



# The Indiana Prosecutor

1st Quarter, 2016



## A Legislative Proposal to Stand Behind

Indiana prosecutors announced their legislative agenda, December 9, during a press conference on the final day of the winter conference. Prosecutors support creation of a new crime for aggravated drug dealing and making the cold medication pseudoephedrine - a vital ingredient in the manufacture of methamphetamine - available by prescription only. As elected prosecutors and chief deputies stood in solidarity, Marion County Prosecutor Terry Curry, Dearborn/Ohio County Prosecutor Aaron Negangard and Washington County Prosecutor Dustin Houchin addressed specific aspects of the proposals. The latest: prosecutors have received the draft of an editorial that they may localize or send to local media with their own byline, further addressing concerns that led to the proposals.

## Awards Celebrate Good Work in the Mission of Public Safety

Thank you to the nearly 400 persons who attended the IPAC 2015 Winter Conference. We received positive feedback on the food and the facility. The 2016 Winter Conference is scheduled at the J.W. Marriott as well. If you have not completed the online questionnaire, please do so. We review them to evaluate speakers and programming. We look to improve each event and your input is essential.



This was the first year for many of the IPAC awards and we believe the program was a success. It was wonderful to watch proud prosecutors introduce and announce the nominees and winners. Congratulations to the winners. These type of awards are long overdue. Recognizing outstanding individuals who are extraordinary contributors to the mission of public safety is a key component to your role

## Some Thoughts...

By  
David N. Powell  
IPAC Executive Director



as the community's chief law enforcement official. Even though the job of a prosecutor is very often thankless, this reality must not prevent prosecutors from celebrating the good work that is accomplished by great people. The humility and joy exhibited by the award winners made the event special.

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# Legislative Update

By **Sabra Northam**  
IPAC Legislative Liaison

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## 2016 Legislative Session

We are now down to two weeks before the beginning of the 2016 legislative session. Members of the General Assembly will convene on Tuesday, January 5 and will have 10 weeks to finish their business for this short session. The deadline to adjourn sine die is Monday, March 14. The original intent for the short session was for emergency type/clean-up matters, though it has been possibly decades since that has been the case. This year, leadership is encouraging members to keep the focus on a few key areas including road funding, the teacher shortage, RFRA/LGBT rights, and the meth and heroin epidemic.

We will not know for certain what bills are out there until the final deadline for introduced bills has passed. However, based on discussions with legislators and other organizations this summer and fall, the following topics are likely to show up in introduced bills: scheduling pseudoephedrine and alternative meth related bills, increased penalties for aggravated drug dealing, penalties for child pornography, hemp/CBD oil, expansion of the lifeline law, animal fighting, bias motivated crimes, and BMV/Admin issues.

IPAC's top priorities for this legislative session are supporting the following: increased penalties for aggravated drug dealing, scheduling pseudoephedrine, and increasing penalties for possession of child pornography and child exploitation.

## Testifying at the Statehouse

As in previous sessions, we will be prepared to testify in committee as bills we both support and oppose receive

hearings. If you are interested in testifying on a bill, please let me know. We can be helpful in providing directions and parking information as well as tips for testifying.

## Weekly Statehouse Report

I will be sending a weekly Statehouse report to members of the Board and the Legislative Committee that will include bills of particular note, upcoming committee meetings, and highlights from the previous week. If you would also like to receive this report, please let me know and I will add your name to the distribution list.



## Mount New Association President

The Association of Indiana Prosecuting Attorneys, Inc. elected Scott County Prosecutor Jason M. Mount as president during the winter conference. He succeeds Dearborn/Ohio County Prosecuting Attorney F. Aaron Negangard.

Pat Baldwin (Hendricks County) is president-elect, Ric Hertel (Ripley County) is vice president and Jarrod Holtsclaw (Greene County) is secretary/treasurer.

Two-year board members are Bob Guy (White Co.), Pat Harrington (Tippecanoe Co.), Keith Henderson (Floyd Co.), Lee Buckingham (Hamilton Co.) and Todd Meyer (Boone Co.). One-year board members are Bernard Carter (Lake Co.), Nick Hermann (Vanderburgh Co.), Michelle Woodward (Lawrence Co.), Amy Richison (Huntington Co.) and Mel Wilhelm (Franklin Co.).

