



The Indiana Prosecutor

3rd Quarter, 2015

IPAC Awards Honor Prosecutors, Staff, Law Enforcement Officers and Victim's Advocates

I have always felt that we could do a better job of honoring the great people who work in our prosecutors' offices. Some of you may have a local policy or awards program, but a statewide awards program did not exist within the Indiana Prosecuting Attorneys Council until recently.

Your executive committee has been studying a council (IPAC) awards program for a couple years and presented a proposal that was adopted by the board of directors.

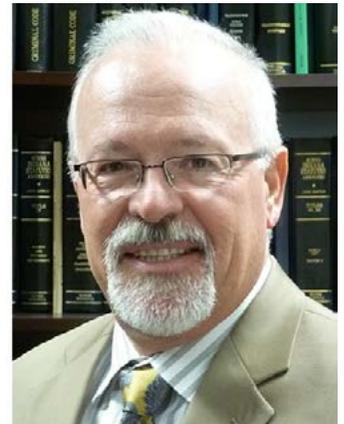
I want to mention some of the [awards](#) that were approved. A detailed description of the awards, eligibility, and appli-

Award Details and Nomination Form on Pages 9 & 10

cation process is provided in this newsletter and on the IPAC secure website. Your point of contact at IPAC is Connie Smith, Public Affairs Officer. Connie will answer questions and make sure the awards process runs smoothly. She will also issue press releases recognizing award winners. I am

Some Thoughts..

By
David N. Powell
IPAC Executive Director



sure there will be a few bugs that will have to be worked out as we implement the entire program – so be patient as we work through the logistics.

Also, the board formally adopted and incorporated within the program the awards traditionally given by the Child Support Standing Committee each summer at the Child Support Conference.

The first IPAC award rolled out was the “Stephen J. Johnson – Outstanding Service Award.” This award is the highest
Continued on Page 3

Reflections of a Prosecutor on a Public Health Crisis

By Jason Mount
Scott County Prosecutor

When the national media descended on Scott County (population 23,000), as a result of the recognition of an unprecedented HIV epidemic, my fellow local officials and I had grave concerns about how we might be portrayed, both as a county and individually. Not only were we constantly being pressed for information by familiar local and regional outlets, but we were also making the front page



Jason Mount of the Wall Street Journal, the New York Times, Time Magazine, the evening news, and even Al Jazeera America. There were over 180 positive cases, pri-

marily in Austin, Indiana, with a population of just 4,500. Realizing that the only way to begin to get past this tragic consequence would be for local and state officials to work together, I had concerns about minimizing any finger-pointing or blaming of any one group for the situation in the press. In the face of the crisis, whether or not we were all on the same page, it was important that we appeared to be to the public.

Further complicating matters was that with this story, the press was going to sources who are not used to regular media contact, such as doctors, health officials and even users. It was not uncommon to see a drug user quoted in the New York Times on one day and arrested by local law enforcement the next.

As a result of this epidemic, my office has found itself working closely with our usual partners (local law enforce-
Continued on Page 3

Legislative Update

By **Sabra Northam**
IPAC Legislative Liaison

Contact Sabra Northam: snortham@ipac.in.gov

Preparing for the 2016 Legislative Session

As summer gets into full swing we begin to ramp up our preparatory measures for the 2016 legislative session. The legislative committee has developed an initial draft of legislative priorities for the upcoming session and will present a final version at the August board meeting. It is important to develop our legislative goals early as most legislators know what bills they are going to file by fall.

We have set 6 regional legislative dinners for August and September in Bloomington, Evansville, Fort Wayne, Indianapolis, Lafayette, and South Bend. Dates and times of these dinners will be sent out mid-July. We will invite local prosecutors, area legislators and members of the executive committee and legislative committee to each of these dinners. We are also preparing for summer study committee season, which should start in August and will run into early fall. An overview of major topics is below.

2015 Interim Study Committees

Each interim study committee is made up of representatives, senators, and lay members. This year senators will serve as the chair of each committee. Senate members recently received their committee assignments and house members are expected to be announced soon.

A study committee may not study or take testimony on a topic unless it is assigned by the Legislative Council or approved by the Personnel Subcommittee of the Legislative

Council. This year we will be tracking meetings of the interim study committees on Agriculture & Natural Resources; Corrections & Criminal Law; Courts & Judiciary; Government; Pension Management Oversight; Public Health, Behavioral Health and Human Services; and the Code Revision Commission.

