

**MINUTES OF THE MEETING OF
THE INDIANA STATE ETHICS COMMISSION**
August 10, 2017

I. Call to Order

A regular meeting of the State Ethics Commission (“Commission”) was called to order at 10:00 a.m. Members present included James N. Clevenger, Chairperson; Bob Jamison; Daryl Yost; Priscilla Keith (arrived late), and Peter Nugent. Staff present included Lori Torres, Inspector General; Jennifer Cooper, Ethics Director; Stephanie Mullaney, Compliance Officer/Staff Attorney; Tiffany Mulligan, Chief Legal Counsel; Matthew Savage, Staff Attorney; Mark Mitchell, Special Agent; Amy Johnson, Special Agent; Darrell Boehmer, Director of Field Investigations; and Celeste Croft, Legal Assistant, Office of Inspector General.

Others present were Adrienne Brune, Attorney E7, State Department of Health; Deana Smith, Attorney E7, State Department of Health; Rachel Russell, Legal Affairs, State Department of Health; Hilari Sautbine, Attorney E7, State Department of Health; Kathleen Mills, Ethics Officer/Attorney, Department of Environmental Management; Mark Tidd, Prequalification & Permits Director, Department of Transportation; Alison Maloof, Chief Legal Counsel, Department of Transportation; Shawn Williams, Project Supervisor for Fort Wayne District, Department of Transportation; Joe Hoage, General Counsel, Bureau of Motor Vehicles; Lori Schein, Deputy General Counsel, Bureau of Motor Vehicles; Elyssa Campodonico-Barr, Chief of Staff/Ethics Officer, Bureau of Motor Vehicles; Sarah Kamhi, Deputy General Counsel, Economic Development Corporation; Lamica Simmons, Human Resources Assistant, Economic Development Corporation; Tammera Glickman, Assistant General Counsel, Department of Administration; Chelsea Smith, Administrative Law Judge, Department of Homeland Security; Justin Guedel, Staff Attorney, Department of Homeland Security; and David Fleischhacker, Employee Relations Attorney, State Personnel Department.

II. Adoption of Agenda and Approval of Minutes

Commissioner Yost moved to adopt the Agenda and Commissioner Nugent seconded the motion which passed (4-0). Commissioner Yost moved to approve the Minutes of the June 22, 2017 Commission Meeting and Commissioner Jamison seconded the motion which passed (4-0).

III. Inspector General’s Report

Inspector General Lori Torres first provided recognition for a job well done to all agency ethics officers. Inspector General Torres then discussed the Office of Inspector General’s three key performance indicators, which included the number of informal advisory opinions requested; the average number of days it took the Office of Inspector General to provide requestors with informal advisory opinions; and the number of recommendations made by the Office of Inspector General to improve integrity and reduce waste, inefficiency, and fraud. Inspector General Torres further

expanded, stating that there were 101 informal advisory opinions requested in Quarter 2, a 31% increase over Quarter 1, wherein 77 informal advisory opinions were requested. Inspector General Torres went on to state that in 2016, a total of 318 informal advisory opinions were issued.

In addition, Inspector General Torres stated that the Office of Inspector General had, as of July 31, 2017, 31 open investigations, and further, that the Office received 70 requests to investigate in Quarter 2, as opposed the 60 it received in Quarter 1.

Inspector General Torres also discussed the upcoming 2017 Legal & Ethics Conference, currently set for Tuesday, November 14, 2017 at 1:00 p.m. and to be held at in the Government Center South Conference Rooms. The Conference is expected to last a half day.

The next item discussed was the 2017 statewide biennial ethics training that is expected to be launched in Quarter 3. Back in 2015, 76 agencies consisting of 34,166 state employees, special state appointees, and state officers completed the training.

Lastly, Inspector General Torres provided fiscal year 2018 budget information, stating that the Office of Inspector General had a \$1,147,059.00 budget and that the State Ethics Commission had a \$12,543.00 budget.

IV. Request for Formal Advisory Opinion

**17-I-11 Lori Schein, Deputy General Counsel
Elyssa Campodonico-Barr, Chief of Staff/Ethics Officer
Joe Hoage, General Counsel
Indiana Bureau of Motor Vehicles**

Lori Schein recently accepted the position of Deputy General Counsel for the Indiana Bureau of Motor Vehicles (BMV). Ms. Schein started working in this position on April 10, 2017. As Deputy General Counsel, Ms. Schein supervises a staff attorney, a court order specialist, and an administrative assistant. Ms. Schein's duties as Deputy General Counsel include responsibility for all forms of litigation filed by or against the BMV, including any administrative appeals taken by customers who are dissatisfied with a decision that has affected their driving privileges. She also serves as the liaison between the BMV and the Attorney General's Office on all tort claims and court orders issued that are contrary to law, responds to third party discovery requests and questions from courts, and provides legal advice to the Credentials and Records Departments. On occasion, Ms. Schein will represent the BMV in matters before an Administrative Law Judge (ALJ), although this responsibility is primarily delegated to the staff attorney she supervises.

Ms. Schein also works on a part-time basis as the Zionsville Town (the Town) Prosecutor, which is an annually appointed position she has held since 2005. Her salary is \$220 per month, and the position requires approximately three hours of work per month. As the Town Prosecutor, Ms. Schein handles all local ordinance violations, including traffic matters such as speeding and failure to stop, as well as dog bites and property related violations. She does not handle state infractions

or misdemeanors. As part of her duties, she attends traffic court in the Town one night per month to conduct bench trials on citations. Ms. Schein has an InCite account that she uses to view and authorize electronic filings from her home computer. None of her duties as Prosecutor are performed while on state time, and she does not use any state property for the purposes of her work as Prosecutor.

Ms. Schein's job as Prosecutor does not require the testimony or affidavit of BMV personnel. To date, Ms. Schein has not been involved in any decision that has affected the Town while she has been at BMV. She has not been contacted by any Town personnel, but it is possible that the Town may contact BMV with questions about licenses or other records or submit orders for interpretation. It is also possible that an individual may contact BMV with a series of issues in their driving record or ability to obtain a license, with one of the underlying convictions being a ticketed offense while driving in the Town.

BMV's Ethics Officer, Elyssa Campodonico-Barr determined that an ethics screen is appropriate to avoid any violation of the Code of Ethics or even the appearance of any impropriety. The ethics screen was implemented by BMV on June 26, 2017 and requires Ms. Schein to refer matters she encounters at BMV that involve the Town to Joe Hoage, BMV General Counsel. When contacted by any employee or representative of the Town on any matter related to the BMV, the screen requires Ms. Schein to immediately provide that she is unable to assist them with their issue and refer them to Mr. Hoage. Further, to the extent she is contacted by an individual seeking assistance with a driving record or licensing status, whereupon it is discovered there is an underlying conviction on the person's driving record that indicates a violation of a Town driving ordinance, Ms. Schein will immediately inform all parties that she is unable to assist and will refer the matter to Mr. Hoage.

Ms. Schein requested a formal advisory opinion from the Commission to determine if her employment with the Town would create any conflicts of interests for her under the Code of Ethics.

The advisory opinion stated the following analysis:

A. Outside employment

An outside employment or professional activity creates a conflict of interests under IC 4-2-6-5.5 if it results in the employee: 1) receiving compensation of substantial value if the responsibilities of the employment are inherently incompatible with the responsibilities of public office or require the employee's recusal from matters so central or critical to the performance of her official duties that her ability to perform them would be materially impaired; 2) disclosing confidential information that was gained in the course of state employment; or 3) using or attempting to use her official position to secure unwarranted privileges or exemptions of substantial value that are not properly available to similarly situated individuals outside state government.

Based on the information provided, Ms. Schein is responsible for all forms of litigation filed by or against the BMV including any administrative appeals. As Town Prosecutor,

Ms. Schein handles all local ordinance violations, as well as dog bites and property related violations. As Town Prosecutor she does not require the testimony or affidavit of BMV personnel for any of the cases she oversees. It is possible that the Town may contact BMV about licenses and records or submit orders for interpretation. It is also possible that an individual may contact BMV with a series of issues in their driving record or ability to obtain a license, with one of the underlying convictions or infractions being a ticketed offense while driving in the Town.

According to the screen provided by BMV's Ethics Officer, Ms. Schein would be required to refer any Town-related matters that may come before her as BMV Deputy General Counsel to BMV's General Counsel, Joe Hoage. Specifically, Ms. Schein would need to inform any Town employees or representatives who contact her about a BMV-related matter that she is unable to assist them and refer them to Mr. Hoage for assistance.

In addition, if Ms. Schein is contacted by any individual seeking assistance with a driving record or licensing status, whereupon it is discovered there is an underlying conviction on the person's driving record that indicates a violation of a Town ordinance, she will need to inform all parties that she is unable to assist and refer the matter to Mr. Hoage.

The Commission finds that Ms. Schein's responsibilities as Town Prosecutor do not appear to be incompatible with her responsibilities as Deputy General Counsel for BMV. It appears that the potential interactions identified in the screen would be infrequent and unlikely to require her recusal from matters so central or critical to the performance of her official duties that the ability to perform them would be materially impaired.

Further, Ms. Schein provides that her job as Town Prosecutor will not require disclosure of confidential information gained through state employment and she does not intend to use her BMV position to secure unwarranted privileges or exemptions that are of substantial value and not properly available to individuals outside of state government.

Accordingly, the Commission finds that Ms. Schein's outside employment as Town Prosecutor would not create a conflict of interests for her under this rule as long as she complies with the BMV screen implemented by Ms. Campodonico-Barr.

B. Conflict of interests - decisions and votes

IC 4-2-6-9 prohibits Ms. Schein from participating in any decision or vote, or matter relating to that decision or vote, if the employee has knowledge that any of the following has a financial interest in the outcome of the matter:

- (1) The state employee;
- (2) A member of the immediate family of the state employee;
- (3) A business organization in which the state employee is serving as an officer, a director, a member, a trustee, a partner, or an employee; or

- (4) Any person or organization with whom the state employee is negotiating or has an arrangement concerning prospective employment.

The definition of “financial interest” in IC 4-2-6-1(a)(11) includes, in part, “an interest arising from employment”.

Ms. Schein provided that it is possible that the Town would contact BMV about licenses and records or submit orders for interpretation. It is also possible that an individual may contact BMV with a series of issues in their driving record or ability to obtain a license, with one of the underlying convictions or infractions being a ticketed offense while driving in the Town.

