



# INVESTIGATIVE REPORT

Lori Torres, Inspector General

OFFICE: INDIANA DEPARTMENT OF CHILD SERVICES (DCS)

TITLE: DCS CASEWORKER FALSIFICATION OF RECORDS

CASE ID: 2020-01-0021

DATE: July 29, 2020

*Indiana Office of Inspector General Staff Attorney Lyubov Gore, after an investigation by Inspector General Special Agent Michael Lepper, reports as follows:*

The Indiana General Assembly charged the Office of the Indiana Inspector General (OIG) with addressing fraud, waste, abuse and wrongdoing in the executive branch agencies of state government. Ind. Code §4-2-7-2(b). The OIG also investigates allegations of criminal activity and Code of Ethics (Code) violations within state government. Ind. Code §4-2-7-3. The OIG may recommend policies and carry out other activities designed to deter, detect and eradicate fraud, waste, abuse, mismanagement and misconduct in state government. Ind. Code §4-2-7-3(2).

## **I. Complaint**

On February 12, 2020, the OIG received a complaint alleging that a former DCS Family Case Manager, Gabrielle Brooks, engaged in ghost employment and falsified records regarding child welfare visits in DCS's Case Management Database, Management Gateway for Indiana's Kids (MaGIK). According to the complaint, there were discrepancies in contact and visitation information in approximately seven cases to which Brooks was assigned. The complaint further reported that Brooks had left state employment with DCS and was currently employed with one of DCS's service providers. The complaint implicated the Code's rules on ghost employment, post-employment and

confidentiality and alleged criminal violations of obstruction of a child abuse investigation, ghost employment and official misconduct.

## **II. OIG Investigation**

OIG Special Agent Michael Lepper investigated the matter. Special Agent Lepper reviewed Brooks' employment history with DCS, Brooks' MaGIK entries, Brooks' call logs and Brooks' travel claims and travel vouchers. He also interviewed several witnesses, including Brooks' DCS supervisors and her current employer.

### **A. Allegations of Code Violations**

Special Agent Lepper investigated whether Brooks violated any Code provisions, including the post-employment and confidentiality rules. He interviewed the Local Office Director (LOD) for DCS's Warrick County Office, where Brooks had been employed. The LOD informed Special Agent Lepper that Brooks had voluntarily left state employment to work for a licensed foster care placement and foster parent licensing agency (the Agency) with whom DCS contracts for the provision of services to DCS families.

Special Agent Lepper interviewed Brooks' current supervisor, the Clinical Director at the Agency (Director). The Director reported that Brooks was currently employed as a Foster Care Manager and that Brooks has a small case load. According to the Director, Brooks did not have any contact with the Director while Brooks was a DCS employee. The Director informed Special Agent Lepper that Foster Care Managers, including Brooks, were not assigned to any families that they may have had contact with in the past in order to avoid any conflicts of interests. The Director also stated that Brooks was "very good about boundaries" and would notify them if a conflict arose.

Special Agent Lepper did not find any evidence to suggest that Brooks had any contracting responsibility or that she engaged in any regulatory or licensing decisions while with DCS. Based on

the information that the Director provided, Brooks also had not represented or assisted the Agency on any particular matters on which she worked while with DCS. Special Agent found no evidence that Brooks violated the Code's post-employment rule or the confidentiality rules.

### **B. Allegations of Criminal Code Violations**

Special Agent Lepper also investigated whether Brooks engaged in any criminal conduct. He reviewed each of Brooks' entries in the MaGIK system and compared them to her call logs and travel history. Special Agent Lepper found a discrepancy between Brooks' call logs and her MaGIK entries in one of her assigned cases, which involved allegations of child abuse. Specifically, in a MaGIK entry from November 2019, Brooks claimed to have called and spoken to the mother of two children (Mother) in October 2019, but the call logs did not reflect that Brooks had ever called Mother. According to Brooks' MaGIK entry, Mother told Brooks that she did not have any concerns about her children's safety.

During her interview with Special Agent Lepper, the LOD confirmed that Mother had reported to DCS that Brooks had never called her and that Brooks had not been truthful in her assessment in the MaGIK system. Special Agent Lepper also interviewed Brooks' former supervisors at DCS. Brooks' supervisors had not heard about any problems with Brooks' cases except for Mother's case.

After speaking with the DCS employees, Special Agent Lepper contacted the families to whom Brooks had been assigned as an FCM. These families confirmed that Brooks had contact with them as she had documented in the MaGIK system. Special Agent Lepper did not find any evidence to suggest that Brooks was engaged in ghost employment or that she had falsified any child abuse assessments, other than the one involving Mother, in the MaGIK system.

Special Agent Lepper interviewed Mother. Mother told Special Agent Lepper that Brooks had not called her and that she had never spoken to Brooks about anything, including her children's safety.

Special Agent Lepper also interviewed Brooks. Brooks explained to Special Agent Lepper that she had contacted Mother using her DCS-issued cellphone in October 2019, as she had reported in her November 2019 MaGIK entry. Brooks did not know why Mother would lie about speaking with her. Brooks also claimed that her DCS call logs were inaccurate and insisted that she had called and spoken to Mother. Special Agent Lepper subsequently subpoenaed records for Brooks' DCS-issued cellphone and for Mother's personal and business cellphones. Special Agent Lepper found no incoming or outgoing calls between Brooks' and Mother's cellphone numbers in October 2019 and November 2019. Based on this information, Special Agent Lepper concluded that Brooks had not called Mother on her DCS-issued cell phone as she had claimed.

### **III. Conclusion**

The OIG submitted the results of this investigation to the Warrick County Prosecutor's Office. On July 21, 2020, the Warrick County Prosecutor's Office charged Brooks with Official Misconduct, as a Level 6 felony under Ind. Code § 35-44.1-1-1(1), and with Obstruction of a Child Abuse Assessment, as a Class A Misdemeanor under Ind. Code § 31-33-22-2(b)(1). Accordingly, this investigation is closed.

Dated: July 29, 2020

APPROVED BY:



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Lori Torres, Inspector General