



INVESTIGATIVE REPORT

Lori Torres, Inspector General

OFFICE: INDIANA DEPARTMENT OF CORRECTION (DOC)
TITLE: DOC EMPLOYEE BATTERY
CASE ID: 2018-03-0098
DATE: September 27, 2018

Inspector General Staff Attorney Kelly Elliott, after an investigation by Special Agent Jack Bedan, reports as follows:

The Indiana General Assembly charged the Office of Inspector General (OIG) with addressing fraud, waste, abuse, and wrongdoing in the executive branch of state government. IC 4-2-7-2(b). The OIG also investigates criminal activity and ethics violations by state workers. IC 4-2-7-3.

On March 28, 2018, the OIG received a request from the Indiana Department of Correction (DOC) to investigate DOC Correctional Officer Andrew Boonstra (Officer Boonstra) for alleged battery committed against youths at the Logansport Juvenile Detention Facility (the Facility). The OIG opened an investigation into the matter and worked closely with DOC investigators during the course of the investigation.

I. DOC Policy

According to DOC policy for youth services facilities, correctional officers may use physical force on a youth in the facility in the following situations:

- (1) self-protection from an imminent threat of physical harm;
- (2) protection of others from an imminent threat of physical harm;
- (3) prevention of self-inflicted injury;
- (4) protection of property when engaged in suppressing a disturbance and/or

in apprehending a youth(s); (5) prevention of escape or to cause the apprehension of a youth(s); and (6) when a youth continues to passively resist/refuse to comply (move) after all appropriate verbal interventions have been exhausted and a Shift Supervisor has been notified and has approved the use of force. In this situation, the use of force is planned and shall be designated as such on the Use of Force Checklist.

DOC policy further provides that “the use of physical force is only to be used to regain or maintain control, and only in the case of last resort.”

Additionally, DOC policy provides that all staff involved in the use of physical force shall be required to complete and submit a report detailing the pertinent facts relating to the incident. DOC supervisory staff review the staff member’s use of physical force to ensure it complies with applicable DOC policies and procedures and determine if the use of force was justified. In making that determination, DOC supervisory staff review the staff member’s Use of Physical Force Report, available video footage of the incident, and any statements provided by witnesses.

II. Investigation

OIG Special Agent Jack Bedan and Kurt Bensheimer, DOC Deputy Chief of the Special Threat Group Operations, conducted an investigation into alleged batteries committed by Officer Boonstra against students at the Facility. Through the course of their investigation, they interviewed Officer Boonstra, youths at the Facility, and other DOC correctional officers. They also reviewed video recordings of the alleged incidents and documentation received from DOC, including Use of Physical Force Reports and personnel files.

DOC determined that between November 20, 2017 and February 26, 2018, Officer Boonstra had used physical force on three youths in the Facility. In each incident, the youth was non-compliant with an order given by Officer Boonstra and/or engaged in disruptive behavior prior to Officer Boonstra using physical force. Officer Boonstra’s use of physical force with each of the

youths consisted of him wrapping his arms around the youth and flinging the youth over his hip onto the ground.

For all three incidents, DOC determined that Officer Boonstra's physical handling of the youth was unjustified. On April 5, 2018, DOC terminated Officer Boonstra for failure to meet standards of professionalism.

III. Conclusion

The OIG submitted the results of this investigation to the Cass County Prosecutor's Office. On September 19, 2018, the Cass County Prosecutor's Office charged Officer Boonstra with one count of Battery Resulting in Bodily Injury as a Class A Misdemeanor, and two counts of Battery as a Class B Misdemeanor, Cause Number 09D02-1809-CM-000879. Accordingly, this investigation is closed.

Dated: September 27, 2018

APPROVED BY:



Lori Torres, Inspector General