

Indiana Office of the Inspector General

2011

Annual Report

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The Indiana Office of the Inspector General (OIG) and State Ethics Commission (SEC) is an agency most commonly known for its investigations and advisory opinions, however we do much more. This report attempts to document the many different aspects, responsibilities and accomplishments of this agency.

Created in 2005 by Governor Daniels and the Indiana Legislature, January 2012 marked the beginning of the office’s eighth year. This report focuses on the immediately preceding year of 2011, but also reflects back on the previous years to provide perspective to the results produced in 2011.

Our statutory objective is to deter, detect and eradicate fraud, waste, abuse, mismanagement, and misconduct in state government. Perhaps there is no other state entity with such a general, controversial or vulnerable goal. It has been our honor to establish this new entity and to work to continue to develop it.

Agency Profile

Q: WHAT are you?

A: We are a 15-member state office and law enforcement agency led by the Inspector General. The Inspector General is an attorney appointed by the Governor to a four-year term. The Inspector General is the Chief Compliance Officer for the Executive Branch of Indiana government and reports to the Governor, Legislature, State Ethics Commission, United States Attorneys, federal law enforcement agencies, Indiana law enforcement agencies, and the 91 Indiana Prosecuting Attorneys. The office consists of investigators, attorneys, auditors, and administrative employees. We also staff, along with an Executive Director, the five-member State Ethics Commission which is the ultimate authority on interpreting the Code of Ethics and adjudicating ethics complaints filed by the Inspector General.

Q: WHERE are you?

A: We are currently located on the first floor of the Indiana State Library, 315 West Ohio Street, Room 104, Indianapolis, Indiana 46202, Telephone: 317-232-3850. Our website is: www.in.gov/ig.

Q: WHO created you?

A: Governor Mitchell E. Daniels Jr. created the Indiana Office of the Inspector General in Executive Order 05-03. The Indiana Legislature and Governor further defined the office in Public Law 2005-222.

Q: WHEN were you created?


A: The Executive Order was signed on January 10, 2005, Governor Daniels' first day in office. The enabling statute was effective on May 11, 2005.

Q: WHY do you exist?

A: The Inspector General is charged to deter, detect and eradicate fraud, waste, abuse, mismanagement, and misconduct in state government.

Q: HOW do you discharge your duties?

A: We improve the laws, educate, advise, audit, investigate, enforce, report, assess risk, and internally comply with these same rules. This report addresses our results from implementing each of the aforementioned strategies.



“This report addresses our results from each of these nine strategies.”



1

IMPROVE THE LAW

Improve the Law

In 2011, the OIG sought and successfully obtained legislative changes in four areas.

1

Nepotism

Nepotism addresses the hiring of a person's relatives. An Inspector General Report published in 2011 pointed out the ambiguities of the nepotism statute. That uncertainty caused confusion to state employees and challenged the SEC's and OIG's advisory and investigation functions. Proposals were made and legislation resulted in the nepotism rule being clarified and re-codified with the other statutory ethics rules in Indiana Code 4-2-6. The resulting benefit is that nepotism restrictions in state government are clearer. The State Personnel Department assisted us in this project.

Old law: IC 4-15-7-1

New law: IC 4-2-6-16 (Public Law 105-2012).

2

Recodification of offenses in Titles 4 and 5

The operating rules for state employees should be clear. They were not. In fact, many criminal acts were buried within Titles 4 and 5 of the Indiana Code and had never been charged by Indiana Prosecuting Attorneys. Several of these offenses were retained in lengthy statutes which often concluded with a conclusory statement that any violation of the preceding voluminous rule was a crime, making the state employee subject to arrest. Not only was this format unwieldy, but the Indiana Supreme Court in another context had declared this type of statutory structure unconstitutional.

An Inspector General report was published pointing out these problems and suggesting a uniform code. The Indiana Legislature responded and the Criminal Code Evaluation Commission studied the matter over the summer in 2011. The Inspector General's Office was asked by the Commission to

evaluate and codify all existing crimes and infractions within Titles 4 and 5 and to propose a reorganization of these offenses by topic. This was accomplished. Additionally, the existing offenses against public administration (IC 35-44) were re-codified by topic. The resulting project passed with strong support out of the 2012 Legislative Session.

Old laws: All offenses within Titles 4 and 5 (IC 4 and 5)

New law: IC 35-41.1 (Public Laws 126-2012 and 114-2012)

3

Collection of fines and financial loss reporting

The SEC issues fines if it determines a complaint filed by the Inspector General has been proven after a public hearing or through an agreed settlement. If the fine was not collected, the long-standing practice was to certify this finding to the Attorney General's Office for collection. An Inspector General Report was published proposing that the Inspector General legal staff be permitted to collect these fines without burdening the Attorney General's Office.

Old law: IC 4-2-7-6

New law: IC 4-2-7-6(e)

4

Reporting of financial loss audits

Additional legislation was proposed after another Inspector General Report suggested that the State Board of Accounts (SBOA) should file its audit reports revealing financial losses to the State with the OIG, a practice the SBOA currently and voluntarily already does. The legislation passed without objection.

Old law: IC 5-11-5-1

New law: IC 5-11-5-1(a)(2)

IC 35-44.1 OFFENSES AGAINST GENERAL PUBLIC ADMINISTRATION

<u>NEW CITE</u>	<u>OFFENSES (OLD CITE)</u>
IC 35-44.1-1 General offenses	
IC 35-44.1-1-1	Official misconduct (IC 35-44-1-2)
IC 35-44.1-1-2	Bribery (IC 35-44-1-1)
IC 35-44.1-1-3	Ghost employment (IC 35-44-2-4)
IC 35-44.1-1-4	Conflict of interest (IC 35-44-1-3)
IC 35-44.1-1-5	Profiteering from public service (IC 35-44-1-7)
IC 35-44.1-2 Interference with general government operations offenses	
IC 35-44.1-2-1	Perjury (IC 35-44-2-1)
IC 35-44.1-2-2	Obstruction of justice; exception (IC 35-44-3-4)
IC 35-44.1-2-3	False reporting or informing (IC 35-44-2-2)
IC 35-44.1-2-4	False identity statement; defense (IC 35-44-2-6)
IC 35-44.1-2-5	Assisting a criminal (IC 35-44-3-2)
IC 35-44.1-2-6	Impersonation of a public servant (IC 35-44-2-3)
IC 35-44.1-2-7	Unlawful use of a police radio (IC 35-44-3-12)
IC 35-44.1-2-8	Manufacturing and selling official badge (IC 35-44-2-5)
IC 35-44.1-2-9	Failure to appear (IC 35-44-3-6)
IC 35-44.1-2-10	Failure to respond to a summons (IC 35-44-3-6.5)
IC 35-44.1-2-11	Interference with jury service (IC 35-44-3-10)
IC 35-44.1-2-12	Interference with witness service (IC 35-44-3-11.1)
IC 35-44.1-3 Detention offenses	
IC 35-44.1-3-1	Resisting law enforcement (IC 35-44-3-3)
IC 35-44.1-3-2	Disarming law enforcement officer (IC 35-44-3-3.5)
IC 35-44.1-3-3	Refusal to aid an officer (IC 35-44-3-7)
IC 35-44.1-3-4	Escape (IC 35-44-3-5)
IC 35-44.1-3-5	Trafficking with an inmate (IC 35-44-3-9)
IC 35-44.1-3-6	Trafficking with inmate outside a facility (IC 35-44-3-9.3)
IC 35-44.1-3-7	Prisoner possessing dangerous device or material (IC 35-44-3-9.5)
IC 35-44.1-3-8	Possession of cell phone while incarcerated (IC 35-44-3-9.6)
IC 35-44.1-3-9	Sex offender violating lifetime parole provisions (IC 35-44-3-13)
IC 35-44.1-3-10	Sexual misconduct [with those in lawful detention] (IC 35-44-1-5)
IC 35-44.1-4 Firefighting and emergency offenses	
IC 35-44.1-4-1	"Dispatched firefighter" defined (IC 35-44-4-1)
IC 35-44.1-4-2	"Emergency incident area" defined (IC 35-44-4-2)
IC 35-44.1-4-3	"Firefighter" defined (IC 35-44-4-3)
IC 35-44.1-4-4	"Firefighter protective clothing and fire protective gear" defined (IC 35-44-4-4)
IC 35-44.1-4-5	Refusing to leave emergency incident area (IC 35-44-4-5)
IC 35-44.1-4-6	Firefighter improperly refusing to leave incident area (IC 35-44-4-6)
IC 35-44.1-4-7	Person improperly entering emergency incident area (IC 35-44-4-7)
IC 35-44.1-4-8	Obstructing or interfering with firefighter (IC 35-44-4-8)
IC 35-44.1-4-9	Obstructing an emergency medical person (IC 35-44-3-8.5)
IC 35-44.1-5 Illegal aliens offenses	
IC 35-44.1-5-1	Application (IC 35-44-5-1)
IC 35-44.1-5-2	"Alien" defined (IC 35-44-5-2)
IC 35-44.1-5-3	Transporting an illegal alien (IC 35-44-5-3)
IC 35-44.1-5-4	Harboring an illegal alien; landlord exception (IC 35-44-5-4)
IC 35-44.1-5-5	Exception for transporting, moving, or caring for a child (IC 35-44-5-5)
IC 35-44.1-5-6	Determination that alien is in the United States in violation of law (IC 35-44-5-6)
IC 35-44.1-5-7	Impounding motor vehicles (IC 35-44-5-7)

