



INVESTIGATIVE REPORT

Jared Prentice, Inspector General

OFFICE: INDIANA DEPARTMENT OF CHILD SERVICES (DCS)
TITLE: FORMER DCS EMPLOYEE POST-EMPLOYMENT AND CONFIDENTIAL
INFORMATION VIOLATIONS
CASE ID: 2024-01-0030
DATE: May 8, 2025

Inspector General Chief Legal Counsel, Tiffany Mulligan, after an investigation by Special Agent Michael Lepper, 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. Ind. Code §4-2-7-2(b). The OIG also investigates allegations of criminal activity and Indiana Code of 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

On January 23, 2024, the OIG received a complaint alleging that Rebecca “Becky” Honn (Honn), a former Licensing and Contract Specialist with the Indiana Department of Child Services (DCS) is working at a facility that she regulated as a DCS Licensing and Contract Specialist. The complaint alleged a possible violation of the cooling off provision of the Code’s post-employment rule, which is found in Ind. Code §4-2-6-11(b). Honn’s DCS title indicated that she had regulatory or licensing authority at DCS, and the complaint alleged that within one-year of leaving state employment, Honn started work for a company for which she made regulatory or licensing decisions at DCS.

II. OIG Investigation

OIG Special Agent Michael Lepper investigated the complaint. As part of the investigation, Special Agent Lepper interviewed several individuals, including Honn's DCS supervisors and Honn. Special Agent Lepper also obtained and reviewed multiple documents, including reports of both unannounced and announced visits that Honn conducted of the Allen County Youth Service Center (YSC), the facility where Honn began employment after leaving DCS. Special Agent Lepper also reviewed several emails from Honn.

Special Agent Lepper obtained Honn's training records from the Indiana State Personnel Department. The records certified that Honn completed the OIG's online training on the Code of Ethics on January 20, 2009; May 7, 2010; June 4, 2012; October 22, 2015; October 16, 2017; October 21, 2019; and November 1, 2022. The OIG's online ethics training includes an overview of the Code of Ethics, including the post-employment rule and confidentiality rules.

A. Post-Employment

Special Agent Lepper learned that Honn served as a Residential Licensing Specialist with DCS from March 25, 2019, until DCS terminated her on October 25, 2023. YSC extended Honn an offer of employment on November 21, 2023, and she accepted the position on the same day. Honn started employment with YSC on December 11, 2023.

DCS licensed YSC as a residential facility. As a DCS Residential Licensing Specialist, DCS assigned Honn to review YSC. According to the Job Profile for DCS Residential Licensing Specialists, the essential elements of the job duties for the position include, "licens[ing], monitor[ing], and audit[ing] Licensed Child Placing Agencies (LCPAs) and residential facilities to ensure adherence to licensing statute, contract, and relevant service standards." According to DCS Policy Chapter 17, Section 15, DCS "conducts announced and unannounced on-site visits at

all residential facilities to ensure the safety of children receiving treatment and to monitor compliance with applicable standards, statutes, and rules.”

DCS assigned Honn to conduct regular reviews of YSC. Special Agent Lepper obtained documents showing that Honn completed unannounced visits of YSC on the following dates: November 21, 2022, for the fourth quarter of 2022; March 3, 2023, for the first quarter of 2023; May 18, 2023, for the second quarter of 2023; and August 3, 2023, for the third quarter of 2023. Honn also completed annual visits of YSC on April 12, 2022, and March 7, 2023. For each of the above-listed unannounced quarterly visits and annual visits, Honn’s name is listed as the Assigned Residential Licensing Specialist on the forms documenting the visits.

The Unannounced Residential Visit Form includes a check list of yes/no questions and a place for the DCS Residential Licensing Specialist to make comments. Many of the questions included on the Form ask the Residential Licensing Specialist to make subjective determinations. For example, the Form asks the following yes/no questions, “Youth were being appropriately supervised” and “Staff were verbally appropriate and communicated with youth in a positive manner”. The Unannounced Residential Licensing Form also asks, “Does any of the findings of this unannounced visit warrant a request for a Plan of Correction?”. Similarly, the form used for the annual visits (Annual Form) contains several questions that allow the Residential Licensing Specialist to make subjective determinations and comments.

Special Agent Lepper obtained an email chain in which Honn requested a post-employment waiver from DCS after DCS terminated her employment. In the response from DCS’s ethics mailbox, DCS declined to submit a waiver on Honn’s behalf to the State Ethics Commission (Commission). The email response from DCS explained that an agency has the discretion to issue a post-employment waiver and that Honn still had the option to seek advice from the OIG on the

post-employment restrictions. Special Agent Lepper found that after receiving the email from DCS, Honn did not follow up with the OIG or submit a request for a formal advisory opinion to the OIG or to the Commission.

In summary, the OIG investigation found that Honn accepted employment with YSC, an organization for which she made regulatory or licensing decisions, before the elapse of at least three hundred and sixty-five (365) days after the date that she left state employee on October 25, 2023. As a result, only twenty-six (26) days of the cooling off period had elapsed between the date Honn accepted employment at YSC and when she ceased to be a state employee.

