



INSPECTOR GENERAL REPORT

2011-07-0228

October 10, 2011

INDIANA WAR MEMORIAL DRUG ALLEGATION

Inspector General Staff Attorney Kristi Shute, after an investigation by Special Agent Charles Coffin, reports as follows:

This case involves the recovery of a marijuana plant reported to be growing at the Indiana War Memorial ("IWM") in downtown Indianapolis, Indiana.

The Office of the Inspector General ("OIG") is charged to investigate criminal activity and ethics violations by state workers. IC 4-2-7-3.

On July 14, 2011, OIG Special Agent Coffin received an anonymous telephone call alleging that an IWM employee was growing marijuana in a flower pot on IWM plaza property. The IWM property is located at 431 North Meridian Street, Indianapolis, Indiana. The specific location was also given by the anonymous caller ("Caller"), who also said the marijuana was planted among flowers in an attempt to hide the illegal plant.

Based on this information, Special Agents Alan McElroy and Coffin drove to the IWM plaza. Special Agent McElroy was asked to assist in this

investigation due to his numerous years of experience as an Indiana State Police (“ISP”) Officer where he served as a drug detective. As a result of training and experience he received with the ISP, Special Agent McElroy is able to identify live marijuana plants.

The plant was not immediately seen, but on a subsequent visit that same day Special Agent McElroy found what appeared to be marijuana growing in one of the flower beds near the flags west of the plaza fountain. He photographed the plant, plucked a leaf from it and transported the leaf to the OIG office to be retained as evidence pending laboratory examination.

Special Agent McElroy returned to the flower bed later that day, but the plant he originally observed, and from which he took the leaf, had been pulled and deposited in a nearby trash can. He recovered the plant from the trash can and stored it in a brown paper bag which he locked in the trunk of his OIG police car.

At that point, Special Agent McElroy interviewed the suspect employee for the opportunity to deny or give an explanation for what was found. The employee was notified of his rights, waived those rights and agreed to be interviewed. During the interview, the employee admitted he transplanted the marijuana plant from its original site on IWM property to the location where Special Agent McElroy observed it. He also admitted that he attempted to conceal the marijuana plant within the flower bed by planting it among taller flowers.

The employee further stated that a co-worker called him earlier in the day and told him that there was someone taking a photograph of the marijuana plant. The employee said that after he received the call from his co-worker, he pulled the marijuana plant and put it in the trash.

Consequently, Special Agent Coffin interviewed other witnesses and discovered the suspect employee referred to the marijuana plant as his “special plant.”

The leaf and plant were delivered to the ISP Laboratory for analysis. An ISP Forensic Scientist conducted the laboratory examination and issued her Certificate of Analysis which stated that each item was found to contain marijuana.

This case was submitted to the Marion County Prosecuting Attorney’s Office and criminal charges were filed. This case has also been presented to the State Ethics Commission for further action regarding the use of state property. Accordingly, this investigation is closed.

Dated this 10th day of October, 2011.

APPROVED BY:

/s/ David O. Thomas, Inspector General