



## INSPECTOR GENERAL REPORT

2012-02-0022

December 20, 2012

### INDOT USE OF STATE PROPERTY

*Inspector General Staff Attorney Kristi Shute, after an investigation by Special Agent Chris Read, reports as follows:*

On January 19, 2012, the Office of the Inspector General (“OIG”) received information from the Indiana Department of Transportation’s (“INDOT”) Director of Internal Affairs alleging that an employee violated the use of state property rule. Specifically, it was alleged that the employee (employee) drove his state issued vehicle on a state holiday in violation of INDOT policy which resulted in a single vehicle car accident that caused damage to the state vehicle.

During the OIG’s investigation, Special Agent Read reviewed several documents. Based on the employee’s timesheet, Special Agent Read confirmed that the worker was off duty on January 2, 2012. He learned that the Indiana State Police (“ISP”) investigated the accident. The ISP Crash Report listed the employee as driving an INDOT vehicle. It was determined that the employee was

not approved to work on January 2, 2012 and was not given management authorization to drive the state vehicle for personal use. Driving a state vehicle during non-working hours without approval constitutes unauthorized personal use of a state vehicle as outlined in the INDOT Employee Handbook and the State of Indiana Vehicle Fleet Management Policy.

Special Agent Read interviewed the employee via telephone since he now lives out of state. The employee admitted that he drove the state vehicle on a day he was not scheduled to work and that he was involved in the single vehicle car accident. He explained that he decided to work that day, even though he was not scheduled to work and it was a paid holiday, because he had a lot of paperwork to finish. He stated that he was never told that he could not drive the vehicle on weekends. He noted that he only drove the vehicle to and from the office and never for personal use.

The lowest estimated cost to repair the INDOT vehicle was \$3,563.66. The employee was terminated from employment by INDOT on January 20, 2012.

This investigation was presented to the State Ethics Commission which found probable cause to move the case forward to a hearing to determine whether the employee violated the use of state property rule. On June 27, 2012, the OIG and employee entered into an Agreed Settlement in which the employee admitted to a violation of the use of state property rule. He agreed to reimburse the State One Thousand Seven Hundred Eighty-One dollars and Eighty-Three cents (\$1,781.83) towards the estimated repairs. The State Ethics Commission

approved the Agreed Settlement on August 9, 2012. Accordingly, this case is closed.

Dated this 20th day of December, 2012.

APPROVED BY:

/s/ David O. Thomas, Inspector General