



# INVESTIGATIVE REPORT

Lori Torres, Inspector General

OFFICE: INDIANA DEPARTMENT OF CHILD SERVICES (DCS)

TITLE: DCS CASEWORKER FALSIFICATION OF RECORDS

CASE ID: 2019-06-0168

DATE: September 1, 2020

*Indiana Office of Inspector General Staff Attorney Lyubov Gore, after an investigation by Inspector General Special Agent Jack Bedan, reports as follows:*

The Indiana General Assembly charged the Office of the Indiana Inspector General (OIG) with addressing fraud, waste, abuse and wrongdoing in the executive branch agencies of state government. Ind. Code §4-2-7-2(b). The OIG also investigates allegations of criminal activity and Code of Ethics (Code) violations within state government. 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 and Background**

On June 19, 2019, the OIG received a complaint alleging that a former DCS Family Case Manager (FCM), Destiny Trevino, engaged in ghost employment and falsification of records regarding child welfare visits in DCS's Case Management Database, Management Gateway for Indiana's Kids (MaGIK). According to the complaint, the MaGIK system contained discrepancies in contact and visitation information in approximately eight of Trevino's assigned cases.

After an internal DCS investigation, DCS terminated Trevino's employment for behavior that was "unacceptable ... and in violation of DCS Child Welfare policies, the DCS Code of Conduct, and

the SPD Discipline policy.” The OIG opened an investigation into potential violations of the Code’s ghost employment rule and allegations of criminal violations of ghost employment, obstruction of a child abuse assessment, theft and official misconduct.

## **II. OIG Investigation**

OIG Special Agent Jack Bedan investigated the matter. During the course of the investigation, Special Agent Bedan reviewed DCS’s policies, Trevino’s DCS employment history and disciplinary records, Trevino’s MaGIK entries, Trevino’s time reporting records and the Safety Plan Agreements that Trevino submitted as part of her assessments. Special Agent Bedan also interviewed many witnesses, including Trevino’s DCS supervisors, Trevino’s DCS coworkers and the families assigned to Trevino’s caseload.

Special Agent Bedan learned that DCS’s policies require FCMs to photograph child victims during every visit that is part of the child abuse, child neglect, child molestation or human trafficking assessment. FCMs must submit these photographs as part of their assessments in the MaGIK system. Special Agent Bedan also learned that FCMs must submit signed Safety Plan Agreements along with their MaGIK entries for each assessment they complete. The child’s custodian must sign these Safety Plan Agreements after the conclusion of each visit.

Special Agent Bedan reviewed Trevino’s employment records and found that DCS employed Trevino in one of its Marion County Offices from May 21, 2018, until her termination on June 12, 2019. Prior to DCS assigning Trevino her own cases, Trevino attended Cohort Training<sup>1</sup> and received guidance on DCS’s Code of Conduct and DCS’s Child Welfare Policies. The training provided

---

<sup>1</sup> Cohort Training is a twelve-week training program. It consists of nine weeks of training in the classroom and three weeks of in-the-field training during which a new FCM is paired with an FCM Supervisor or other experienced FCM for hands-on experience.

Trevino with instruction on photographing child victims to document evidence of her observations regarding child abuse or neglect.

### **A. Allegations of Ghost Employment and Theft**

Special Agent Bedan reviewed allegations that Trevino engaged in ghost employment and theft by misreporting her overtime. Special Agent Bedan reviewed emails pertaining to Trevino's claimed overtime, Trevino's MaGIK entries and Trevino's time reporting records. Special Agent Bedan determined that there were approximately thirteen days between December 31, 2018, and May 29, 2019, when Trevino claimed to have worked overtime that could not be verified through travel records or other documentation.

Special Agent Bedan interviewed Trevino's former supervisors to confirm whether Trevino worked overtime as Trevino had claimed. Trevino's supervisors informed Special Agent Bedan that Trevino had an average caseload of approximately thirty cases per month, that she had been struggling to keep up with her caseload and that she had been taken out of the regular rotation of new case assignments. Trevino's supervisors could not verify whether Trevino worked all of the overtime that she had claimed. Special Agent Bedan also interviewed a number of families whose cases Trevino reported working on during her claimed overtime hours, but these witnesses could not definitively recall whether they had seen or spoken to Trevino on specific dates.

