



WAYNE COUNTY POLICY STATEMENT

Title:	Fraud Reporting Policy		
Wayne County Policy #		Date Issued:	6/30/2013
Category:		Date Revised:	4/3/2025
Approved By:	Donna Wilson, Director of Personnel / Human Resources		Page 1 of 7

I. PURPOSE

It is the policy of Wayne County that employees maintain a working environment that follows honest and ethical behavior and business dealings. To that end, this policy aligns with the County Fraud and Ethics Ordinances to ensure compliance. Conduct that interferes with this policy and the Fraud and/or Ethics Ordinance discredits Wayne County, is offensive to fellow employees, other public servants, and/or citizens and will not be tolerated.

II. POLICY PROVISIONS

If a county elected official, officer, or employee becomes aware of facts or circumstances that give cause to suspect any kind of wrongdoing of a criminal nature that involves county property or services, or that involves county employees while engaged in their scope of employment, they shall promptly make a report to the Wayne County Fraud and Corruption Investigation Unit (WCFCIU) within the Wayne County Prosecutor's Office.

Actions Constituting Fraud

The terms fraud, misappropriation, and irregularities refer to, but are not limited to:

- Disappearance of assets and records.
- Any gifts from vendors (outside of limits).
- Forgery or alteration of documents.
- Impropriety in reporting transactions.
- Disappearance or destruction of records or assets.
- Sale of or use of illegally controlled substances while on duty.
- Disclosure of confidential information.
- Profiting on insider knowledge.
- Misapplication of funds or assets including embezzlement.
- Any dishonest or fraudulent actions.
- Abuse of public or investigatory powers for personal gain
- Accepting kickbacks.
- Falsification of payroll records

If the suspected offense is criminal, then appropriate officials, as herein designated, shall assure that all reports receive prompt and discreet follow-up, investigation, and where substantiated, request for prosecution, and/or disciplinary action. If the suspected offense is not criminal, then the matter may be referred by the Prosecutor to the appropriate



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county official(s) and/or the Wayne County Ethics Board for a prompt and appropriate resolution.

Except as provided in subsection 3 below, a person shall report all cases of work-related suspected wrongdoing of a criminal nature to the WCFCIU within the Prosecutor's Office, by phone, in person, or electronically, to be verified, if requested, by a written statement. Unless it appears that the Department Director or Elected Official may be involved in the wrongdoing, the WCFCIU shall promptly confer with the affected Department Director or Elected Official, if appropriate under the law and if it would not compromise any criminal investigation. The WCFCIU shall also promptly confer as needed with other appropriate county officials to protect county assets and interests.

A person who is employed in the Wayne County Prosecutor's Office shall report all cases of work-related suspected wrongdoing of a criminal nature in accordance with the applicable policy governing disqualifications and conflicts of interest of internal reviews.

If a county elected official, officer, or employee becomes aware of facts or circumstances which give cause to suspect any kind of wrongdoing that is not of a criminal nature, then they shall promptly make a report to the Wayne County Ethics Board or to the appropriate Elected Official.

The WCFCIU shall designate a single phone number to accept reports of suspected wrongdoing, which shall be known as the "fraud hotline".

A county elected official, officer or employee shall not undertake any kind of investigation of suspected wrongdoing before conferring with the WCFCIU. If the WCFCIU determines that the suspected wrongdoing is of a criminal nature or if it otherwise objects to the elected official, officer or employee undertaking an investigation, then the elected official, officer or employee shall not investigate the matter. Communications with the WCFCIU are protected by investigative immunity. Communications with an elected official, officer or employee are not immune. The county shall not defend an elected official, officer or employee, from a slander or libel lawsuit or an award for damages, who violates this policy.



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The Director of the Department of Personnel/Human Resources shall establish a training program to assure that every elected official, officer or employee is fully made aware of this policy, how to report suspected violations of the policy, and of the specific disciplinary actions which will be taken if a person violates this policy.

Every elected official, officer or employee shall cooperate with the WCFCIU in making an investigation and shall take no action which may jeopardize or compromise the investigation. If an elected official, officer or employee takes a deliberate action which impedes or compromises an investigation, that person may be charged with obstruction of justice, and prosecuted to the fullest extent that the law provides.

Only the WCFCIU, or other appropriate law enforcement agency may investigate suspected wrongdoing of a criminal nature. Fraud is often a difficult matter to detect, prove, and prosecute. Incriminating evidence may be hidden or destroyed before an investigation can be completed. Ill-founded accusations of wrongdoing, made to persons other than appropriate law enforcement officials, may result in an infringement of the civil rights of the accused, and substantial personal and county liability for slander or libel. Elected officials, officers or employees shall cooperate fully with the WCFCIU to successfully isolate and establish whether wrongdoing has occurred or is continuing to occur, and if so, to ensure successful prosecution of all parties involved.

A person shall not disclose to any person other than those within the WCFCIU the fact that an investigation has been or is being conducted, nor the results of the investigation, unless it is appropriate under the law, and it would not compromise any criminal investigation.

The WCFCIU shall have unlimited access to the public records and property of the county, whether rented or owned. except for property and premises in the direct possession, custody or use of a charter-created elected officer, investigators operating under the guidance of the prosecuting attorney shall have unlimited access to all offices, desks, desk drawers, cabinets, files, boxes, storage containers, waste baskets, shredder baskets, computers, safes, lockers, coat racks, supply cabinets, closets, and storage areas without notice and without the specific prior knowledge or consent of the person or persons who ordinarily have custody, possession and use of the space or equipment. All non-elected officers and employees shall be required as a condition of employment to sign a consent statement to such unlimited access. The WCFCIU may search property and premises in the direct possession, custody, or use of an elected official only with the specific consent



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of the subject official or only after obtaining a search warrant from a court of competent jurisdiction.

