



OFFICE OF THE INSPECTOR GENERAL
Illinois State Toll Highway Authority

NOTICE OF POSTING
OIG Case #IG-23-005
Respondent: Elycia Boyd

Pursuant to 605 ILCS 10/8.5 (e)(3), the attached redacted summary report is being posted to the Illinois Toll Highway Authority's (Tollway) public website. As required by law, the Tollway Office of the Inspector General (OIG) sent a copy of this report to the Respondent and gave her fourteen days to provide suggested redactions or a written response. Respondent provided no response.

The OIG issued this Summary Report of Investigation (SRI) following an investigation that established reasonable cause to find that Tollway Toll Collector Elycia Boyd (Boyd), fraudulently sought and received a Paycheck Protection Program (PPP) loan for her outside business and engaged in unauthorized outside employment. Boyd's conduct violated multiple Tollway rules of employee conduct, the Tollway's outside employment policy, Federal rules governing forgiveness of PPP loans, and Federal law. The OIG recommended that the Tollway impose discipline as appropriate under the circumstances.

The Tollway agreed with OIG's findings and initiated the termination process. OIG subsequently received notification that Boyd's employment had been terminated effective March 25, 2024.



**OFFICE OF THE INSPECTOR GENERAL
SUMMARY REPORT OF INVESTIGATION
OIG Case # IG-23-005
January 30, 2024**

This report provides a summary of evidence set out in the attached investigative materials, and the Office of the Inspector General's (OIG's) analysis of that evidence. An index of these investigative materials is attached.

I. INTRODUCTION

OIG has completed an investigation that has established reasonable cause to find that Illinois State Toll Highway Authority (Tollway) Toll Collector Elycia Boyd (Boyd),¹ fraudulently sought and received funds from a Paycheck Protection Program (PPP) loan for her outside business and engaged in unauthorized outside employment. Boyd's conduct violated multiple Tollway rules of employee conduct, the Tollway's outside employment policy, Federal rules governing forgiveness of PPP loans, and Federal law.

Boyd's actions with respect to the PPP loan bring discredit on the Tollway, erode public confidence in government institutions and clearly fall well below the standards of conduct expected from Tollway employees like Boyd. OIG recommends that the Tollway impose discipline, commensurate with the gravity of her violations, and any other relevant considerations, up to and including termination.

II. BACKGROUND

A. Paycheck Protection Program

The Coronavirus Aid, Relief, and Economic Security (CARES) Act established the PPP loan program in March 2020 to support small businesses, individuals, and other eligible entities adversely impacted by the COVID-19 pandemic.² The program, which provided \$813.7 billion over two rounds of funding for forgivable loans to eligible entities, was intended to ensure workers remained employed during the unprecedented pandemic. Between March 2020 and May 2021, the federal government processed 11.8 million PPP loans, totaling \$799.8 billion. Small Business Administration (SBA) guidance reflected that self-employed individuals could collect up to 2.5

¹ Tollway records show her name as Elycia Boyd. Boyd is married to [REDACTED] and her name is also shown as Elycia Boyd-Crowder and Elycia Crowder.

² See United States Small Business Administration Inspector General, "SBA's Handling of Potentially Fraudulent Paycheck Protection Program Loans," May 26, 2022, available at <https://www.oversight.gov/sites/default/files/oig-reports/SBA/SBA-OIG-Report-22-13.pdf> (last accessed September 15, 2023).

months of profits, up to \$100,000 in profits, through the program.³ Businesses were eligible to apply for first draw PPP loans from March 2020, through August 8, 2020. Second draw PPP loans were issued from December 2020, through May 31, 2021. The maximum PPP loan for self-employed individuals for each draw was \$20,833.33. To qualify for that amount, an applicant would have to self-report at least \$100,000 in annual profit.⁴

Recent federal investigations and reviews have shown that the PPP was rife with fraud. “[SBA] OIG and other law enforcement agencies identified systemic patterns of potential fraud, including false attestations on loan documents, inflation of payroll, falsified tax documentation, identity theft, and misuse of proceeds.”⁵ SBA OIG’s analysis of loan data as of August 2020, identified more than 70,000 PPP loans, totaling over \$4.6 billion, as potentially fraudulent. This data only captured loans issued during the first round of PPP funding.