### Indiana Prosecuting Attorneys Council

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**David N. Powell**  
Executive Director

**Chris Naylor**  
Assistant Executive Director

**Suzanne O'Malley**  
Deputy Director

**J.T. Parker**  
Chief of Staff

**James Oliver**  
Criminal Law Chief

**Daniel Miller**  
Drug Resource Prosecutor

**Chris Daniels**  
TSR Prosecutor

**Robin Bischof**  
TSRP Staff Attorney

**Karla Mantia**  
Title IV-D Policy Liaison

**William F. Welch**  
IV-D Staff Attorney

**Sabra Northam**  
Legislative Liaison

**Connie Smith**  
Public Affairs Officer

## Calendar of Events

**Evidence Boot Camp**  
February 5  
Evansville

**Train the Trainer**  
February 25-26  
Sheraton Hotel  
Indianapolis

**NDAA Equal Justice  
Child Abuse**  
March 29-April 1  
Indianapolis





## Legislative Services Agency Gets CLE Training

IPAC Executive Director Dave Powell, Traffic Safety Resource Prosecutor Chris Daniels and Criminal Law Chief Jim Oliver presented a CLE training to legislators and Legislative Services Agency attorneys at the Statehouse in October. Dave Powell lectured on the state of criminal law in Indiana 16 months after the effective date of the new criminal code. Chris Daniels spoke about changes to Title 9 and Jim Oliver gave a case law update.

## The Evansville Connection in the Fight to Schedule Pseudoephedrine



At left, Vanderburgh County hosted a press conference announcing the Association's legislative goals. From left are Rob Krieg (Gibson Co.), Rep. Wendy McNamara, Dan Murrie (Davies Co.), Nick Hermann (Vanderburgh Co.) and Michael Perry (Warrick Co.). Allen County also hosted a press conference in Fort Wayne. Above, Vanderburgh County's Nick Hermann speaks at a press conference in November sponsored by the Indiana Coalition Against Meth Making Meds.



IPAC Deputy Director Suzanne O'Malley, right, received the Prosecutor of the Year Award from the Indiana Coalition on Domestic Violence in October. With Suzanne is ICADV's Executive Director Laura Berry who presented the award.

## David Powell...

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This year was just the start. I encourage all prosecutors to consider nominating special people for these awards next year. Our awards program is explained on the IPAC website. Connie Smith, IPAC Public Affairs Officer, is responsible for administration of the program and is glad to answer your questions about the nomination process and the program. We know we left off a number of persons who deserve 10, 20 and 30 year service awards. We prepared certificates and awarded pins for persons for which we received information. We can check the Secretary of State for elected prosecutors, but for pretty much everyone else we are dependent on the elected for providing us with the service time. If you have not already done so, please continue to send us dates of service for your people and yourself. We will continue to give these service pins and awards out at each summer and winter conference until we catch everyone up.

We have planned another busy year for 2016. Remember to check the website for training events and dates. Some exciting training is planned. We at IPAC will continue to do our best to provide you with outstanding training and support.

We wish you and your loved ones the happiest of holidays.

*Dave*

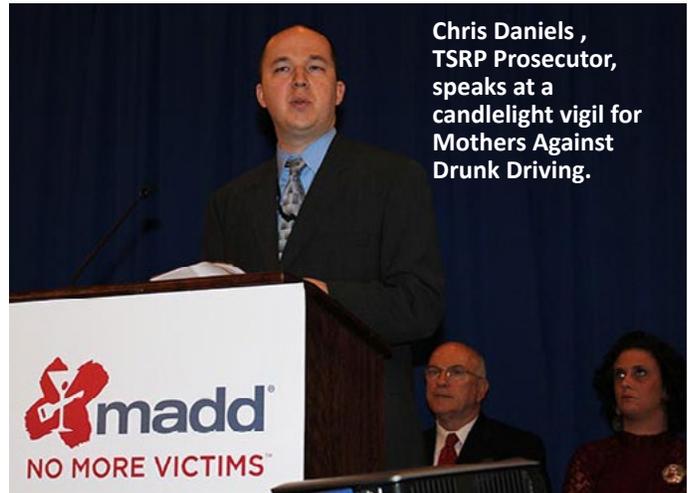


### IPAC Awards Program

Among the 30-year service honorees were: John Larson (Warren County), Bill Welch (IPAC), Rick Brown (Fulton County), Patricia Baldwin (Hendricks County) and Mel Wilhelm (Franklin County). Lower left, are Lisa Swaim (Cass County) who nominated Mary Fox for Outstanding Victims Advocate.



### IPAC Staff Public Service

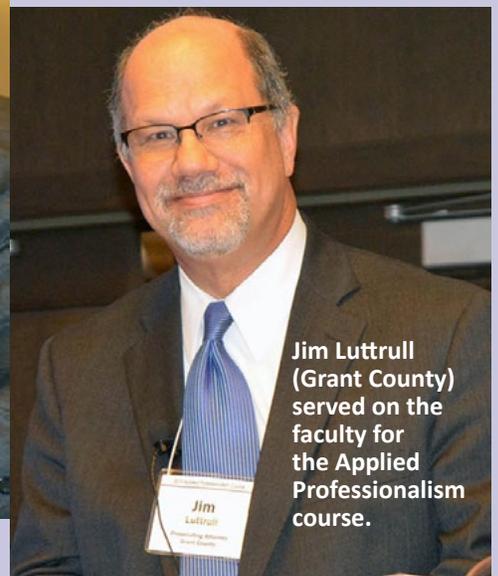


Chris Daniels ,  
TSRP Prosecutor,  
speaks at a  
candlelight vigil for  
Mothers Against  
Drunk Driving.

