



INVESTIGATIVE REPORT

David Cook, Inspector General

OFFICE: INDIANA DEPARTMENT OF CHILD SERVICES (DCS)
TITLE: DCS EMPLOYEE CRIMINAL ACTIVITY
CASE ID: 2021-04-0120
DATE: November 30, 2021

Inspector General Staff Attorney Mark Mader, after an investigation by 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 criminal activity and ethics violations by state workers. 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 and Background

On April 29, 2021, the OIG received a complaint alleging that Sandra Sell (Sell), a former Indiana Department of Child Services (DCS) Family Case Manager (FCM), had a sexual relationship with the father (Father) of one of the children (Child) on her caseload. As a FCM, Sell provided services and oversight for “child in need of services” (CHINS) cases related to child abuse and neglect.

The complaint included a notarized affidavit signed by Sell in which she admitted to the following: having a personal and sexual relationship with Father; arranging meetings with Father for personal reasons on the pretense that the meetings were for official DCS business; making decisions to remove the Child from the Child’s mother and place him with Father

motivated, at least in part, by her personal relationship with Father; and instructing Father, who was on electronic home detention at the time, to tell his community corrections case officer that Sell had requested that he take a drug screen for the CHINS case and to give him a pass for that purpose, when the intent was to meet Sell for personal reasons. The OIG opened an investigation into the complaint.

DCS requires FCMs to record all actions they take on a case in the DCS electronic case management system, called “Management Gateway for Indiana Kids” (MaGIK). DCS makes FCMs aware during training that falsifying entries in MaGIK or in reports sent to the courts can be grounds for termination and criminal prosecution. DCS supervisors and juvenile court judges rely on the assigned FCM to give them complete, accurate and unbiased information on a CHINS case so they can make appropriate decisions regarding the care, custody and treatment for minor children.

II. OIG Investigation

OIG Special Agent Michael Lepper investigated this matter. Special Agent Lepper obtained and reviewed multiple records, including documents from DCS; the Indiana State Personnel Department (SPD); the Indiana Department of Correction (DOC); the Fort Wayne, Indiana Police Department; the Wabash County Circuit Court; the Wabash County Community Corrections Work Release Program and the Bowen Center. These documents provided information and background on Sell’s employment with DCS, Father’s history and the Child’s CHINS case. Special Agent Lepper also reviewed multiple text messages exchanged between Sell and Father.

Special Agent Lepper interviewed several DCS employees, including the Wabash County DCS Local Office Manager, several DCS FCMs who worked with Sell, the Wabash

County DCS Local Office attorney, the Huntington County FCM to whom DCS reassigned the Child's case after discovering Sell's sexual relationship with Father and Chief Counsel for DCS Region 6. He also interviewed several Bowen Center employees, the Director of the Wabash County Community Corrections Work Release Program and several members of the Child's family. Special Agent Lepper also interviewed Sell and Father.

Special Agent Lepper learned that DCS hired Sell as a FCM for the DCS Wabash County office on January 27, 2020. Sell completed all training required for this position, including training on MaGIK. Sell began working on CHINS cases, including the Child's case, while in training with another FCM in March of 2020. DCS officially assigned Sell to the Child's case on April 21, 2020.

Special Agent Lepper's investigation confirmed that Sell had a sexual relationship with Father between October 2020 and December 2020, while Sell served as the FCM on the Child's case. Special Agent Lepper obtained copies of text messages that Sell and Father exchanged with one another during that time period that contained sexually explicit language and nude photographs. He also learned that Sell and Father engaged in oral sex on one or more occasions during this time period. Special Agent Lepper confirmed that Sell did not disclose her relationship with Father to DCS or the court.

Special Agent Lepper found text messages from Sell to Father in which she indicates she would "FastTrack" Father getting custody of the Child even though Father had recently been released from prison for Neglect of a Dependent Resulting in Serious Bodily Injury (shaken baby syndrome). He also reviewed text messages from Sell to Father in which Sell encouraged Father to file for emergency custody of the Child even though Father had just met the Child recently for the first time. Special Agent Lepper reviewed a document accusing the

Child's stepfather of sexually abusing a sibling of the Child even though Sell knew that the stepfather had been exonerated of the charge. DCS used the allegation to support removing the Child from the Child's mother and stepfather's custody.

Special Agent Lepper discovered that Sell entered a report in MaGIK claiming that she made an "unannounced" visit to Father's home to assess the home before considering an in-home supervised visit. Unannounced visits by FCMs are intended to provide the FCM with the ability to assess the home with respect to food, cleanliness and safety issues without the parent having an opportunity to prepare for the visit. Text messages reveal that Sell and Father had been planning this "unannounced" visit for several days before it occurred, right down to the day and hour of the visit.

After Sell began her sexual relationship with Father, DCS removed the Child from the home of the Child's mother and stepfather based on family history and other information that Sell provided to DCS. Sell did not report her sexual relationship with Father to her supervisors at DCS. Shortly after DCS removed the Child from his mother's home, DCS submitted an "Order for Change of Placement" to the Wabash Circuit Court explaining the reasons DCS was removing the Child and his siblings from the mother and stepfather's home. This Order was supported by an affidavit signed by Sell describing the family history. Sell did not disclose to the DCS attorney or to the court her relationship with Father.

During the investigation, Special Agent Lepper also learned of an allegation that Sell had falsified a drug test for Father's girlfriend. Special Agent Lepper investigated this allegation by obtaining records of the drug test and interviewing witnesses; however, he found insufficient evidence to support the allegation.

During an interview with Special Agent Lepper, Father admitted he had a sexual relationship with Sell. He also admitted that he had planned the “unannounced” visit with Sell several days prior to the visit. He stated that because of his relationship with Sell, he got better access to the Child including additional visits that other parents would not get.

During her interview with Special Agent Lepper, Sell admitted to having a sexual relationship with Father between October and December of 2020. She also admitted to sending Father nude photographs of herself. Sell denied that any decisions she made involving the Child were influenced by her relationship with Father. She also said she felt pressured to sign the affidavit the OIG received, and some of the information contained in the affidavit was not accurate. DCS terminated Sell on March 10, 2021.

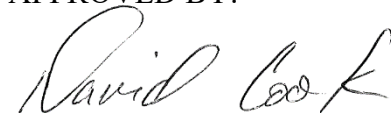
III. Conclusion

The OIG submitted the results of Special Agent Lepper’s investigation to the Wabash County Prosecutor’s Office on November 9, 2021. On that same date, the Wabash County Prosecutor’s Office charged Sell with one count of Knowingly Falsifying Child Abuse or Neglect Information or Records, a class A misdemeanor; one count of Obstruction of Justice, a Level 6 Felony; and one count of Official Misconduct, a Level 6 Felony, in Cause Number 85C01-2111-F6-001242. The OIG acknowledges criminal charges are merely allegations, and individuals are considered innocent until proven guilty.

Accordingly, this investigation is closed.

Dated: November 30, 2021

APPROVED BY:



David A Cook, Inspector General