There are many public safety related issues on the schedule for this study committee season. Some of these include: the production and use of hemp oil; needle distribution and collection programs and criminal penalties for drug offenses; public records requests related to police body cameras; offenders and employment; adult protective services laws and programs; retrieving DNA samples from felons; and various issues related to prostitution, human trafficking, and sexual assault.

The interim study committees typically meet 3 or 4 times according to the number of items on the agenda. We are already preparing for each of these committee meetings as there should be opportunity to testify on the various topics. A full list of all interim study committees and members can be found here: <https://iga.in.gov/legislative/2015/committees/interim>.



IPAC offices were visited June 30 by Roger Eridson Dorneles, a labor attorney from Brazil. Roger (at right) is president of his local Bar Association and has an interest in issues related to community service, drug addiction and counseling, as well as consumer protection. With him are Executive Director David N. Powell and Legislative Liaison Sabra Northam.

Indiana Prosecuting Attorneys Council

302 W. Washington St., Room E205
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IV-D Staff Attorney

Sabra Northam
Legislative Liaison

Connie Smith
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Calendar of Events

Indiana Covert Drug Investigation School
August 16-22
Camp Atterbury
Edinburgh

Trial Advocacy I (TSRP)
September 1-3
Crown Plaza at Union Station
Downtown Indianapolis

Trial Advocacy (Sexual Assault/Domestic Violence)
September 29-30, October 1
Bloomington Convention Center



IPAC Awards Honor Prosecutors, Staff, Law Enforcement, Victims Advocates

Continued from Page 1

award given by IPAC. You all may recall that retiring Clark County Prosecutor, Steven D. Stewart was the first recipient of the “Stephen J. Johnson Award.” The presentation ceremony occurred during the 2014 Winter Conference (Newly Elected Course).

Equivalent to the “Stephen J. Johnson Award” is the Association of Indiana Prosecuting Attorneys’ “Shine Feller Award.” The past presidents of the Association of Indiana Prosecuting Attorneys from time to time present the “The

Reflections...

Continued from Page 1

ment) as well local officials that we don’t often have regular contact with, such as the commissioners, the health department, city government and local doctors. We worked with state-level officials, including the governor, legislators, the Indiana State Department of Health, and the superintendent of the Indiana State Police. Six months ago I never imagined that I would be on a first-name basis with officials from the Center for Disease Control. What I learned quickly was that each of these players, including myself, had a different agenda, a different opinion as to causes and solutions and a different narrative we may have wanted to portray. Any of us could get in front of a camera any time we wanted. I realized that no matter what we could agree or disagree on, all of these players were essential to a positive outcome.

It became important that we not air any “dirty laundry” in the press, so that we could all continue to work together. To that end, it has been my approach to monitor what was being said, to let harmless inaccuracies or opinions die away but to address privately, and with the facts, anyone saying something too far afield and to monitor what I said myself. I also tried to stay in my “lane,” addressing only the issues relating to law enforcement, and allowing the health officials to address the public health issues. Before making any statement, I went through the list of possible interested parties who undoubtedly would see my words and did my best to be sure that no one might take offense or feel blamed by what I had to say. I focused on going forward and not looking back and on expressing appreciation for continued cooperation. If I had an issue that I would not be comfortable discussing directly with my sheriff, the state department of health, or even the governor, I shouldn’t be discussing it with the Wall Street Journal. There may come a time to assess blame, point fingers and deconstruct the causes of this catastrophe, but in the midst of the crisis is not that time.

I could fill another column with all I have learned about HIV and AIDs over the past four months and we can save the debate over needle exchange for another time. Fortunately, through the media, federal, and state-level attention and assistance we have received, and through the continued excellent cooperation of my fellow local officials, things are starting to improve in Scott County. But there is a long way to go still.

Shine Feller Award” to an individual for extraordinary service to Indiana Prosecutors. The “Shine Feller Award” is considered annually by past association presidents, but there is no requirement to make an annual award. Kathy O’Neal, now retired prosecutor from Jasper County, was the last “Shine” recipient a few years ago. We will be highlighting the “Shine Feller Award” in the next edition of this newsletter.