### IPAC Training - Visual Trial & Applied Professionalism



Above, Tami Napier and Nelson Chipman (Marshall County) receive Visual Trial instruction from Joe Villanueva (Johnson County) and Bill Welch (IPAC).



Jim Luttrull  
(Grant County)  
served on the  
faculty for  
the Applied  
Professionalism  
course.



Above, enjoying the 2015 Winter Conference Awards Program are, from left, Deb and Jeff Arnold (Delaware County), Steve Sonnega (Morgan County), Robert Cline (Morgan County - Stephen J. Johnson Award recipient), Eric Blackman (Noble County), Mike Steiner (Martin County) and Lee Buckingham (Hamilton County). At top right is John Larson, balancing the need for training with maintaining the office back in Warren County.



Below are Bruce Embrey (Miami County), Claire Beaver and Christine Haskell (both Jasper County).

## Winter Conference 2015



Brad Landwerlen (Shelby County), above, assesses the day's training. At left, it was more than Santa's (Dave Powell) gift-giving that brought accolades to those who received recognition during the 2015 Awards Program - it was dedication, duty and years of service. At far left during a conference session are Michelle Woodward (Lawrence County) and Lynda Robison (Jackson County).

# Allen County leads in child support collections; above national averages

Allen County families that depend upon child support will enjoy a happier holiday thanks to the Child Support Division that collects over \$40 million each year – 10 percent above the national average. Allen County has a 94 percent average of establishing child support orders compared to the national average of 84 percent.

Prosecutor Karen Richards has appointed Andrew Schweller IV-D Prosecutor and Tammie Johnson as administrative director of the program.

Allen County has the third largest caseload in the state with approximately 21,000 open child support cases.

## Media Quotes of Note

**Eric Blackman**

Blackford County  
KPCnews.com  
December 16, 2015

### [Security video captures Cromwell shooting](#)

“We were able to get the video. It was pretty clear that Brickey Sr.’s story wasn’t adding up to what he said. It’s everyone is innocent until proven guilty, but (the video) did appear to support Mr. Bolling’s report of self-defense. Talk about luck. Pure, dumb luck, but this guy had it set up.”

**Ric Hertel**

Ripley County  
eaglecountryonline.com  
November 2, 2015

### [Judges Hand Out Long Sentences For Meth Makers And Drug Dealers](#)

“Possession is a crime, but dealers are the bigger problem and should be dealt with as such.”

**Nicholas Bourff**

Starke County  
wsbt.com  
October 30, 2015

### [‘The damage was already done:’ Man gets 27 years for molesting, porn charge](#)

“Do I think justice was served, yes I do. But you still have to consider the fact that the damage was already done here and to some extent, there’s no fixing that.”

**Todd Meyer**

Boone County  
flyergroup.com  
October 16, 2015

### [Likens’ tragic death leaves legacy in child abuse laws](#)

“One of the really unfortunate things in Sylvia’s case was there were people who were aware of the abuse. They witnessed it first-hand, just civilian people. The culture back then isn’t what it is now. Her case did change the whole culture of how we look at child abuse.”

**Patrick Harrington**

Tippecanoe County  
WTHI-TV  
October 18, 2015

### [Increased infant deaths due to co-sleeping](#)

“If you know of any parent out there, or parents, who have a child 18 months or younger, call them now and tell them — ‘Do not sleep with your child’. Think of the ‘ABC,’ child always sleeps ‘alone,’ always on their ‘back,’ and always in a ‘crib.’”

**Chris Gaal**

Monroe County  
IDSnews  
October 13, 2015

### [Prosecutor’s Office introduces new methods for child support collection](#)

“It’s important to recognize that the traditional approach has limits. The adversarial system leads to emotional conflict. Engaging local community resources can allow us to offer more carrots alongside the traditional sticks.”

**Jeremy Brown**

Adams County  
Berne Tri-weekly News  
October 5, 2015

### [Record attendance supports Cooking for the Cause event](#)

“People in this county are determined to work together to do all that we can to eliminate domestic violence. So many of our problems start out with problems in the family. Kids grow up without parents and start on a downward spiral early in life.”

**Patricia Baldwin**

Hendricks County  
WTHR-TV  
September 28, 2015

### [Hendricks County man stops drunk driver](#)

“Driving while suspended is a real issue - the state legislature has tried to address it. Short of putting them in jail, there is not much you’re going to get them to do.”

**Terry Curry**

Marion County  
WISH-TV  
September 28, 2015

### [Residents learn about mental illness at community event](#)

“If criminal activity is driven by mental health issues rather than trying to find ways to punish those individuals, let’s find a way to deal with their mental health issues. If we can divert individuals with mental health issues out of the system so that they’re addressed accordingly, then ultimately it’s a cost saving as well.”