



INVESTIGATIVE REPORT

Lori Torres, Inspector General

OFFICE: INDIANA FAMILY AND SOCIAL SERVICES ADMINISTRATION (FSSA)
TITLE: FSSA EMPLOYEE CRIMINAL ACTIVITY
CASE ID: 2018-03-0080
DATE: May 24, 2018

The Inspector General's Chief Legal Counsel, Tiffany Mulligan, after an investigation by Inspector General Special Agent Jack Bedan, reports as follows:

The Office of Inspector General (OIG) is established under Ind. Code § 4-2-7-2 and is a law enforcement agency pursuant to Ind. Code § 35-31.5-2-185. The Indiana General Assembly charged the OIG with addressing fraud, waste, abuse, and wrongdoing in the executive branch of state government. Ind. Code § 4-2-7-2(b). The OIG also investigates criminal activity and ethics violations by state workers. Ind. Code § 4-2-7-3.

On March 14, 2018, the OIG received information from the Indiana Department of Correction's (DOC) Division of Investigations and Intelligence regarding an Indiana Family and Social Services (FSSA) Employee, Precious Russell (Precious), who was allegedly going to mail Suboxone strips for her brother, Wendell Russell (Wendell), who is an inmate in DOC's Miami Correctional Facility (MCF). Wendell provided the instructions to Precious on how he wanted her to get the narcotics into the MCF via mail using others' help. The OIG opened an investigation and worked closely with DOC investigators during the course of the investigation.

The DOC investigators reviewed the phone calls of Wendell and learned that Wendell was using DOC's phones to enlist individuals to facilitate the trafficking of Suboxone into MCF.

Suboxone is a Class 3 narcotic. In many of the phone calls that DOC reviewed, Wendell requested individuals to transport, mail, and ultimately traffic “pictures” into MCF. Based on previous investigations, DOC investigators know that “pictures” is a code word for Suboxone or buprenorphine strips.

DOC investigators reviewed multiple calls between Wendell and his sister, Precious. Precious used two phone numbers to communicate with Wendell, and many of the phone calls occurred during her work hours. One of the phone numbers Precious used to call Wendell is listed as her personal number with the Indiana State Personnel Department’s records. Wendell used his own PIN number and another inmate’s PIN number for these calls. DOC personnel who reviewed the calls recognized Wendell’s voice from other calls, and Wendell refers to Precious as “sis” or by name in many of the calls.

Wendell made several phone calls to Precious between March 4, 2018 and March 14, 2018. In these phone calls, Wendell told Precious to mail the “pictures” via overnight shipping to the address of the girlfriend (the Girlfriend) of another inmate and to track the package. He said certain amounts, presumably dollar amounts, “are guaranteed.” Wendell also told Precious to enclose the “pictures” in something that a drug dog could not identify. He instructed Precious to call the Girlfriend to facilitate delivering “the pictures” through mail or personal exchange. During these calls, Precious confirmed that she would mail and track the package.

On March 14, 2018, Wendell called his aunt. Precious joined the call and stated that she would send “it” tomorrow. Wendell stated that “dude tryin to drop them pictures off, . . . I need them to get to me asap cause you know that’s extra cash too that you can use if you need to.” Precious provided a street address to Wendell and then provided the same address to another male inmate who joined the call. Surveillance video shows Wendell hand his phone to the other inmate,

who took the phone from Wendell. The other inmate can be heard on the audio recordings of his own call and Wendell's call confirming an address is a correct address to mail the "pictures." The address was the Girlfriend's address. Precious said that she got an envelope and would mail it the next day. Wendell and the other inmate both provided Precious with the Girlfriend's name. Wendell told Precious to track the package and put the name of his son's mother on the envelope.

Wendell made several additional phone calls between March 15, 2018 and March 19, 2018. During this time, he called his aunt, who said that Precious asked her to mail a letter to someone and that Precious wrote all of the information on the envelope. He also called Precious, who provided the delivery date of the package and stated that she had the tracking number for the shipment. Wendell and Precious also discussed that the shipment's recipient was not a willing recipient of the package and would not cooperate. Precious confirmed that there were 50 items and that she sent the items in a letter. Wendell told Precious that he would give Precious "600" when he gets the "pictures."

On March 17, 2018, the Girlfriend received a package at her address. A United States Postal Service (USPS) Inspector had been tracking the package, which was shipped via USPS overnight delivery to the Girlfriend at the address that Wendell and Precious discussed in their March 14, 2018 phone call. The package was shipped out of the USPS Post Office that is the closest USPS facility to where Wendell's aunt resides.

On March 19, 2018, a DOC officer and a Fort Wayne Police Department detective (the Officers) went to the Girlfriend's residence. They identified themselves as police officers, informed the Girlfriend of why they were there, and advised the Girlfriend of her rights pursuant to *Miranda v. Arizona*. The officers seized an envelope that contained 47 strips of buprenorphine-naloxone 12 mg/3mg that were wrapped in a one-page letter. Buprenorphine-naloxone 12 mg/3mg

is a generic equivalent of Suboxone. The letter was on Fifth Third Bank letterhead and was addressed to Precious' home address. Each strip of buprenorphine-naloxone was separately packaged, sealed and marked on the outside with the manufacturer's name. Each strip weighed .05 grams, for a total weight of 2.35 grams.

The Officers then retrieved the outer USPS package from the dumpster near the Girlfriend's residence. The package was addressed to the Girlfriend at her address and included a return address for the mother of Wendell's child. Wendell had told Precious to use the name of the mother of his child on the return address for the package during their March 14, 2018 phone call.

The Officers also obtained text messages between the Girlfriend and one of the phone numbers that Precious used to communicate with Wendell. The texts included statements of the Girlfriend that she would send the drugs back to the sender when she received them and would not assist with delivering the drugs. These statements are consistent with statements Precious reported to Wendell on March 16, 2018, after Precious had communicated with the shipment's recipient.

The Officers recovered the buprenorphine-naloxone strips, the Fifth Third Bank letter, and the envelopes. DOC investigators confirmed through the Indiana Prescription Monitoring Program (INSPECT) that Precious does not have a prescription for Suboxone or its generic equivalent, buprenorphine-naloxone.

The OIG submitted the results of this investigation to the Marion County Prosecutor's Office. On May 2, 2018, investigators from DOC, FSSA, and the OIG served an arrest warrant on Precious at her place of employment where she was taken into custody. The Marion County Prosecutor's Office charged Precious with two counts of Dealing in a Schedule III Controlled Substance with a weight between one and five grams, which is a Level 5 Felony. The Prosecutor's

Office also charged Wendell with one count of the same crime. FSSA terminated Precious' state employment. Accordingly, this investigation is closed.

Dated: May 24, 2018

APPROVED BY:

A handwritten signature in black ink that reads "Lori Torres". The signature is written in a cursive style with a long horizontal stroke at the end.

Lori Torres, Inspector General