Accordingly, the Commission finds that Ms. Schein would have a potential conflict of interests if she participates in any matter related to a decision or vote that could financially impact the Town. Specifically, if the Town is considered a business organization with which she is employed and it has a financial interest in any decisions or votes Ms. Schein would make or participate in as Deputy General Counsel, she could have a potential conflict of interests under this rule. Likewise, if the Town has a financial interest in a decision or vote she could make or participate in while she was negotiating employment with the Town (she is appointed on an annual basis), she would also have a potential conflict of interests under this rule.

IC 4-2-6-9(b) requires that an employee who identifies a potential conflict of interests notify their ethics officer and appointing authority and seek an advisory opinion from the Commission or file a written disclosure statement.

To ensure that Ms. Schein does not participate in any decisions or votes in which the Town of Zionsville would have a financial interest, BMV has developed a screening process whereby Ms. Schein is required to refer all matters she encounters at BMV that involve the Town to Joe Hoage, BMV General Counsel. When contacted by any employee or representative of the Town on any matter related to the BMV, the screen requires Ms. Schein to immediately provide that she is unable to assist them with their issue and refer them to Mr. Hoage. Further, to the extent she is contacted by an individual seeking assistance with a driving record or licensing status, whereupon it is discovered there is an underlying conviction on the person’s driving record that indicates a violation of a Town driving ordinance, Ms. Schein will immediately provide to all parties that she is unable to assist and will refer the matter to Mr. Hoage.

In the event that the Town is a “business organization” under IC 4-2-6-9(3), the Commission finds this screening policy to be satisfactory to prevent Ms. Schein from having a conflict of interests in violation of IC 4-2-6-9.

C. Confidential information

Ms. Schein is prohibited under 42 IAC 1-5-10 and 42 IAC 1-5-11 from benefitting from, permitting any other person to benefit from, or divulging information of a confidential

nature except as permitted or required by law. Similarly, IC 4-2-6-6 prohibits Ms. Schein from accepting any compensation from any employment, transaction, or investment which is entered into or made as a result of material information of a confidential nature. The term "person" is defined in IC 4-2-6-1(a)(13) to encompass both an individual or an entity, such as the Town. In addition, the definition of "information of a confidential nature" is set forth in IC 4-2-6-1(a)(12).

To the extent Ms. Schein has access to such confidential information in her position as BMV's Deputy General Counsel, she would be prohibited not only from divulging that information but from ever using it to benefit any person, including the Town, in any manner.

D. Use of state property and Ghost employment

42 IAC 1-5-12 prohibits Ms. Schein from using state property for any purpose other than for 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. Likewise, 42 IAC 1-5-13 prohibits Ms. Schein from engaging in, or directing others to engage in, work other than the performance of official duties during working hours, except as permitted by general written agency, departmental, or institutional policy or regulation.

To the extent that Ms. Schein observes these provisions regarding her employment as Town Prosecutor such outside professional activity would not violate these ethics laws.

The Commission finds that Ms. Schein's outside employment as Town Prosecutor would not create a conflict of interests for her under the Code of Ethics.

Commissioner Nugent moved to approve the Commission's findings and Commissioner Yost seconded the motion which passed (4-1).

V. Consideration of Post-Employment Waiver

**For Shawn Williams, Project Supervisor for Fort Wayne District
Presented by Alison Maloof, Chief Legal Counsel
Mark Tidd, Prequalification & Permits Director/Ethics Officer
Indiana Department of Transportation**

Shawn Williams presented his post-employment waiver requesting advice and permission to work for E&B Paving, Inc., a highway construction company, who recently offered him a position as a Sales/Project Manager in Kokomo, Indiana. Mr. Williams has been employed with the Indiana Department of Transportation for almost 17 years, but has been in his current role as a Project Supervisor for the past nine to ten years. Chairman Clevenger questioned Mr. Williams about whether he understood the ethics rules as they related to the business relationship between E&B Paving, Inc. and the State and the particular matter restriction of the post-employment rule.

Mr. Williams explained that E& B Paving, Inc. understood the particular matter restriction and would abide by the ethics rules, as E&B Paving, Inc. did not want to risk losing its highway construction contract with the State, as it is fifty percent of their current business. After the Commission discussed the matter, Commissioner Yost moved to approve the Post-Employment Waiver and Commissioner Jamison seconded the motion which passed (5-0).

VI. Consideration of Agreed Settlement

In the Matter of Amanda Alvey/Case Number 2016-08-0170

Stephanie Mullaney, Compliance Officer/Staff Attorney

Office of Inspector General

Stephanie Mullaney presented a brief review of the case regarding the allegations against Amanda Alvey that brought her before the Commission today. Thereafter, Ms. Mullaney requested that the Commission approve the Agreed Settlement, which fined Ms. Alvey \$2,000.00 for her ethics violations to be paid within thirty days. After the Commission discussed the matter, Commissioner Yost moved to approve the Agreed Settlement and Commissioner Keith seconded the motion which passed (5-0).

VII. Director's Report

Ethics Director, Jennifer Cooper, stated that 53 informal advisory opinions had been requested and issued since the last State Ethics Commission meeting of June 22, 2017.

VIII. Adjournment

Commissioner Yost moved to adjourn the public meeting of the State Ethics Commission and Commissioner Nugent seconded the motion, which passed (5-0).

The public meeting adjourned at 10:39 a.m.



STATE OF INDIANA

ERIC J. HOLCOMB, GOVERNOR

Indiana Department of Insurance

Stephen W. Robertson, Commissioner
311 W. Washington Street, Suite 103
Indianapolis, Indiana 46204-2787

Telephone: 317-232-2385

Fax: 317-232-5251

Website: in.gov/idoi

IC 4-2-6-11

Post-employment waiver

As the Appointing Authority of the Indiana Department of Insurance ("Department"), I am filing this waiver of the application of the Code of Ethics' post-employment restriction as it applies to Tina Korty in her post-employment with Indiana University Health ("IU Health").

I understand that I must file and present this waiver to the State Ethics Commission at their next available meeting. I further understand that this waiver is not final until approved by the State Ethics Commission.

A. This waiver is provided pursuant to IC 4-2-6-11(g) and specifically waives the application of

(Please indicate the specific restriction in 42 IAC 1-5-14 (IC 4-2-6-11) you are waiving):

- IC 4-2-6-11(b)(1): 365 day required "cooling off" period before serving as a lobbyist.
- IC 4-2-6-11(b)(2): 365 day required "cooling off" period before receiving compensation from an employer for whom the state employee or special state appointee was engaged in the negotiation or administration of a contract and was in a position to make a discretionary decision affecting the outcome of such negotiation or administration.
- IC 4-2-6-11(b)(3): 365 day required "cooling off" period before receiving compensation from an employer for which the former state employee or special state appointee made a directly applicable regulatory or licensing decision.
- IC 4-2-6-11(c): Particular matter restriction prohibiting the former state employee or special state appointee from representing or assisting a person in a particular matter involving the state if the former state officer, employee, or special state appointee personally and substantially participated in the matter as a state worker. *(Please provide a brief description of the specific particular matter(s) to which this waiver applies below):*

Based on discussions with Tina's potential employer, there are currently no particular matters that she would be dealing with in her new position. Tina and her potential employer have indicated that they would request a particular matter waiver if such an issue arises.

B. IC 4-2-6-11(g)(2) requires that an agency's appointing authority, when authorizing a waiver of the application of the post-employment restrictions in IC 4-2-6-11(b)-(c), also include

ACCREDITED BY THE NATIONAL ASSOCIATION OF INSURANCE COMMISSIONERS

AGENCY SERVICES
317-232-2413

COMPANY COMPLIANCE
317-232-3495

CONSUMER SERVICES
317-232-2395/1-800-622-4461

FINANCIAL SERVICES
317-232-2390

MEDICAL MALPRACTICE
317-232-2402

COMPANY RECORDS
317-232-5692

STATE HEALTH INSURANCE PROGRAM
1-800-452-4800

specific information supporting such authorization. Please provide the requested information in the following five (5) sections to fulfill this requirement.

1. Please explain whether the employee's prior job duties involved substantial decision-making authority over policies, rules, or contracts:

The former Department employee, Tina Korty, most recently served as General Counsel for the agency, as such, she was a participant in decision making regarding policies and rules impacting IU Health and its subsidiaries. Tina participated in most meetings the Commissioner held with companies such as IU Health. As General Counsel, she gathered information and made recommendations to the Commissioner, who was the ultimate decision maker. For example, as General Counsel, Tina supervised individuals who may have reviewed and made a recommendation to the Commissioner in regards to IU Health Plan NFP's application to become a licensed Health Maintenance Organization ("HMO").

She also oversaw the health care team, who made decisions affecting all health insurers -- including IU Health's subsidiary IU Health Plans and IU Health Plans, NFP -- such as deadlines for annual filings. In particular, Tina helped make a recommendation in August 2016 regarding IU Health no longer offering plans on the Federal Marketplace and if that was a market withdrawal or a product discontinuance -- a decision which impacted whether IU Health was subject to a five year ban in the individual market. Tina, as supervisor of the Chief Actuary, was generally aware of rate requests but she did not substantially participate in health insurance rate requests, which were reviewed by the actuarial team and then discussed by the Chief Actuary and the Commissioner.

Prior to becoming General Counsel, Tina was a staff attorney and then Deputy Commissioner. During this time, she made decisions regarding health care providers who participated in the Indiana Patient's Compensation Fund ("PCF"), an excess medical malpractice fund administered by the Commissioner. From 2002-2012, Tina defended cases against the PCF after health care providers had settled for their underlying portion of the liability. Cases settled by IU Health entities and employees were among the cases Tina handled. In addition, Tina participated in rule promulgation that would affect IU Health, albeit to the same extent as all other health care providers.

The Department does not think there is an issue related to contracts, but out of wanting to provide full information, there is only one contract with IU Health Risk Retention Group ("IUHRRG"), a subsidiary of IU Health. Tina was involved in reviewing responses to the RFP in 2012, which ultimately resulted in awarding IUHRRG the contract with the Department to administer the Indiana Residual Malpractice Insurance Authority ("IRMIA"). That contract has expired. In 2016, a second and separate contract was executed, which currently exists with IUHRRG to administer IRMIA; however, Doug Webber, Chief of Staff, oversaw the execution of the 2016 contract and Tina was not involved in that process. IUHRRG is a subsidiary of IU Health and Tina will not be involved with that subsidiary entity.

