



INVESTIGATIVE REPORT

Lori Torres, Inspector General

OFFICE: INDIANA FAMILY AND SOCIAL SERVICES ADMINISTRATION
TITLE: FAILURE TO FILE FINANCIAL DISCLOSURE STATEMENT
CASE ID: 2017-05-0096
DATE: JULY 14, 2017

Inspector General Staff Attorney Matt Savage reports as follows:

Ind. Code § 4-2-6-8 requires all agency employees with final purchasing authority to annually file a written financial disclosure statement (disclosure) with the Indiana Office of Inspector General (OIG). The disclosure must be filed by February 1st of each year and include specific information as outlined by statute for the previous calendar year. Upon a majority vote of the State Ethics Commission (Commission), a state employee who fails to timely file the disclosure may be subject to a fine of up to \$10 per day, up to a maximum of \$1,000.

Under Ind. Code § 4-2-7-3, the OIG is charged with providing disclosure forms, inspecting disclosures, and notifying persons who fail to file a disclosure. The OIG also investigates criminal activity and ethics violations by executive branch state employees. Ind. Code § 4-2-7-3.

An Indiana Family and Social Services Administration employee (the Employee) had a state issued credit card that he was able to use for travel expenses in connection with his state employment during calendar year 2016. As a result, he had final purchasing authority in 2016 because he was able to make final purchases with his travel card, and Ind. Code 4-2-6-8 required that he file a disclosure for calendar year 2016.

On January 12th, 24th, and 31st of 2017, the OIG emailed the Employee and other individuals required to file disclosures. Each of these emails reminded the Employee of his statutory duty to file the disclosure by February 1, 2017 and advised him of the potential penalty. The Employee failed to file the disclosure by February 1, 2017 and told the OIG that he would not file the disclosure.

On May 11, 2017, the Commission found probable cause for an ethics violation based on the Employee's failure to file the disclosure as required by Ind. Code § 4-2-6-8. The Commission ordered the OIG to investigate this matter pursuant to Ind. Code § 4-2-6-4 and scheduled a public hearing for July 13, 2017. On May 16, 2017, the OIG filed an ethics complaint alleging that the Employee violated Ind. Code § 4-2-6-8 by failing to file the disclosure. The Commission mailed the complaint and the Commission's order finding probable cause to the Employee on May 17, 2017.

The Employee agreed to waive his right to a public hearing, admit to the violation of Ind. Code § 4-2-6-8, and accept a \$750 fine. He signed a Consent to Entry of Violation and Imposition of Penalty, which the Commission accepted on June 22, 2017. On July 5, 2017, the Employee paid the fine in full. Accordingly, this investigation is now closed.

Dated: July 17, 2017

APPROVED BY:



Lori Torres, Inspector General