These are the offenses from IC 35-44 which were re-codified within IC 35-44.1

IC 35-44.2 OFFENSES AGAINST STATE PUBLIC ADMINISTRATION

IC 35-44.2-1 Interference with state government operations offenses

IC 35-44.2-1-1	Retaliation to reporting a violation
IC 35-44.2-1-2	Retaliation to reporting to inspector general
IC 35-44.2-1-3	Obstructing the inspector general
IC 35-44.2-1-4	Obstructing the department of corrections ombudsman
IC 35-44.2-1-5	Obstructing the department of child services ombudsman
IC 35-44.2-1-6	Interfering with state examiner
IC 35-44.2-1-7	Refusal to follow state examiner directives
IC 35-44.2-1-8	Annual report to state examiner
IC 35-44.2-1-9	False certification of oath and affirmation
IC 35-44.2-1-10	False or deficient financial disclosure statement
IC 35-44.2-1-11	Failure to respond to attorney general upon demand of accounting
IC 35-44.2-1-12	Commercial driver training school requirements
IC 35-44.2-1-13	Publication of notices
IC 35-44.2-1-14	Disclosure requirements by public works consultants

These are the offenses from Titles 4 and 5 newly codified within IC 35-44.2.

IC 35-44.2-2 Purchasing offenses

IC 35-44.2-2-1	Depository rule
IC 35-44.2-2-2	Cashbook rule
IC 35-44.2-2-3	Itemization and certification rule
IC 35-44.2-2-4	Competitive bidding rule
IC 35-44.2-2-5	State teachers retirement fund accounting
IC 35-44.2-2-6	Institutional borrowing without legislative approval
IC 35-44.2-2-7	Disposal of law enforcement vehicles

IC 35-44.2-3 Contracting offenses

IC 35-44.2-3-1	State public works contracting violations
IC 35-44.2-3-2	Hospital bonding authority contracting restrictions
IC 35-44.2-3-3	Law enforcement academy building commission contracting restrictions
IC 35-44.2-3-4	Wage scale of public works contractor and subcontractor employees
IC 35-44.2-3-5	Artificial dividing of public works projects
IC 35-44.2-3-6	Employee organization restrictions

IC 35-44.2-4 Confidentiality of records, meetings and information offenses

IC 35-44.2-4-1	Disclosure of confidential information
IC 35-44.2-4-2	Disclosure of social security information
IC 35-44.2-1-3	Disclosure of inspector general information
IC 35-44.2-4-4	Disclosure of criminal intelligence information
IC 35-44.2-4-5	Disclosure of enterprise zone information
IC 35-44.2-4-6	Disclosure of state examiner examinations
IC 35-44.2-4-7	Destruction of public records

2

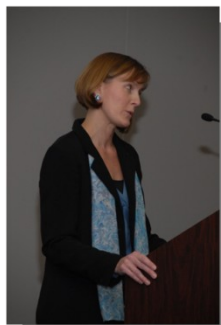
EDUCATE

In 2011, the fifth annual Legal and Ethics Conference, created and led by State Ethics Director Cynthia Carrasco (below), was held with the following speakers:



Hon. Mitchell E. Daniels, Jr., Governor
Hon. Steven David, Indiana Supreme Court Justice
Erica Hamrick, United States Office of the Special Counsel
Barb Trathen, Marion Co. Prosecuting Attorney's Office
Hon. Dave Powell, Executive Director, IPAC
Mike Bozymski, Deputy Examiner State Board of Accounts
Joe Hoage, Indiana Public Access Counselor
Sheila Kennedy, Professor IUPUI
Caroline Bradley, Indiana Office of Technology
Hon. Tim Grogg, Executive Director Executive Lobbying
David Thomas, Inspector General
State Ethics Commission members:
Clare Nuechterlein, JD (previous Chair)
Jim Clevenger, JD (current Chair)
Priscilla Keith, JD
Bob Jamison, retired FBI
Daryl Yost, PhD





Governor Daniels attends our Legal and Ethics Conference each year and presents an award for special accomplishment by an Indiana auditor or investigator. The 2011 recipient was FSSA employee Barry Levin. Barry has assisted many agencies in advanced data searches to reveal fraud and criminal activity.



In 2011, the OIG began preparing to launch the third wave of computerized ethics training for the 30,000 employees and special state appointees of the Indiana Executive Branch.

Preparation began in December and training will commence in the Spring of 2012. This on-line module, created by State Ethics Director Cynthia Carrasco, was the first of its kind in Indiana government.





In 2011, our website continued to be an educational tool for state employees and contractors. The Code of Ethics is displayed, along with practical examples for each rule, the SEC's opinions interpreting each rule, and an on-line form for employees to submit advisory requests.

www.in.gov/ig

Use of State Property

Summary of the Rule

Don't use state property for personal reasons.

Examples of the Rule

- You are an employee with the Board of Animal Health who is also the chair of a local organization of professional dairy farmers. You may not use the agency facilities to host your organization's upcoming monthly meeting.
- You work for the Department of Administration. You may not use the agency's scanner, computer, printer, and copier to print decorations and posters for the upcoming reunion you will be hosting at your house.
- You are employed by the Department of Child Services which issues you a cell phone to use, subject to the Department's written policy on the use of the phones. You may use the phone to make a personal phone call so long as you comply with the agency's written policy.
- You are an INDOT employee who is issued a state vehicle to drive to and from job sites. You may not use this vehicle when you drive to Florida for vacation.
- You are a Department of Insurance employee and you work in the office. You are having a New Years party at your home. You may not print invitations on the office copier.

Past Advisory Opinions on the Rule

- [All Opinions on the State Property Rule](#)

The Rule: 42 IAC 1-5-12 Use of State Property

A state officer, employee or special state appointee shall not make use of state materials, funds, property, personnel, facilities or equipment for any purpose other than for official state business unless the use is expressly permitted by a general written agency, departmental or policy or regulation.

Callout boxes with arrows pointing to the following sections:

- Summary of the Rule
- Examples of the Rule
- Commission Interpretations
- Full Text of the Rule

3
ADVISE



The number of advisory opinions requested by state workers from the SEC continued to increase in 2011.



Formal Advisory Opinions are issued by the SEC and continue to be the ultimate authority regarding the interpretation of the Code of Ethics. These opinions continue to be annotated by rule on the OIG website.



Pictured here are the 2011 State Ethics Commissioners.