Nominations for IPAC awards have a deadline of March 1 or September 1, depending upon the award. A full description of each IPAC award is contained in this newsletter, but in addition to the “Stephen J. Johnson,” here are other IPAC awards:

- Kathy Falkner-Richey Outstanding Office Administrator Award.
- Victims Advocate of the Year Award.
- Law Enforcement Officer of the Year Award.
- Career Service Award (10, 20 and 30 years).

Please consider submitting individuals for these council

Forfeiture Reporting Adds New Dimension to E-Filing Capabilities

In 2014, the Indiana Supreme Court embarked on a project to implement electronic filing (e-filing). In 2015, the General Assembly added a section to the Indiana Code requiring that certain forfeiture data be reported by Indiana’s Prosecuting Attorneys to the IPAC. (See, Ind. Code § 34-24-1-4.5.) The IPAC Board of Directors recognized that the Indiana Prosecutor Case Management System (INPCMS) could be modified to address both of these requirements and to create efficiencies for prosecutors.

The technology committee, the IPAC staff, and others have been working on adapting the INPCMS to improve its e-filing capability and modifying the system to assist prosecutors with the forfeiture reporting. This project’s details are indeed many. So, in order to help prosecutors understand what is at stake and to keep them abreast of developments, the IPAC will be adding an “E-Filing and Forfeiture Update” section to its home page (www.in.gov/ipac). This section will have information papers, FAQs, presentations, and other relevant material. Primary goals will be to update and add to this material as information becomes available.

As this project evolves, the technology committee and the IPAC staff welcome your comments, suggestions and, most importantly, your questions. Send those via e-mail to jtparker@ipac.in.gov.

E-filing is a particularly big step forward. The changes it will bring – changes in procedure and in technology – can make life stressful, but all indications are that e-filing will be something that leaves us trying to remember how we ever did it before.

Again, keep those questions coming and be watching the IPAC website for more detailed information.

Child Support Conference: Record Attendance, Donations



Amy Burgher of IPAC organizes donations valued at nearly \$10,000 to benefit Indiana children and families.



Karyn Price Boswell (Lake County), left, and Tammie Johnson (Allen County) presented a session on Emancipation.



Above William Welch of IPAC presented a highly rated mock trial. Below, a session with Ethan McKinney (St. Joseph County) draws a discussion.



Above, Marion County Prosecutor Terry Curry addresses the 700+ attendees. The Roll Call of Counties, Sponsors and Exhibitors followed opening ceremonies. The Child Support Conference was held June 3-5 in Indianapolis. At left is Ryann Moore, OCSE program specialist, Region V, Chicago.



Summer Conference: Lake County Hospitality



At left, Brian Gensel (Porter County) discusses Law Enforcement Team Relations. Below, Ric Hertel (Ripley County) places all blame on Aaron Negangard (Dearborn/Ohio Counties). At right, Nick Haverstock (Crawford County) listens intently during a session.



Above, Bruce Aukerman (Vermillion County) and Bill Hartley (Wabash County) remain in touch with their offices. Below, Dan Murrie (Davies County) previews E-Filing in Indiana.



Above left, Bruce Embrey (Miami County) enjoys the Chicago White Sox Fan Deck. Above right, Matthew Rentschler and wife Leslie (Whitley County) enjoy their view of the game. Below, local host Bernie Carter (Lake County) and Speros A. Batistatos welcome prosecutors to the Dillinger Museum on the square in Crown Point.



Spring Conference

At right, the Governor's public safety point person John Hill converses with IPAC Executive Director Dave Powell. At far right are Keith Henderson (Floyd County) and Nathan Harter (Decatur County).



Amy Richison (Huntington County) and Jeremy Brown (Adams County).



Teryl Martin (Fountain County).



Pat Harrington (Tippecanoe County) demonstrates his courtroom technique.

Below, Teri Turney, Grant County Office Manager receives guidance from IPAC Chief of Staff J.T. Parker. At right, Sabrina Lindsley of LaGrange County takes notes.



Office Administrator Training May 27-29



Above, Theresa Stevens (left) of BCForward presented "Getting the Most Out of INPCMS." With her is Vicki Aydt, Greene County Victim's Advocate.



Conference attendees received t-shirts acknowledging the office manager as "The Power Behind The Power." Above from left, of Pulaski County, are Claudia Elston and Sarah Williamson, legal secretaries and Sharon DeMoss, office manager.

