



# CITY OF CARMEL

JAMES BRAINARD, MAYOR

**VIA EMAIL TRANSMISSION ONLY - FEBRUARY 26, 2010**

Sandra Chapman  
[SChapman@wthr.com](mailto:SChapman@wthr.com)

Lee Rosenthal  
[lmrosenthal@tribune.com](mailto:lmrosenthal@tribune.com)

Tom Maccabe  
[6news@6news.com](mailto:6news@6news.com)

Jay Hermacinski  
[jay.hermacinski@wishtv.com](mailto:jay.hermacinski@wishtv.com)

RE: Carmel High School locker room incident

Dear Addressees:

I represent the City of Carmel, Indiana (“City”) and have been asked to respond to your Access To Public Records Act requests of last evening and earlier this morning in the referenced matter. Here are the facts as they are now known. However, please realize that the Carmel Police Department (“CPD”) is in the early stages of its investigation. At this point, no charges have been filed, no arrests have been made and no summonses have been issued. The alleged victim is a juvenile student and the alleged perpetrators are also students. It is the City’s policy to protect the identity of minors who may be the victim of a crime unless the family wishes to disclose that information. It is also the policy of the City not to disclose the names of potential suspects until charges have been brought and/or an arrest made. This helps protect the good name of suspects who turn out not to be involved in the matter under investigation. Indiana law supports these policies. It provides that any records in the City’s possession or control obtained or generated as part of a law enforcement agency investigation are exempt from disclosure under I.C. 5-14-3-4(b)(1). The name of the alleged juvenile victim is also exempted from disclosure pursuant to I.C. 5-14-3-4(a)(1). As no arrest has been made or summons issued, the information disclosures required by I.C. 5-14-3-5(a) are also not applicable. If an arrest or summons does occur, the City will, of course, provide this information to you as it becomes available.

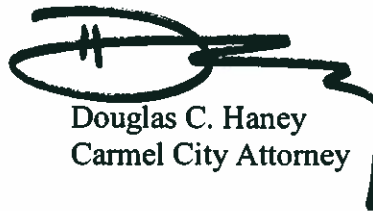
While Indiana law limits the City’s disclosure of records in this matter, the following releasable documents regarding the referenced incident are attached:

1. The CPD logbook entry (1 p.). I have hand-written headers and circled the applicable entry for your convenience.
2. The CPD report detail (4 pp.) indicating the possible criminal offenses involved.

3. A partially-redacted CPD report (1 p.) providing the information required by I.C. 5-14-3-5(c). This report does not indicate the presence of any weapons or property at, or the existence of any injuries from, the alleged incident.

The City understands your desire to obtain information as quickly as possible. Once other releasable records are available, you will receive them. In the interim, and while reserving all of its rights under Indiana law and otherwise, the City is providing you the information attached to this letter. If you have any questions, please contact me directly.