Over the past year, many OIG offices in Illinois have reported on PPP loan fraud by government employees, including the OIGs at the Chicago Housing Authority, the Clerk of the Circuit Court of Cook County, the Chicago Park District, the Chicago Public Schools, and the Office of Executive Inspector General for the Agencies of the Illinois Governor.

Considering these facts, OIG undertook a review of Tollway employees who received forgivable PPP loans. OIG compared publicly available PPP loan data to outside employment disclosures made by Tollway employees. OIG identified that Boyd received a forgivable PPP loan in 2021 for self-employment related to an online clothing boutique.

B. Parties Involved

1. Elycia Boyd

Tollway records reflect Boyd began Tollway employment on July 11, 2000, as a Toll Collector. Tollway records list her home address as [REDACTED]. During an OIG interview, Boyd stated she has lived at that address for 6 years.

Boyd earns approximately \$63,1300 annually from her Tollway work.⁶

³ United States Small Business Administration, “PAYCHECK PROTECTION PROGRAM HOW TO CALCULATE MAXIMUM LOAN AMOUNTS FOR FIRST DRAW PPP LOANS AND WHAT DOCUMENTATION TO PROVIDE – BY BUSINESS TYPE,” as of January 17, 2021, available at [PPP: How to Calculate Maximum Loan Amounts for First Draw Loans \(sba.gov\)](https://www.sba.gov/sites/sbagov/files/2023-07/FAQPPPBrwrsLndrsQstns1_72.pdf) (last accessed September 15, 2023).

⁴ Initial PPP guidance used net income to calculate PPP loan amounts. The SBA posted Interim Final Rule “Revisions to Loan Amount Calculation and Eligibility” on March 3, 2021, permitting schedule C filers to use gross income to calculate PPP loan amounts. See “PAYCHECK PROTECTION PROGRAM LOANS Frequently Asked Questions (FAQs),” https://www.sba.gov/sites/sbagov/files/2023-07/FAQPPPBrwrsLndrsQstns1_72.pdf (last accessed October 27, 2023).

⁵ United States Small Business Administration Inspector General, “SBA’s Handling of Potentially Fraudulent Paycheck Protection Program Loans.”

⁶ This salary is based off the Salary database search Illinois State Comptrollers website for Boyd’s 2023 reported salary. Salary Data - The Illinois Office of Comptroller (illinoiscomptroller.gov)

III. APPLICABLE RULES, REGULATIONS, LAW

A. Illinois Tollway Policy and Procedure Manual Chapter 7. Employee Conduct and Discipline: Section A: “Employee Conduct” (in relevant part):

To ensure orderly operations and provide the best possible work environment, the Tollway expects employees to follow rules of conduct that will protect the interests and safety of both the employees and the organization. Violations of the rules of conduct may result in disciplinary action, up to and including discharge. The rules of conduct include, but are not limited to, the following:

- Failure to follow Tollway or Departmental policies or procedures[.]
- Violation of the Tollway Code of Ethics or other official laws.
- Other conduct unbecoming a Tollway employee.

B. Illinois Tollway Policy and Procedure Manual Chapter 7. Employee Demeanor: Section H: “Outside Employment” (in relevant part)

Any employee who seeks to engage in outside employment after they are employed with the Tollway must notify and receive the written approval of their Department Chief before accepting such employment. Outside employment consists of any type of activity for which the individual actually or anticipates receiving compensation (i.e., salary, commission, hourly pay, etc.) which may be in the form of cash or check, and may or may not include or be subject to the withholding of taxes. The Department Chief’s written approval must be forwarded to the Chief of Administration.

At the time of hire, new employees will be asked if they currently are engaged in employment secondary to their position at the Tollway. Appropriate forms disclosing secondary employment must be completed during new employee processing. On an annual basis, employees will be required to acknowledge on-going secondary employment.

* * *

Violation of these standards may be cause for discipline up to and including discharge.

C. Federal Criminal Statutes

Several federal statutes prohibit false and fraudulent activity, including:

- **18 U.S. Code § 1014 – Crimes and Criminal Procedure – Loans and credit applications generally[.]**

Prohibits knowingly making a false statement or report on a loan application for the purpose of influencing in any way the action of the Small Business Administration and/or an institution insured by the Federal Deposit Insurance Corporation.

- **18 U.S. Code § 1344 – Bank Fraud**

Prohibits knowingly executing a scheme to defraud a financial institution or obtain moneys or funds of the financial institution by means of false or fraudulent pretenses or representations.

