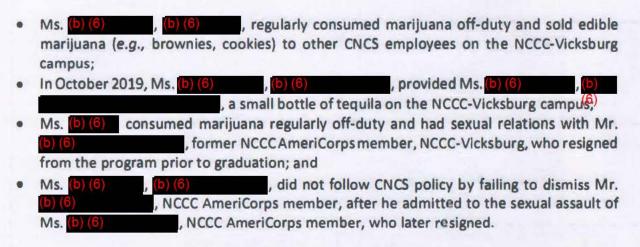
TO:	Marcia Gresham				
	Acting Chief Human Capital Officer				
	Gina Cross				
	Acting Director, AmeriCorps NCCC				
(t	b) (7)(C)				
THRU:	(b) (7)(C)				
	Special Agent in Charge				
(b	(7)(C)				
FROM:	(b) (7)(C)				
	Special Agent				
SUBJECT:	Request for Management Action - Ms. (b) (6)	Ms.	(6)	, and	Ms.
	(b) (6) , CNCS-NCCC Vicksburg Employees - \	/icksburg, M	S. (OIG	Case File	202

The Corporation for National and Community Service, Office of Inspector General (CNCS-OIG), received complaints involving CNCS employees at the AmeriCorps National Civilian Community Corps (NCCC) Vicksburg Campus, Vicksburg, MS, campus. CNCS also received similar complaints.

021)

0-

The complaints containing the following allegations regarding CNCS employees assigned to NCCC-Vicksburg Campus:



DATE:

April 30, 2020

SUBJECT:

Request for Management Action - Ms. (b) (6) , (Employees - Vicksburg, MS. (OIG Case File 2020-021)

, Ms. (b) (6)

and Ms. (b)

CNCS-NCCC Vicksburg

2

CNCS-OIG coordinated with Ms. Marcia Gresham, Acting Chief Human Capital Officer, CNCS, and Ms. Kathy Jones, Director of Workforce Relations, CNCS, regarding these complaints. Ms. Gresham was not aware of any previous related complaints concerning the CNCS employees at NCCC-Vicksburg. Ms. Gresham indicated there was not a CNCS policy that outlined NCCC staff must dismiss NCCC members in certain circumstances upon conclusion of a sexual assault investigation, rather it was at the discretion of the NCCC staff. Ms. Gresham and Ms. Jones also mentioned CNCS follows the drug policy for Federal employees.

This report is provided to CNCS for any action deemed appropriate. Should CNCS determine that any of the allegations warrant an internal inquiry, the following actions may help aid such an inquiry:

- Determine whether the conduct alleged, if true, would violate existing CNCS and NCCC policies; and
- 2. Interview NCCC staff related to the above allegations.

Please provide CNCS-OIG with a copy of the results of your review, to include any corrective action taken. In the event fraud is discovered, CNCS-OIG must be notified without delay. Feel free to contact Special Agent (b) (7)(C) at (b) (7)(C) if you have any questions.

Cc:

Office of General Counsel (Stephanie Soper)

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April 30, 2020

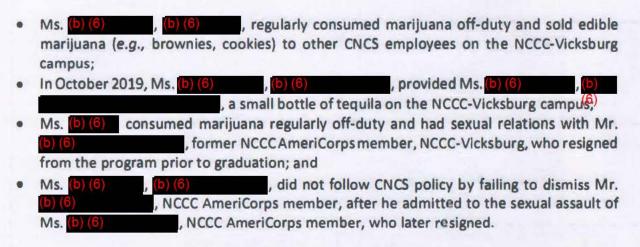
TO:	Marcia Gresham				
	Acting Chief Human Capital Officer				
	Gina Cross				
	Acting Director, AmeriCorps NCCC				
(t	b) (7)(C)				
THRU:	(b) (7)(C)				
	Special Agent in Charge				
(b	(7)(C)				
FROM:	(b) (7)(C)				
	Special Agent				
SUBJECT:	Request for Management Action - Ms. (b) (6)	Ms.	(6)	, and	Ms.
	(b) (6) , CNCS-NCCC Vicksburg Employees - \	/icksburg, M	S. (OIG	Case File	202

The Corporation for National and Community Service, Office of Inspector General (CNCS-OIG), received complaints involving CNCS employees at the AmeriCorps National Civilian Community Corps (NCCC) Vicksburg Campus, Vicksburg, MS, campus. CNCS also received similar complaints.

021)

0-

The complaints containing the following allegations regarding CNCS employees assigned to NCCC-Vicksburg Campus:



DATE:

April 30, 2020

SUBJECT:

Request for Management Action - Ms. (b) (6) , (Employees - Vicksburg, MS. (OIG Case File 2020-021)

, Ms. (b) (6)

and Ms. (b)

CNCS-NCCC Vicksburg

2

CNCS-OIG coordinated with Ms. Marcia Gresham, Acting Chief Human Capital Officer, CNCS, and Ms. Kathy Jones, Director of Workforce Relations, CNCS, regarding these complaints. Ms. Gresham was not aware of any previous related complaints concerning the CNCS employees at NCCC-Vicksburg. Ms. Gresham indicated there was not a CNCS policy that outlined NCCC staff must dismiss NCCC members in certain circumstances upon conclusion of a sexual assault investigation, rather it was at the discretion of the NCCC staff. Ms. Gresham and Ms. Jones also mentioned CNCS follows the drug policy for Federal employees.