2. Please describe the nature of the duties to be performed by the employee for the prospective employer:

Tina, as an Associate General Counsel, would work for IU Health's legal team working on health insurance matters and primarily serving their health insurance plans. She would provide legal services.

3. Please explain whether the prospective employment is likely to involve substantial contact with the employee's former agency and the extent to which any such contact is likely to involve matters where the agency has the discretion to make decisions based on the work product of the employee:

Tina would likely be in frequent contact with the Department. IU Health's health plans only serve the state of Indiana; therefore, most of its regulatory contacts involve the Department. However, Tina has not been involved in health insurance decision-making since February, when an ethical screen was placed prior to Tina's May departure from the Department. Given the rapidly-changing nature of the health insurance marketplace, it is unlikely that any future contracts would involve decisions based on her previous work product as a Department employee. Based on discussions with IU Health and Tina, all parties are aware of Tina's former duties at the IDOI. These former duties may concern issues at a granular level with respect to individual health care insurance issues, but are within the scope of the general application of matters and policy affecting all regulated health care entities.

4. Please explain whether the prospective employment may be beneficial to the state or the public, specifically stating how the intended employment is consistent with the public interest:

The Department, State, and public benefit by having a former employee with great knowledge of the rules and regulations impacting insurance and a strong sense of ethics working for a regulated entity. This former employee worked at the Department for fifteen years as a regulator and can bring even greater compliance to IU Health, and the industry as a whole, which benefits Indiana consumers purchasing insurance.

Furthermore, the State will not be able to attract and retain talented employees if long-term employees are not allowed to take the knowledge they built in service to the State and apply it elsewhere.

5. Please explain the extent of economic hardship to the employee if the request for a waiver is denied:

Tina has a conditional employment offer from IU Health. Inability to accept the offer would deny her family of substantial income. Furthermore, given the broad scope of the

Department and Tina's roles within it, it would be difficult for her to find suitable employment within her area of expertise that would not necessitate a waiver request.

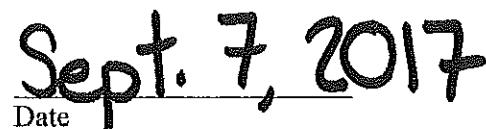
C. Signatures

1. Appointing authority/state officer of agency

By signing below I authorize the waiver of the above-specified post-employment restrictions pursuant to IC 4-2-6-11(g)(1)(A). In addition, I acknowledge that this waiver is limited to an employee or special state appointee who obtains the waiver before engaging in the conduct that would give rise to a violation.



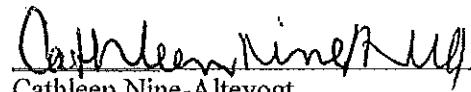
Stephen W. Robertson, Commissioner



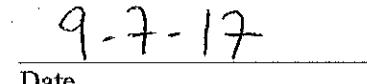
Date

2. Ethics Officer of agency

By signing below I attest to the form of this waiver of the above-specified post-employment restrictions pursuant to IC 4-2-6-11(g)(1)(B).



Cathleen Nine-Altevogt



Date

D. Approval by State Ethics Commission

FOR OFFICE USE ONLY

Approved by State Ethics Commission

James Clevenger, Chair, State Ethics Commission

Date

STATE OF INDIANA) INDIANA STATE ETHICS COMMISSION
)
)SS: COUNTY OF MARION) CASE: 2016-08-0170

IN RE THE MATTER OF AMANDA ALVEY,
Respondent

REPORT OF THE INDIANA STATE ETHICS COMMISSION

Comes now the Ethics Commission for the State of Indiana (“Commission”), and hereby reports its findings of fact, conclusions of law, and sanctions in the above captioned matter.

FINDINGS OF FACT

1. The Respondent and the Inspector General entered into an Agreed Settlement (“Agreement”) which was accepted by the Commission during their August 10, 2017 meeting.
2. Pursuant to the Agreement, the Respondent, a former employee of the Indiana Family and Social Services Administration, admitted that she violated IC 4-2-6-11(b)(2), the ethics rule pertaining to the cooling off provision of the post-employment rule.
3. Pursuant to the Agreement, the Respondent admitted that she violated IC 4-2-6-11(c), the ethics rule pertaining to the particular matter restriction of the post-employment rule.

CONCLUSIONS OF LAW

Said conduct, admitted and acknowledged by Respondent, constitutes a violation of IC 4-2-6-11(b)(2) and a violation of IC 4-2-6-11(c).

SANCTIONS

The Commission sanctions the Respondent a fine in the amount of Two Thousand Dollars (\$2000.00) to be paid to the “Indiana State Ethics Commission” within sixty (30) days of from the date the Commission accepted the agreement.

Approved on September 14, 2017.

James N. Clevenger, Chairperson

Priscilla D. Keith

Robert Jamison

Daryl R. Yost

Peter D. Nugent

STATE OF INDIANA) INDIANA STATE ETHICS COMMISSION
)
)SS:
COUNTY OF MARION) CASE NO: 2016-06-0124

IN RE THE MATTER OF LEANN WALTON

FINAL REPORT OF THE INDIANA STATE ETHICS COMMISSION

This matter came before the State Ethics Commission (“Commission”) on August 10, 2017, for a public hearing. The Indiana Office of Inspector General (“OIG”) appeared by Staff Attorney Stephanie Mullaney. Respondent, Leann Walton, appeared in person and by counsel, Steven Fulk.

Prior to the commencement of the hearing, the parties stipulated that that Lisa Hunt is Respondent’s sister; Patricia Burdine is Respondent’s aunt, and Ashley Walton is Respondent’s stepdaughter. Respondent moved that the Commission dismiss the charges brought against Respondent for failure to state a legal claim upon which relief can be granted (Rule 12(b)(6) Motion to Dismiss).

Following the hearing, the Commission took the matter under advisement. Having had the matter under advisement and based upon the evidence presented at the August 10, 2017 hearing, the Commission hereby makes and reports its findings of fact and conclusions of law.

FINDINGS OF FACT

1. The Indiana Department of Homeland Security (IDHS) is an executive branch agency pursuant to Ind. Code § 4-2-7-1(1).
2. Respondent is a former employee of IDHS. Respondent worked at IDHS as the Chief Financial Officer (CFO) and managed the IDHS Office of Administration and Finance from August 6, 2012 until August 8, 2016.

3. As the CFO of the IDHS Office of Administration and Finance, Respondent was the highest level employee within that Office. *See Exhibit #14.*
4. Stephanie McClure (McClure), Manager of Talent Services for Knowledge Services, testified that the State of Indiana has a contract with KHI Solutions, Inc./Knowledge Services (hereinafter referred to as “Knowledge Services”) for temporary clerical staff.
5. McClure testified that Knowledge Services’ contract enables state agencies to select candidates for temporary open positions within the agency by either (1) selecting from candidates who applied to a job posting that the agency provided to Knowledge Services; or (2) pre-selecting a candidate themselves and sending the candidate’s information to Knowledge Services.
6. According to McClure’s testimony, state agencies may send over information about pre-selected candidates by using a specific form or by including the necessary information about the selected candidate in an email to a contact at Knowledge Services. In either process, the state agency selects an individual to hire for open positions within the agency. These selected individuals become employees of Knowledge Services, and the individuals are assigned to work at the state agency under the direction of state agency managers.
7. McClure testified that IDHS utilized the state contract with Knowledge Services to fill various openings within the agency, including openings within Respondent’s Office and that Respondent was a hiring manager whom she worked with to fill these positions.
8. In March 2016, IDHS had a vacancy in the receptionist position in the Office of Administration and Finance.

9. In emails exchanged between McClure and Respondent on March 22-23, 2016, Respondent forwarded Patricia Burdine's information as a pre-selected candidate for the receptionist position to Knowledge Services, selected her pay rate, and approved the hire at the selected pay rate. *See Exhibit 1.*
10. Kimberly Snyder (Snyder), Grants Manager in the Office of Administration and Finance, testified that she was Burdine's direct supervisor at the time of her hire.
11. Snyder further testified that her direct supervisor was Beth Hampshire (Hampshire), the Controller in the Office of Administration and Finance, and that Hampshire's direct supervisor was Respondent.
12. On April 18, 2016, Respondent emailed McClure to notify her of a pre-selected candidate, Lisa Hunt (Hunt), for an open procurement position in the Office of Administration and Finance, writing: "We received the notice that Reggie will be leaving us on Friday, April 22. We have found a replacement for him and her name is Lisa Hunt [contact information redacted]. The amount of pay will be \$15.43 per hour, and the billable rate should be the same as we have now." *See Exhibit 3.*
13. On Tuesday, April 26, 2016, McClure sent Hunt an email containing additional information about Hunt's first day at IDHS. In this email, McClure wrote: "This email is to confirm that your start date as a KHI Solutions Inc. employee working at State of Indiana is 5/2/2016. Please report at 8am, you will work 8-4:30pm. You will report to the Indiana Government Center South, Room E208, ask for Leann Walton. . ." *See Exhibit 4.*

14. Amanda McAllister (McAllister), testified that she worked in the Finance section of the Office of Administration and Finance, in the Spring of 2016 and was Hunt's direct supervisor.

15. McAllister testified that her direct supervisor was Hampshire, and Hampshire's direct supervisor was Respondent.

16. On May 17, 2016, at 11:15 a.m., Respondent emailed McClure and another Knowledge Services employee to notify them of Ashley Walton's selection for an administrative position within IDHS' Office of the State Fire Marshall, stating: ". . . We had posted an admin position for Dean Illingworth . . . I believe it was a clerical assistant. We have selected someone to fill that spot outside of the posting. Can you please contact Ashley Walton, [contact information redacted]. Her pay rate should be \$11.00 per hour, and she will work M-F 8:00-4:30, no overtime and her supervisor will be Dean Illingworth. . . ."

See Exhibit 6.

