

**OFFICE OF INSPECTOR GENERAL
CITY OF ALBUQUERQUE**



**Investigative Report
Case # 12-208**



OFFICE OF INSPECTOR GENERAL
CITY OF ALBUQUERQUE

January 25, 2012

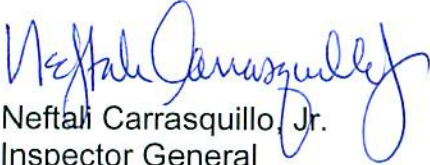
Betty Rivera
Director, Cultural Services Department
One Civic Plaza
Albuquerque, NM 87102

Re: OIG-12-208: Alleged Theft/Unauthorized Use of Credit Card

On January 6, 2012, the Office of Inspector General (OIG) received information via the ESA 311 tipline regarding the fraudulent use of a credit card belonging to a patron of ABQ BioPark. On January 9, 2012, the OIG began an investigation regarding the alleged theft/unauthorized use of a credit card by an ABQ BioPark employee.

Enclosed please find a copy of the OIG's investigative report regarding this matter.

Respectfully,



Neftali Carrasquillo, Jr.
Inspector General

cc: Richard J. Berry, Mayor
Robert J. Perry, CAO
John Soladay, COO

Executive Summary

On January 6, 2012, the Office of Inspector General (OIG) received information via the ESA 311 tipline regarding the fraudulent use of a credit card belonging to a patron of ABQ BioPark. On January 9, 2012, the OIG began an investigation regarding the alleged theft/unauthorized use of a credit card by an ABQ BioPark employee.


The OIG investigation included conducting interviews of BioPark management, the individual who brought forth the allegations against BPE1, BPE1, reviewing documents and information, and evidence gathering. Based on the investigation conducted, the OIG concludes the following:

- 1. That on the afternoon of January 6, 2012, ABQ1 went to the Albuquerque Botanical Gardens where she paid \$94.00 with her Visa debit card to have her membership renewed.**
- 2. That later that same day ABQ1 discovered her Visa debit card was missing and did not recall receiving her card back from the BPE1 after renewing her membership, which ABQ1 stated, was her last card transaction that day.**
- 3. That there is evidence which shows three (3) subsequent transactions on ABQ1's Visa debit card, on January 6, 2012, which ABQ1 did not authorize.**
- 4. That the transactions in question are tied to BPE1 and her boyfriend.**
- 5. That the vehicle seen in one of the surveillance videos, where the credit card was fraudulently used, is registered to BPE1.**

The OIG makes the following recommendations for consideration by the Albuquerque BioPark:

1. Video surveillance in and around the cashier booths at both the Albuquerque Aquarium and Botanical Gardens and at the Albuquerque Zoo.
2. That instructions and training/re-training be provided to all cashier employees regarding cash-handling procedures, transactions and safeguarding of monetary instruments and information, i.e. credit cards.
3. Consideration be given to ensuring two (2) employees are always in the booth, to include, breaks and lunch, as feasible.

Details of the investigation are contained within the investigative report and are attached to this executive summary.


Neftali Carrasquillo, Jr.
Inspector General

OIG Investigative Report

On January 6, 2012, the Office of Inspector General (OIG) received information via the ESA 311 tipline regarding the fraudulent use of a credit card belonging to a patron of ABQ BioPark. On January 9, 2012, the OIG began an investigation regarding the alleged theft/unauthorized use of a credit card by an ABQ BioPark employee. An individual who renewed her BioPark membership at the Botanical Gardens on January 6, 2012 alleged that the cashier who assisted her never returned the patron's credit card. The patron stated that later in the day on January 6, 2010 she received a message from her credit card company that there were some questionable purchases on her credit card that needed verification.

I. On January 9, 2012 the OIG met with BioPark employees BPE2 and BPE3 regarding this situation. BPE2 and BPE3 reviewed the Membership Application in question, as well as the sales receipt that accompanied the application and were able to determine that BPE1 was the individual that handled this particular transaction. BPE2 and BPE3 stated that BPE1 was hired through a temp agency and had been employed with the BioPark since July 2011. They stated they had never had any problems with BPE1 in the past and commented that she was probably one of the more secure and stable employees. BPE2 and BPE3 explained there are usually two (2) people in the cashier booths/kiosks; however, whenever one of the two employees takes a break or takes their lunch, then the remaining employee is left alone for that period of time. BPE3 checked the schedule for January 6, 2012 and confirmed that BPE1 was in the booth by herself at the time the transaction in question took place. BPE3 stated there was another employee working in the booth with BPE1 on that date, but this employee was on their lunch break at the time. BPE3 also stated that BPE1 left at approximately 3:30 pm on that day. BPE2 and BPE3 stated there are no cameras in or around the cashier's booths.