This report is provided to CNCS for any action deemed appropriate. Should CNCS determine that any of the allegations warrant an internal inquiry, the following actions may help aid such an inquiry:

- Determine whether the conduct alleged, if true, would violate existing CNCS and NCCC policies; and
- 2. Interview NCCC staff related to the above allegations.

Please provide CNCS-OIG with a copy of the results of your review, to include any corrective action taken. In the event fraud is discovered, CNCS-OIG must be notified without delay. Feel free to contact Special Agent (b) (7)(C) at (b) (7)(C) if you have any questions.

Cc:

Office of General Counsel (Stephanie Soper)

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December 30, 2020

TO: OIG Investigative File 2020-037

(b) (7)(C)

THRU:

Assistant Inspector General

for Investigations

FROM:

(b) (7)(C)

Special Agent in Charge

SUBJECT: AmeriCorps National Civilian Community Corps Southwest Region Campus: Mismanagement (Unfounded) (OIG Investigation 2020-037)

The Corporation for National and Community Service, Office of Inspector General (CNCS-OIG), received a complaint that filmmakers representing Tramontana Media, Las Vegas, NV, were allowed access to the AmeriCorps National Civilian Community Corps (NCCC) Southwest Region Campus (NCCC-SW), Aurora, CO, by a former security guard and allowed to film abandoned patient records left by Excelsior Youth Center (EYC), a prior tenant.

On July 22, 2020, CNCS-OIG referred this matter to CNCS and requested CNCS provide information to answer the following questions:

- 1. Did CNCS coordinate with NCCC-SW about the alleged tour of the NCCC-SW campus in June 2020, and if so, provide any associated documentation?
- Are EYC files currently, or recently, stored in spaces leased by CNCS at the NCCC-SW campus? If so, was NCCC aware of the EYC files on campus property and what steps did CNCS take or plan to take to remove the EYC files?;
- Please provide the lease between CNCS and landlord, Urban Land Conservancy (ULC)
 and any other document that outlines how NCCC was to dispose of or handle the former
 tenant's property;
- Provide a copy of the contractual agreement between CNCS and the security company at the NCCC-SW campus and any related policies that dictate who is allowed on the NCCC-SW campus; and
- Provide a copy of any policies or procedures that have been implemented at the NCCC-SW campus as a result of this incident to secure property and records, and ensure the safety of the NCCC members. (Exhibit 1)

DATE: December 30, 2020

SUBJECT: National Civilian Community Corps Southwest Region Campus: Mismanagement (OIG Investigation 2020-037)

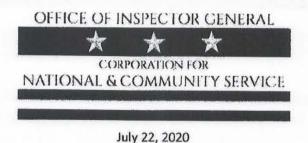
On November 2, 2020, CNCS provided its response to CNCS-OIG. NCCC-SW staff were not aware of the alleged tour of the ULC property during June 2020 until they saw the video on July 8, 2020. The same day, ULC contacted the NCCC-SW staff related to concerns about the security guard. The guard claimed she forced entry to the ULC office and retrieved confidential records; the guard was no longer allowed on campus. ULC was investigating allegations that some of EYC's non-medical records that remained on the ULC property were accessed by non-ULC employees.

CNCS provided a copy of the lease agreement for the NCCC-SW campus. ULC is the current landlord of the NCCC-SW campus and EYC was originally the landlord when NCCC first occupied the campus. CNCS stated no EYC files were stored in spaces leased by AmeriCorps. CNCS also provided a copy of the contract documents for the security guards on campus. The statement of work stated security services will be required at all buildings leased/occupied by NCCC, the surrounding areas, and parking lots located on the property. ULC does not allow entry of outside parties on the grounds of its properties. On August 10, 2020, the security company terminated the guard. NCCC believed the issue regarding the security guard had been addressed.

No further investigative activity is anticipated, and this matter is closed in the files of this office.

Exhibits:

- 1. Request for Management Action, dated July 22, 2020
- 2. CNCS Response and Attachments, dated November 2, 2020



TO: Gina Cross
Acting Director, AmeriCorps NCCC

(b) (7)(C)

THRU: (b) (7)(C)
Special Agent in Charge

(b) (7)(C)

FROM: (b) (7)(C)
Special Agent

SUBJECT: Request for Management Action - NCCC Southwest Region Campus - Aurora, CO

(OIG Case File 2020-037)

The Corporation for National and Community Service, Office of Inspector General (CNCS-OIG), received a complaint that filmmakers representing Tramontana Media, Las Vegas, NV, were allowed access to the AmeriCorps National Civilian Community Corps (NCCC) Southwest Region Campus (NCCC-SW), Aurora, CO, by a former security guard and allowed to film abandoned patient records left by Excelsior Youth Center (EYC), a prior tenant.