- **18 U.S. Code § 1343 – Wire Fraud**

Prohibits using wire transmissions to devise a scheme to defraud or obtain money by means of false or fraudulent pretenses or representations.

- **31 U.S. Code § 3729 – False Claims**

Prohibits knowingly false or fraudulent claims for payment from the United States Government.

- **18 U.S. Code § 371 – Conspiracy to commit offense or to defraud United States**

Holds accountable, via fine or imprisonment, all parties who conspire either to commit any offense against the United States, or to defraud the United States, or any federal agency when one or more of the parties performs any act in furtherance of the conspiracy.

IV. SUMMARY OF INVESTIGATION

A. Documents

1. [REDACTED] ⁷ Paycheck Protection Program (PPP) Loan

- a. [REDACTED] Application package # [REDACTED]

The lender's application for Boyd's April 7, 2021 PPP loan reflects a business address [REDACTED]. The application records the applicant's legal name as "Elycia Boyd." The application requested a loan of \$17,312.00. The application states that Boyd is the

⁷ [REDACTED]

business owner and that Boyd owns 100 percent of the business. The loan application reports the business has one employee.

The borrower application, which records the business's legal name as "Elycia Boyd," reported that the loan would be used to pay "Payroll Costs," "Rent/Mortgage Interest," "Utilities," "Covered Operations Expenditures," "Covered Supplier Costs," and "Other." Documents submitted to support Boyd's loan request included a 2019 1040 IRS Tax form and Schedules 1 (Additional Income and Adjustments to Income) and C (Profit or Loss from Business (Sole Proprietorship)) for Boyd and her business. The Schedule C, which lists the business name as Elycia's B Services, shows that Boyd made \$83,105 in gross income from her work related to women's accessories in 20. She earned a net profit of \$53,366.

According to Boyd's [REDACTED] bank account records obtained by the OIG, a \$17,312 PPP loan was deposited into Boyd's personal account on May 20, 2021.

b. Loan Deposit Bank Information

[REDACTED] loan Funding dated is shown as May 16, 2021. The documents show loan number [REDACTED] receiver as Elycia Boyd. The loan funding details shows a routing and account number information for Elycia Boyd.

c. Paycheck Protection Program Loan Forgiveness Application SBA Form 3508S

Boyd requested forgiveness of her \$17,312 PPP loan on September 9, 2021. On the application, Boyd discloses that \$10,662.68 was spent on payroll. She also shows that at the time of the forgiveness application, her business had two employees. She certified that her business complied with all PPP rules for forgiveness, including rules related to eligible uses for PPP funds and calculation of loan forgiveness amounts. She also certified that the information provided in the loan forgiveness application was true and that she was not knowingly making a false statement to obtain forgiveness. The form stated:

By Signing Below, You Make the Following Representations and Certifications on Behalf of the Borrower:

The Authorized Representative of the Borrower certifies to all of the below by **initialing** next to each one.

The Borrower has complied with all requirements in the Paycheck Protection Program Rules (Sections 7(a)(36), (7)(a)(37), and 7A of the Small Business Act, the PPP interim final rules, and guidance issued by SBA through the date of this application), including the rules related to:

⁸ [REDACTED] is located in Chicago Illinois. The loan application was done through [REDACTED]. According to banks statements obtained by the OIG, the name of the financial institution listed on the loan when it was deposited was [REDACTED]. The funding of the loan is listed [REDACTED].

- eligible uses of PPP loan proceeds;
- the amount of PPP loan proceeds that must be used for payroll costs;
- the calculation and documentation of the Borrower's revenue reduction (if applicable); and
- the calculation of the Borrower's Requested Loan Forgiveness Amount.

Information regarding these requirements may be found in the Form 3508S Instructions and the Paycheck Protection Program Rules.

The information provided in this application is true and correct in all material respects. I understand that knowingly making a false statement to obtain forgiveness of an SBA-guaranteed loan is punishable under the law, including 18 U.S.C. 1001 and 3571 by imprisonment of not more than five years and/or a fine of up to \$250,000; under 15 U.S.C. 645 by imprisonment of not more than two years and/or a fine of not more than \$5,000; and, if submitted to a Federally insured institution, under 18 U.S.C. 1014 by imprisonment of not more than thirty years and/or a fine of not more than \$1,000,000.