Very truly yours,



Douglas C. Haney  
Carmel City Attorney

DCH/eb

Cc: Andrew Kossack, Public Access Counselor, via facsimile transmission

Attachment

<u>Date</u>	<u>Call Type</u>	<u>Address</u>	<u>Disposition</u>	<u>Inc No</u>	<u>Agency</u>
02/22/2010 13:30:24	Traffic Hazard	W 111TH ST / N MERIDIAN ST	No Report	2010-00009710	IN0290100
02/22/2010 13:36:22	TS	250 E 96TH ST	Written Warning	2010-00009711	IN0290100
02/22/2010 13:37:19	TS	E 98TH ST / WESTFIELD BLVD	Citation Issued	2010-00009712	IN0290100
02/22/2010 13:21:46	Directed Patrol	SPRINGMILL RD / PINTAIL CT	Citation Issued	2010-00009713	IN0290100
02/22/2010 13:38:08	Warrant Service	825 EMERSON RD	Arrest	2010-00009714	IN0290100
02/22/2010 13:21:46	Directed Patrol	SPRINGMILL RD / PINTAIL CT	Citation Issued	2010-00009715	IN0290100
02/22/2010 13:56:54	TS	E 116TH ST / COLLEGE AVE	Written Warning	2010-00009716	IN0290100
02/22/2010 14:10:22	Directed Patrol	SPRINGMILL RD / PINTAIL CT	Citation Issued	2010-00009717	IN0290100
02/22/2010 14:08:15	Traffic Hazard	E 98TH ST / KEYSTONE PKY N	Written Warning	2010-00009718	IN0290100
02/22/2010 13:21:46	Directed Patrol	E MAIN ST / KEYSTONE PKY N	No Report	2010-00009719	IN0290100
02/22/2010 14:17:35	TS	SPRINGMILL RD / PINTAIL CT	Citation Issued	2010-00009720	IN0290100
02/22/2010 14:17:08	Harassment	KEYSTONE PKY N / E 96TH ST	No Report	2010-00009721	IN0290100
02/22/2010 14:21:51	TS	13440 SHAKAMAC DR	Case Report	2010-00009722	IN0290100
02/22/2010 13:21:46	Directed Patrol	HARRISON DR / GRAY RD	Written Warning	2010-00009723	IN0290100
02/22/2010 14:25:08	TS	SPRINGMILL RD / PINTAIL CT	Citation Issued	2010-00009724	IN0290100
02/22/2010 14:35:01	TS	E 116TH ST / WOODCREEK DR	Written Warning	2010-00009725	IN0290100
02/22/2010 14:44:58	TS	E 146TH ST/SPRINGMILL PONDS	Written Warning	2010-00009726	IN0290100
02/22/2010 14:45:14	Civil Dispute	KEYSTONE PKY/E 106TH ST	Written Warning; Citation Issued	2010-00009727	IN0290100
02/22/2010 14:50:55	Security Check	13436 LORENZO BLVD	Gone on Arrival	2010-00009728	IN0290100
02/22/2010 14:57:43	Acc PD	5261 CHEYENNE MOON	No Report	2010-00009729	IN0290100
02/22/2010 15:05:37	TS	E 116TH ST / AAA WAY	Accident Report	2010-00009730	IN0290100
02/22/2010 15:04:54	Traffic Hazard	GRAY RD / WEMBLY RD	Arrest; Case Report; Citation Issued	2010-00009731	IN0290100
02/22/2010 15:07:50	Driving Complaint	E 106TH ST / HAZEL DELL PKY	No Report	2010-00009732	IN0290100
02/22/2010 15:17:47	TS	W 136TH ST / N MERIDIAN ST	Gone on Arrival	2010-00009733	IN0290100
02/22/2010 15:27:55	Battery	E 106TH ST / LAKESHORE DRE	Written Warning; Citation Issued	2010-00009734	IN0290100
02/22/2010 15:37:53	TS	520 E MAIN ST	Case Report	2010-00009735	IN0290100
02/22/2010 15:38:10	TS	SHELBORNE RD / HOMESTRETCH DR	Written Warning	2010-00009736	IN0290100
02/22/2010 15:45:35	Directed Patrol	E 96TH ST / ENTERPRISE DR	Citation Issued	2010-00009737	IN0290100
02/22/2010 15:48:42	TS	55 4TH AVE SE	No Report	2010-00009738	IN0290100
02/22/2010 15:49:51	TS	W 116TH ST / TOWNE RD	Written Warning	2010-00009739	IN0290100
02/22/2010 16:00:27	Theft	E 96TH ST / LAKESHORE DRE	Citation Issued	2010-00009740	IN0290100
02/22/2010 16:08:29	TS	612 STATION DR	Case Report	2010-00009741	IN0290100
02/22/2010 16:04:00	Suspicious Activity	3863 HEATHFIELD CT	Gone on Arrival	2010-00009742	IN0290100
02/22/2010 16:13:19	TS	W 116TH ST / CROSSFIELDS DR	Written Warning	2010-00009743	IN0290100
02/22/2010 16:08:06	Theft	KEYSTONE PKY S / E 96TH ST	Written Warning	2010-00009744	IN0290100
02/22/2010 16:25:55	Assist Other Dept	1415 SPRINGMILL CIR	Case Report	2010-00009745	IN0290100
02/22/2010 16:41:42	TS	E 146TH ST / HERRIMAN BLVD	No Report	2010-00009746	IN0290100
02/22/2010 16:41:10	Disturbance	3 CIVIC SQ	No Report	2010-00009747	IN0290100
02/22/2010 16:53:02	Acc PD	W 136TH ST / SCHAEFER DR	Citation Issued	2010-00009748	IN0290100
02/22/2010 17:06:03	Alarm Burglar	DAYTON DR / SMOKEY ROW CT	Gone on Arrival	2010-00009749	IN0290100
02/22/2010 17:04:00	Acc PD	E 96TH ST / MARIE DR	Accident Report	2010-00009750	IN0290100
02/22/2010 17:10:56	TS	670 1ST AVE NW	Call Disregarded	2010-00009751	IN0290100
02/22/2010 17:12:40	Investigation	120 1ST AVE SW	No Report	2010-00009752	IN0290100
02/22/2010 17:45:34	Juvenile Complaint	CAREY RD / HAWTHORNE DR W	Citation Issued	2010-00009753	IN0290100
02/22/2010 17:51:29	TS	3 CIVIC SQ	Case Report	2010-00009754	IN0290100
02/22/2010 17:52:52	TS	14598 LOWES WAY	Gone on Arrival	2010-00009755	IN0290100
02/22/2010 17:52:14	TS	1235 KEYSTONE WAY	Citation Issued	2010-00009756	IN0290100
02/22/2010 17:50:27	Assist Public	WASHINGTON BLVD / E 116TH ST	Written Warning	2010-00009757	IN0290100
02/22/2010 18:01:10	Suspicious Activity	111 MEDICAL DR	Citation Issued	2010-00009758	IN0290100
02/22/2010 18:09:23	Traffic Hazard	3863 HEATHFIELD CT	No Report	2010-00009759	IN0290100
		13692 CUNNINGHAM DR	No Report	2010-00009760	IN0290100
		W CARMEL DR / S GUILFORD RD	No Report	2010-00009761	IN0290100