17. Respondent sent another email to McClure and another Knowledge Services employee on May 17, 2016, at 1:23 p.m., writing: "I'm sorry I think we have an issue that I need to resolve. Dean never communicated back through me that he had selected a temp resource. . . . For Ashley Walton, they still need her, her duties have change [sic] and she will be reporting to Dave Smith. She will be an admin, please pay her \$12.00 per hour So sorry! In the future when we have a posting and the manager tries to fill the temp position, please refer them back to me so we can ensure we have everything necessary on our end for bringing them on." *See Exhibit 6.*

18. McClure responded to Respondent via email later that day, requesting additional information about Ashley's job title and requesting approval for the bill rate needed to pay Ashley's \$12.00 per hour salary; Respondent replied to McClure that same day, stating: "Approved." *See Exhibit 6.*
19. On May 26, 2016, Respondent emailed McClure asking McClure to set up IDHS employee Dave Smith's account to approve Ashley's time in the Knowledge Services time reporting portal, noting "I can show him how to approve on Tuesday." *See Exhibit 8.*
20. On June 18, 2016, at 4:27 p.m., Respondent emailed McClure at Knowledge Services, copying Brandon Wood (Wood), Hampshire, and Snyder (from IDHS), writing: "Effective Monday, June 20, 2016, Lisa Hint [sic] will transfer to the supervision of Brandon Wood in the Training Division. No change in salary is required at this time." *See Exhibit 5.*
21. On June 22, 2016, Respondent emailed various IDHS staff a copy of an excel spreadsheet, which detailed the various individuals selected by IDHS through Knowledge Services. The attached spreadsheet includes the individuals' names, the POs used to pay those individuals, and the individuals' program manager. The attached spreadsheet lists Snyder as Burdine's program manager, Dave Smith as Walton's program manager, and Respondent as Hunt's program manager. *See Exhibit 10.*
22. On June 23, 2017, Jonathan Whitham (Whitham), IDHS General Counsel, and Ethics Officer at the time, sent an email to the OIG and stated that a division director at IDHS had a relative working in her direct line of supervision. He explained that IDHS had

resolved the issue by moving the relative to another division and by speaking to the division director about it. *See Exhibit 15.*

23. Whitham testified that he sent this email to the OIG after learning that Hunt was working in Respondent's Office prior to Hunt's transfer to Wood's division.

24. Whitham testified that he and the IDHS Director had explained to Respondent that Hunt could not be in Respondent's direct line of supervision.

25. Whitham testified that when and the IDHS Director expressed their concerns with Hunt working in Respondent's Office, Respondent did not notify them that her aunt, Burdine, was working as a receptionist in Respondent's Office.

26. On July 21, 2016, Respondent received a text message from Hampshire regarding Burdine. In this text message, Hampshire wrote: "Fyi Jonathan [Whitham] cane [sic] and asked me if I knew if Pat [Burdine] was related to you. Apparently he and the director have heard the rumors. I gave pat [Burdine] a heads up and wanted to let you know too."

See Exhibit 11.

27. Respondent replied to Hampshire via text message, stating: "I'm not sure what the hell. If she has told people that then she should be let go. I can't have her there. I'm done trying to find people to sit at a job that no one wants. So tell her or let the temp agency tell her she doesn't have a job anymore. She sent a resume, I gave it to Kim [Snyder]. Kim [Snyder] selected her and I had nothing to do with that one. So I can't help her, she's done." *See Exhibit 11.*

28. Hampshire and Respondent also exchanged emails about Whitham's questions about Burdine on July 21, 2016. In those emails, Respondent further wrote that she did not say

anything about Burdine working in Respondent's division because Respondent did not consider Burdine her aunt and that Burdine is "nothing more than a family friend." *See Exhibit 12.*

29. On July 25, 2016, Whitham emailed the OIG again about nepotism issues at IDHS, clarifying that the situation involved the Respondent and that in addition to the previous relative he had contacted the OIG about, Respondent hired her aunt to work in her Office. *See Exhibit 16.*

30. In this July 25, 2016 email, Whitham described the conversations he had with other IDHS employees and with Burdine herself about Burdine's relationship to Respondent. *See Exhibit 16.*

31. IDHS terminated Respondent on August 8, 2016.

32. The OIG filed a complaint against Respondent on October 13, 2016, alleging that Respondent violated Ind. Code § 4-2-6-16(c) when she hired her aunt, sister, and stepdaughter into various positions at IDHS and that Respondent violated Ind. Code § 4-2-6-16(f) when her aunt and sister were placed in Respondent's direct line of supervision.

33. The State Ethics Commission found probable cause on this complaint on October 13, 2016.

CONCLUSIONS OF LAW

1. Respondent's motion to dismiss for failure to state a claim upon which relief can be granted is denied.

2. Petitioner's complaint must be proven by a preponderance of the evidence pursuant to Ind. Code § 4-2-6-4(b)(2)(H) and (I).
3. Ind. Code § 4-2-6-16(c) states that: "An individual employed in an agency may not hire a relative."
4. Ind. Code § 4-2-6-16(f) states that: ". . . an individual may not be placed in a relative's direct line of supervision."
5. Ind. Code § 4-2-6-1(a)(16) defines "relative" to include: a child or stepchild; a brother, sister, stepbrother, or stepsister; and an aunt or uncle.
6. "Direct line of supervision" is defined in Ind. Code § 4-2-6-1(a)(8) as "the chain of command in which the superior affects, or has the authority to affect, the terms and conditions of the subordinate's employment, including making decisions about work assignments, compensation, grievances, advancements, or performance evaluation."
7. Ind. Code § 4-2-6-16 applies to a state employee when the state employee hires a relative as a temporary contract employee through Knowledge Services or when a temporary contract employee is placed in a relative state employee's direct line of supervision.
8. Based on the preponderance of the evidence, the Commission finds and concludes that Respondent violated Ind. Code § 4-2-6-16(c) when Respondent hired her aunt, Patricia Burdine; her sister, Lisa Hunt; and her stepdaughter, Ashley Walton; to work in various employment assignments at IDHS.
9. The Commission further finds and concludes that Petitioner did prove by a preponderance of the evidence that Respondent violated Ind. Code § 4-2-6-16(f) when Respondent's aunt, Patricia Burdine; and Respondent's sister, Lisa Hunt, were placed in Respondent's direct line of supervision within the Office of Administration and Finance.

SANCTIONS

1. Upon finding a violation of Ind. Code § 4-2-6, the Commission may bar a person from future state employment.
2. The Commission hereby bars the Respondent from future employment with the State of Indiana.

Approved on September 14, 2017.

James N. Clevenger, Chairperson

Priscilla D. Keith

Robert Jamison

Daryl R. Yost

Peter D. Nugent

From: Walton, Leann <LWalton@dhs.IN.gov>
Sent: Wednesday, March 23, 2016 3:31 PM
To: Stephanie McClure
Cc: Hampshire, Beth (DHS); Snyder, Kimberly L
Subject: RE: KS PO's

Great thank you! Yes approved.

From: Stephanie McClure [mailto:stephaniem@knowledgeservices.com]
Sent: Wednesday, March 23, 2016 3:20 PM
To: Walton, Leann
Cc: Hampshire, Beth (DHS) ; Snyder, Kimberly L
Subject: RE: KS PO's

***** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. *****

I am going to be reaching out to Patricia this afternoon to get her started with the process. With a pay rate of \$12.00/hour, the bill rate would be \$15.09/hour. Please let me know if these rates are approved.

Once we have approval on the rates, I will then reach out to get her started with everything.

Thank You,

Stephanie McClure
Team Lead – Talent Services
KHI Solutions, Inc.
5875 Castle Creek Parkway N. Dr., Suite 425 | Indianapolis, IN 46250
Direct: 317.806.6164 | Fax: 1.855.364.4941
stephaniem@khisolutionsinc.com
www.khisolutionsinc.com



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LLS Mission: Cure leukemia, lymphoma, Hodgkin's disease and myeloma, and improve the quality of life of patients and their families.

From: Walton, Leann [mailto:LWalton@dhs.IN.gov]
Sent: Tuesday, March 22, 2016 5:56 PM
To: Stephanie McClure <stephaniem@knowledgeservices.com>

Cc: Hampshire, Beth (DHS) <BHampshire@dhs.IN.gov>; Snyder, Kimberly L <KISnyder@dhs.IN.gov>
Subject: Re: KS PO's

Stephanie,

Cody's should start the day we switched Riley into his PO. I believe that was last Monday.

Chris and Taylor can start immediately. Their hours will be 8-4:30. I believe Taylor will report to Kim Snyder and Chris will report to Karrie Cashdollar.

As for Patricia, if we move it to \$12.00 per hour what is the billable rate? Let's go with that and see if we can proceed.

Receptionist

Start date as soon as possible

Hours will be 37.5 per week, estimated to last through December. Hours 8-4:30

Approved is Kim Snyder

Should not have OT

Thank you for all of your help!

Sent from my iPhone

On Mar 22, 2016, at 5:23 PM, Stephanie McClure <stephanjem@knowledgeservices.com> wrote:

***** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. *****

Hi Leann,

Thank you for sending these POs over. When should Cody Keith's time start to be applied to this new PO?

Also please provide a start date for Chris and Taylor and what special instructions (where to report, what time to report, who to ask for, etc...) that you would like for me to pass along to them for their first days.

For Patricia Burdine, with a pay rate of \$11.50/hour, the bill rate would be \$14.49/hour since you pre-selected her. Please let me know if these are approved and what the details are for her position. I will need the below details to start the onboarding process with her:

- job title
- estimated start date,
- will this position last longer than 13 weeks and will she be working 30+ hours per week
- who is the time approver?
- Will she be working any overtime?

Thank You,

Stephanie McClure
Team Lead – Talent Services
KHI Solutions, Inc.
5875 Castle Creek Parkway N. Dr., Suite 425 | Indianapolis, IN 46250

Direct: 317.806.6164 | Fax: 1.855.364.4941
stephaniem@khisolutionsinc.com
www.khisolutionsinc.com

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From: Walton, Leann [<mailto:LWalton@dhs.IN.gov>]
Sent: Tuesday, March 22, 2016 3:28 PM
To: Stephanie McClure <stephaniem@knowledgeservices.com>
Cc: Hampshire, Beth (DHS) <BHampshire@dhs.IN.gov>; Snyder, Kimberly L <KSnyder@dhs.IN.gov>
Subject: FW: KS PO's

Stephanie,

Attached are the PO's for Cody Keith, Chris Gibson, and we will be adding a line for Tayler Workman to this PO today. Next Pam created the PO for a Clerical Asst to use for the receptionist. I'd like to increase this position to ensure that the person we are going to send to you for it has a bring home of \$11.50 per hour. I'm not sure what the billable rate would be can you advise?

If that means we need to bump this to an Administrative Assistant 5 position then let's do that.

Her name is Patricia Burdine, her email is pjburdine@tds.net, and phone is 765-376-0246. Please contact her and get her registered and the background check completed so she can start as soon as she can. I know she needs to turn in a two-week notice.

Thank you for all of your help!