Following submission of this forgiveness application, the Borrower must retain all records necessary to prove compliance with Paycheck Protection Program Rules for four years for employment records and for three years for all other records. SBA may request additional information for the purposes of evaluating the Borrower's eligibility for the PPP loan and for loan forgiveness, and the Borrower's failure to provide information requested by SBA may result in a determination that the Borrower was ineligible for the PPP loan or in a denial of the Borrower's loan forgiveness application.

The Borrower's eligibility for loan forgiveness will be evaluated in accordance with the Paycheck Protection Program Rules. SBA may direct a lender to disapprove the Borrower's loan forgiveness application if SBA determines that the Borrower was ineligible for the PPP loan.

e. PPP Loan Payoff

Boyd's PPP loan was paid off via loan forgiveness on September 14, 2021.

f. Bank Account Records

The OIG obtained Boyd's bank records for 2019 and part of 2021 from [REDACTED]. The 2019 bank records reflect Tollway direct deposits and other deposits made to Boyd's checking account.

The 2021 bank records show that on May 20, 2021, the PPP loan from [REDACTED] was deposited into Boyd's checking account. There were also numerous direct deposits from [REDACTED] to her personal checking account in the amounts of [REDACTED] and [REDACTED].

2. Outside Employment Approval Request Form

a. Outside Employment Approval Request Form (10/20/2023)

On October 20, 2023, Boyd completed an Outside Employment Approval Request Form through NeoGov in which Boyd reported having outside employment at [REDACTED]. Boyd lists her job responsibilities as Senior Caregiver at nursing home-flexible schedule. On the form, Boyd affirmed the following statement “Statement A - By my signature below, I affirm that my above-described employment/elected or appointed position outside the Illinois Tollway will not create any conflict of interest, nor will it interfere with my current Illinois Tollway responsibilities, including those surrounding my availability for emergency weekend and/or after-hours call-outs and that any interference with my regular or call-out duties will be grounds for disciplinary action. I further affirm I have discussed my above-described employment/elected or appointed position with my direct supervisor before completing this form. Operationally, should we need to change your schedule, the Tollway must be your priority. If any increase in tardies or absences occur, we will have the right to rescind.”

3. Personnel Policies and Procedures Manual Acknowledgment, Disclaimer, and Receipt form

a. On August 10, 2002, Boyd signed, acknowledging the following (in relevant part):

I, Boyd Elycia S., acknowledge that I have received copy of the Personnel Policies and Procedures Manual (revised August 1, 2002) for the Illinois State Toll Highway Authority.

I acknowledge that it is my responsibility to read and understand the contents of this manual.

b. On October 7, 2016, Boyd signed, acknowledging the following (in relevant part):

I, Elycia Boyd, acknowledge that I have received copy of the Personnel Policies and Procedures Manual (revised September 2016) for the Illinois State Toll Highway Authority.

I acknowledge that it is my responsibility to read and understand the contents of this manual.

4. Tollway Ethics and Outside Employment Training and Reminders

a. November 10, 2021 email

On November 10, 2021, Boyd received an email from the Ethics Office of the Illinois Tollway about outside employment ethics guidelines. It wrote, in relevant part (emphasis in original):

Illinois Tollway Outside Employment Policy

With the approaching holiday season, many employees may be looking for ways to earn something extra to make the holidays special. Remember, however, the Tollway Policy and Procedures Manual policy on outside employment states that any employee who seeks to engage in outside employment after they are employed with the Tollway **must notify and receive the written approval** of their Department Chief before accepting such employment.

It's critical to remember that the employee's responsibility is to complete and return the attached Outside Employment Approval Form and follow the provided guidelines at any time you seek employment in addition to your Tollway employment.

Click on the link below to download the form. Complete and send the form to your Department Chief for approval. <https://crossroads/sites/-executive/EthicsFOIA/Ethics/Ethics%20Communications%202021>

Outside employment consists of any type of activity for which the individual actually or anticipates receiving compensation (i.e., salary, commission, hourly pay, etc.) which may be in the form of cash or check, and may or may not be subject to the withholding of taxes.

b. June 14, 2023 email

On June 14, 2023, Boyd received an email from Tollway Ethics Office related to outside employment to all Tollway employees. The email stated, in relevant part (emphasis added):

Under the Tollway Policy and Procedures manual, any Tollway employee who seeks to engage in outside employment after they are employed with the Tollway must notify and receive written approval of their Department Chief before accepting such employment.