From top to bottom:

Jim Clevenger, JD, Chairman

Priscilla Keith, JD

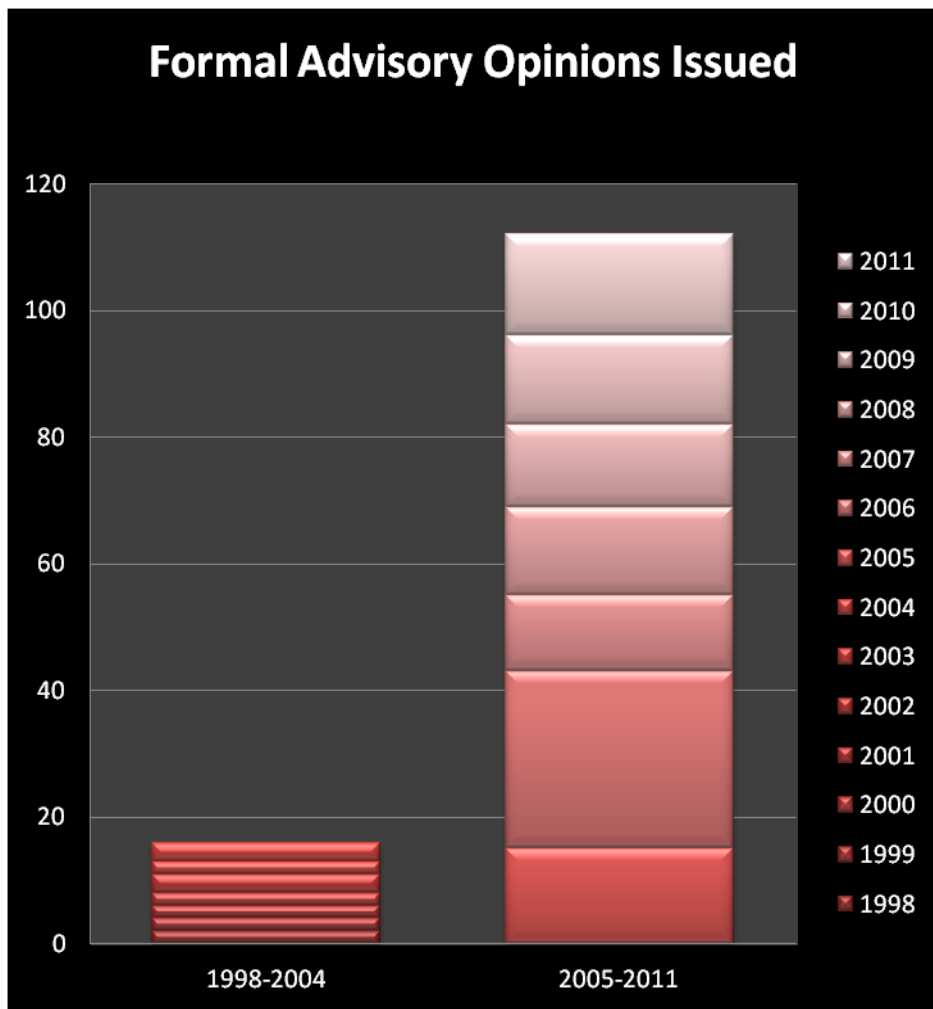
Bob Jamison, Retired FBI

Daryl Yost, PhD

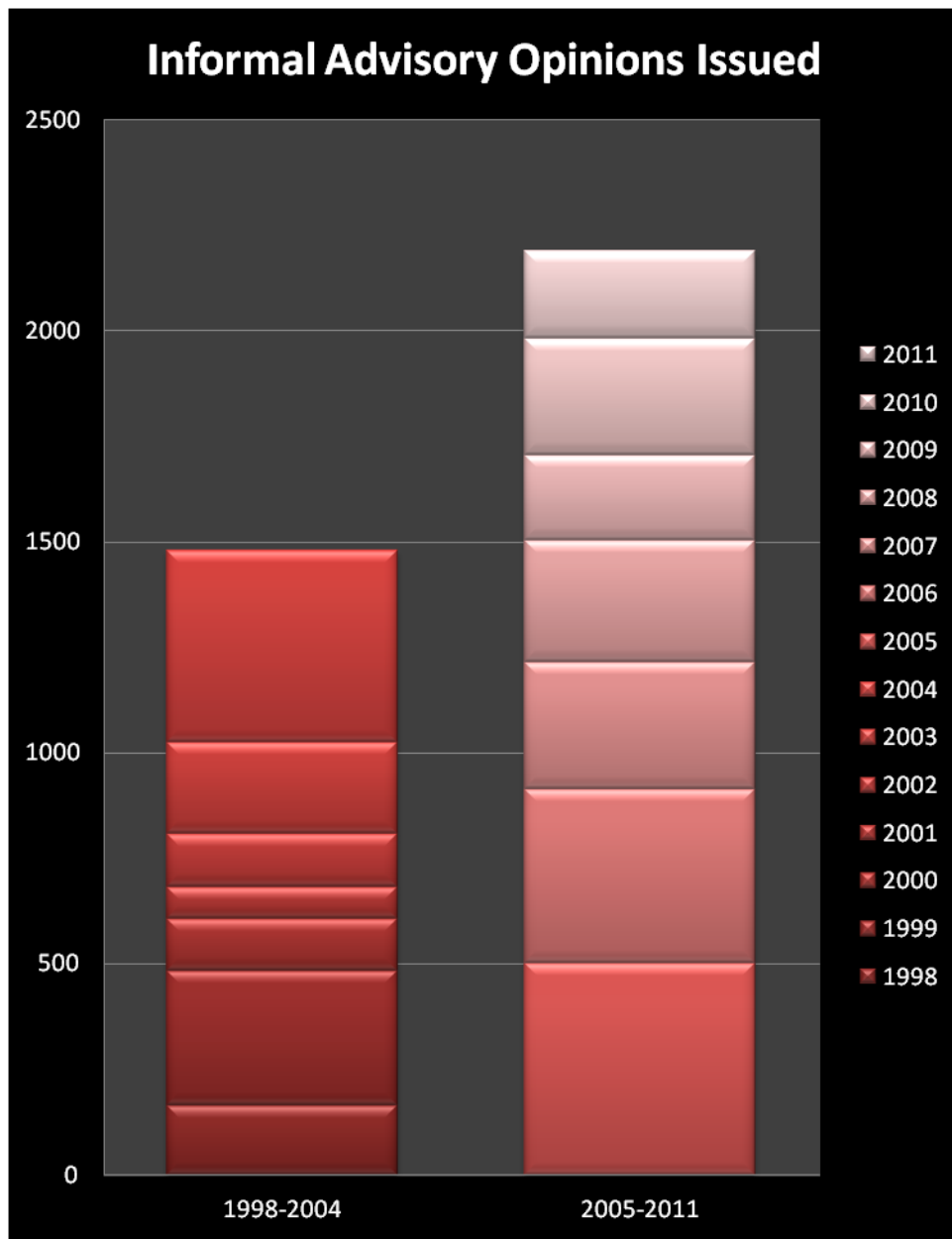
Claire Nuechterlein, JD, former Chairperson

The SEC issued 16 Formal Advisory Opinions in 2011. The Indiana Supreme Court has recently reaffirmed that the Commission is the exclusive authority in interpreting the Code of Ethics. The Commission's interpretations of the Code of Ethics in these opinions are relied upon in investigations and the issuance of Informal Advisory Opinions.