Leann

From: Johnson, Pam
Sent: Tuesday, March 22, 2016 3:08 PM
To: Walton, Leann <LWalton@dhs.IN.gov>
Subject: KS PO's

I think this is all of them.....

Thank You!

Pam Johnson
IN Dept. of Homeland Security
302 W. Washington St., Rm. E208
Indianapolis, IN 46204
(O) 317/234-5192

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From: Walton, Leann <LWalton@dhs.IN.gov>
Sent: Tuesday, July 19, 2016 1:57 PM
To: Stephanie McClure
Subject: Re: Patricia Burdine

She will be the AR accountant. I'm sorry but I'm not in town. I can send you a job description when I return Monday.

Sent from my iPhone

> On Jul 19, 2016, at 12:57 PM, Stephanie McClure <stephaniem@knowledgeservices.com> wrote:

>

> **** This is an EXTERNAL email. Exercise caution. DO NOT open
> attachments or click links from unknown senders or unexpected email.

> ****

>

> Leann,

>

> Will she be getting a new job title? If so, what is it?

>

> Thank You,

>

> Stephanie McClure

Team Lead - Talent Services

> KHI Solutions, Inc.

> 5875 Castle Creek Parkway N. Dr., Suite 425 | Indianapolis, IN 46250

> Direct: 317.806.6164 | Fax: 1.855.364.4941

> stephaniem@khisolutionsinc.com www.khisolutionsinc.com

>

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>

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and their families.

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> ----Original Message-----

> From: Walton, Leann [mailto:LWalton@dhs.IN.gov]

> Sent: Tuesday, July 19, 2016 12:47 PM

> To: Stephanie McClure <stephaniem@knowledgeservices.com>

> Subject: Re: Patricia Burdine

>

> That's correct!

>

> Sent from my iPhone

>
>> On Jul 19, 2016, at 11:10 AM, Stephanie McClure <stephaniem@knowledgeservices.com> wrote:
>>
>> **** This is an EXTERNAL email. Exercise caution. DO NOT open
>> attachments or click links from unknown senders or unexpected email.
>> ****
>>
>> Hi Leann,
>>
>> I hadn't heard back on this so wanted to follow up on it again. Please see my email below.
>>
>> Thank You,
>>
>> Stephanie McClure
>> Team Lead - Talent Services
>> KHI Solutions, Inc.
>> 5875 Castle Creek Parkway N. Dr., Suite 425 | Indianapolis, IN 46250
>> Direct: 317.806.6164 | Fax: 1.855.364.4941
>> stephaniem@khisolutionsinc.com www.khisolutionsinc.com
>>
>>
>>
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>> and their families.
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>> -----Original Message-----
>> From: Stephanie McClure
>> Sent: Friday, July 15, 2016 4:53 PM
>> To: 'Walton, Leann' <LWalton@dhs.IN.gov>
>> Subject: RE: Patricia Burdine
>>
>> Hi Leann,
>>
>> I wanted to follow up with my email below. What will her new job title be and would you be able to send over a Job
description? We will update her rates to be a pay rate of \$15.43/hour and a bill rate of \$19.24/hour.
>>
>> If you want, we can make this effective on Monday, July 18th once all the details are confirmed.
>>
>> Thank You,
>>
>> Stephanie McClure
>> Team Lead - Talent Services
>> KHI Solutions, Inc.
>> 5875 Castle Creek Parkway N. Dr., Suite 425 | Indianapolis, IN 46250
>> Direct: 317.806.6164 | Fax: 1.855.364.4941
>> stephaniem@khisolutionsinc.com www.khisolutionsinc.com

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>>
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and their families.
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>> -----Original Message-----
>> From: Stephanie McClure
>> Sent: Thursday, July 14, 2016 7:57 AM
>> To: 'Walton, Leann' <LWalton@dhs.IN.gov>
>> Subject: RE: Patricia Burdine
>>
>> Hi Leann,
>>
>> Thank you for letting me know. What will her new job title be and would you be able to send over a job description?
We will update her rates to be a pay rate of \$15.43/hour and a bill rate of \$19.24/hour.
>>
>> We will notify her to submit her hours for Monday and Tuesday at the lower rate and then will change the rates and
have her submit her time for the rest of the week.
>>
> Thank You,
>>
>> Stephanie McClure
>> Team Lead - Talent Services
>> KHI Solutions, Inc.
>> 5875 Castle Creek Parkway N. Dr., Suite 425 | Indianapolis, IN 46250
>> Direct: 317.806.6164 | Fax: 1.855.364.4941
>> stephaniem@khisolutionsinc.com www.khisolutionsinc.com
>>
>>
>>
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>> LLS Mission: Cure leukemia, lymphoma, Hodgkin's disease and myeloma, and improve the quality of life of patients
and their families.
>>
>>
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>>
>> -----Original Message-----
>> From: Walton, Leann [mailto:LWalton@dhs.IN.gov]
>> Sent: Wednesday, July 13, 2016 6:52 PM
>> To: Stephanie McClure <stephaniem@knowledgeservices.com>
>> Subject: Patricia Burdine
>
>> Stephanie,
>>

>> We are going to move Pat into another position that is higher pay. Her PO will remain the same, we just plan to change her duties and ask that you pay her the \$15.43 with the billable of \$19.24. We want to make it effective immediately. So today would be perfect.

>>

>> Thank you,

>> Leann

>>

>> Sent from my iPhone

>>

>>

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>

From: Walton, Leann <LWalton@dhs.IN.gov>
Sent: Tuesday, April 19, 2016 11:38 AM
To: Stephanie McClure
Cc: Angie Young
Subject: Re: Grant Coordinator 3 - Reggie Baumgardner

Stephanie,

She will work 37.5 hours per week and it will last through December maybe longer. This will depend on the allow ability of us to hire full time. If she is successful then we would look at bringing her on permanent.

Thank you,
Leann

Sent from my iPhone

On Apr 19, 2016, at 10:24 AM, Stephanie McClure <stephaniem@knowledgeservices.com> wrote:

***** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. *****

Thank you for letting us know. We will close everything out for Reggie after his last day on Friday, April 22nd.

I will reach out to Lisa this afternoon. We will have her at a pay rate of \$15.43/hour and a bill rate of \$19.24/hour. Will she be working 30+ hours per week and will the assignment be expected to last longer than 13 weeks?

Thank You,
Stephanie McClure
Team Lead – Talent Services
KHI Solutions, Inc.

5875 Castle Creek Parkway N. Dr., Suite 425 | Indianapolis, IN 46250

Direct: 317.806.6164 | Fax: 1.855.364.4941

stephaniem@khisolutionsinc.com

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From: Walton, Leann [mailto:LWalton@dhs.IN.gov]
Sent: Monday, April 18, 2016 3:05 PM
To: Stephanie McClure <stephaniem@knowledgeservices.com>; Angie Young <angiey@knowledgeservices.com>
Subject: Grant Coordinator 3 - Reggie Baumgardner
Stephanie and Angie,

We received the notice that Reggie will be leaving us on Friday, April 22. We have found a replacement

for him and her name is Lisa Hunt, her phone number is 317-400-4423, her email is

mamawarbucks22@aol.com.

The amount of pay will be \$15.43 per hour, and the billable rate should be the same as we have now.

Please let me know if you need any additional information.

Thank you!

Leann Walton

Chief Financial Officer

Indiana Department of Homeland Security

Fiscal Division

Tel: 317-234-7008

Cell: 317-376-2458

Fax: 317-233-0401

lwalton@dhs.in.gov

www.in.gov/dhs

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From: Lisa Hunt <knowledgeservices+email+2fp8-ad271041e6@agents.icims.com>
Sent: Tuesday, April 26, 2016 6:06 PM
To: Stephanie McClure
Subject: Re: State of Indiana DHS Start Date for Lisa Hunt

Thank you for all of your help as well as the information.

Sincerely,

Lisa Hunt
Mamawarbucks22@aol.com
(317) 400-4423

On Tuesday, April 26, 2016, Stephanie McClure <knowledgeservices+email+2fnq-725c7cf361@agents.icims.com> wrote:

Hello Lisa,
This email is to confirm that your start date as a KHI Solutions Inc employee working at State of Indiana is 5/2/2016. Please report at 8am; you will work 8-4:30pm. You will report to the Indiana Government Center, South, Room E208, ask for LeAnn Walton. You can park in the South parking garage on West and Missouri; you will enter on the East side of the building public entrance on your first day. Also be sure to bring \$10 cash or check for your badge that you will get on your first day.

If you have any questions, Chelsea Joyner, your Employee Relations Point of Contact, will be happy to assist. You will receive an email from her in the next 1-3 days with instructions for time entry, orientation options, and more information about your Point of Contact while on assignment.

Chelsea Joyner
Employee Relations Point of Contact
chelseaj@KHSolutionsinc.com

317-806-0012
It was a pleasure working with you.

Stephanie McClure
KHI Solutions Inc.
5875 Castle Creek Parkway Suite 425
Indianapolis, IN 46250
stephaniem@khisolutionsinc.com
317.806.6164
Fax: 855-364-4941

From: Walton, Leann <LWalton@dhs.IN.gov>
Sent: Saturday, June 18, 2016 4:27 PM
To: Stephanie McClure
Cc: Wood, Brandon; Hampshire, Beth (DHS); Snyder, Kimberly L.
Subject: Lisa Hunt

Stephanie,

Effective Monday, June 20, 2016, Lisa Hint will transfer to the supervision of Brandon Wood in the Training Division.

No change in salary is required at this time.

Thank you,
Leann

Sent from my iPhone



From: Walton, Leann
Sent: Tuesday, May 17, 2016 5:13 PM
To: Stephanie McClure
Cc: Angie Young
Subject: Re: Candidate Selection

Yes please.

Sent from my iPhone

On May 17, 2016, at 4:49 PM, Stephanie McClure <stephaniem@knowledgeservices.com> wrote:

**** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ****

Thanks! Should her job title just be Clerical Assistant?

Thank You,

Stephanie McClure
Team Lead – Talent Services
KHI Solutions, Inc.
5875 Castle Creek Parkway N. Dr., Suite 425 | Indianapolis, IN 46250
Direct: 317.806.6164 | Fax: 1.855.364.4941
stephaniem@khisolutionsinc.com
www.khislutionsinc.com

<image001.png>
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LLS Mission: Cure leukemia, lymphoma, Hodgkin's disease and myeloma, and improve the quality of life of patients and their families.