At the time of hire, new Tollway employees will be asked if they currently are engaged in employment secondary to their position at the Tollway and if they do have outside employment, they will need to fill out and sign the Outside Employment Approval Request form.

* * *

On an annual basis, Tollway employees will be required to acknowledge on-going secondary employment. This can be done using the Outside Employment Approval Request form.

Outside employment must not adversely affect an employee's job performance or the employee's work schedule at the Tollway.

Outside employment consists of any type of activity for which the individual actually or anticipates receiving compensation (i.e., salary, commission, hourly pay, etc.) which may be in the form of cash or check, and may or may not be subject to the withholding of taxes. **Running your own business is considered outside employment for the purposes of the disclosure requirement.**

c. October 19, 2023 email

On October 19, 2023, Boyd received an email from Tollway Ethics Office related to outside employment to all Tollway employees. The email stated, in relevant part:

October 2023 Newsletter– NeoGov Outside Employment Form for all Tollway Employees

On an annual basis, all Tollway employees will be required to acknowledge ongoing outside employment. This will be done using the Outside Employment Approval Request form in NeoGov. If you do not have outside employment, you will need to acknowledge that you have no outside employment using the NeoGov process.

This week you will receive an email asking you to complete this task in NeoGov. Please complete this task by October 31, 2023.

If you have already filled out an outside employment form in 2023, please re-submit the form using this NeoGov process.

If you have no outside employment, please check *NO* in the NeoGov form and submit the form. All Tollway employees must fill out this form on an annual basis (every October) regardless of whether they currently have outside employment.

Outside employment must not adversely affect an employee's job performance or the employee's work schedule at the Tollway. If you have outside employment, the NeoGov Outside Employment Approval process will be routed from the Tollway Employee to the Tollway Supervisor to the Tollway Department Chief and to the Tollway Ethics Officer. If operational needs require a change to your schedule, the Tollway must be your priority. If there is an increase in tardies or absences, the Tollway has a right to rescind approval of the outside employment.

Tollway employees with outside employment must not use Tollway equipment or Tollway time for that outside employment.

Outside employment consists of any type of activity for which the individual receives compensation or anticipates receiving compensation (i.e., salary, commission, hourly pay, etc., which may be in the form of cash or check and may or may not be subject to the withholding of taxes.)

Running your own business is considered outside employment for the purposes of the disclosure requirement. Consulting or acting as an independent contractor is considered outside employment.

If you need to complete more than one Outside Employment form, please fill out the first form, and contact Bret Angelos to set up additional forms.

5. 2023 Tollway Employee, Official, & Contractor Ethics Training

According to the weekly reports of Tollway annual training completed by employees, Boyd completed her 2023 Tollway Ethics training on May 30, 2023.

Slide 14 of the 2023 Tollway Ethics training states (in relevant part):

OUTSIDE EMPLOYMENT

Employees may have outside employment so long as it is not in conflict with the employee's Tollway responsibilities and will not interfere with the employee's job performance or work schedule at the Tollway and includes, in relevant part:

- notifying their Department Chief and the Ethics Officer via the Outside Employment Approval Request Form initiated through each Department's Executive Secretary;

* * *

- the Outside Employment Approval Request Form is located online on Crossroads, <https://crossroads/sites/executive/EthicsFOIA/Shared%20Documents/Outside%20Employment%20Form-fillable.pdf>

* * *

- not conducting any business or performing any outside duties, including solicitation relating to outside employment, on Tollway premises or during the employee's normal work schedule

B. Interview – Elycia Boyd

1. January 17, 2024

On January 17, 2024, OIG interviewed Toll Collector Elycia S. Boyd (Boyd). Service Employees International Union (SEIU) Secretary-Treasurer for Union Local 73, [REDACTED] was present at the interview at Boyd's request. Boyd was provided, both orally and in writing, a consent to record form to which she consented and signed. Boyd was also provided, both orally and in writing, with Administrative Advisements for Union Employees, which she read and signed acknowledging she understood the form. In summary, Boyd stated the following:

Boyd lives at [REDACTED]. She has lived there for the past six years. She started with the Tollway in July 2000 as a Toll Collector. As a Toll Collector, she worked 10:00 p.m. to 6:00 a.m. Prior to the COVID-19 pandemic, she was promoted to the Collector in Charge. Currently she is a Senior Toll Collector performing Customer Service Representative duties and working remotely from 7am to 3pm, Monday to Friday. Her supervisor is Client Services Manager [REDACTED]. She has worked as a Customer Service Representative since the beginning of the COVID-19 pandemic. She is fully remote except for quarterly team meetings at Central Administration. Her Customer Service Representative responsibilities include assisting customers, taking payments, adding plates to accounts, ordering transponders, and updating customer account information.

a. Outside Employment

Boyd acknowledged that she is currently employed outside the Tollway performing home healthcare for [REDACTED] and has her own business. She has worked for the past few months for [REDACTED]. She works four to five hours a day, approximately five days a week in the evenings. She is paid \$18.00 an hour.

b. [REDACTED]

She is the owner of [REDACTED], an online store [REDACTED] that sells clothes and shoes that she sources from China and resells. She started the business in 2017 after obtaining her bachelor's degree in business entrepreneurship from Ashford University. She uses her home address for the business. The business phone number is [REDACTED] and the business email is [REDACTED]. The business is registered with the State of Illinois and has an Employer Identification Number (EIN). She advertises the business on Instagram, on her Facebook page, and has given out business cards.

Boyd contacted Chinese vendors through WhatsApp to obtain a merchandise catalog. She either obtains the items in bulk from the vendor or she does drop shipping, where if a customer purchases the item from her, the vendor ships directly to the customer. Boyd works every day, about 20 hours a week. All her work is conducted after her Tollway hours.

Boyd stated that her daughter and goddaughter worked for her for less than a year during COVID, but she could not recall which year. Business picked up during COVID and her daughter and goddaughter helped with packing and shipping merchandise. Boyd's goddaughter would fulfill orders during the week while Boyd completed her Tollway duties. Boyd supervised them and directed their work. Boyd accepts payment by Zelle, credit cards, and cash and is paid by the order.

[REDACTED] has its own [REDACTED] business bank account. Boyd is the only person with access to the business account. She uses a personal computer and phone for her [REDACTED] work. Boyd gets paid from the business account to her personal account. She noted that sometimes the business funds go into her personal account instead of her business account. She does not have a regular paycheck from her business account to her personal account.

c. [REDACTED]

Boyd estimated [REDACTED] income for each of the following years:

- 2017 – \$0
- 2018 – \$3,000
- 2019 – between \$3,000-\$5,000
- 2020 – \$8,000
- 2021 – between \$9,000-\$10,000
- 2022 – \$5,000
- 2023 – between \$9,000-\$10,000

d. Reporting Outside Employment

Boyd's supervisor was not aware of her secondary employment and Boyd did not disclose the secondary employment to the Tollway. Boyd asked whether she was supposed to disclose the business because she did not perform the work on Tollway time. She asserted that she did not even know she was supposed to disclose outside employment until she started working from home. Boyd thought that her business did not need to be reported the Tollway because it was not a "job job" (Recording 41:32). She differentiated a "job job" and her business as employment where she would have to punch in.

Boyd reviewed signed receipts reflecting her receipt of the Tollway's Outside Employment Policy; she confirmed her signature on the form. When asked if she was aware of the outside employment policy requirements, she responded "I mean half the stuff we sign, I don't, we don't, I don't read half the stuff I mean I probably read it at the time but, I don't know." (Recording 42:35-42:44). Boyd next reviewed slides from annual Ethics training and Ethics Office emails, after which she agreed that she now understood she needed to report her business as secondary employment.

e. PPP Loan

Boyd confirmed she received PPP loan. "I had a tax lady... um, she was telling me that she can help me get money for my business and I was like ok, so; and it was supposed to go up under the business name and when she said... uh, her name was [REDACTED], and when she tried to input it through, she said it wouldn't so she was like, when you get it, you can transfer it to your bank account. And use it from there for your business so I was like, 'ok.'" (Recording 47:27-47:59). [REDACTED] did not tell Boyd why the loan application could not go through under her business' name. Boyd did not know [REDACTED] last time and referred to her as [REDACTED]. She said [REDACTED] passed away last year.