B. Benefitting from and Divulging Confidential Information

Special Agent Lepper reviewed Honn's emails and found an email chain dated November 3, 2022, between Honn and a representative of Pierceton Woods Academy (PWA), another entity to which DCS assigned Honn to review and conduct unannounced visits. In the email, the PWA representative asks Honn to tell him when the next unannounced visit is going to be. The PWA representative writes, "[s]o . . . I know they're supposed to be unannounced . . . but is there any way you can give me a slight heads up?" Honn sent an email reply that reads, "I will tell you but you can't say I told you. – November 14 at 11:30."

According to the November 14, 2022, PWA Quarterly Unannounced Residential Visit Form, Honn conducted a visit at PWA that was classified as "unannounced" on November 14, 2022, the date that Honn provided to the PWA representative in her email.

Special Agent Lepper interviewed Honn's supervisors and learned that Residential Licensing Specialists set the schedule for unannounced visits to residential facilities. As such, Honn set the date of the unannounced visit for PWA on November 14, 2022, due to her position as a DCS Residential Licensing Specialist.

III. Analysis

First, the OIG’s investigation found evidence that Honn violated Ind. Code §4-2-6-11(b)(3), the post-employment rule’s cooling off provision. Ind. Code §4-2-6-11(b)(3), reads as follows, in relevant part:

(b) a former state . . . employee . . . may not accept employment or receive compensation . . .

(3) from an employer if the former state . . . employee . . . made a regulatory or licensing decision that directly applied to the employer or to a parent or subsidiary of the employer;

Before the elapse of at least three hundred sixty-five (365) days after the date of the former state . . . employee . . . ceases to be a state . . . employee

The OIG’s investigation found that Honn made regulatory or licensing decisions that directly applied to YSC because she completed multiple reviews of YSC. The OIG’s investigation also found that Honn accepted employment with YSC on November 21, 2023, before the expiration of three hundred sixty-five (365) days from the date she ceased being a DCS employee on October 25, 2023. As such, the OIG found evidence that Honn violated the post-employment rule’s cooling off provision.

Second, the OIG’s investigation found evidence that Honn violated 42 IAC 1-5-10, the benefitting from confidential information rule. This rule prohibits a state employee from benefitting from or permitting anyone else to benefit from “information of a confidential nature except as permitted or required by law.” Honn disclosed the date and time of an unannounced visit to PWA, an entity that Honn was assigned to regulate. She demonstrated that she knew the information was confidential because she wrote, “I will tell you but you can’t say I told you.” The disclosure permitted PWA to benefit from the confidential information, by giving PWA the opportunity to prepare in advance for a visit that should have been a surprise.

Under Ind. Code §4-2-6-1(a)(12), “information of a confidential nature” is defined as:

. . . information: (A) obtained by reason of the position or office held; and (B) which: (i) a public agency is prohibited from disclosing under Ind. Code §5-14-3-4(a); (ii) a public agency that has the discretion not to disclose under Ind. Code §5-14-3-4(b) and that the agency has not disclosed; or (iii) is not in a public record, but if it were, would be confidential.

Respondent obtained the date of the unannounced visit to PWA by reason of her position at DCS. As the Residential Licensing Specialist assigned to review PWA, she was responsible for setting the date and time of the unannounced visit.

Furthermore, Ind. Code §31-27-2-5 provides that DCS will make unannounced visits of licensed entities, such as PWA. Although this statute does not explicitly use the word confidential, the word “unannounced” infers that the visit dates must be confidential, and the entity being reviewed must not know the date of such a visit. As such the date and time of the unannounced visit is confidential under state statute. Under Ind. Code §5-14-3-4(a)(1), an agency may not disclose a public record declared confidential by state statute.

Third, the OIG’s investigation found evidence that Honn violated 42 IAC 1-5-11, the Divulging Confidential Information Rule. This rule prohibits a state employee from divulging “information of a confidential nature except as permitted by law.”

The OIG’s investigation found that Honn disclosed the date and time of the unannounced visit to PWA, an entity which DCS assigned Respondent to review and regulate. As noted above, the date and time of the unannounced visit was confidential by state statute, and Honn knew it was confidential as evidenced by her email asking that PWA not tell anyone that she provided them the date and time. As such, the OIG found evidence that Honn violated the Divulging Confidential Information Rule.

IV. Conclusion

On September 18, 2024, the OIG sought probable cause from the Commission that Honn

violated Ind. Code § 4-2-6-11 (b)(3), the Post Employment Rule's Cooling Off restriction, and 42 IAC 1-5-10 and 11, the Benefitting from and Divulging Confidential Information rules. The Commission found probable cause for an ethics complaint, and the OIG filed an ethics complaint with the Commission on August 13, 2024. Subsequently, Honn and the OIG entered into an Agreed Settlement in which Honn admitted to the violation of all three Code of Ethics' rules and agreed to pay a fifteen hundred dollar (\$1,500) fine within sixty days of the Commission's approval of the Agreed Settlement. The OIG presented the Agreed Settlement to the Commission on May 8, 2025, and the Commission approved the Agreed Settlement.

Accordingly, this investigation is closed.

Dated: May 8, 2025

APPROVED BY:



Jared Prentice, Inspector General