From: Walton, Leann [mailto:LWalton@dhs.IN.gov]
Sent: Tuesday, May 17, 2016 4:48 PM
To: Stephanie McClure <stephaniem@knowledgeservices.com>; Angie Young <angley@knowledgeservices.com>
Subject: RE: Candidate Selection

Approved.

Thank you!
Leann

From: Stephanie McClure [mailto:stephaniem@knowledgeservices.com]
Sent: Tuesday, May 17, 2016 4:13 PM
To: Walton, Leann <LWalton@dhs.IN.gov>; Angie Young <angley@knowledgeservices.com>
Subject: RE: Candidate Selection

**** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ****

Thank you Leann, I will get Ashley started with the process. What will her job title be for this position? With a pay rate of \$12.00/hour, the bill rate will be \$15.09/hour. Please let me know if these rates are approved.

Once I have this information, I will get her started with the onboarding process.

Thank You,

Stephanie McClure
Team Lead – Talent Services
KHI Solutions, Inc.
5875 Castle Creek Parkway N. Dr., Suite 425 | Indianapolis, IN 46250
Direct: 317.806.6164 | Fax: 1.855.364.4941
stephaniem@khisolutionsinc.com
www.khisolutionsinc.com

<image001.png>

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LLS Mission: Cure leukemia, lymphoma, Hodgkin's disease and myeloma, and improve the quality of life of patients and their families.

From: Walton, Leann [mailto:LWalton@dhs.IN.gov]
Sent: Tuesday, May 17, 2016 1:23 PM
To: Angie Young <angley@knowledgeservices.com>; Stephanie McClure <stephaniem@knowledgeservices.com>
Subject: FW: Candidate Selection

I'm sorry I think we have an issue that I need to resolve. Dean never communicated back through me that he had selected a temp resource. I believe he states they are starting tomorrow.

Please continue with the fill of the posting for Kaitlyn Armour.

For Ashley Walton, they still need her, her duties have change and she will be reporting to Dave Smith. She will be an admin, please pay her \$12.00 per hour and she will be working completing administrative functions for fire works and plan review. She will process permit applications, answer phones, and complete spreadsheets as required.

Nothing else changes.

So sorry! In the future when we have a posting and the manager tries to fill the temp position, please refer them back to me so we can ensure we have everything necessary on our end for bringing them on.

Thank you!
Leann

From: Walton, Leann
Sent: Tuesday, May 17, 2016 11:15 AM
To: Angie Young <angley@knowledgeservices.com>; 'Stephanie McClure'
<stephaniem@knowledgeservices.com>
Cc: Cleveland, Cindy <ccleveland@dhs.IN.gov>; Greeson, James <JGreeson@dhs.IN.gov>; Johnson,
Robert <RJohnson@dhs.IN.gov>
Subject: Candidate Selection

Angie,

I have one for you, for the interviews conducted yesterday, the Fire Marshall has selected Kaitlyn Armour, posting 40269. Please coordinate her start date.

This position will report directly to Robert Johnson, it will not be OT eligible. The hours will be M-F 8:00-4:30, I believe you have everything else.

Stephanie,

We had posted an admin position for Dean Illingworth through Angie, I believe it was a clerical assistant. We have selected someone to fill that spot outside of the posting. Can you please contact Ashley Walton, phone number 317-519-5593, and her email is ashleymw02@gmail.com.

Her pay rate should be \$11.00 per hour, and she will work M-F 8:00-4:30, no overtime and her supervisor will be Dean Illingworth. If you need anything else please advise.

Thank you,

Leann Walton
Chief Financial Officer
Indiana Department of Homeland Security
Fiscal Division
Tel: 317-234-7008
Cell: 317-376-2458
Fax: 317-233-0401
lwalton@dhs.in.gov
www.in.gov/dhs

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From: Walton, Leann <LWalton@dhs.IN.gov>
Sent: Friday, May 20, 2016 4:01 PM
To: Stephanie McClure
Subject: RE: Message from "RNP0026734A444B"

Yes please, and we will get her started!

Thank you!
Leann

-----Original Message-----

From: Stephanie McClure [mailto:stephaniem@knowledgeservices.com]
Sent: Friday, May 20, 2016 3:56 PM
To: Walton, Leann <LWalton@dhs.IN.gov>
Subject: RE: Message from "RNP0026734A444B"

***** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. *****

Hi Leann,

Ashley Walton can start on Monday, she will be there at 8am. Can I have her go to the guest entrance of the parking garage and have her let them know it is her first day?

Thank You,

Stephanie McClure
Team Lead - Talent Services
KHI Solutions, Inc.
5875 Castle Creek Parkway N. Dr., Suite 425 | Indianapolis, IN 46250
Direct: 317.806.6164 | Fax: 1.855.364.4941 stephaniem@khisolutionsinc.com www.khisolutionsinc.com

Knowledge Services proudly supports The Leukemia & Lymphoma Society, click here to learn more! LLS Mission: Cure leukemia, lymphoma, Hodgkin's disease and myeloma, and improve the quality of life of patients and their families.

-----Original Message-----

From: Walton, Leann [mailto:LWalton@dhs.IN.gov]
Sent: Friday, May 20, 2016 1:19 PM
To: Stephanie McClure <stephaniem@knowledgeservices.com>
Subject: RE: Message from "RNP0026734A444B"

Pam is working on this now you should have it today. If she can start on Monday that would be great, if she can't I will need to get back with you.

He will report to Dave Smith at 8:00 - 4:30 and will report to E241.

Thanks!

Leann

-----Original Message-----

From: Stephanie McClure [mailto:stephaniem@knowledgeservices.com]
Sent: Friday, May 20, 2016 1:09 PM
To: Walton, Leann <LWalton@dhs.IN.gov>
Subject: RE: Message from "RNP0026734A444B"

**** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ****

Hi Leann,

We have everything back from Ashley Walton, we just need the PO before we are able to finalize her start date. Please let me know where we are at with the PO when you get a chance.

Thank You,

Stephanie McClure
Team Lead - Talent Services
KHI Solutions, Inc.
5875 Castle Creek Parkway N. Dr., Suite 425 | Indianapolis, IN 46250
Direct: 317.806.6164 | Fax: 1.855.364.4941 stephaniem@khisolutionsinc.com www.khisolutionsinc.com

Knowledge Services proudly supports The Leukemia & Lymphoma Society, click [here](#) to learn more!
LLS Mission: Cure leukemia, lymphoma, Hodgkin's disease and myeloma, and improve the quality of life of patients and their families.

-----Original Message-----

From: Walton, Leann [mailto:LWalton@dhs.IN.gov]
Sent: Thursday, May 19, 2016 7:52 AM
To: Stephanie McClure <stephaniem@knowledgeservices.com>
Subject: FW: Message from "RNP0026734A444B"

For Ashley Walton

-----Original Message-----

From: mail@dhs.in.gov [mailto:mail@dhs.in.gov]

Sent: Thursday, May 19, 2016 7:12 AM
To: Walton, Leann <LWalton@dhs.IN.gov>
Subject: Message from "RNP0026734A444B"

This E-mail was sent from "RNP0026734A444B" (Aficio MP 6002).

Scan Date: 05.19.2016 07:11:45 (-0400)

Queries to: mail@dhs.in.gov

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From: Walton, Leann <LWalton@dhs.IN.gov>
Sent: Thursday, May 26, 2016 8:44 AM
To: Stephanie McClure
Cc: Smith, David L. (DHS)
Subject: Access to Dot Staff

Stephanie,

Can you please ensure that Dave Smith has an account with DOT staff? He will need that to approve time for Ashley Walton. If you could communicate with him on his user id, etc. I can show him how to approve on Tuesday.

Thank you!

Leann Walton
Chief Financial Officer
Indiana Department of Homeland Security
Fiscal Division
Tel: 317-234-7008
Cell: 317-376-2458
Fax: 317-233-0401
lwalton@dhs.IN.gov
www.in.gov/dhs



FW Resume.txt

From: Snyder, Kimberly L
Sent: Wednesday, August 10, 2016 12:31 PM
To: Boehmer, Darrell
Subject: FW: Resume
Attachments: Patricia Burdine Resume.docx

Hi Darrell,

Here is Patricia's resume.

Thank you,

From: Walton, Leann
Sent: Thursday, March 17, 2016 4:20 PM
To: Snyder, Kimberly L <Kisnyder@dhs.IN.gov>
Subject: Resume

Kim,

I believe her experience with office reception may not show on this resume. She does have customer service skills and I think you can at least have that conversation.

Thanks!

Leann Walton
Chief Financial Officer
Indiana Department of Homeland Security
Fiscal Division
Tel: 317-234-7008
Cell: 317-376-2458
Fax: 317-233-0401
lwalton@dhs.in.gov
www.in.gov/dhs

5833 E COUNTY ROAD 1200 N
ROACHDALE, IN 46172
Home: 765-522-1248
Mobile: 765-376-0246
pjburdine@tds.net

PATRICIA BURDINE

OBJECTIVE	To obtain a position utilizing my manual dexterity, knowledge, and consistent attention to detail. I am a reliable team player with proven versatility.
SKILLS & ABILITIES	Computer skills, communication skills, ability to handle difficult situations, and phone service skills.
EXPERIENCE	<p>BIG R SPORTING GOODS CLERK, CASHIER, DEPT. MANAGER, KEYHOLDER May 2012-Current</p> <p>Completed purchases with cash, credit, and debit payment methods. Answered incoming telephone calls with professional and knowledgeable responses. Listened to customer needs and preferences to provide accurate advice. Organized items in a visually appealing manner.</p> <p>CASEY'S GENERAL STORE CASHIER AND SALESPERSON May 2009-August 2009</p> <p>Assessed customer needs and responded to questions. Cleaned and straightened work area. Issued receipts for purchases and gifts. Unboxed new merchandise. Rotated stock to maintain freshness. Operated cash register with proficiency. Provided professional and courteous at all times.</p> <p>COMBS&COMBS BOOK BINDER June 2004-Nov. 2010</p> <p>Operated office equipment such as copiers and fax machines. Designed book cover layout. Assembled book covers by gluing, turning corners, and sewing as necessary per style.</p> <p>WILSON FAMILY MEATS MEAT LOCKER PLANT EMPLOYEE June 1999-Sept. 2001</p> <p>Handled products and equipment in accordance with safety and sanitation guidelines. Sliced, served, and packaged specialty meats and cheeses. Stocked meat cases. Complied with health and sanitation practices and procedures.</p>

EDUCATION **BROWNSBURG HIGHSCHOOL, BROWNSBURG, INDIANA.**
HIGHSCHOOL DIPLOMA: BUISNESS (1975)

REFERENCES **MARGIE HUBLE**
Manager at Roachdale Mini Mart
765-522-1499
BONNIE STORM
Co-worker at Wilson's Meat Market
765-522-1177

From: Walton, Leann
Sent: Wednesday, June 22, 2016 11:43 AM
To: Johnson, Pam; Wilson, Brittany; Church, Tami; Egunyomi, Kolapo
Cc: Irvin, Rebecca (Becky); Hampshire, Beth (DHS); Snyder, Kimberly L
Subject: RE: Temp Resources Spreadsheet
Attachments: Temporary Staffing 6_13_2016.xlsx

All,

The updated spreadsheet is attached, however I believe we have 5 PO's that need updated, Ivy Daly and the 4 other Plan Review PO's. Can you please identify these PO's so we can update the spreadsheet and then each of you can double check your PO's with your funds so we can ensure every temp resource we have is covered.