Media Quotes of Note

John Espar

LaPorte County
South Bend Tribune
May 29, 2015

[LaPorte prosecutor targeting child predators](#)

“The onset of the Internet has changed our world fundamentally and unfortunately it has created a new and fertile ground for sick-minded individuals to prey upon our children. This is happening unfortunately right in our own backyard and we can’t ignore it.”

Pat Harrington

Tippecanoe County
Lafayette Journal & Courier
May 29, 2015

[Could the Scott County HIV outbreak happen here?](#)

“Heroin is a major issue for our community, just like other communities. It is flooding the streets and will continue to cause multiple issues, not only for the criminal justice system, but for family dynamics, counseling providers, employers and community safety.”

Rodney Cummings

Madison County
cbs4indy.com
June 30, 2015

[Prosecutor: Cases of child neglect getting more severe](#)

“...The severity, the injuries, the neglect of the children seems to be more severe than it once was. To have this volume of at-risk people and disadvantaged kids, it’s a huge problem. It’s a huge problem. The run of the mill kids that live in a disadvantaged environment is very troubling and very disappointing.”

Jason Mount

Scott County
flyergroup.com
July 6, 2015

[Sheriff pushes costly addiction treatment for prisoners](#)

“Our goal isn’t to lock up all the drug addicts in our county. It’s to get more of them into treatment and back into society as productive citizens.”

Travis Clowers

Posey County
wave3com
June 2, 2015

[Posey Co. animal abuse case raises questions about state law](#)

“An animal could literally starve to death, and it would not be a felony. An owner could literally not give an animal food until the animal dies and that would not be a felony. If you look at the other statute, it would be a felony if an animal dies after it was beaten. It doesn’t seem to match up.”

Nick Hermann

Vanderburgh County
wave3.com
June 17, 2015

[What is marijuana wax?](#)

“People that are using drugs not only look for different drugs to use but they look for different ways to use them. Something different, something new, our job is the same. Our job is to chase it back.”

Brent Eaton

Hancock County
Indianapolis Star
June 30, 2015

[Lack of rape convictions bothers Hancock County prosecutor](#)

“I think the last rape conviction we found a record of was May of 2006. Our county’s got about 70,000 people... that live here. Statistically it seems very unlikely that that offense has never actually been committed in that... decade.”

Terry Modisett

Vigo County
mywabashvalley.com
June 22, 2015

[Formal Charges Filed in HIV Case](#)

“It’s a sensitive subject anyway... Not everyone would want to do that or be willing to do that given the circumstances. If there are other victims out there, we’re always hoping they come forward. I mean that’s our hope in every case. We just want to make sure that we try to bring justice for anybody and everybody that may have been a victim.”

2015 Criminal Code books are expected to ship the week of July 20.
If you have a question, call IPAC at 317-232-1836 or go to: www.iga.in.gov/legislative/laws/2015

Kosciusko County Utilizes Canine Therapy

Maverick, a two year old German Shepherd Dog (GSD), was rescued from the backyard of a home in the southern part of Kosciusko County in the fall of 2012. A neighbor learned that Maverick and other puppies were being kept in deplorable conditions. This concerned citizen even risked his personal safety by entering the property to videotape the dogs being neglected.

Maverick was removed by law enforcement, taken for veterinary care and placed as evidence with Michael D. Wilson, certified Accelerant Detection Canine Handler by ATF (also the Kosciusko County Coroner). Coroner Wilson petitioned the court for ownership of Maverick, recognizing that Maverick possessed special qualities - intelligence, a patient disposition and the ability to interact with people of all ages - that would equip him well in the role of a service dog.

Coroner Wilson approached Kosciusko County Prosecuting Attorney Dan Hampton about the possible role that Maverick might fill within the law enforcement community. The use of a therapy canine to assist victims of crime was discussed at length, along with the possibility of obtaining a grant through the Prosecuting Attorney's Office to subsidize Maverick's training.

Memo From Maverick...