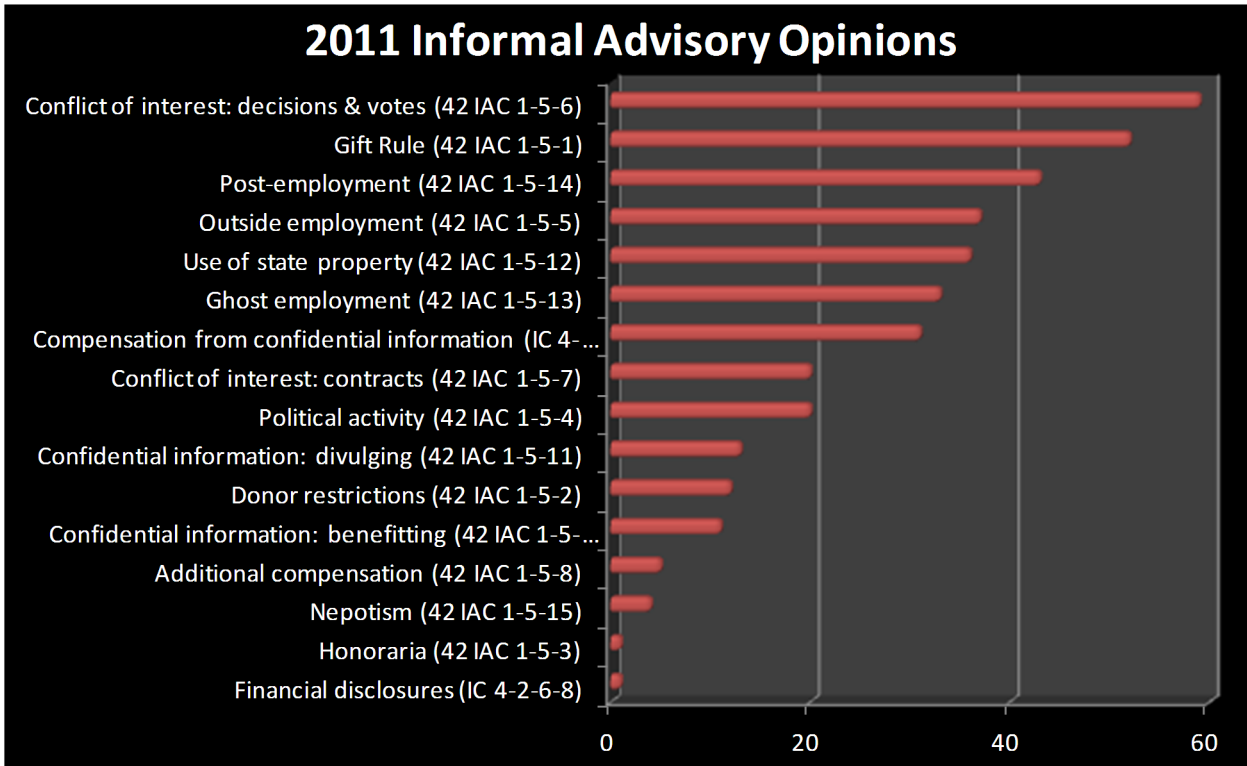
Each opinion requires substantial work. This includes the receipt of the request, legal research, a public hearing to receive evidence and arguments, followed by the drafting and issuance of the formal advisory opinion which is then posted on our website.



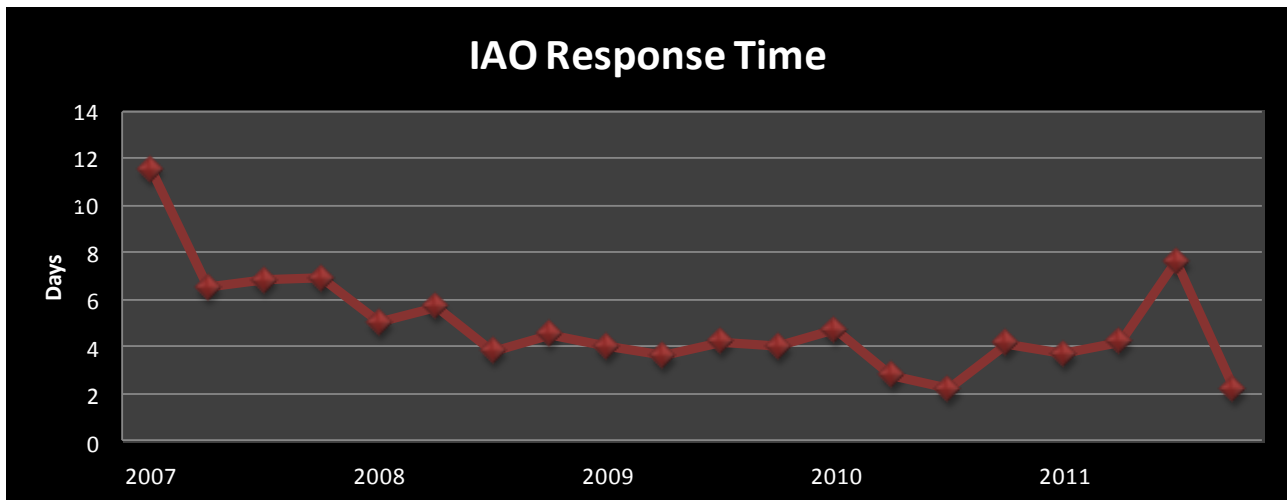
Informal Advisory Opinions are written, confidential commitments by OIG staff attorneys regarding the application of the Code of Ethics. OIG staff attorneys issued 208 informal advisory opinions to state employees in 2011.



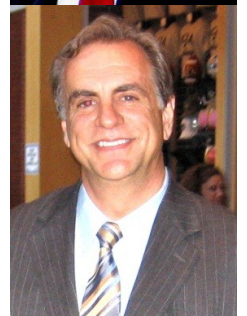
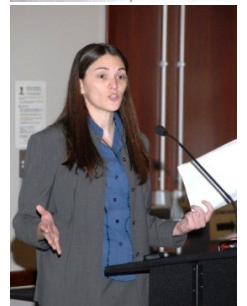
The 2011 Informal Advisory Opinions issued involved one or multiple ethics rules. The topics covered by the advisory opinions were:



In 2011, the speed of response to requests for informal advisory opinions was:



In 2011, OIG attorneys issued hundreds of written advisory opinions in the form of legal advice to state employees, special state appointees and contractors. All graduates of Indiana University School of Law, they remain in good standing with the Indiana Supreme Court and federal courts.



Pictured here are the 2011 Inspector General attorneys.

From top to bottom:

Cynthia Carrasco, JD & Executive Director

Kristi Shute, JD

Amanda Lufkin, JD

Todd Shumaker, JD

David Thomas, JD & Inspector General

4 AUDIT

In 2011, we performed audits in several areas.

We assisted the State Personnel Department (SPD) in their audit of health care benefits fraud for state employees throughout the state.



Forty (40) individual investigations were conducted in 2011 by Inspector General Special Agents and posted on our website as a result of the benefits audit conducted by SPD.

The remaining audits and investigations are ongoing through 2012.

In 2011, we also continued our audits of American Recovery Reinvestment Act (ARRA) projects involving state agencies spending stimulus monies.

Special Agents conducted inspections of numerous projects funded by stimulus funds throughout Indiana.



Above: Inspection of a water main replacement, Union County, IN.



Left: Inspection of a bridge deck overlay, Marshall County, IN.

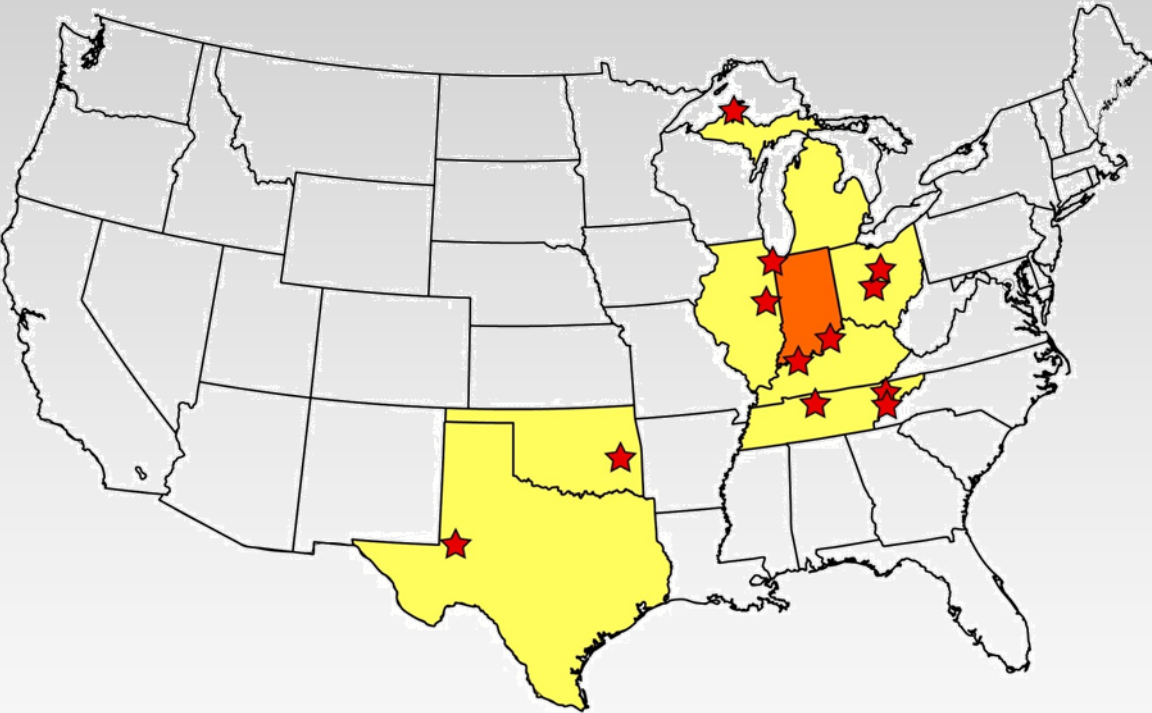


Bottom: Inspection of asphalt resurfacing of US 31 Fulton County Line to Old US 31, Kosciusko County, Indiana.