Thank you!
Leann

From: Johnson, Pam
Sent: Monday, June 13, 2016 1:56 PM
To: Walton, Leann <LWalton@dhs.IN.gov>; Hunt, Lisa <LHunt1@dhs.IN.gov>; Wilson, Brittany <BrWilson@dhs.IN.gov>; Church, Tami <TChurch@dhs.IN.gov>; Egunyomi, Kolapo <KEgunyomi@dhs.IN.gov>
Subject: Temp Resources Spreadsheet

Worksheet #3 has all the PO's for the 10 District Fire Academy Instructors. The Districts are listed in numerical order and have the individuals associated with that PO listed below. If you have any questions or concerns, see the fund Manager, Kola!

Thank You!

Pam Johnson
IN Dept. of Homeland Security
Office of Administration & Finance
Division of Executive Management
302 W. Washington St., Rm. E208
Indianapolis, IN 46204
(O) 317/234-5192
(C) 317/473-6948

Temporary Resources by Division
4/11/2015

Division	Temporary Name	Title	Billable Rate	PO	Program Manager
Executive	Robert Girod	Chief Security Officer	31.58	16561214	David Kane
Finance	Donna Stiller	GL Accountant 4	28	16525644	Leann Walton
Finance	Karen Gunter	Grant Coordinator 3	19.24	16559792	Beth Hampshire
Grants	Georgianne Bridges	SSSG	20.77	16525644	Kim Snyder
Finance	Tamela Church	Accountant 3 Fund Manger	19.24	16525644	Leann Walton
Grants	Chris Gibson	Grant Coordinator 2	20.77	16550950	Karrie Cashdollar
Grants	Taylor Workman	Grant Coordinator 2	20.77	16553253	Kim Snyder
Grants	Patricia Burdine	Secretary 3	15.09	16550958	Kim Snyder
Finance	Lita Hunt	Procurement	19.24	16554919	Leann Walton
Finance	Kelly Beddow	Proc/General Ledger	19.24	16554918	Leann Walton
Finance	Brittany Wilson	Asset Management	19.24	16554916	Leann Walton
Finance	Tiffany Biddle	Accounts Payable	19.24	16554918	Leann Walton
PIO	Riley Harden	PIO Specialist	25.24	16551069	John Erickson
PIO	Ray Begovich (PT)	PIO Specialist	23.91	15525936	John Erickson
PIO	Julie Vincent (PT)	PIO Specialist	23.91	15525936	John Erickson
PIO	Shannon Davis-George (PT)	PIO Specialist	17.72	16524246	John Erickson
PIO	Cody Keith	PIO Specialist	19.9	16551069	John Erickson
PIO	Grace Begovich	PIO Specialist	17.72	16554761	John Erickson
Training	Jenna Tyler	Instructor	19.68	14562281	John Brown
Training	Andrew Darby	LMS Contractor	33.8	16540491	John Brown
IT	Narendra Nimmagadda	DFBS Application Dev	105	16528547	Chuck Emsweller
IT	Justin Williams	GIS App Dev/Int	57	15527848	Chuck Emsweller
IT	Dennis Leonardo	IGMS App Dev/Int	54.72	15523011	Chuck Emsweller
R&R	Peggy Kefy	Accountant 1	36	15558211	Carmen Goodman
R&R	Torrey Glover	Accountant 1	36	14528031	Mary Moran
R&R	Jennifer Perdue-Seeren	Program Coor 1	37.67	145600218	Mary Moran
R&R	Mike Hill	Business Consultant Senior	52	15503545	Brad Thatcher
R&R	Palge Connally	District Adm #1	26.88	16520414	Max Nottingham
R&R	Katlie Arthur	District Adm #3	26.88	16520414	Max Nottingham
R&R	Jean Ntor	District Adm #2	26.88	16520414	Max Nottingham
R&R	Jeffrey Houston	District Adm #4	26.88	16520414	Max Nottingham
R&R	Brad Speers	District Adm #9	26.88	16520414	Max Nottingham
R&R	Barbara Rogers	District Adm #5	26.88	16520414	Max Nottingham
R&R	Jake Dunuck	District Adm #6	26.88	16520414	Max Nottingham
R&R	Allison Moore	District Adm #8	26.88	16520414	Max Nottingham
R&R	Al Perduo	District Adm #10	26.88	16520414	Max Nottingham
R&R	Angela Nichols	District Adm #7	26.88	16520414	Max Nottingham
R&R		Truck Driver		16553242	Brad Thatcher
F&BS	Carrie Mitchell	Admin Asst 4	15.23	16597795	Angie Bliggs
SARA	Krystal Hackney	Prog Coordinator 3	18	16592005	[Jan Ewus]
SARA	Marc Tobbeck	Prog Coordinator 3	18	16592005	[Jan Ewus]
S&R	Charles Banta	Facility Coordinator	16	16520030	Lillian Hardy
Plan Review	Patricia Stills	Data Input Operator 2	14.43	16502079	Dean Illingworth
Plan Review	Kevin Hanson	Plan Reviewer	14.53	16563817	Craig Burgess
Plan Review		Plan Reviewer	14.53		Craig Burgess
Plan Review		Plan Reviewer	14.53		Craig Burgess
Plan Review		Plan Reviewer	14.53		Craig Burgess
F&BS	Denita Cox-Yarbrough	Data Input Operator 2	12.1	15526466	Dean Illingworth
F&BS		Admin Asst	17	16558785	Dean Illingworth
F&BS	Kaitlyn Armour	Secretary 4	17	16560944	Robert Johnson
BPV	Patricia Miller	Clerical Asst 4	12.9	15524101	Dean Illingworth
BPV	LisaMarie Lawrence	Clerical Asst 4	12.9	15519327	Dean Illingworth
BPV	Lakisha Plinton	Clerical Asst 1	13.96	15519327	Dean Illingworth
BPV	William Butcher III	Boiler Inspector	17.25	16554827	Dean Illingworth
BPV	David Gongwer	Boiler Inspector	17.25	16554928	Dean Illingworth
F&BS CBRNE	Ivy Daly	Program Coor 2	29.52		Laura Dresen
Legal	David Carter	AU	57.5	16555461	Jonathan Whittem
Fire Academy		Course Administration	23.63		Brandon Wood
Fire Academy		Emergency Prep	23.63		Brandon Wood
Fire Academy		Emergency Prep Dir	23.63		Brandon Wood
F&BS	Ashley Walton	Administrative Asst	15.09	16563030	Dave Smith

one line should be two

Pending with FM

••••• Sprint

1:14 PM

X



Beth



EXHIBIT

tabbies

11

How can I override a kk project
error?

(Exhibit 11)

Mon, Jul 18, 10:19 AM

Quit working, you're on vacation!



I hope you're having a good time!

Lol. We are at the beach now! It's
been very nice! Thank you!

Thu, Jul 21, 11:41 AM

Fyi Jonathan came and asked me if
I knew if Pat was related to you.

Apparently he and the director have
heard the rumors. I gave pat a
heads up and wa

nted to let you know too.

I'm not sure what the hell. If she
has told people that then she
should be let go. I can't have her
there.



Text Message



•••• Sprint

1:14 PM

Bluetooth

Beth

I'm done trying to find a job or sit
out a job no one wants. So tell them or
let the temp agency tell her she
doesn't have a job anymore. She
sent a resume I gave it to Kim. Kim
selected her and I had nothing to do
with that one. So I can't help her
she's stupid.

I don't know what happened.
Jonathan came by my office around
11. He asked what I knew and said
the ed was wondering since he
thought he was clear after

Mrs Lisa. Pat says she doesn't know
how people found out.

He was clear, however Jon was
there before Lisa and I didn't like
her. She was a receptionist. I will
email them both.

Mon, Aug 1, 3:29 PM

Hey I just sent you an email for the
sboa audit. I need to get back with
them today.



Text Message



From: Walton, Leann
sent: Thursday, July 21, 2016 1:28 PM
to: Hampshire, Beth (DHS)
Subject: Re: ?

It's a huge deal! I just messaged everyone I believe needs information.

Sent from my iPhone

> On Jul 21, 2016, at 1:14 PM, Hampshire, Beth (DHS) <BHampshire@dhs.IN.gov> wrote:

>

> I hear you. No big deal. Are you back yet?

>

> Beth Hampshire

> (317) 234-3321

> bhampshire@dhs.in.gov

>

>

> -----Original Message-----

> From: Walton, Leann

> Sent: Thursday, July 21, 2016 12:39 PM

> To: Hampshire, Beth (DHS) <BHampshire@dhs.IN.gov>

> Subject: Re: ?

Well I emailed them both and advised that when he spoke to me about Lisa, Pat was already there. She had sent a resume months ago and my mom had asked me about positions. I told her at that time all I had was a receptionist and I would pass her resume on. Which I did. I also told them both that Kim did the interview and I had nothing to do with that or have not supervised her since.

>

> I also told them that I spoke to Marla after my conversation with the Director and she confirmed I understood her guidance appropriately.

>

> I've not said anything about it because I didn't know there was an issue to me because I never talked to her before she started working for us, unless there was a death in the family. She is nothing more than a family friend.

>

> So it is what it is at this point. I'm exhausted, cannot walk and have continued to work on vacation. Which is much more than many others have done. So if this is a bigger issue for me then I guess that's just par for the course.

>

> No offense I'm deleting everyone that is a co-worker from Facebook.

>

> Thanks!

