



INSPECTOR GENERAL REPORT

2008-09-0232

August 13, 2009

BOAH POST-EMPLOYMENT

Inspector General Staff Attorney Kristi Shute, after an investigation by Special Agent Maurice Allcron, reports as follows:

On September 2, 2008, the Office of the Inspector General (“OIG”) received a complaint from the Indiana State Board of Animal Health (“BOAH”) stating that a former BOAH employee may have violated the rule on post-employment, 42 IAC 1-5-14, by accepting work at a meat plant. Specifically, the complaint alleged that the employee was now working part-time at a facility he previously regulated and inspected as a state employee.

The investigation revealed that the employee had, in fact, been a Meat Inspector with BOAH. Part of the employee’s duties required him to monitor and inspect facilities, including the regulated business. He was also required to complete a “Non-Compliance Report” if a deficiency was found. The employee issued several Non-Compliance Reports to the regulated business throughout the ten years he regulated and inspected the facility.

The employee then retired from state employment on June 20, 2008, and was later seen by another BOAH employee working at the regulated business on

July 28, 2008.

Upon discovering that the employee worked at the regulated business, BOAH sent the employee a letter notifying him of the violation and instructing him to come into compliance with the rule. The employee showed the owner of the regulated business the letter from BOAH informing him of the post-employment violation. Both the employee and the owner ignored the letter because they did not think BOAH would do anything to enforce compliance.

The employee's employment at the regulated business was corroborated by the owner and by the employee's own admission.

Due to the evidence which includes the employee's admission to the violation of 42 IAC 1-5-14, this case was submitted to the State Ethics Commission (SEC). Probable cause was approved by the SEC and a complaint by the OIG was filed. Thereafter, a settlement agreement was reached between the OIG and the employee and submitted to the SEC. The SEC on August 13, 2009, approved the settlement agreement and issued a fine to the employee, which disposition will be finalized at a subsequent SEC meeting.

Dated this 13th day of August, 2009.

APPROVED BY:



David O. Thomas, Inspector General