



# INVESTIGATIVE REPORT

David Cook, Inspector General

## INSPECTOR GENERAL REPORT

OFFICE: INDIANA DEPARTMENT OF CORRECTION (IDOC)  
TITLE: PAROLE AGENT MISCONDUCT  
CASE ID: 2018-01-0019  
DATE: March 9, 2021

*Inspector General Staff Attorney Kelly Elliott, 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 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 violations within state government. Ind. Code § 4-2-7-3. The OIG also assists other law enforcement efforts and coordinates investigations. Ind. Code § 4-2-7-3.

### I. Complaint

On January 19, 2018, the OIG received a complaint alleging that a former Indiana Department of Correction (IDOC) parole agent, Elston Boldery, Jr., used his state-issued cell phone to (1) send a sexually explicit text message to a female parolee under his supervision; and

(2) download pornographic images and other images unrelated to his official state duties. The OIG opened an investigation into the allegations.<sup>1</sup>

## **II. Investigations by Other Agencies**

IDOC conducted an initial investigation into the matter after receiving a complaint alleging that Boldery sent a sexually explicit text message to a female parolee under his supervision. IDOC seized Boldery's state-issued phone and computer for further review. IDOC found that Boldery had downloaded onto his state-issued cell phone numerous images of adult pornography. Boldery had also downloaded non-pornographic images on to his state-issued cell phone that did not appear to be related to his official state duties.<sup>2</sup> With respect to the sexually explicit text message Boldery sent to the female parolee, IDOC determined that Boldery sent the text message to the parolee by mistake and no sexual relationship existed between the two. IDOC terminated Boldery on January 27, 2018.

IDOC submitted Boldery's state-issued computer to the Indiana State Police's (ISP) Cyber Crime Unit (CCU) for further review. CCU performed a forensic examination of Boldery's state-issued computer and recovered an image that depicted the top half of a woman, with the camera lens centered in on the woman's breasts. The image did not depict the woman's face; however, Special Agent Bedan later determined that the woman was a female parolee under Boldery's supervision. Boldery had taken the photo of the female parolee during a parole meeting without the woman's knowledge.

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<sup>1</sup> The OIG investigated other allegations as a part of this investigation that are not contained in this Inspector General report because the investigation into these allegations did not result in sufficient evidence to support criminal charges.

<sup>2</sup> IDOC found that Boldery had attempted to delete the pornographic and non-pornographic images from his phone; however, IDOC was still able to access the images.

IDOC also submitted to ISP's CCU a hard-drive that contained the data IDOC had extracted from Boldery's state-issued cell phone. CCU reviewed the images and found that approximately 393 of these images depicted adult pornography. CCU also found forty-six images that were non-pornographic but depicted school-aged girls either fully clothed or in a bathing suit. An ISP detective trained in the analysis of images to recognize child pornography reviewed the images recovered from Boldery's state-issued devices and determined that none of the images depicted child pornography.

### **III. OIG Investigation**

OIG Special Agent Jack Bedan investigated the allegations. As a part of Special Agent Bedan's investigation, he interviewed Boldery, IDOC employees and other witnesses. He reviewed documentation received from IDOC, including records of IDOC's initial investigation of the allegations, parole records and data obtained from Boldery's state-issued cell phone and computer. Special Agent Bedan also reviewed IDOC's policies and procedures and Boldery's IDOC Outlook emails and attendance records.

Special Agent Bedan learned that Boldery served as a parole agent in IDOC's Parole District 9, which serves various counties in southeastern Indiana. Boldery maintained a workstation at IDOC's Parole District 9 office, which is located in Jefferson County, Indiana. IDOC's Parole District 9 office does not maintain an entry system that would have recorded when Boldery or other employees entered or exited the office.

Special Agent Bedan reviewed the metadata for the images that ISP and IDOC recovered from Boldery's state-issued devices. The metadata provided information on the date and time as to when the images were downloaded and/or created on Boldery's state-issued devices. Special

Agent Bedan compared this information to Boldery's IDOC attendance records.<sup>3</sup> He also reviewed emails Boldery sent using his IDOC Outlook email account on the dates Boldery downloaded and/or created the images in question. Special Agent Bedan found that Boldery downloaded to his state-issued cell phone approximately twenty-one images that depicted adult pornography and eight images of school-aged girls that were non-pornographic during normal business hours on days that he reported working for IDOC.<sup>4</sup> Further, Boldery created the image of the female parolee that CCU recovered from his state-issued computer during his IDOC working hours.

## **V. Conclusion**

The OIG submitted the results of this investigation to the Jefferson County Prosecutor's Office. On February 11, 2021, the Jefferson County Prosecutor's Office charged Boldery with one count of Ghost Employment, as a Level 6 Felony under Ind. Code § 35-44.1-1-3, and Official Misconduct, as a Level 6 Felony under Ind. Code § 35-44.1-1-1 (Cause No. 39D01-2102-F6-00140). Accordingly, this investigation is closed.

Dated: March 9, 2021

APPROVED BY:



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David Cook, Inspector General

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<sup>3</sup> Boldery's attendance records provide dates in which Boldery reported working for IDOC and the total number of hours he worked on those dates; however, the records do not provide information on when Boldery began or ended his shift. Additionally, due to changes in IDOC's software system, Boldery's IDOC calendar for the period in question was not available for the OIG to review.

<sup>4</sup> Boldery downloaded the remainder of the images on dates that he did not report working for IDOC or during times that he was likely not working, such as late in the evening.