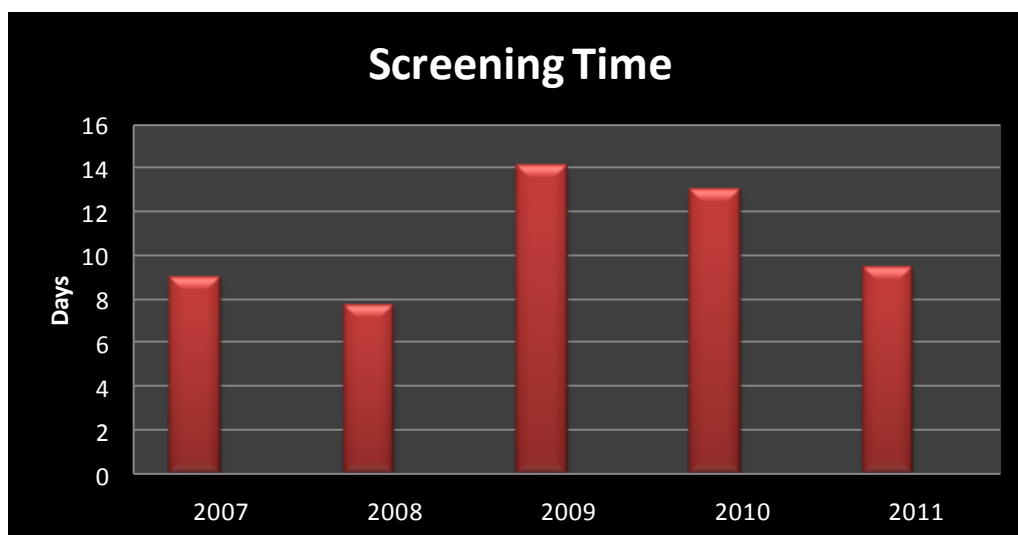
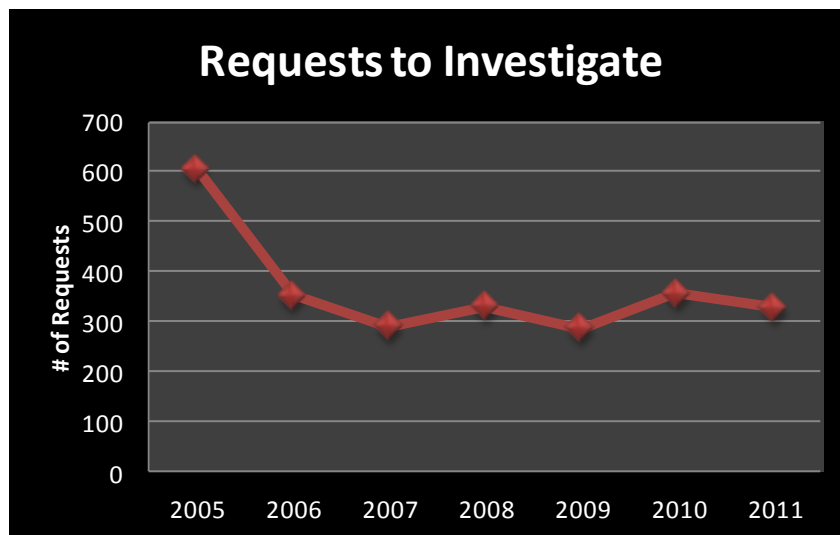
5
INVESTIGATE

By the end of 2011, Inspector General investigations had been conducted in all Indiana counties, with some even extending beyond state lines.

OIG Investigations



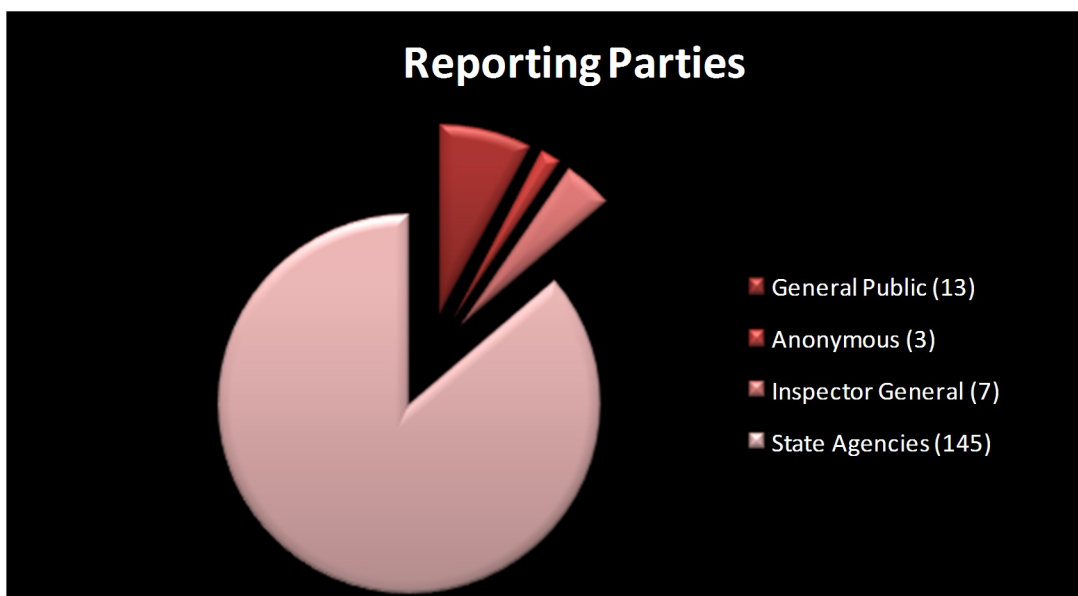
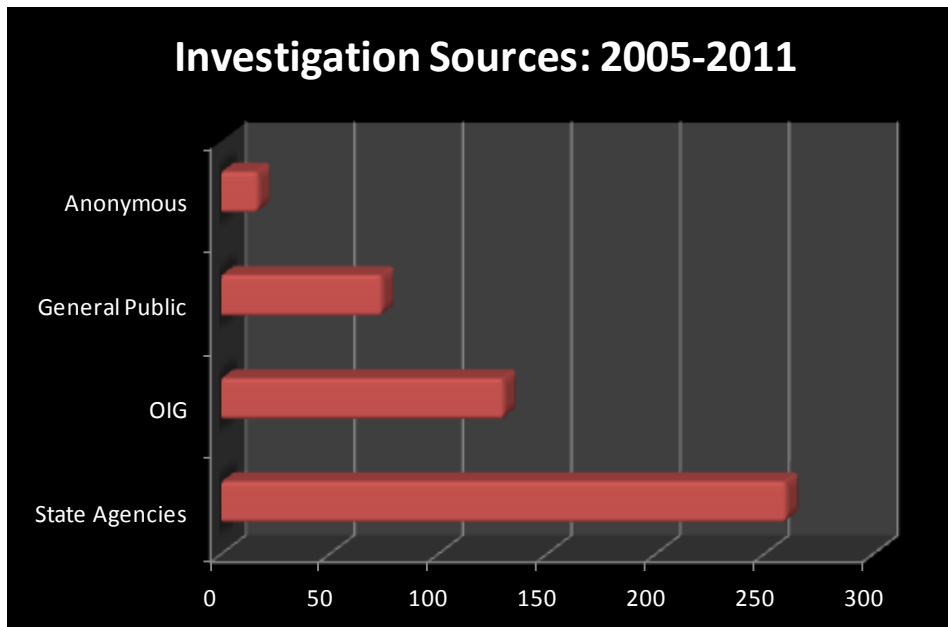
Inspector General investigations begin with screening. Screening is an evaluation process to determine whether to move a request to investigate into full investigation. Speed in screening is important to the person requesting an investigation as well as to efficient operations of the OIG. Often, legal research and preliminary fact finding is conducted in order to determine whether a case warrants a full investigation with the resources available. We are constantly evaluating our process to find ways to screen more efficiently.