# Carmel Police Department Case Report Detail



Print Date/Time: 02/24/2010 11:49  
 Login ID: lcarey  
 Case Number: 2010-00009735

Carmel Police Department  
 ORI Number: IN0290100

**Case Details:**

Case Number: 2010-00009735	Incident Type: Sex Crime-Adult-Other	
Location: 520 E MAIN ST Carmel, IN 46032	Occured From: 01/08/2010 13:30	
	Occured Thru: 02/22/2010 15:28	
	Reported Date: 02/22/2010 15:27 Monday	
Reporting Officer ID: 554-Hobson	Status: Open	Status Date: 02/23/2010
Assigned Bureau: Investigation	Disposition: Active	Disposition Date: 02/23/2010

**Case Assignments:**

Assigned Officer	Assignment Date/Time	Assignment Type	Assigned By Officer	Due Date/Time
217-Dawson	02/23/2010 00:00	Detective	218-Harting	

<u>Associated Cases</u>	<u>Status</u>	<u>Assisting ORIs</u>	<u>Role</u>
2010-00009165	Open		

<u>Modus Operandi</u>	<u>Solvability Factors</u>	<u>Weight</u>
Attempted Sexual Assault		

Total:

**Offenses**

No.	Group/ORI	Crime Code	Statute	Description	Counts
1	State	17	35-42-4-2	Criminal Deviate Conduct	1
3	State	17	35-42-4-8(B)(1)	Sexual Battery, use/threat Force	1
4	State	26	35-42-3-3	Criminal Confinement	1



# Carmel Police Department Case Report Detail



**Print Date/Time:** 02/24/2010 11:49  
**Login ID:** lcarey  
**Case Number:** 2010-00009735  
**Offense #** 1

**Carmel Police Department**  
**ORI Number:** IN0290100

**Group/ORI:** State      **Crime Code:** 17      **Statute:** 35-42-4-2      **Counts:** 1      **Attempt/ Commit Code:** Attempt  
**Description:** Criminal Deviate Conduct      **Offense Date:** 01/08/2010

