



STATE OF TENNESSEE
COMPTROLLER OF THE TREASURY
DIVISION OF STATE AUDIT
John G. Morgan, Comptroller
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NEWS RELEASE

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Special Investigative Audit Determines Former Employee of Tennessee Human Rights Commission (THRC) Falsified Records in Employment Discrimination Case

Report to be presented to Government Operations Committee
August 12 as part of THRC's regularly-scheduled sunset review

View Full Report: http://www.comptroller1.state.tn.us/repository/SA/IN081601_THRC.pdf

NASHVILLE, Tenn. - A former investigator with the Tennessee Human Rights Commission (THRC) falsified official THRC records relating to employment discrimination complaint cases and provided deceptive responses after being confronted about the records, according to a special investigative audit report released today by the Comptroller of the Treasury, Division of State Audit.

Mr. Leonard Madu resigned in lieu of termination for gross misconduct August 10, 2007, following an investigation initiated July 13, 2007, by Comptroller John Morgan. The case was referred to the comptroller by Lieutenant Governor Ron Ramsey after one of his constituents filed a charge of employment discrimination with the THRC.

The complainant's case had been assigned to Mr. Madu. After being contacted by Mr. Madu that the case was without merit and had been dismissed, the complainant obtained a copy of the case file through the Freedom of Information Act. The case file included notes of witness interviews supposedly conducted by Mr. Madu. According to the notes, witnesses had not supported the complainant. Upon contacting the witnesses, the complainant discovered that they had not been interviewed by Mr. Madu.

Division of Audit investigative staff was able to confirm from five of the six witnesses listed in the case file that Mr. Madu had, in fact, never contacted them. They were unable to reach the sixth witness. When confronted with these findings August 1, 2007, Mr. Madu replied that his documentation was an honest record of calls he had made from his office phone. However, when the call records for his official state telephone were examined, they did not reflect the telephone calls in question. On August 7, 2007, Mr. Madu then admitted he had not made the telephone calls in question and had created fictitious notes to make it appear that he had conducted the interviews.

The employment discrimination case in question, which was originally dual-filed with the Equal Employment Opportunity Commission (EEOC), was referred to the EEOC Memphis Office September 2007.

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At the request of the comptroller, THRC officials undertook an internal audit review of Mr. Madu's other cases and found more instances of false documentation of interviews he never conducted. Officials extended the review to include a random sample of cases performed by other investigators and did not disclose any additional problems.

"Management and staff of THRC cooperated fully with the review and responded in a timely manner to all information requests. Internal controls over investigations at THRC have been strengthened since the discovery of Mr. Madu's improper actions. Written policies and procedures which were under review by THRC prior to the issue with Mr. Madu have been improved," according to Mr. Art Hayes, director of the Comptroller's Division of State Audit.

On July 29, 2008, the findings of the complete investigative audit report were referred to the Office of the District Attorney General, 20th Judicial District, and to the Law Enforcement and Special Prosecution Division of the Office of the Attorney General, and are currently being reviewed.

Government Operations Committee to Conduct Sunset Review Hearing on THRC

A performance audit of THRC released February 2007, along with the investigative audit report on Mr. Madu, will be presented to the government operations committee as part of THRC's regularly-scheduled sunset review pursuant to the Tennessee Sunset Law. The meeting will take place Tuesday, August 12th at 1 p.m. in room 16 of the Legislative Plaza.

The 2007 performance audit contained three findings, none of which directly related to the matters discussed in the investigative report on Mr. Madu. However, observations and comments were made in the audit regarding internal controls and procedures. Management of THRC either concurred or concurred in part with the findings of the performance audit. The performance audit is available on the Comptroller of the Treasury website at:
<http://www.comptroller1.state.tn.us/repository/SA/pa06023.pdf>.

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