The complainant, who requested anonymity, alleged that in June 2020, Ms. (b) (6)

NCCC-SW, permitted the filmmakers—Mr. (b) (6)

Mr. (b) (6)

Mr. (b) (6)

And other unnamed individuals, access to the grounds, including the basement of a building occupied by NCCC-SW, wherein abandoned patient records left by EYC were purportedly stored. Subsequently, Tramontana Media posted the video on YouTube under the title, "OUR SILENT SCREAMS - Hidden Nightmares Inside a Treatment center for girls in Aurora, CO." 1

The complainant expressed concerns that the filmmakers accessed the patients' records without permission and publicly exposed those files in the video posted on YouTube. The complainant alleged Ms. (b) (6) contacted several former patients of the EYC through Facebook direct messages in June 2020. It appeared Ms. (b) (6) obtained patients' names as a result of accessing the patient records at the NCCC-SW campus.

The complainant claimed Ms. (b) (6) posted on Facebook a screenshot of a conversation with Ms. (b) stating Ms. (b) gave the filmmakers verbal permission to access the NCCC-SW campus and offered to provide the filmmakers with a tour. The complainant also stated a "female team"

250 E Street SW ★ Suite 4100 ★ Washington, DC 20525 202-606-9390 ★ Hotline: 800-452-8210 ★ www.cncsoig.gov

¹ The video in question is available via web address https://www.youtube.com/watch?v=1FKSv6oxGnA&t=1s.

SUBJECT: Request for Management Action NCCC Southwest Region Campus - Aurora, CO (OIG Case File 2020-037)

leader" witnessed the filmmakers and Ms. while they were touring the grounds on June 16, 2020. Ms. (b) (6) wrote "[w]e clearly had permission to go in the building from the owners of the property...we were physically given everything we took" and "[w]e got extra [drone] footage and property footage for the owners, as a favor for letting us in the building. They can use [the] footage to help rent out other spaces."

CNCS-OIG reviewed the YouTube video that contained footage of the outside of a building that appears to be part of NCCC-SW building 15001 and individuals looking through documents.

CNCS-OIG located a GoFundMe crowd funding campaign created by Ms. (6) on June 28, 2020.² According to the Project Development section of the GoFundMe, "[the filmmakers] conducted a full tour of the Excelsior campus. After they shut down the facility, another company took over the property. Our team was given permission to scout the grounds and film some of the buildings in June. We've also conducted a handful of phone-interviews with victims; gathering tales of alleged physical, mental, and sexual abuse."

CNCS-OIG coordinated with Ms. Helen Serassio, Acting General Counsel, CNCS, who related the security guard was no longer employed by the contractor responsible for the security at the NCCC-SW campus. The landlord of the NCCC-SW campus, Urban Land Conservancy (ULC), Denver, CO, informed Mr. Jacob Sgambati, Acting Deputy Director, NCCC, that ULC, in cooperation with state agencies, is conducting an investigation related to the NCCC-SW campus. The investigation involves allegations that some of EYC's non-medical records that remained on the NCCC-SW campus have been accessed by non-ULC employees.

Please provide information to answer the questions below and provide any supporting documentation:

- 1. Have you coordinated with NCCC-SW staff and members to confirm the events surrounding the filmmakers' alleged tour of the NCCC-SW campus during June 2020? If so, please provide any documentation summarizing the findings of your inquiry;
- 2. Are EYC files currently, or recently, stored in spaces leased by CNCS at the NCCC-SW campus?;
 - a. Were NCCC officials aware that EYC records were abandoned and left on the property when CNCS took occupancy of the campus? When did they learn of the abandoned records, and did you report them to the landlord or the former tenant?
 - b. If EYC records were on the property when CNCS occupied the campus, provide an explanation as to why the records/property remained on the property, what steps, if any, CNCS took to ensure the protection of personally identifiable and

² The GoFundMe campaign is available via web address https://www.gofundme.com.

confidential information, and share with us any legal analysis of CNCS's obligations under the circumstances.

- c. If EYC records remain on the NCCC-SW campus, explain what NCCC intends to do with those documents;
- 3. Please provide the lease between CNCS and ULC and any other document that outlines how NCCC was to dispose of or handle the former tenant's property;
- Provide a copy of the contractual agreement between CNCS and the security company at the NCCC-SW campus and any related policies that dictate who is allowed on the NCCC-SW campus; and
- 5. Provide a copy of any policies or procedures that have been implemented at the NCCC-SW campus as a result of this incident to secure property and records, and ensure the safety of the NCCC members.

Cc:

Office of General Counsel (Stephanie Soper)
Chief of Program Operations (Erin Dahlin)
Audits and Investigations Program Manager (Rachel Turner)