Auditors, whether internal audit staff, members of the auditor general's staff, external auditors, or federal compliance auditors, shall be responsible for making recommendations on administrative and accounting systems that help prevent and detect fraud and other wrongdoing, but not for the investigation of specific cases of suspected fraud or wrongdoing. When fraud or wrongdoing is suspected, auditors shall comply with the same rules and procedures as an employee would.

As Promulgated in SAS 99, Section 79, "Communications about possible fraud to management and those charged with governance ..." the county's internal and external auditors shall communicate annually to the Audit Committee, after completion of the fiscal year audit of county financial statements, their evaluation and views of management's identification of fraud risks and anti-fraud measures, including but not limited to, the ability of management to override information processed by the entity's financial reporting system.

The county shall assume neither responsibility nor liability for an employee, officer or elected official who incurs personal liability for slander or libel by making statements or releasing confidential reports to the news media.

The WCFCIU shall confer semi-annually with the Audit Committee of the County Commission under the Open Meetings Act, regarding complete investigations, and recommend improvements in this policy and in county fraud control systems. The Chief Executive Officer, Chief Financial Officer, Chief Judges of the Circuit, Probate and Records Courts, Clerk, Register of Deeds, Sheriff, and Treasurer shall be invited to take part in these sessions. The WCFCIU shall also confer as needed with the Corporation Counsel regarding civil actions to recover county property. The Auditor General shall also make recommendations to the Audit Committee regarding fraud control systems.

The Whistleblowers' Protection Act (Public Act 469 of 1980) prohibits retaliatory discharge of employees for reporting a violation or suspected violation of federal, state or local laws, rules or regulations; unless the employee knows the report is false. The act also prohibits the discharge of an employee requested to participate by a public body in an



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investigation, hearing, inquiry, or court action. If any employee believes that Wayne County has violated the Act, an employee may bring a civil action in circuit court within ninety (90) days of the alleged violation of the Act.

For purposes of the policy outlined in this Ordinance, any action required by the WCFCIU shall be the responsibility of the person who directly oversees the unit. All responsibilities of the unit may be undertaken by the Wayne County Prosecuting Attorney and designee.

The Importance of Reporting

The cooperation of County employees and the general public is essential to accomplish the mission of the Wayne County Fraud and Corruption Investigation Unit (WCFCIU). People working in or having regular contact with the county government are in the best position to witness activities that may require investigation. When reporting possible fraud, waste, inefficiency or misconduct you may remain anonymous if you wish. You are encouraged, however, to identify yourself so that the WCFCIU may follow up on your mail or telephone call and seek additional information helpful to a review of the matter. If you give your name, your identity will be protected to the maximum extent of the law. In addition, the state "whistleblowers statute" protects employees from retaliation under appropriate circumstances. If you believe that making a report to the WCFCIU will place you at risk of retaliation, you should inform the WCFCIU of this fact. When reporting to the WCFCIU please be as specific and provide as much detail as possible. The more information you provide, the more thorough the WCFCIU's investigation can be. Any relevant information or knowledge you acquire after making the report should also be provided to the WCFCIU in a follow-up communication. WCFCIU will report substantiated claims of criminal wrongdoing to the Prosecuting Attorney following Ordinance # 92-806, Section 73 – 2, Fraud Investigation Policy.

How to Report Misconduct or Inefficiency

The Office of the County Prosecutor also maintains a dedicated telephone hotline to receive reports of possible fraud, waste, inefficiency, or illegal or unethical conduct.



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To make a report to the Wayne County Fraud and Corruption Investigation Unit by phone, U.S. mail or online:

Phone: 313-224-8477 / (313)-224-TIPS

Address: County Prosecutor, Office of the Wayne County
Criminal Justice Complex (CJC)
5301 Russell Street, Suite 200
Detroit, Michigan 48211

On-line: <https://www.waynecounty.com/elected/prosecutor/fraud-reporting.aspx>

Email: waynecountyfraudrepo@waynecounty.com

III. ENFORCEMENT

The Fraud Reporting Policy applies to all employees of Wayne County.

The Department of Personnel/Human Resources is responsible for the communication and training of the Wayne County Fraud Ordinance.

Violation of this policy may result in remedial action ranging from verbal or written discipline, suspension from work without pay, to immediate termination.

IV. DISCLAIMER

If in direct conflict with other internal or departmental policy, this policy will be considered to be the overriding policy unless otherwise directed by the Director of Personnel/Human Resources or designee.

In the event that any provision of these policies is in conflict with the terms and conditions of existing collective bargaining agreements (CBA), the terms and conditions of the agreements shall take precedence. On matters where the CBA is silent, the provisions of this policy shall apply.



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V. RELATED DOCUMENTS

- a. Civil Service Rules and Regulations
- b. Collective Bargaining Agreements
- c. Wayne County Charter
- d. Ordinance – Ethics No. 2012-209 or 2014-734???
- e. Ethics Acknowledgement
- f. Ordinance – Procurement
- g. Ordinance – Fraud No. 92-806, Section 73
- h. Work Rules
- i. Code of Conduct Policy
- j. Wayne County Employee Handbook

VI. REVISION HISTORY

ACTION	DATE	BY WHOM	REASON
Created	10/1/2012	Tish King, Director of P/HR	New Policy as aligned to Ordinance No. 2012-364
Revised	6/30/2013	Tish King, Director of P/HR	Fraud Contact Information
Revised	1/25/2024	Donna Wilson Director of P/HR	Contact and ordinance update
Revised	4/3/2025	Donna Wilson Director of P/HR	Fraud Contact Information