NCIC Code:  
 Offense Status:  
 Arson Code:  
 Gang Related:  
 # of Adults:  
 Property Damage Amt.:  
 Domestic Circumstance:  
 Accosting Situation:  
 Gambling Motivated:  
 Prior Inv - Offender:  
 Special Circumstances:

**Scene Code:** School/College  
 Status Date:  
 Domestic Code:  
 Aiding/Abetting:  
 # of Juveniles:  
 Abandoned Structure:  
 Carjacking:  
 Hate Bias Indicator:  
 Order of Protection:  
 Anti-reproductive rights crime:  
 Precipitating Event:

Bias/Motivation:  
 Occupancy Code:  
 Child Abuse:  
 Sub-Code:  
**IBR Seq. No:** 1  
 Household Status:  
 Premise Code:  
 Prior Inv - Victim:

**Offender Suspected of Using**

**Alcohol:** No  
**Drugs:** No  
 Computer:  
 Aggravated Assault/ Homicide Circumstances #1:  
 Aggravated Assault/ Homicide Remarks #1:  
 Justifiable Homicide Circumstances :  
 Method of Entry Type:  
 Point of Entry:  
 Method of Exit Type:  
 Point of Exit:  
 Direction of Travel:  
 Counterfeit Type:  
Evidence Collected

**Victim Suspected of Using**

**Alcohol:** No  
**Drugs:** No  
 Computer:  
 Aggravated Assault/ Homicide Circumstances #2:  
 Aggravated Assault/ Homicide Remarks #2:  
 Justifiable Homicide Code :  
 Method of Entry :  
 # of Premises Entered :  
 Method of Exit :  
 How Left Scene:

Justifiable Homicide Code :

Larceny Type:

Counterfeit Status:

Counterfeit Amount:

**Criminal Activity**  
 None/Unknown

Tools Used

Security Systems



# Carmel Police Department Case Report Detail



**Print Date/Time:** 02/24/2010 11:49  
**Login ID:** lcarey  
**Case Number:** 2010-00009735  
**Offense #** 3

**Carmel Police Department**  
**ORI Number:** IN0290100

**Group/ORI:** State      **Crime Code:** 17      **Statute:** 35-42-4-8 (B)(1)      **Counts:** 1      **Attempt/ Commit Code:** Attempt

**Description:** Sexual Battery, use/threat Force

**Offense Date:** 01/08/2010

NCIC Code:  
 Offense Status:  
 Arson Code:  
 Gang Related:  
 # of Adults:  
 Property Damage Amt :  
 Domestic Circumstance:  
 Accosting Situation:  
 Gambling Motivated:  
 Prior Inv - Offender:  
 Special Circumstances:

**Scene Code:** School/College  
 Status Date:  
 Domestic Code:  
 Aiding/Abetting:  
 # of Juveniles:  
 Abandoned Structure:  
 Carjacking:  
 Hate Bias Indicator:  
 Order of Protection:  
 Anti-reproductive rights crime:  
 Precipitating Event:

Bias/Motivation:  
 Occupancy Code:  
 Child Abuse:  
 Sub-Code:  
**IBR Seq. No:** 3  
 Household Status:

Premise Code:  
 Prior Inv - Victim:

Offender Suspected of Using

Alcohol:  
 Drugs:  
 Computer:  
 Aggravated Assault/ Homicide Circumstances #1:  
 Aggravated Assault/ Homicide Remarks #1:  
 Justifiable Homicide Circumstances :  
 Method of Entry Type:  
 Point of Entry:  
 Method of Exit Type:  
 Point of Exit:  
 Direction of Travel:  
 Counterfeit Type:  
Evidence Collected

Victim Suspected of Using

Alcohol:  
 Drugs:  
 Computer:  
 Aggravated Assault/ Homicide Circumstances #2:  
 Aggravated Assault/ Homicide Remarks #2:  
 Larceny Type:  
 Method of Entry :  
 # of Premises Entered :  
 Method of Exit :  
 How Left Scene:

Justifiable Homicide Code :