Based on his investigation, Special Agent Bedan found insufficient evidence that Trevino reported time that she did not work; therefore, there was insufficient evidence that Trevino engaged in ghost employment or theft of state overtime payments.

### **B. Allegations of Obstruction of a Child Abuse Assessment**

Special Agent Bedan also investigated whether Trevino engaged in obstruction of a child abuse assessment. He reviewed each of Trevino's entries in the MaGIK system as well as the

accompanying photographs and Safety Plan Agreements. Special Agent Bedan determined that in eight of Trevino's cases, Trevino included photographs that other FCMs had taken of the same child victims during prior assessments. Trevino did not include any current photographs of the child victims when completing her assessments in MaGIK. For example, Trevino completed an assessment of a visit with a child victim on February 26, 2019, and, as part of her assessment, included photographs that another FCM had taken of the child victim on August 7, 2018. Trevino also included photographs of the child victims' homes that were not current or did not depict the homes in which the child victims ever resided.

Special Agent Bedan identified the families that were involved in the eight cases in which Trevino used outdated photographs of child victims. Special Agent Bedan interviewed these families in order to determine whether Trevino ever met with or spoke to them as part of her assessment. In six of the families that Special Agent Bedan interviewed, the family members reported to Special Agent Bedan that they did not recall ever speaking to or meeting with Trevino as Trevino had reported in her assessments in MaGIK. Several of these families reported that, due to Trevino's failure to meet with and speak to them, their children suffered adverse consequences, including intensified abuse and neglect. In the seventh family Special Agent Bedan interviewed, the family members could not definitively confirm that Trevino did not visit them or speak to them due to the number of DCS workers with which the family regularly interacts. Special Agent Bedan was unable to locate any family members to speak to from the eighth family involved.

Special Agent Bedan subsequently interviewed the FCMs that took the original photographs, depicting the child victims and child victims' homes, which Trevino used as part of her assessments in MaGIK. Each of the FCMs that Special Bedan interviewed confirmed that they had taken the photographs Trevino had used in her assessments.

Special Agent Bedan also interviewed Trevino's former supervisors. The supervisors informed Special Agent Bedan that Trevino had been verbally counseled against using photographs from prior assessments in the past. The supervisors also stated that Trevino uploaded photographs from prior assessments to include with her current assessments in order to avoid visiting the child victims' homes. According to the supervisors, after Trevino had been verbally counseled against this practice, Trevino continued her pattern of conduct. Another FCM discovered that Trevino was failing to visit the child victims' homes when she was assigned a case that involved the same family that Trevino had been assigned to assess earlier. According to this FCM, Trevino's failure to visit this family earlier resulted in the children's removal from the home. The FCM reported her discovery to Trevino's supervisor.

During the course of his investigation, Special Agent Bedan also learned that the Safety Plan Agreements that Trevino submitted as part of her assessments in MaGIK did not contain the required signatures of the family members involved in the assessments. Special Agent Bedan showed the Safety Plan Agreements to several family members that were involved in Trevino's cases. Some of these family members informed Special Agent Bedan that they either did not recall signing or had never signed the Safety Plan Agreements. According to one family member, the signature and handwriting on the Safety Plan Agreement that purported to belong to the family member did not belong to the family member.

Based on his investigation, Special Agent Bedan concluded that Trevino had falsified child abuse or neglect records in approximately eight of her assigned cases.

Special Agent Bedan attempted to interview Trevino on five separate occasions. Special Agent Bedan called and spoke to Trevino to schedule an in-person interview, but Trevino failed to meet Special Agent Bedan for the scheduled interview. Trevino subsequently did not return Special

Agent Bedan's phone calls and did not answer the door when Special Agent Bedan visited Trevino's residence.

### **III. Conclusion**

The OIG submitted the results of this investigation to the Marion County Prosecutor's Office. On August 14, 2020, the Marion County Prosecutor's Office charged Trevino with Official Misconduct, as a Level 6 felony under Ind. Code §35-44.1-1-1(1), and with seven counts of Obstruction of a Child Abuse Assessment, as Class A Misdemeanors under Ind. Code §31-33-22-2(b)(1). Accordingly, this investigation is closed.

Dated: September 1, 2020

APPROVED BY:



---

Lori Torres, Inspector General