II. On January 9, 2012, ABQ1 was interviewed by the OIG regarding the incident that happened with her debit/credit card. Prior to being interviewed, ABQ1 was placed under oath and she acknowledged this and understood that the interview was being taped. ABQ1 explained that on Friday, January 6, 2012 she and her children went to the Botanical Gardens. ABQ1 stated that she needed to renew her membership at this time, but because she was meeting some friends, she decided to do the renewal at one of the kiosks rather than the office inside. ABQ1 stated she handed the cashier at the booth her membership card and her Visa debit/credit card. ABQ1 stated that the cashier ran a total of \$94.00 and handed her a receipt to sign. ABQ1 further explained that the cashier completed the membership paperwork and handed back her receipt, which was also to serve as a temporary membership card which would allow ABQ1 access to the BioPark. ABQ1 stated she then entered the Botanical Gardens, placed the receipt in her wallet, and never opened her wallet again for the remainder of the afternoon.

ABQ1 stated she spent approximately three (3) to three and a half (3 ½) hours at the Botanical Gardens and when she returned home that evening, there was a voicemail

message from Falcon, a credit card monitoring service, indicating there was some questionable activity on her card that they would like her to verify. ABQ1 called Falcon and was asked if she used her card at a Circle K that day. She stated she had not used her card at Circle K and also realized during this time she did not have her card. When ABQ1 went to the bank the following day to verify the freeze that had been placed on her account, she learned that there was a total of three (3) transactions which had taken place from the time ABQ1 paid for her membership renewal at the Botanical Gardens and when she returned home to find the voicemail message from Falcon. ABQ1 stated that when she thought back to earlier in the day, the cashier at the Botanical Gardens was the last person to handle her card and ABQ1 did not remember the cashier handing back the card with the receipt. ABQ1 admitted she was somewhat distracted at the time of the renewal and transaction, being that her young children were with her and she had also noticed there was a line of other patrons forming behind her. However, ABQ1 also stated that had she dropped her card, her children would have noticed and picked it up. ABQ1 also verified that there was only one cashier in the booth at the time of her transaction. She further commented that the cashier had all of her information as well, so entering the correct zip code when doing a card transaction at a gas station would have been easy.

ABQ1 stated after her phone call with Falcon, she tried calling the Botanical Gardens, but they were already closed for the evening. ABQ1 stated she was then connected with ESA 311, so she reported to the ESA 311 operator what happened and that she suspected the cashier at the Botanical Gardens had kept and then proceeded to use her card. ABQ1 also stated it was suggested to her that she may want to file a police report, which she did later that evening of January 6, 2012. ABQ1 provided a copy of the police report, as well as a copy of the Account History Summary showing the three (3) transactions in question. ABQ1 also, when asked, stated that she did not give her card to nor did she authorize BPE1 or anyone else to use her card.

III. Review of the Account History Summary showed three (3) transactions that followed ABQ1's transaction at the Botanical Gardens on January 6, 2012. The first transaction was at a Fina 7-Eleven (#704) in the amount of \$32.11. ABQ1 confirmed with her bank that this transaction took place at approximately 3:59 pm on January 6, 2012. The next two (2) transactions were at a Circle K (#6145) and were in the amounts of \$100.00 and \$54.65. ABQ1 confirmed with her bank that the times of these transactions were approximately 4:49 pm and 4:55 pm.

IV. On January 10, 2012 the OIG visited the Fina 7-Eleven (#704), located at 3808 Montgomery NE and spoke with ABQ2, the manager on duty. ABQ2 confirmed that there was a purchase made on January 6, 2012 at approximately 3:58 pm in the amount of \$32.11. However, ABQ2 stated that the transaction took place out at the pumps and unfortunately, there are no cameras outside. ABQ2 reviewed video from inside the store -- reviewing up to twenty (20) minutes before and twenty (20) minutes after the time of the pump transaction, but stated that no one resembling BPE1 entered the store and there were no in store transactions matching the card that was used outside.