Boyd authorized [REDACTED] to complete the PPP loan application on her behalf and did not complete her own application. She initially said she might have signed or initialed the application, but then said she thought [REDACTED] signed her name on her behalf and denied reviewing the application after it was completed. [REDACTED] told Boyd it was a grant that did not have to be paid back. Boyd provided [REDACTED] with business information, how long she had been in business, and her personal information. [REDACTED] did not ask for "numbers" beyond how much she made with her business and Boyd did not provide other financial information – including tax records – to her. Boyd provided [REDACTED] with her [REDACTED] login information, which allowed [REDACTED] to access both her personal and business bank accounts. Boyd told [REDACTED] she earned approximately \$10,000. "I didn't give her no crazy numbers or anything." (Recording 51:13-51:17). Boyd agreed it was weird that [REDACTED] did not ask for other financial information. After the loan application was completed, Boyd paid [REDACTED] \$2,500.

Boyd reviewed the PPP Loan Borrower Application and 2019 Schedule C and again asserted that [REDACTED] signed the loan application on her behalf. Boyd could not explain why the loan application reported she earned \$83,105 in 2019 when she told OIG she earned between \$3,000 and \$5,000 that year. Boyd did not recall having seen the schedule C submitted with her loan application but agreed that there was a big difference between what it reported she earned and what she told OIG she earned in 2019.

Boyd sometimes files taxes for her business and thought she completed a schedule C and filed taxes for the business in 2019. Boyd prepares her own taxes. The schedule C she filed was not the same one that was submitted with her loan application. Boyd did not know what [REDACTED] was. "I don't know because it's not mine... that's not the name of my company." (Recording 59:57-1:00:00). Boyd confirmed the PPP loan was deposited into her personal checking account.

Boyd has applied for other loans herself, including a student loan and a personal loan. Boyd used [REDACTED] instead of completing her own loan application because [REDACTED] initially told her this was a grant. [REDACTED] asked Boyd if she could not get the grant, would Boyd do a loan. Boyd asked [REDACTED] how much the loan would be for and how much would she have to pay back. [REDACTED] told her the loan had a 1 percent interest rate. [REDACTED] later told Boyd she could get the loan forgiven and Boyd would not have to repay it.

[REDACTED] asked Boyd whether she used the loan money to pay her employees. Boyd confirmed to [REDACTED] that she used the loan to pay her employees – her daughter and her goddaughter. She also spent

the money on merchandise and on herself. She could not recall what she purchased for herself. Boyd confirmed she spent \$10,662.68 on payroll. Boyd believed [REDACTED] completed the forgiveness application on her behalf. Boyd did not pay [REDACTED] to complete the forgiveness application.

Boyd stated she would provide OIG her tax documents for 2019 and her business payroll records.

2. January 18, 2024 – Post-interview documents

On January 18, 2024, Boyd emailed OIG that her basement flooded in March and September 2023, resulting in the loss of items stored in her basement. She stated she would continue to look for the requested documents.

Later in the day on January 18, 2024, Boyd sent an email to the OIG that included some of the documents requested during her January 17, 2024 interview, including 2018 and 2019 1099-Miscellaneous Income forms for her daughter for income paid to her by [REDACTED]. The 2018 1099-Miscellaneous form shows \$3,250 paid to [REDACTED]. The 2019 1099-Miscellaneous Income form, which was handwritten, shows \$3,400 in other income paid to Boyd's daughter. Boyd also provided a document with a 2021 W-2 Wage and Tax Statement for [REDACTED] and total information for the business reflecting \$12,910.60 in wages, tips, and other compensation. The W-2 did not contain any information identifying which employee, if any, it belonged to, but Boyd's email to OIG stated that the W-2 reflected what she paid to employees in 2021. Below the W-2 portion of the document, the record reported the business had 3 employees in 2021.

V. ANALYSIS

OIG's investigation has established reasonable cause to find that Boyd fraudulently conspired to seek and received funds from a Paycheck Protection Program (PPP) loan for a business that does not exist and engaged in unauthorized outside employment. Boyd's conduct violated Tollway rules of employee conduct, the Tollway's outside employment policy, Federal rules governing forgiveness of PPP loans, and Federal law.