"Here I am laying in the corridor just outside the Office of Kosciusko County Prosecutor Dan Hampton, having a relaxing but somewhat uneventful day. I did spend some time in the front office with the staff of the Criminal Division and gave them time to pet and love on me. They said that I made their stressful day a lot better with my smile and wagging tail. Oh, here comes my friend Katy with a young person. Maybe I get to work some more. Yes, I am heading into the conference room. I am so happy that this young person with Katy is petting me, and I get to give them some little kisses. I'll just lay here by their feet and let them know I'm here for them if they need me. Now Katy is done visiting with my new friend, and we are going back out to the hallway. Wow, there's my Dad. He is visiting with another young person, and there's my tennis ball. They are going to throw the ball with me in the hall! What a great life I now have, here at the Kosciusko County Prosecutor's Office helping the people who are stressed, scared or intimidated by this place. What a great way to help the Prosecutors that helped save my life when I was a victim of abuse!"



Today, Maverick is in advanced training as a therapy canine, and has commenced his "on the job " field work at the Kosciusko County Prosecuting Attorney's Office, providing comfort and care to troubled individuals and victims of crime, at locations within the Kosciusko County Justice Building. Maverick also spends time with the Prosecutor's and court staff, as he becomes more acclimated with the various areas of the Justice Building in which he is required to serve.

Wherever he goes, Maverick provides comfort and love; and is welcomed by all.

Maverick is truly an example of survival and overcoming adversity. Seeing Maverick interact with people, in his capacity of therapy canine, is a beautiful reminder to us all that a terrible experience in life does not have to be the final chapter; and with the love and support of others, there can be renewal and beauty through perseverance.

4-H Members Learn Local Government from IPAC Drug Prosecutor

Start Local...Go Global! was the 4-H Citizenship Workshop held during annual 4-H Science Workshops at Purdue University, June 10-12. Designed for youth in high school, the workshop taught about local, county and state governments. Participants identified a community need, developed a plan to meet that need and presented their plan to real government officials in a mock council or board meeting. Along the way, they met with a state representative, city and county officials and a judge in the Tippecanoe Superior Court. Dan Miller from IPAC presented on city, town and township governments and he helped with research for presentations. One presentation was to mandate a drug prevention program for students in grades 5 through 12.

In addition to helping with the Citizenship workshop, Dan also was one of four chaperones for over 60 participants from Extension Area III, which encompasses Posey, Vanderburgh, Warrick, Spencer, Perry, Dubois, Pike, Daviess, Gibson, Knox, Sullivan and Martin Counties.



Prosecuting Attorneys Council Awards Due September 1

In the fall of 2014, the IPAC Board of Directors approved the creation of new council awards. September 1 will be the deadline for nominations for awards to be presented at the IPAC Winter Conference, December 6-9. IPAC awards include the council's highest honor – the Stephen J. Johnson Outstanding Service, as well as awards recognizing outstanding contributions to public safety by office administrators, victim's advocates, law enforcement officers and years of service for elected prosecutors, chief deputies and deputy prosecutors.

While considering possible honorees, here are the specific awards and criteria for each:

Stephen J. Johnson Outstanding Service

IPAC's highest award, based upon sustained periods of outstanding support/service. The recipient must have displayed a pattern of superior service that produced outcomes that significantly contributed to public safety in their community, region, state of Indiana or the United States.

Who's Eligible: prosecuting attorneys, deputy prosecuting attorneys, senior prosecutors, IPAC staff, legislators or other elected officials.

Who May Nominate: A candidate must be nominated by an elected prosecuting attorney or the executive director of IPAC.

Nomination Process: Nominations shall be presented to the executive director, who, in turn, will present the nominations to the executive committee for review and comment. The executive committee will forward the nominees, with comments, to committee of the current and past presidents of the Indiana Prosecuting Attorneys Council who will select the award winner or winners. A past president is active only if she or he serves as a current member of the IPAC or Association of Indiana Prosecuting Attorneys board of directors.

Nomination Deadline/Presentation: Nomination deadline is September 1 and the award will be presented at the annual winter conference

Kathy Falkner Richey

Outstanding Office Administrator

Recipients of this award display the competency and commitment to service that characterized the career of Kathy Falkner Richey, IPAC's office administrator of 30 years.

Examples:

- An office manager who retires from government service after 20 years of service as a staff member and lead office manager.
- An office manager who exemplifies achievement for sustained periods of service coupled with superior leadership in a program of significance.

Who's Eligible: Non-attorney staff currently serving with a prosecuting attorney's office or with the IPAC staff are eligible to receive this award.

