



## INSPECTOR GENERAL REPORT

2008-12-0313

December 31, 2009

### FAMILY CASE MANAGER PERJURY

*Inspector General Staff Attorney Amanda Schaeffer, after an investigation by Special Agent Mike Mischler, reports as follows:*

In December of 2008, the Office of the Inspector General (OIG) received a complaint regarding various issues with the Gibson County Department of Child Services (DCS). This report addresses the allegation of perjury during a CHINS (child in need of services) hearing on the part of a Family Case Manager (FCM) Supervisor, with the Gibson County DCS. Special Agent Mike Mischler was assigned.

The CHINS case at issue involved a 17-year-old (juvenile) who was placed in juvenile detention in Evansville, Indiana. On October 3 2008, the juvenile ran away from the detention center, was found by the Evansville Police Department on October 8, 2008, and then was placed in another detention center on October 9, 2008.

Defendant was notified on October 8, 2008, that the juvenile had been found and returned to custody. The investigation revealed that it is the responsibility of the FCM, which was Defendant during this time, to notify the

Judge, attorneys, and parents when there was a change in the status of the child. None of the parties involved in this case were notified that the juvenile had been found and placed in the new detention center.

On November 6, 2008, the attorney for the juvenile discovered from the juvenile that the juvenile had been in the new detention center since October 9, 2008. The attorney then notified the Court and attorney for DCS.

On November 11, 2008, the Judge ordered the juvenile to be placed back in the first detention center until a hearing could be held on the matter. A hearing was then held on November 26, 2008.

During the hearing, Defendant testified that she contacted the Judge and advised him that the juvenile had been found. However, the Judge was interviewed and stated he did not remember being told about the juvenile being found until notified by the juvenile's attorney.

Defendant also testified that she notified the juvenile's attorney about the juvenile being found on October 9, 2008. However, in an interview with the attorney, the juvenile's attorney stated that she was not aware that the juvenile was found until she was contacted on November 5, 2008.

Defendant also testified that she notified another DCS attorney of the juvenile being found, and that she notified this DCS attorney on October 6, 2008, of the juvenile's elopement from the first detention center. In an interview, however, the DCS attorney stated that she was never informed of the juvenile's elopement and was not aware of the juvenile being found until she was notified by the juvenile's attorney on November 6, 2008.

SA Mischler provided the results of this investigation, including the transcripts above, to the Special Prosecutor appointed to handle these matters. Charges for three counts of perjury were filed in Gibson County and remain pending at the time of this report.

Dated this 31<sup>st</sup> day of December, 2009.

APPROVED:



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David O. Thomas, Inspector General