



INVESTIGATIVE REPORT

Lori Torres, Inspector General

OFFICE: INDIANA DEPARTMENT OF CHILD SERVICES (DCS)
TITLE: DCS GHOST EMPLOYMENT
CASE ID: 2018-07-0199
DATE: December 12, 2018

Inspector General Staff Attorney, Heidi Adair, after an investigation by Inspector General Special Agent Chuck Coffin, reports as follows:

The Indiana General Assembly charged the Office of Inspector General (OIG) with addressing fraud, waste, abuse, and wrongdoing in the executive branch of state government. IC 4-2-7-2(b). The OIG also investigates criminal activity and ethics violations by state workers. IC 4-2-7-3. The OIG may recommend polices and carry out other activities designed to deter, detect, and eradicate fraud, waste, abuse, mismanagement, and misconduct in state government. IC 4-2-7-3(2).

On July 16, 2018, the OIG received an anonymous complaint alleging that a DCS Family Case Manager (FCM) was reporting more hours than she actually worked for the last several months. The reporting party (RP) alleged that the FCM would go home when she said she was leaving for home visits with DCS clients. The RP also alleged that the FCM seemed to be on home visits all the time, but she failed to see the children on her case load within the thirty-day time frame. The RP also claimed that the FCM signed out to go on a home visit but then headed in the opposite direction of the visit when she left.

Initially, the OIG referred the matter to DCS for an internal review and asked DCS to follow-up with the OIG with their findings. Accordingly, DCS conducted an internal

investigation. Upon cross-referencing the FCM's claimed mileage, travel logs, work hours, and MaGIK case notes¹, the DCS Internal Affairs Division determined that the FCM had inaccurately reported her work hours and mileage. DCS also concluded that the FCM was using her state email account to solicit people to buy from a company in which she sold products as a consultant. On August 29, 2018, after her pre-deprivation hearing, DCS dismissed the FCM from employment for violating the DCS Code of Conduct, DCS Child Welfare Policies, and the State Personnel Discipline Policy. DCS provided the OIG with a copy of the investigative report and attached exhibits, the pre-deprivation hearing minutes, and the FCM's dismissal letter.

OIG Special Agent Chuck Coffin subsequently conducted an investigation. He began by reviewing the items provided by DCS as a result of their internal investigation. Special Agent Coffin interviewed a number of DCS employees in both the DCS Indianapolis Central Office and in the county office where the FCM worked. He also examined the FCM's state-issued cellphone and laptop, as well as her Outlook email account. Additionally, he searched her office and inspected her DCS records, files, and reports.

Although the DCS investigation revealed that Joseph violated DCS policy, the investigation conducted by Special Agent Coffin yielded a lack of direct, credible evidence necessary to support a ghost employment violation under the criminal code or Code of Ethics. The evidence did not reveal whether the FCM reported time she did not work or if she simply failed to enter complete details regarding her work. Staff from DCS's Human Resources Department indicated that DCS had no proof that the FCM was performing work equal to the number of hours she claimed on many days; however, they also said that accounting for the FCM's work or lack of work during claimed working hours would be nearly impossible. Due to

¹ MaGIK (Management Gateway for Indiana's Kids) is a case management system utilized by DCS.

the lack of evidence needed to support a ghost employment violation under the criminal code or Code of Ethics, the OIG closes this matter for insufficient cause.

Both the DCS and OIG investigation, however, produced direct evidence that the FCM violated the Code of Ethics' (Code) rule regarding the use of state property, which is found in IC 4-2-6-17, and DCS's Limited Use of State Property/Resources policy by using state equipment to sell products for her outside business. The DCS policy allows for certain limited personal use of state property, but it prohibits all such use of state property/resources for an outside commercial activity. Special Agent Coffin's examination of the FCM's state email and computer revealed that she was a consultant for an outside company. Special Agent Coffin found approximately six emails on the FCM's email account between November 2016 and June 2018 that concerned the company. Some of these emails were to her co-workers regarding product orders and a couple of others were to an arts and crafts bazaar in which she expressed her desire to rent a booth. Special Agent Coffin found no additional evidence that the FCM was using state property for her outside business.

Although Special Agent Coffin found evidence that the FCM engaged in misuse of state property, her misuse of state property was low in volume and spread over a two year time period. Furthermore, DCS quickly investigated and terminated the FCM for her actions. As a result, the OIG declines to file an ethics complaint with the State Ethics Commission in this case and is closing this case for insufficient cause.

Dated: December 12, 2018

APPROVED BY:

A handwritten signature in black ink that reads "Lori Torres". The signature is written in a cursive, flowing style.

Lori Torres, Inspector General