



INSPECTOR GENERAL REPORT

2005-02-0072

August 3, 2006

ISP COMPUTER HARD DRIVES

Inspector General David O. Thomas reports as follows:

This investigation involves the removal and deletion of the hard drives of three computers belonging to the Indiana State Police (ISP).

In December of 2004, an employee of ISP removed the hard drives from three state computers used by the respondent and gave them to another ISP employee. The respondent's last day of employment was December 30, 2004. The hard drives and computers were property of ISP.

The Office of the Inspector General (OIG) asserts jurisdiction over this case under IC 4-2-7-3 which directs the OIG to receive and investigate violations of the Indiana Code of Ethics, and through IC 4-2-7-2(b) which makes the OIG responsible for addressing fraud, waste, abuse and wrongdoing in the state agencies.

Indiana Ethics Rule 40 IAC 2-1-9(f), in effect in December of 2004, stated that a state employee may not make use of state materials, funds, property, personnel, facilities, or equipment for a purpose other than for official state business. The current version of this rule can be found in 42 IAC 1-5-12.

This matter was referred to the Marion County Prosecuting Attorney's Office in May of 2005. Prosecution did not occur within six months thereafter and the OIG declined prosecution pursuant to statute. Instead, an ethics complaint was filed with the Indiana Ethics Commission and this case was resolved in April of 2006 when the respondent signed an admission to the complaint. The penalty included a fine of \$5,000, payable to the Indiana Ethics Commission.

Dated this 3rd day of August, 2006.



David O. Thomas, Inspector General