



**UNIVERSITY OF TENNESSEE AT KNOXVILLE
ATHLETIC DEPARTMENT PHOTOGRAPHER**

Comptroller's Investigative Report
January 18, 2018

Justin P. Wilson, Comptroller





JUSTIN P. WILSON
Comptroller

JASON E. MUMPOWER
Chief of Staff

January 18, 2018

University of Tennessee at Knoxville
Athletic Department
Knoxville, TN 37996

Gentlemen:

The Office of the Comptroller of the Treasury conducted an investigation of selected records of the University of Tennessee at Knoxville – Athletic Department Photographer, and the results are presented herein.

Copies of this report are being forwarded to Governor Bill Haslam, the State Attorney General, the District Attorney General, certain state legislators, and various other interested parties. A copy is available for public inspection in our office and may be viewed at <http://www.comptroller.tn.gov/ia/>.

Sincerely,

A handwritten signature in black ink that reads "Justin P. Wilson".

Justin P. Wilson
Comptroller of the Treasury

JPW/RAD

INVESTIGATIVE REPORT

UNIVERSITY OF TENNESSEE AT KNOXVILLE ATHLETIC DEPARTMENT PHOTOGRAPHER

On May 15, 2017, we were notified by the University of Tennessee at Knoxville (UT) of an athletic department employee being compensated for outside work during working hours using UT equipment. We performed an investigation of selected records for the period February 1, 2014, through June 30, 2017.

A finding and recommendation, as a result of our investigation, is presented below. We reviewed this finding and recommendation with management. Also, this finding and recommendation has been reviewed with the district attorney general for the Sixth Judicial District.

INVESTIGATIVE FINDING AND RECOMMENDATION

FINDING The sports photographer abused university work time and equipment for his personal benefit

Our investigation revealed the sport's photographer (official job title – Coordinator II-Photographer), an employee in the athletic department, was paid by other colleges, universities, and athletic organizations hosted by the University of Tennessee (UT) to take photographs of their athletes for a fee. This fee was earned while the photographer was being paid by UT and using UT's equipment (email, phone, photographic equipment) at these sporting events. As an employee of UT, the photographer was at these events to photograph the UT athletes. In addition, the photographer used UT student assistants and some non-students to photograph the other non-UT athletes, and these aides were paid in cash by the photographer. For the period examined, we were able to identify at least \$9,240 the photographer received from other colleges, universities, and athletic organizations while performing his duties as UT's photographer.

In addition, we were able to identify at least \$6,496.18 the photographer received during the period under examination from other colleges, universities, and athletic organizations across the southeast for photographic events while not being paid by UT. We question the propriety of these personal fees since the photographer used UT email and phones to solicit and/or receive offers from the other institutions for the photographic work. We could not determine whether UT photographic equipment was used at all of these events. In some instances, UT student assistants and non-students were used and were paid in cash.

The photographer, who is a state employee, should use state property, technology, time, and other resources for legitimate business purposes on behalf of the State of Tennessee. At a minimum, the actions of the photographer resulted in a waste and/or abuse of taxpayer funds.

RECOMMENDATION

University officials should determine whether the photographer violated UT policy by receiving compensation from other colleges, universities, and athletic organizations while being paid by UT and using UT's equipment. State employees should use state property, technology, time, and other resources for legitimate business purposes on behalf of the State of Tennessee. The proceeds from the sale of photographs taken by employees of UT as part of their work assignment should flow to the university's athletic department.
