



INVESTIGATIVE REPORT

David Cook, Inspector General

OFFICE: INDIANA DEPARTMENT OF WORKFORCE DEVELOPMENT (DWD)
TITLE: DWD EMPLOYEE CRIMINAL ACTIVITY
CASE ID: 2021-09-0274
DATE: December 27, 2022

Indiana Office of Inspector General Senior Staff Attorney Mark Mader, after an investigation by Special Agent Jan Kruse and Special Agent Michael Lepper, reports as follows:

The Indiana General Assembly charged the Indiana Office of 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 criminal activity and ethics violations by state workers. 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 September 16, 2021, the OIG received a complaint regarding Tina Trotter (Trotter), a former Indiana Department of Workforce Development (DWD) employee. The complaint alleged that Trotter filed for and received Unemployment Insurance (UI) benefits while employed by DWD; worked on her own UI claims when she was employed with DWD; worked on DWD claims that were not assigned to her; and worked on her husband's UI claims. OIG Special Agent Jan Kruse and Special Agent Michael Lepper investigated the complaint for the OIG.

Indiana State Personnel Department (SPD) records reported that DWD hired Trotter on July 27, 2020, as a Program Specialist 3. Trotter's primary duties as a Program Specialist 3 were to assist claimants with applying for UI benefits. DWD permitted Trotter to work remotely from home because of the Covid-19 Pandemic. On September 17, 2021, DWD terminated Trotter's employment for employee misconduct.

II. OIG Investigation

Special Agent Kruse and Special Agent Lepper interviewed a number of DWD employees, as well as Trotter and her husband, Bryant Bell (Bell). They also reviewed numerous documents, including DWD Claimant Benefit Sheets, Trotter's bank records, Bell's bank records, copies of Trotter's DWD check stubs and DWD records of UI payments DWD paid to Trotter and Bell. DWD calculated Trotter received \$19,362.00¹ in UI payments plus penalties that she was not entitled to receive.

The OIG verified DWD's investigative information. Prior to Trotter's DWD employment began, DWD was making UI payments to Trotter. After her DWD employment, even though she was ineligible, Trotter continued to submit weekly claims vouchers to receive UI payments until the end of December 2020. Trotter submitted twenty-two weekly UI claims vouchers to DWD while she was working for DWD, which she dated and signed under penalty of perjury. Trotter received \$10,380.00 in UI payments for which she was not eligible, plus an additional \$3,315.00 in penalties, for a total of \$13,695.00.

A Senior SPD Human Resources (HR) Business Partner provided the OIG with Trotter's HR information and the names of DWD employees who investigated the initial

¹ DWD's calculation contained an additional \$5,667.00 based on a 2018 UI claim that was not a part of the OIG investigation.

concerns. A DWD investigator provided the OIG with Trotter's bank records, her termination letter and a letter advising her of a DWD garnishment action for future wages. The OIG also received a copy of Trotter's DWD resume and her application for state employment. The OIG received an email from a DWD investigator who reported that Trotter also worked on Bell's UI claims, which resulted in Bell receiving benefits that he was not entitled to receive.

DWD records reported Bell left his employment with a private company in December 2020. When he applied for UI benefits, Bell reported that his unemployment was due to Covid-19. As a result of federal pandemic unemployment guidelines, DWD accepted Bell's application for UI benefits. DWD records indicate DWD paid Bell for thirty-six weekly UI claims in the amount of \$569.00 per week from January 2, 2021, through September 4, 2021, totaling \$20,484.00.

On March 27, 2021, Bell's former employer filed a protest of Bell's UI claims stating that Bell left employment for attendance reasons that were not Covid-19 related. Before DWD could suspend Bell's UI claims, investigate and resolve his former employer's protest, Trotter reassigned Bell's account to herself.