Investigate

The Reporting Party (RP) is the person who reports a case to the OIG and requests an investigation. The 2011 data shows that the majority of cases investigated are being reported by the state agencies, themselves. We consider this to be an indication that a healthy relationship exists between the many state agencies and the OIG.

Of 168 cases in 2011 which moved into investigation the Reporting Parties for these cases were as follows:



6
ENFORCE

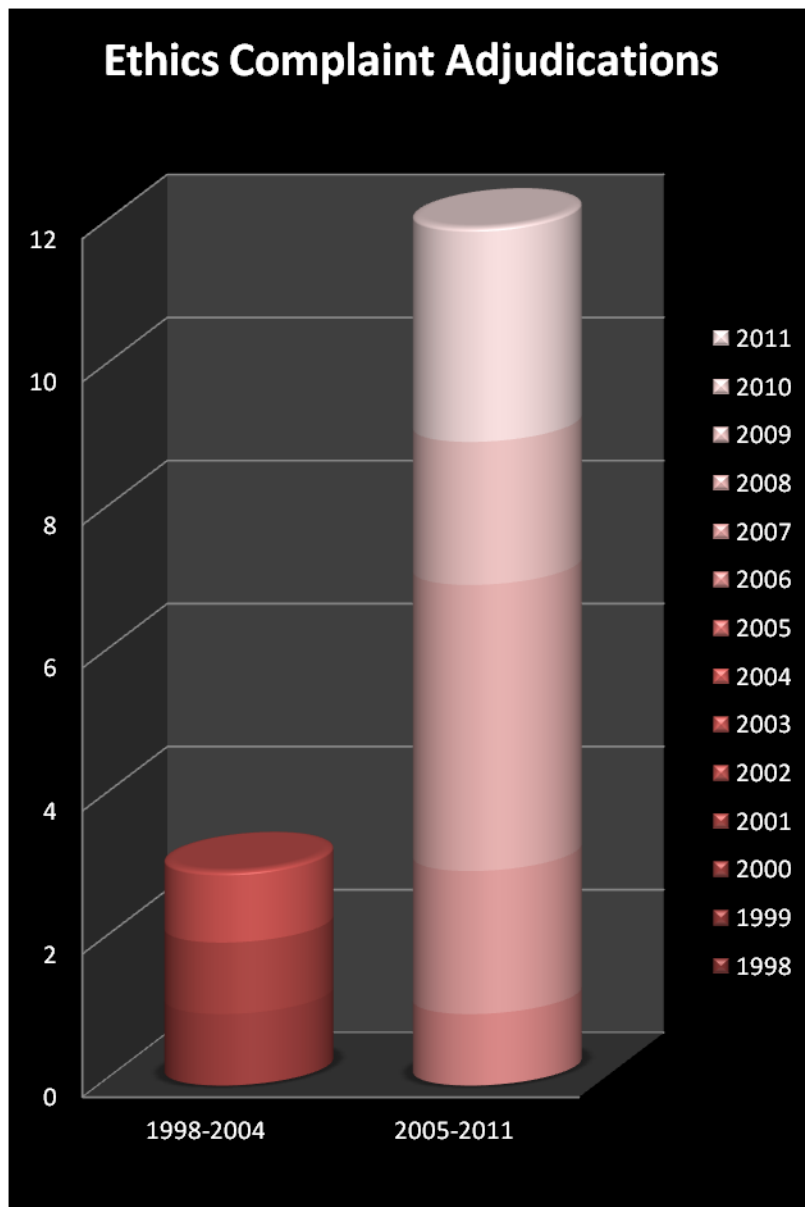
In 2011, the investigations of Inspector General Special Agents resulted in four criminal arrests.

PERSONS CHARGED	CASE
1	Corrupt Business Influence (Edward Grady)
1	Welfare Fraud (Janelle Athalone-Afrika)
1	Official Misconduct (Donald Hickey)
1	Possession of Marijuana (Jason Grimes)
4	TOTAL

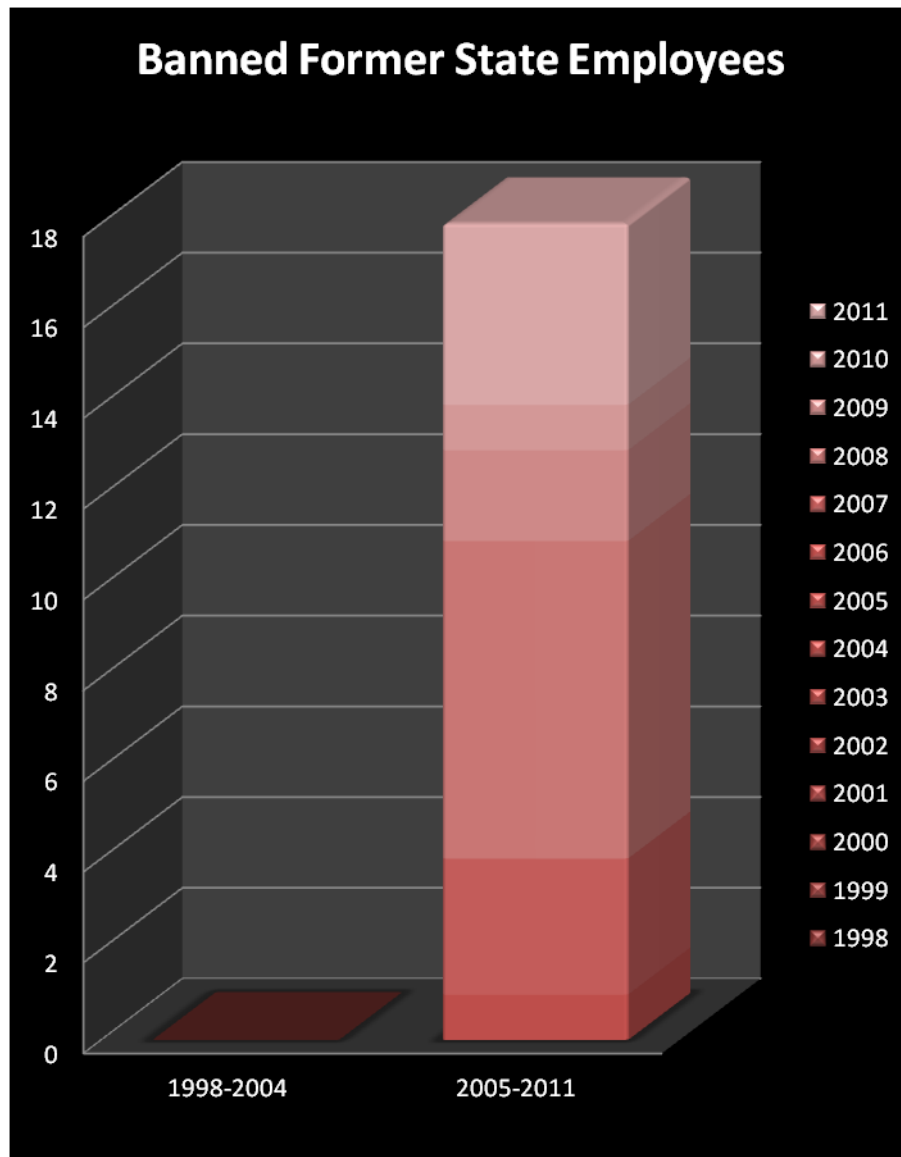
A breakdown of 2011 investigations between crimes charged, ethics complaints approved, and efficiency reports issued is as follows:

ACTION	RESULTS	EXPLANATION
Persons charged	4	Persons charged by Indiana Prosecutors in 2011
Ethics Adjudications	8	Cases submitted to Ethics Commission and probable cause found
Efficiency Reports	48	Cases resolved by efficiency reports

Litigation of ethics complaints has also remained steady throughout the years. Although most ethics complaints are resolved with a settlement agreement, many employees exercise their right to a public hearing. The following graph illustrates the number of adjudications that resulted from ethics complaints.