Counterfeit Status:  
Criminal Activity

Tools Used

Counterfeit Amount:  
Security Systems



# Carmel Police Department Case Report Detail



**Print Date/Time:** 02/24/2010 11:49  
**Login ID:** lcarey  
**Case Number:** 2010-00009735  
**Offense #** 4

**Carmel Police Department**  
**ORI Number:** IN0290100

<b>Group/ORI:</b> State	<b>Crime Code:</b> 26	<b>Statute:</b> 35-42-3-3	<b>Counts:</b> 1
<b>Description:</b> Criminal Confinement			<b>Attempt/ Commit Code:</b> Attempt
<b>NCIC Code:</b>	<b>Scene Code:</b>	<b>School/College:</b>	<b>Offense Date:</b> 01/08/2010
<b>Offense Status:</b>	<b>Status Date:</b>		<b>Bias/Motivation:</b>
<b>Arson Code:</b>	<b>Domestic Code:</b>		<b>Occupancy Code:</b>
<b>Gang Related:</b>	<b>Aiding/Abetting:</b>		<b>Child Abuse:</b>
<b># of Adults:</b>	<b># of Juveniles:</b>		<b>Sub-Code:</b>
<b>Property Damage Amt.:</b>	<b>Abandoned Structure:</b>		<b>IBR Seq. No:</b> 4
<b>Domestic Circumstance:</b>	<b>Carjacking:</b>		<b>Household Status:</b>
<b>Accosting Situation:</b>	<b>Hate Bias Indicator:</b>		<b>Premise Code:</b>
<b>Gambling Motivated:</b>	<b>Order of Protection:</b>		<b>Prior Inv - Victim:</b>
<b>Prior Inv - Offender:</b>	<b>Anit-reproductive rights crime:</b>		
<b>Special Circumstances:</b>	<b>Precipitating Event:</b>		

**Offender Suspected of Using**

**Alcohol:** No  
**Drugs:** No  
**Computer:** No

Aggravated Assault/ Homicide  
Circumstances #1:  
Aggravated Assault/  
Homicide Remarks #1:  
Justifiable Homicide  
Circumstances :  
Method of Entry Type:  
Point of Entry:  
Method of Exit Type:  
Point of Exit:  
Direction of Travel:  
Counterfeit Type:  
Evidence Collected

**Victim Suspected of Using**

**Alcohol:** No  
**Drugs:** No  
**Computer:** No

Aggravated Assault/ Homicide  
Circumstances #2:  
Aggravated Assault/  
Homicide Remarks #2:  
Larceny Type.  
Method of Entry :  
# of Premises Entered :  
Method of Exit :  
How Left Scene:  
Counterfeit Amount:  
Security Systems

**Counterfeit Status:**  
Criminal Activity                      Tools Used

# Carmel Police Department Case Report Detail

Print Date/Time: 02/24/2010 11:49  
Login ID: lcarey  
Case Number: 2010-00009735

Carmel Police Department  
ORI Number: IN0290100

Case Narrative - Ofc Phil Hobson

This case report stems from an on-going investigation being conducted by Detective Greg Dawson [REDACTED]

On 2/22/2010, [REDACTED] and myself met in reference to information obtained in relation to case number 2010-9165. An interview with the victim in 2010-9165 was conducted on [REDACTED] 2010. As a result of that interview, Detective Dawson requested that I arrange a meeting with school administration to inform them of additional incidents that may have occurred. Detective Dawson notified school administration and myself that the victim in 2010-9165 had indicated that there were on-going issues that were occurring in the locker rooms at Carmel High School. [REDACTED]

[REDACTED] on 2/22/2010, I was advised [REDACTED] that [REDACTED] had been involved in an altercation with [REDACTED] in the locker room [REDACTED]

[REDACTED] I initially spoke with [REDACTED] to get a time frame on the occurrence and he advised me that the incident took place on [REDACTED] January 8, 2010. [REDACTED]

[REDACTED] I completed a Preliminary report of Alleged Child Abuse or Neglect form (310) and faxed it to Department of Child Services (317) 776-3078. I also called DCS and spoke with [REDACTED] who advised me that she had received the form. At this time, [REDACTED] case report completed and investigation pending.

End of Narrative

Sergeant Phillip Hobson  
Unit # 554  
Carmel Police Department

Merged by 960