



INVESTIGATIVE REPORT

Lori Torres, Inspector General

OFFICE: INDIANA DEPARTMENT OF CHILD SERVICES (DCS)
TITLE: DCS THEFT; GHOST EMPLOYMENT; MISUSE OF STATE PROPERTY
CASE ID: 2018-08-0245
DATE: December 21, 2018

Inspector General Staff Attorney Kelly Elliott, after an investigation by Inspector General Director of Investigations, Darrell Boehmer, reports as follows:

The Indiana General Assembly charged the Office of the Indiana Inspector General (OIG) with addressing fraud, waste, abuse, and wrongdoing in executive branch agencies of state government. IC 4-2-7-2(b). The OIG also investigates allegations of criminal activity and Code of Ethics violations within state government. IC 4-2-7-3.

On August 31, 2018, the OIG received a complaint alleging that a former Indiana Department of Child Services (DCS) employee (Employee) sold or attempted to sell cosmetic products to coworkers while in a DCS local office during working hours. The complaint provided that the Employee served as a supervising Family Case Manager (FCM) in the DCS local office. The complaint further alleged that coworkers who bought cosmetic products from the Employee failed to receive their order or a refund for their purchase. DCS terminated the Employee on August 29, 2018 for these activities.

OIG Director of Investigations, Darrell Boehmer, conducted an investigation into the matter. Through the course of his investigation, Director Boehmer interviewed the Employee and other DCS employees. Moreover, DCS also conducted their own internal investigation into this

matter and conducted interviews with DCS employees. Director Boehmer also reviewed documentation received from DCS, including their internal investigative report.

Director Boehmer and DCS investigators separately interviewed DCS employees with whom the Employee sold or attempted to sell cosmetic products. Four employees stated the Employee sold or attempted to sell him or her cosmetic products while in the DCS local office during working hours. Two employees provided they received the products they ordered from the Employee. One employee stated she received the product she ordered from the Employee, but the product she received appeared to be a used sample product. One employee advised that she never received her order or a refund for her purchase. Two other employees provided they did not purchase any cosmetic products from the Employee.

Director Boehmer interviewed the Employee. The Employee stated that she began selling cosmetic products in June 2018. She admitted she sold cosmetic products to coworkers while in the DCS local office during working hours. She denied allegations that coworkers did not receive the products they ordered. She stated that all cosmetic orders were delivered. She stated she did not use her state computer or state phone while engaging in her outside employment. Director Boehmer found no evidence to contradict the Employee's statements regarding the use of state property.

Because Director Boehmer had witnesses that claimed the Employee took money for products she never delivered to them and that she conducted some of her outside business on state time, Director Boehmer presented his findings to the Clay County Prosecutor's Office. The Clay County Prosecutor's Office declined to file criminal charges for either theft or criminal ghost employment against the Employee in this matter due to the low dollar amount in question.

Director Boehmer found evidence that the Employee violated the Code of Ethics' rules regarding ghost employment and use of state property when she sold or attempted to sell cosmetic products to coworkers while in the DCS local office during working hours. He also found that the Employee violated DCS' Limited Use of State Property/Resources policy. Although this policy allows for certain limited personal use of state property, it prohibits all such use of state property/resources for an outside commercial activity. Director Boehmer found that the Employee's activities related to her outside employment were low in volume and duration, and limited to approximately a two month period. He also found no evidence to indicate that the Employee used her state computer, state email, or state phone to engage in her outside employment. Furthermore, DCS quickly investigated the matter and terminated the Employee for her actions. For these reasons, the OIG declines to file an ethics complaint with the State Ethics Commission in this matter and is closing this case for insufficient cause.

Dated: December 21, 2018

APPROVED BY:

A handwritten signature in black ink that reads "Lori Torres". The signature is written in a cursive style with a long horizontal stroke at the end.

Lori Torres, Inspector General