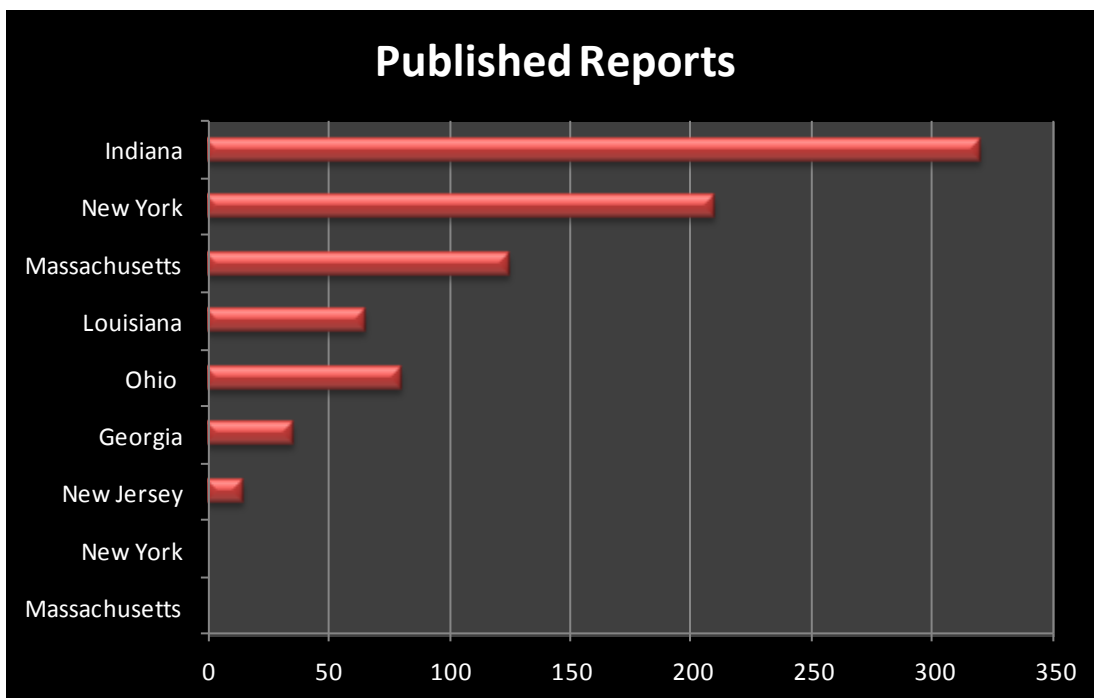


The SEC continues to exercise its authority granted in the 2005 Inspector General legislation to ban certain employees from future state employment:



7 REPORT

Among the nation's state inspectors general, the Indiana OIG in 2011 continued to publish more reports than any other. These numbers do not include the additional 208 written Informal Advisory Opinions issued by Indiana OIG staff attorneys in 2011.



In addition to the Inspector General Investigative Reports, the SEC published sixteen (16) written opinions in 2011 .

8

ASSESS RISK

Assess Risk

QUESTION:

Why is risk assessment important?

ANSWER:

Anyone who uses the phrase “I wish I knew then what I know now” is recognizing the value of risk assessment.

The OIG is responsible by statute to “prevent” wrongdoing. Most would agree that a prudent way to conduct government operations (as well as in corporate America) is to determine where people get in trouble the most, and then focus on preventing those things from happening again. If a state highway bridge had collapsed, people would be outraged if highway experts knew of the approaching danger but did nothing to warn oncoming drivers. This same principle should be followed in a compliance program (law improvement, education, advice, audits and investigations).

Not only is government enhanced and individual and institutional reputations saved when high risk conduct and resulting wrongdoing is prevented, but money and time are saved as well.

QUESTION:

How do you develop the State’s Risk Assessment?

ANSWER:

We continually develop the State’s Risk Assessment from three sources: (1) common themes from our Inspector General and other agency investigations, (2) State Board of Accounts and other auditing units’ common findings, and (3) repeated issues addressed in the SEC’s Formal Advisory Opinions and our Informal Advisory Opinions.

QUESTION:

What is so risky?

Answer:

In general, risk involves:

1. Accreditation failure
2. Violations of legislation and statutes
3. Program expertise failure

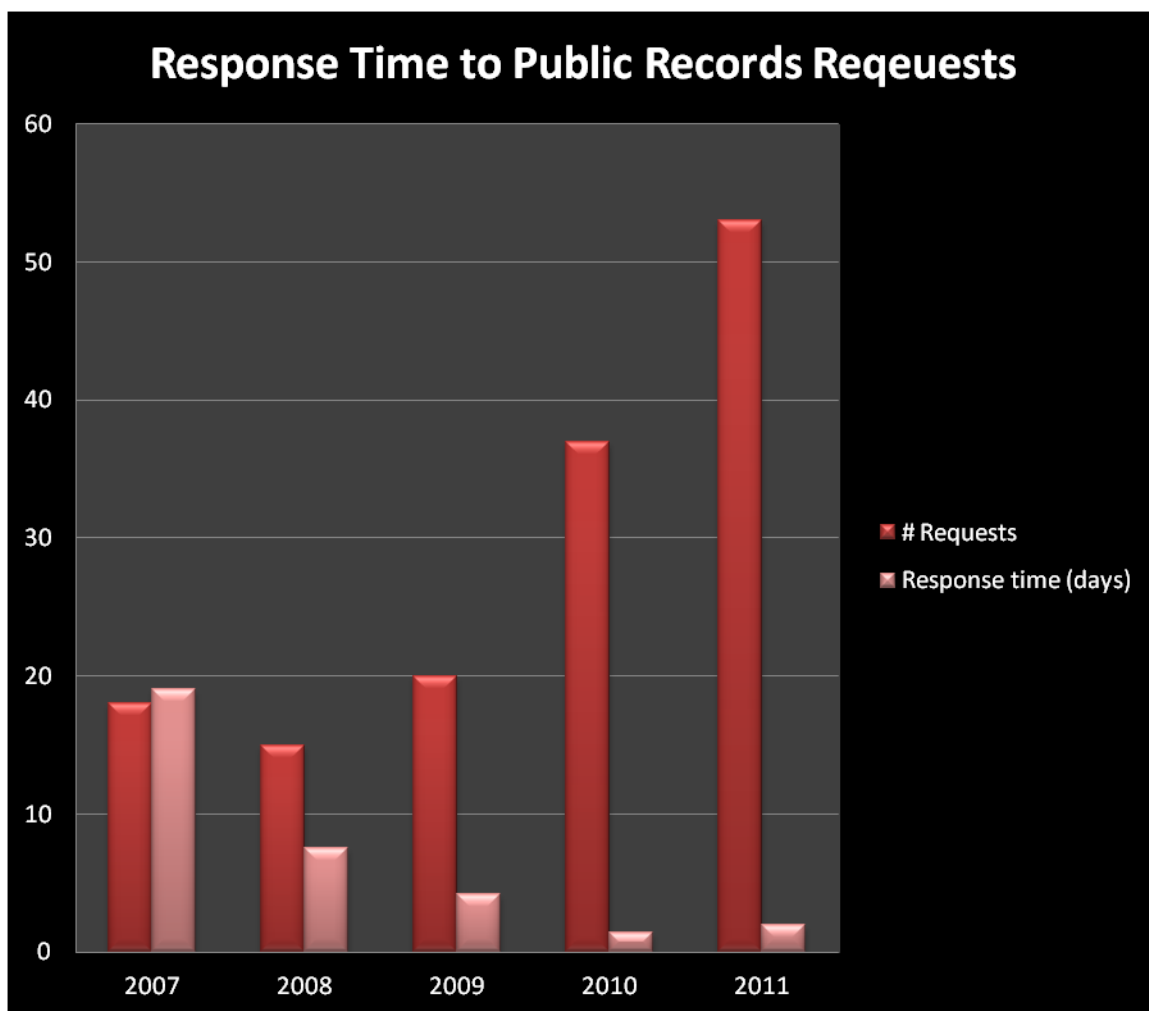
Indiana's Risk Assessment

Topic
1. Accreditation failure examples:
Enabling legislation revocation
Budget restriction by Legislature or Executive Branch
State Board of Accounts audit findings
Singe Audit findings (US OMB 1-133)
Ethics training failure (42 IAC 1-6-2 and 1-4-1)
SPD Open Enrollment non-compliance
Inspector General recommendation non-compliance
2. Violations of legislation and statutes examples:
Theft
Theft/conversion (IC 35-43-4-2 and 3)
Forgery/counterfeiting (IC 35-43-5-2)
Improper influence:
Conflicts of interest (COI)
Criminal COI (IC 35-44.1-1-4)
Ethics COI (IC 4-2-6-9 and 10.5)
Gifts and bribes
Gifts (42 IAC 1-5-1 and 2)
Bribery (IC 35-44.1-1-2)
Confidentiality of records
Open records laws (IC 5-14-3)
Offenses in general (IC 35-44.2-4-1)
Ethics confidentiality (42 IAC 1-5-10 and 11)
Social Security information (IC 35-44.2-4-2)
Others (IC 35-44.2)
Interference:
Retaliation (IC 35-44.2-1-1 and 2)
Obstruction of justice (IC 35-44.1-2-2)
Ghost employment (IC 35-44.1-1-3)
Moonlighting (42 IAC 1-5-5)
Post-employment (IC 4-2-6-11)
Political activity (42 IAC 1-5-4)
Purchasing and contracting
Depository rule (IC 35-44.2-2-1)
Cashbook rule (IC 35-44.2-2-2)
Itemization and certification rule (IC 35-44.2-2-3)
Competitive bidding rule (IC 35-44.2-2-4)
3. Program expertise failure examples:
Not meeting agency performance goals

9
COMPLY

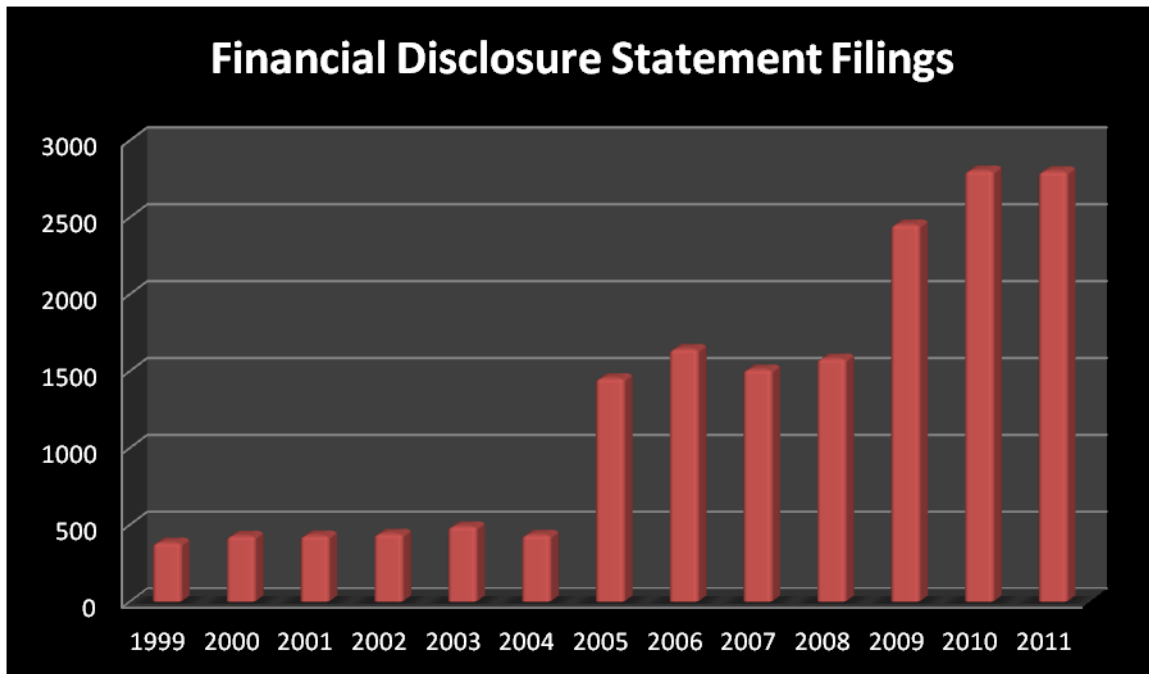
Internal compliance by the OIG, itself, is important to us.

First, Open Records (Access to Public Records Act or APRA) responses by our office are monitored as a performance metric. Even though APRA requests to our office have doubled in the past two years, our final response time in 2011 has decreased to an average response time of just two (2) days.



Second, we have received through both SBOA audit reviews of our office the finding both times that we are in compliance with the SBOA Manuals, warranting no written or verbal comments.

Third, in fulfilling our statutory duties to monitor and receive Financial Disclosure Statements of qualifying Executive Branch employees and officers, the following results show 2,777 filings collected in 2011.



Fourth, we have met our budget and reversion standards each fiscal year.

Fifth, our staff of statutory law enforcement investigators and attorneys continue to maintain their required certifications, qualifications and meet the necessary continuing education standards.

Government compliance is a relatively new concept. The Federal Inspector General Act of 1978 was the first major effort to establish government oversight within the Executive Branch of the United States Government. The State systems followed, yet there are only nine state inspectors general. Consequently, there are few, if any, standardized best practices. We have compiled the below standards by category, with Indiana’s position in each item.

#	Category	Description	Indiana
1	Effectiveness	Consolidated criminal, ethics, administrative	Yes
2	Effectiveness	Educational programs	Yes
3	Effectiveness	Advisory programs	Yes
4	Effectiveness	Direct enforcement authority for crimes	Yes
5	Effectiveness	Direct enforcement of ethics violations	Yes
6	Effectiveness	Subpoena authority	Yes
7	Effectiveness	Sworn statement authority	Yes
8	Effectiveness	Search warrant authority	Yes
9	Effectiveness	Branch-wide jurisdiction	Yes
10	Effectiveness	Risk assessment established	Yes
11	Effectiveness	Recommendations issued	Yes
12	Effectiveness	Statutory or rulemaking engagement	Yes
13	Effectiveness	Hotline to receive complaints	Yes
14	Effectiveness	Metrics established and monitored	Yes
15	Effectiveness	Auditing function (external)	Yes
16	Effectiveness	Investigative function	Yes
17	Effectiveness	Investigators certified	Yes
18	Effectiveness	Savings measured	Yes
19	Effectiveness	Attorney staff	Yes
20	Effectiveness	Operating policies and/or promulgation	Yes
21	Effectiveness	Penalty for obstructing efforts	Yes
22	Effectiveness	Penalty for retaliation in cooperating with efforts	Yes
23	Independence	Removal for cause, not serving at pleasure	Yes
24	Independence	Term (versus serve at will)	Yes
25	Independence	Budgeting separate	No
26	Independence	Ethics Commission is bi-partisan	Yes
27	Independence	IG reports to CEO rather than agency leaders (US and FL)	Yes
28	Transparency	Investigative reports published	Yes
29	Transparency	Advisory reports published	Yes
30	Transparency	Annual Reports published	Yes
31	Transparency	Risk assessment published	Yes
32	Transparency	Metrics published	Yes
33	Transparency	Internal compliance system (IG Compliance Officer)	Yes

As stated at the beginning, perhaps there is no other state entity with such a general, controversial or vulnerable goal as to “deter, detect and eradicate fraud, waste, abuse, mismanagement, and misconduct in state government.” The previous pages aim to outline how we have gone about discharging our statutory duties in 2011 .

Future considerations may involve our ever-growing and natural partnership with the SBOA. We continue, from our perspective at the OIG, to see that our agencies have common ground and appreciate the many efforts SBOA has given us to help establish and maintain our operations.

We continue to receive many requests to advise or investigate local government matters which are outside our jurisdiction. We do not advocate for, or endorse, the expansion of our jurisdiction, but see the benefits some day in the future of having a uniform application of the Code of Ethics and other operating rules beyond the executive branch of Indiana government. We also are carefully exploring our involvement in the state universities.

In closing, it is imperative that we thank all the many entities and individuals who contribute to our efforts. It has been our honor to have the opportunity to establish this new experiment in Indiana.



INDIANA OFFICE OF THE INSPECTOR GENERAL AND STATE ETHICS COMMISSION
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