DWD records indicate Trotter overrode DWD's automated system and gained access to Bell's UI account. She cleared Bell's former employer's protest, which resulted in DWD continuing to pay Bell's UI claims. Trotter's intervention resulted in DWD paying Bell's unauthorized UI claims from April 3, 2021, to September 4, 2021, totaling \$12,518.00. The OIG's examination of Bell's bank account confirmed that DWD deposited Bell's UI benefits into Bell's bank account.

DWD records report that a DWD hearing officer reviewed Bell's UI claims and his former employer's protest and determined that Bell left his employment without cause and for

reasons that were not Covid-19 related. DWD suspended Bell's UI benefits dating back to January 2, 2021, the date of his UI claim application. DWD reported Bell received a total of \$20,484.00 in UI benefits he was not entitled to receive. Because Trotter overrode DWD's automated system and seized control of Bell's UI account, DWD was not able to investigate and resolve his former employer's protest.

Special Agent Kruse and Special Agent Lepper conducted a non-custodial interview with Trotter and Bell. Trotter reported her DWD employment lasted for approximately one year. Trotter reported the reason for her employment termination was for *not following proper procedures*.

Trotter said her primary responsibility at DWD was to adjudicate UI claims and to deny or approve UI benefits. DWD records verify that Trotter was not an adjudicator. Trotter's primary duties were to assist claimants with applying for UI benefits.

Special Agent Kruse asked Trotter about receiving UI benefits while she worked for DWD. He showed Trotter DWD records that indicated she continued to receive UI benefits from August 1, 2020, to December 26, 2020, after beginning her DWD employment on July 27, 2020. DWD records reported the total amount of Trotter's unauthorized UI benefits without penalties was \$10,380.00. Trotter admitted no guilt but said that she talked with a manager at DWD and was planning to reimburse the State.

Special Agent Kruse asked Trotter about accessing Bell's UI claims. Trotter said that she could work on anybody's claims and DWD never told her she could not. DWD provided the OIG with a document signed by Trotter on September 15, 2020, informing her that staff were not permitted to work on the UI claims of any person with whom they were acquainted. Special Agent Lepper told Trotter that he had investigated several DWD cases and DWD

policies prevent any employee from working on cases involving family members. Trotter admitted working on her husband's UI claims but said she never worked on her own.

Special Agent Kruse told Trotter that DWD denied Bell's UI claims. DWD reported Bell received benefits he was not entitled to receive in the total amount of \$20,484.00. Trotter told the OIG that she and Bell would reimburse that amount also. DWD records report that Trotter signed twenty-five documents under penalty of perjury knowing that the documents she signed were false in order to obtain a government benefit.

DWD reported Trotter signed a repayment agreement in January 2022. Trotter agreed to pay \$325.00 monthly starting January 27, 2022. After paying a total of \$550.00, DWD cancelled Trotter's repayment agreement for nonpayment on May 25, 2022, declared the entire amount due and payable and referred the matter to the Office of the Indiana Attorney General (OAG) for collection.

III. Conclusion


The OIG certified the case to the Marion County Prosecutor's Office on August 24, 2022, for the following criminal charges: Ind. Code § 35-43-4-2(a) Theft; Ind. Code § 35-43-5-4 Fraud; Ind. Code § 35-44.1-1(1) Official Misconduct; Ind. Code § 35-44.1-2-1 Perjury. On December 20, 2022, the Marion County Prosecutor's Office charged Trotter with two counts of Theft, two counts of Perjury, and one count of Official Misconduct in Cause Number 49D36-2212-F6-034171. All criminal charges against Trotter are Level 6 Felonies. The OIG acknowledges criminal charges are merely allegations, and individuals are considered innocent until proven guilty.

The OIG elects not to pursue ethics violations before the State Ethics Commission at this time reserving the right to reconsider its decision to pursue an ethics complaint depending

upon the disposition of the criminal case now pending in Marion County. Accordingly, this investigation is closed.

Dated: December 27, 2022

APPROVED BY:



David A Cook, Indiana Inspector General