> Leann

>

> Sent from my iPhone

>

>> On Jul 21, 2016, at 12:29 PM, Hampshire, Beth (DHS) <BHampshire@dhs.IN.gov> wrote:

>

>> I don't know. Jonathan didn't really say much other than to ask and I told him I thought she was a family friend. I haven't seen the director and he hasn't said anything.

>>

>>
>> Beth Hampshire
>> (317) 234-3321
>> bhampshire@dhs.IN.gov
>
>>
>> -----Original Message-----
>> From: Walton, Leann
>> Sent: Thursday, July 21, 2016 12:28 PM
>> To: Hampshire, Beth (DHS) <BHampshire@dhs.IN.gov>
>> Subject: Re: ?
>>
>> I sent a direct email to both. So am I in trouble again? Or is this it?
>>
>>
>> Sent from my iPhone
>>
>>> On Jul 21, 2016, at 12:17 PM, Hampshire, Beth (DHS) <BHampshire@dhs.IN.gov> wrote:
>>>
>>> Just texted you.
>>>
>>> Beth Hampshire
>>> (317) 234-3321
>>> bhampshire@dhs.IN.gov
>>>
>>>
>>> -----Original Message-----
>>> From: Walton, Leann
>>> Sent: Thursday, July 21, 2016 12:13 PM
>>> To: Hampshire, Beth (DHS) <BHampshire@dhs.IN.gov>
>>> Subject: ?
>>>
>>> I tried to text you back. Should I reach out to the Director and Jonathan?
>>>
>>> When did he talk to you?
>>>
>>> Sent from my iPhone

From: Walton, Leann <L.Walton@dhs.IN.gov>
Sent: Tuesday, May 17, 2016 11:53 AM
To: Stephanie McClure; Angie Young
Cc: Mcallister, Amanda; Irvin, Rebecca (Becky); Cashdollar, Karrie; Snyder, Kimberly L.; Hampshire, Beth (DHS)
Subject: Time Approval

Stephanie/Angie,

The time approver for Lisa Hunt should be Amanda McAllister. Can you please update the system?

Amanda should have the following staff:

Lisa Hunt
Brittany Wilson
Tiffany Biddle
Kelly Beddow

Rebecca Irvin should have the following staff:

Donna Sitler
Tamela Church

Beth Hampshire should have:

Karen Gunther

Kim Snyder should have:

Taylor Workman
Georgianna Briggs

Karrie Cashdollar should have:

Christopher Gibson

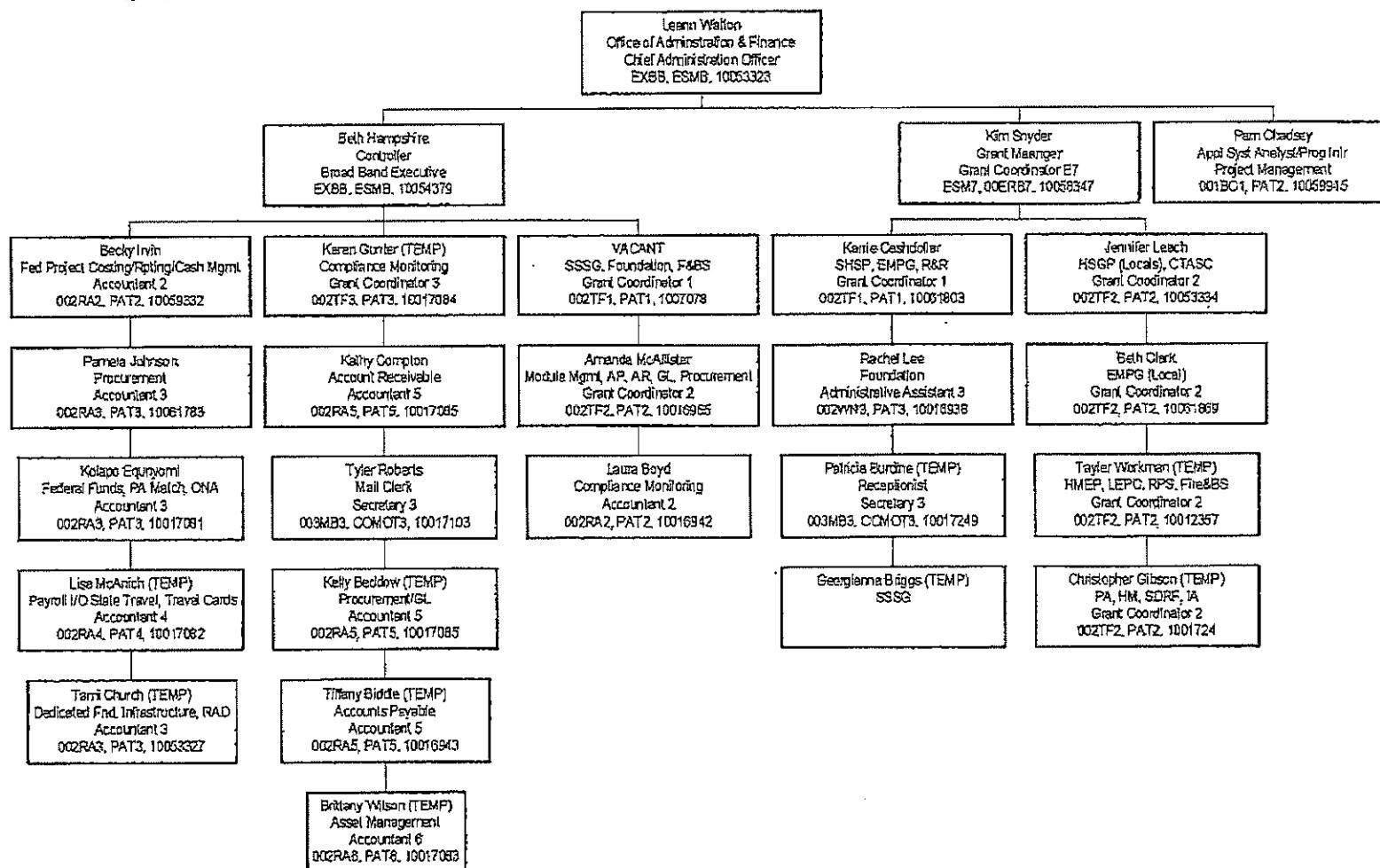
Thank you!

Leann Walton
Chief Financial Officer
Indiana Department of Homeland Security
Fiscal Division
Tel: 317-234-7008
Cell: 317-376-2458
Fax: 317-233-0401
lwalton@dhs.IN.gov
www.IN.gov/dhs



Department of Homeland Security

Office of Administration and Finance



tabbies®

EXHIBIT

From: Whitham, Jonathan
Sent: Thursday, June 23, 2016 9:08 AM
To: Cooper, Jennifer
Subject: IDHS Nepotism Issue - Now Resolved

Jen:

Thank you for taking the time to speak with Brad Gavin last week while I was away from the office about a potential nepotism issue at IDHS. After speaking with the Executive Director and the division director who is a sister-in-law to someone several levels down the chain of supervision, I believe this was a case of bad information which has now been corrected. The supervisor had a conversation with someone from HR who explained that they did not believe there was an issue if the supervisor was not a *direct* report for the relative. Obviously, this was based on the previous law which allowed for relatives to be employed in the chain of supervision so long as it was not a direct report. As soon as I explained the current law to the supervisor, the relative was immediately moved to another division at IDHS where there is no chain of supervision issue.

I believe this issue is fully resolved and does not require any further investigation. If you would like any additional information, please do not hesitate to call or email. Thanks so much for your help, Jen.

Jonathan L. Whitham
General Counsel
Indiana Department of Homeland Security
302 W. Washington Street, Rm. E208
Indianapolis, IN 46204
(317) 234-8912
JWhitham@dhs.IN.gov

From: Whitham, Jonathan
Sent: Monday, July 25, 2016 9:22 AM
To: Cooper, Jennifer
Subject: Update on IDHS Employee | Nepotism
Attachments: IDHS Nepotism Issue - Now Resolved

Hi Jen,

A few weeks ago, I emailed you about an employee at IDHS who hired her sister-in-law for a contractor position at IDHS. That email is attached for your reference. The contract employee was not a direct report to her sister-in-law, Leann, Walton, but was in the chain of supervision. The contract employee was immediately moved to a different division at IDHS where she was needed as support staff. At the time, Executive Director Kane and I believed the issue was fully resolved after briefing the employee on the updated nepotism law.

Unfortunately, last week we found out that Ms. Walton also hired her aunt back in April and failed to disclose this to me or Director Kane during our conversations about the other relative. Director Kane and I found out about the aunt last week while Ms. Walton was out on sick leave, so we decided that we would wait until Ms. Walton was back in the office to ask her about it. Since we didn't know with any certainty if Ms. Walton was in fact related to this other employee, we decided that we would try to gather some details before Ms. Walton was back in the office by asking another employee if they knew whether there was any relationship between Ms. Walton and the contract employee, Patricia Burdine. Nobody knew for sure, but late in the day on Thursday, Director Kane and I received an email from Ms. Walton which indicated that she knew we were asking questions and tried to explain the situation. She never admitted that she was related to Ms. Burdine, but she didn't deny it. I followed up with a reply email that simply asked whether or not they were related. Again, her response did not say yes or no. So I went to the front desk and asked Ms. Burdine herself whether or not she was related to Ms. Walton. She said, "I'm not gonna lie to you. I'm her aunt." At that point, Director Kane and I met to discuss our next steps since we knew Ms. Burdine would not be able to continue in her position in Ms. Walton's division. Unfortunately, there were no other similar positions open in the agency which could be funded through grant funds, so Ms. Burdine's employment with IDHS was terminated on Friday 7/22 at noon.

Ms. Walton was out of the office all of last week and indicated in her last email that she planned to file FMLA paperwork today, Monday 7/25. For this reason, Director Kane and I have not had a chance to speak with her directly or in person to ask her about all of this. SPD received a complaint as well and they are beginning their own investigation. It is my understanding that Ms. Walton may be in the office today until her FMLA paperwork is received, but I have not had a chance to confirm this. Once the Director and I have a chance to sit down with Leann in person, we will discuss potential disciplinary action based on her presumed disregard for the ethics code and IDHS policies.

As always, I am happy to provide any documents or additional information if you determine that it would be helpful to you and your team as you look into this matter. Please do not hesitate to call or email if I can be of assistance. Thank you, Jen!

Jonathan L. Whitham
General Counsel
Indiana Department of Homeland Security
302 W. Washington Street, Rm. E208
Indianapolis, IN 46204
(317) 234-8912
Whitham@dhs.IN.gov