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Embezzler escapes prison; assigned essay, 3 years community corrections

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A business manager won't go to prison for stealing tens of thousands of dollars from a former employer. But Carla Barnhart will have to pay a fine and complete a writing assignment.

Barnhart, 48, of Lafayette was sentenced Wednesday in Tippecanoe Superior Court 2 to three years on community corrections -- some combination of work release, house arrest and day reporting -- and four years on probation.

Judge Thomas Busch also imposed a \$10,000 fine and ordered Barnhart to write a guide for employers on how to prevent employee theft.

The victim, Patrick MacDonald, publisher of MacDonald Classified Service, has said he suspects Barnhart stole hundreds of thousands of dollars from his business over a number of years.

Busch made the writing assignment a part of the sentence after Barnhart's current employer, Shirley Pence, co-owner of the Lafayette Stanley Steemer Carpet Cleaner franchise, said she has trusted Barnhart with bookkeeping responsibilities for the past four years.

Pence, who has known Barnhart for 14 years, said Barnhart has pointed out business practices that would make her company vulnerable to employee theft.

"I see the heart that changed and the heart that owned it," Pence said of Barnhart's crimes. "Usually, when people take ownership of their wrong, they don't repeat it."

Barnhart was fired from MacDonald in November 2002, but criminal charges were not filed until March 2006.

According to discussion during Barnhart's sentencing hearing, Barnhart paid MacDonald "slightly under \$30,000" from her 401(k) several years ago in an out-of-court settlement of a civil lawsuit filed by MacDonald.

ADVERTISEMENT Barnhart acknowledged Wednesday that she stole more than that, but said she didn't know how much more.

Busch said he imposed the fine because he thought it was an appropriate penalty for a financial crime and because Barnhart's civil settlement with MacDonald precluded the victim from seeking further

restitution in the criminal case.

In addition, Barnhart will be required to perform 160 hours of community service and complete a money management class.

Deputy prosecutor Tom King, who was prohibited by the plea agreement from arguing for a specific sentence, said he was troubled that Barnhart didn't acknowledge the damage she did to her former employer. In some ways, he said, she seemed to blame MacDonald for business practices that allowed her to commit the thefts.

"Remorse toward the victim is absent in what I've heard today," King said.

Because of the delay in the filing of charges, Barnhart's attorney, Carl Sandy, said, she has had more than four years to demonstrate that she can live a law-abiding life.

He noted that Barnhart's plea agreement leaves open the possibility of returning to the court to have her seven felony theft convictions reduced to misdemeanors.