



INVESTIGATIVE REPORT

David Cook, Inspector General

OFFICE: INDIANA DEPARTMENT OF CHILD SERVICES (DCS)
TITLE: DCS EMPLOYEE POLITICAL ACTIVITY
CASE ID: 2021-12-0347
DATE: June 10,2022

Indiana Office of Inspector General Staff Attorney, Doreen Clark, after an investigation by Inspector General Special Agent Jan Kruse, 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 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).

On December 8, 2021, the OIG received an anonymous complaint alleging that Kris Meltzer, an attorney from the Indiana Department of Child Services (DCS), used his state email address to solicit monetary donations and attendance from members of the Shelby County Bar Association in order to fund his daughter-in-law's campaign for State Representative. The contents of the email included both Meltzer's DCS address and signature, bearing his title as Shelby County DCS attorney. The complaint implicated the Code's political activity rule, 42 IAC 1-5-4, and use of state property rule Ind. Code § 4-2-6-17.

OIG Special Agent Jan Kruse investigated the complaint. As part of the investigation, Special Agent Jan Kruse reviewed Meltzer's Proprietary File Format and One Drive Computer files and

found that Meltzer had initially received an email from his Daughter-in-Law on December 3, 2021, containing information regarding her intent to run for State Representative in the Shelbyville area. The email stated that the fundraiser for her campaign would be held on Thursday, December 9, 2021, from 5:00 pm to 7:00 pm.

On December 8, 2021, at 1:15 pm, Meltzer used his state computer to send the contents of the December 3rd email to all members of the Shelby County Bar Association. The email also contained additional comments about a former State Representative for the area. Meltzer sent the December 8th email using his state email address and signature block. Several attorneys also responded to Meltzer's email.

Special Agent Kruse interviewed Meltzer in Shelbyville on January 14, 2021. During the interview, Special Agent Kruse presented the email that Meltzer sent from his state computer on December 8th. Meltzer subsequently admitted to sending the email. The December 8th email was the only email Meltzer sent from his computer that was both political in nature and unrelated to his work-related duties.

The OIG investigation revealed that Meltzer violated 42 IAC 1-5-4, the political activity rule. In relevant part, 42 IAC 1-5-4 reads that, a "state employee...shall not engage in political activity including solicitation of political contributions from another employee or special state appointee or any other person when on duty or acting in an official capacity." The investigation found that Meltzer violated this rule by engaging in solicitation of funds for political contributions from members of the Shelby County Bar Association in December of 2021 while in his official capacity as a DCS attorney.

The OIG investigation also revealed that Meltzer violated Ind. Code § 4-2-6-17, the use of state property rule. Ind. Code § 4-2-6-17 states that, a "state employee... may not use state materials, funds, property, personnel, facilities, or equipment for purposes other than official state

business unless the use is expressly permitted by a general written agency, departmental, or institutional policy or regulation that has been approved by the commission.” The investigation found that Meltzer violated this rule by utilizing a computer owned by the State of Indiana and his state email address to solicit campaign funds from members of the Shelby County Bar Association using his state title.

On April 14, 2022, the OIG presented the case to the Indiana State Ethics Commission (SEC) in an executive session and sought probable cause from the SEC to file an ethics complaint. The SEC found probable cause to file an ethics complaint alleging Meltzer violated the Code’s political activity rule and use of state property rule. The Inspector General subsequently filed the ethics complaint with the SEC on April 18, 2022. The OIG later filed an amended complaint on May 20, 2022.

The Inspector General and Meltzer signed an Agreed Settlement in which Meltzer admitted to violating the Code’s political activity and use of state property rules. As part of the Agreed Settlement, Meltzer also agreed to pay a one hundred dollar fine. The SEC approved the Agreed Settlement on June 9, 2022. Accordingly, this investigation is closed.

Dated: June 10, 2022

APPROVED BY:

A handwritten signature in cursive script that reads "David Cook". The signature is written in black ink and is positioned above a horizontal line.

David Cook, Inspector General