Who May Nominate: Elected prosecuting attorneys serve as nominators for this award.

Nomination Process: The award nomination is directed to

Submit your nominations to:

Connie Smith, 305 W. Washington St., Rm E-205
Indianapolis, IN 46204

317-232-1836 • 317-233-3599 (fax) • cosmith1@ipac.in.gov

(NOMINATION FORM ON NEXT PAGE)

the IPAC Executive Committee for its recommendation. Final approval is then made at the next regularly scheduled meeting of the IPAC Board of Directors. The board may approve, disapprove, or downgrade the recommendation.

Nomination Deadline/Presentation: Nomination deadline is September 1 and the award will be presented at the annual winter conference.

Victim's Advocate of the Year

The recipient should represent outstanding, selfless and sustained service to crime victims; a program innovator who reflects qualities that exemplify the highest standards of victim advocacy.

Examples:

- A volunteer or career victim's advocate with a minimum of eight years of service who has displayed outstanding, selfless service related to a matter of great significance.
- A retiring victim's advocate with a minimum of 20 years of service who had demonstrated outstanding, selfless service over a sustained period of time

Who's Eligible: An employee or volunteer who works or worked in the office of a prosecuting attorney.

Who May Nominate: An elected prosecuting attorney will ordinarily serve as nominator.

Nomination Process: The award nomination is directed to the IPAC Executive Committee for its recommendation. Final approval is then made at the next regularly scheduled meeting of the IPAC Board of Directors.

Nomination Deadline/Presentation: Nomination deadline is March 1 for award at the annual summer conference or September 1 for award at the annual winter conference.

Law Enforcement Officer of the Year

The award may be based upon extraordinary work of the highest standard within a criminal investigation or series of investigations or it may be based upon a career of sustained excellence in the field of public safety.

Who's Eligible: All local, state and federal law enforcement officers, including prosecutor investigators, who work within the State of Indiana.

Who May Nominate: An elected prosecuting attorney will ordinarily serve as nominator.

Process: The award nomination is directed to the IPAC Executive Committee for its recommendation. Final approval is then made at the next regularly scheduled meeting of the IPAC Board of Directors.

Nomination Deadline/Presentation: Nomination deadline is March 1 for award at the annual summer conference or

Continued on Next Page

September 1 for award at the annual winter conference.

Career Service and Achievement Awards (10, 20 and 30-years)

Recipients should demonstrate career service and commitment to their profession.

- The 10-year award will honor prosecutors and deputies with between 10 and 19 years of service.
- The 20-year award will honor prosecutors and deputies with between 20 and 29 years of service.
- The 30-year award will honor prosecutors and deputies with 30 years of service or more.

Who's Eligible: Prosecutors and deputy prosecutors in the state of Indiana who demonstrate career service and commitment to their profession and who works or has worked in one or more judicial circuits in the State of Indiana.

Who May Nominate: Nominators may be the IPAC or an elected prosecuting attorney.

Process: The IPAC may track eligibility for elected prosecutors. An elected prosecuting attorney will track eligibility for chief deputy or deputy prosecutors for this award.

Nomination Deadline/Presentation: Nomination deadline is September 1 and the award will be presented at the annual winter conference.

IPAC Honorary Award Nomination Form

Return to: Connie Smith, 302 W. Washington St. Rm. E-205, Indianapolis, IN 46204

Ph: 317-232-1836 • Fax: 317-233-3599 • cosmith1@ipac.in.gov

Name of Nominee:	
Job Title:	
Office:	
Type of Award:	
<input type="checkbox"/> IPAC Stephen Johnson Award	<input type="checkbox"/> Office Administrator Award
<input type="checkbox"/> Law Enforcement Award	<input type="checkbox"/> Victim's Advocate Award
<input type="checkbox"/> Eugene "Shine" Feller Award	
List any other IPAC awards the nominee has received:	
Is the award being made on the occasion of the nominee's retirement from government service?	
Discuss briefly, with dates, the nominee's assignments and responsibilities in your office.	
Provide a supporting statement for the award:	
Nominator Name:	Signature and Date:
<i>(This is normally the elected prosecuting attorney.)</i>	
Intermediate Nominator Name:	Signature and Date:
<i>(This is normally the elected prosecuting attorney if the chief deputy serves as the nominator.)</i>	