INSPECTOR GENERAL REPORT

2010-07-0182

December 28, 2010

IWM COMPUTER USE & GHOST EMPLOYMENT II

Inspector General Staff Attorney Amanda Schaeffer Lufkin, after an investigation by Special Agent Chuck Coffin, reports as follows:

In the course of investigating another case, 2010-06-0162, Special Agent

Chuck Coffin of the Office of Inspector General (OIG) discovered what appeared

to be violations of Code of Ethics rules 42 IAC 1-5-12 (use of state property) and

42 IAC 1-5-13 (ghost employment), by an employee with the Indiana War

Memorials. Specifically, the employee's email and computer use records showed

that he had used his state-issued computer to send and receive inappropriate

emails, visit inappropriate websites, and view inappropriate images, all dealing

with pornography. In addition, the employee's computer use records and

attendance reports reflected that he routinely engaged in these types of activities

during working hours for the state.

In December of 2009, the State Ethics Commission (SEC) issued a Final

Report based on a previous OIG investigation (2009-04-0082) of this same

respondent for similar activity. In that Final Report, respondent "admitted to

violating 42 IAC 1-5-12, the use of state property rule, and 42 IAC 1-5-13 the

ghost employment rule." At that time, the respondent entered into a Settlement

Agreement and received SEC sanctions including a two (2) week suspension

without pay and a $1,000 fine.

At its monthly meeting on September 9, 2010, the SEC found that

probable cause supported the new alleged violations of the use of state property

and ghost employment rules by respondent and advised the OIG to proceed with

the matters.

On December 1, 2010, a Settlement Agreement was approved by the SEC

which found the respondent in violation of these rules. Because of respondent's

multiple violations, the SEC ordered the respondent to be barred from any future

state employment.

Dated this 28th day of December, 2010.

APPROVED BY:

David O. Thomas, Inspector General