V. On January 10, 2012 the OIG visited the Circle K (#6145) located at 7000 Montgomery NE. The manager on duty did some research and confirmed there were two (2) purchases made on January 6, 2012 at approximately 4:49 pm and 4:55 pm in the amounts of \$100.00 and \$54.65. Video surveillance was reviewed and shows that the purchases were made at two (2) gas pumps outside. Video shows a vehicle pulling into the gas station and parking off to the side, parallel to the street. The vehicle stays parked for a few minutes until a male exits the drivers side of the vehicle and walks to the pump; this is where he remains while approximately four (4) different vehicles drive up at various times to be filled with fuel.

VI. A vehicle search was done to see what vehicles BPE1 may have registered in her name. Results of the search showed that BPE1 has a vehicle registered in her name in which the OIG obtained a tag and VIN.

VII. On January 12, 2012 the OIG observed a vehicle picking up BPE1 from the BioPark, and visually confirmed that this vehicle matched the vehicle pictured in the Circle K gas station surveillance tape. In addition, BPE2 further confirmed the vehicle to be the same by identifying the numbers on the license plate.

VIII. On January 18, 2012 OIG visited the Albuquerque Zoo to interview BPE1. Prior to being interviewed, BPE1 was placed under oath and she acknowledged this and understood that the interview was being taped. BPE1 explained that she does several membership renewals a day and would not remember any one renewal or customer in particular. BPE1 explained that the basic procedure for renewals is as follows: if the customer has their expired card, then that will be taped to the new application; if the customer's information has not changed then "same" is written on the application and the customer is charged the renewal fee. Once payment is processed, then two (2) receipts are generated. One receipt is given to the customer and serves as their temporary card, and the cashier keeps a copy of the receipt, which stays with the customer's application. The applications are then turned in at the end of the day and renewals go to the BioPark Society. BPE1 stated that when a customer uses a credit card to pay, four (4) receipts are generated -- one of which is given to the customer to sign. The receipt that also serves as the customer's temp card is handed to the customer along with their credit card (or change if the customer paid with cash). BPE1 stated there should always be two (2) employees in the cashier's booths; however, there are periods of time when there is only one (1) employee in a booth, due to the other employee going on break or on lunch. BPE1 added that because business is a little slower lately, sometimes that will result in there only being one employee.

BPE1 confirmed she is the registered owner of the vehicle seen in the still photo shown to her, taken from the surveillance video, and that she also confirmed the car in the photo is her car. BPE1 admitted that on the day of January 6, 2012 her boyfriend, ABQ3, picked her up from work and he did have a credit card, which BPE1 knew did not belong to him. However, she stated she did not know where her boyfriend got the card. BPE1 stated that her boyfriend takes her to work and picks her up every day in her car. She stated her boyfriend also stops by work on a regular basis to take her lunch or to

take her something to drink. BPE1 stated the customer could have left the card lying on the counter at the cashier's booth or could have dropped it and perhaps BPE1's boyfriend found it in the courtyard. BPE1 stated that her boyfriend certainly is not going to tell her if the credit card he has was found at her place of employment.

BPE1 stated that customers leave their credit/debit cards and even their wallets at the cashier's booths all the time. She stated that when this happens, if the customer does not come back and the customer cannot be located, then the procedure is to contact security and somebody will come and get the personal item(s) that got left behind and take them back to the security office. BPE1 commented that she did not find it suspicious that her boyfriend had a card. She then stated she knew he had a card that was not his and she was not "cool" with this, but she did not question it. BPE1 stated she is a single mother and is the only one who works. She stated that her boyfriend is not employed, so whatever he has to do to make money to help her out, she lets him.

BPE1 admitted that when ABQ3 picked her up from work the afternoon of January 6, 2012, they went to the 7-Eleven on Montgomery and Carlisle, across from where BPE1 lives, and filled her car with gas. BPE1 stated that ABQ3 then dropped her off at home. BPE1 claimed she is unaware if ABQ3 went and used the card at any other gas stations. BPE1 also stated that ABQ3 associates with different people, so she is unsure of who may have met him at the Circle K on Montgomery and Louisiana to have their vehicles fueled.

BPE1 stated she knows how the situation looks being that she is the cashier who processed ABQ1's renewal and transaction and being that it is her vehicle that is on the gas station surveillance tape. However, BPE1 insisted she did not take ABQ1's Visa card and stated she would not do anything to jeopardize her job.