A. PPP Loan

Boyd engaged in conduct unbecoming a Tollway employee by authorizing a third party to fraudulently complete a PPP loan application for Elycia's B Services, a company that did not exist. Even assuming that the loan was for Boyd's legitimate business, [REDACTED], the loan application and attached schedule C included inflated income that she did not receive. Boyd stated she authorized a woman named [REDACTED] to complete the PPP loan application containing false information by claiming \$83,105 in 2019 business income when she stated her business received between \$3,000 and \$5,000. Boyd was aware that [REDACTED] was completing the loan for her and that she authorized [REDACTED] to sign the application on her behalf. Boyd claims she did not review the applications and that she only provided information needed to her friend to complete the application on her behalf. Boyd paid [REDACTED] to complete the loan application. Boyd was not financially unsavvy – she prepares her own taxes, holds a business degree, and has applied for and received multiple loans, including a student loan and a personal loan.

Boyd acknowledged that Elycia B Services did not exist and that the income on the PPP loan application, with respect to [REDACTED] earnings, was incorrect. She also acknowledged receiving the loan and spending the contents of the loan on [REDACTED] payroll and merchandise, and on personal items. The 2021 W-2 form provided by Boyd after the interview confirms she spent more than \$12,900 on payroll in 2021.

Her actions of working with a third party to apply for and accept an unauthorized PPP loan using a false business name likely constitutes a conspiracy to defraud the United States in violation of 18 U.S.C. 371 (conspiracy to commit offense or defraud United States). Providing false information to a financial institution to obtain a Small Business Administration loan violates multiple federal laws, including 18 U.S.C. 1014 (prohibits knowingly making a false statement or report on a loan application for the purpose of influencing in any way the action of the Small Business Administration and/or an institution insured by the Federal Deposit Insurance Corporation) and 18 U.S.C. 1344 (prohibits knowingly executing a scheme to defraud a financial institution or obtain moneys or funds of the financial institution by means of false or fraudulent pretenses or representations). She likely also committed wire fraud in the submission of her loan application, in violation of 18 U.S.C. 1343 (prohibits using wire transmissions to devise a scheme to defraud or obtain money by means of false or fraudulent pretenses or representations).

B. Outside Employment and Disclosure

Boyd admitted that she engaged in outside employment that she did not report to the Tollway. The Tollway's Outside Employment policy defines outside employment as "any type of activity for which the individual actually or anticipates receiving compensation (i.e., salary, commission, hourly pay, etc.) which may be in the form of cash or check and may or may not be subject to the withholding of taxes." The policy requires new employees, at the time of hire, to disclose "employment secondary to the position at the Tollway." Disclosure forms must be completed at the time of new employee processing and should be updated annually. Employees who wish to begin outside employment after starting with the Tollway must notify and receive written approval prior to accepting the employment. Outside employment cannot conflict with the Tollway Code of Ethics. Violation of the Tollway's Outside Employment policy is subject to discipline up to and including discharge.

Even though Boyd held self-employment since at least 2017, by her own admission, she did not disclose it to the Tollway in accordance with the Tollway's outside employment policy. She claimed that she did not know a home business needed to be reported. Tollway records reflect Boyd received information informing employees to report outside employment, including a June 14, 2023 email that specifically informed employees to report self-employment under the outside employment policy.

VI. RECOMMENDATION

Boyd's conduct reflects a disregard for Tollway rules and policies. Most troubling, Boyd exhibited contempt for federal law and those not so fortunate as her, when she accepted and spent a PPP loan for a non-existent business. Even assuming the loan was for her legitimate business, the application reflected a grossly inflated income. The fact that someone else may have completed the application on her behalf does not minimize Boyd's culpability. Most critically, Boyd provided information and authorized [REDACTED] to complete and sign the application on her behalf; and then she paid [REDACTED]" and accepted and spent the PPP loan proceeds. Boyd claimed she did not even review the loan application prior to submission. Her claim is not credible, given her business degree and experience running her own business, but even if it were true that would constitute a reckless disregard for the truth. As a government employee, Boyd had a duty to engage in ethical conduct and follow the law. Her actions with respect to the PPP loan constituted conduct unbecoming a Tollway employee. Boyd's conduct not only reflects poorly on her character, but also brings discredit on the Tollway because it erodes public confidence in government institutions. In addition, Boyd engaged in outside employment without disclosing or obtaining proper approval.

These actions undermine public trust and clearly fall well below the standards of conduct expected from Tollway employees like Boyd. OIG recommends that the Tollway impose discipline, commensurate with the gravity of her violations, and any other relevant considerations, up to and including termination.