

**AFFIDAVIT
FOR PROBABLE CAUSE**

FILED

NOV 08 2023

CLERK CLARK CIRCUIT COURTS

STATE OF INDIANA, COUNTY OF CLARK, SS:

Agency case report: 23ISPC010364

The Affiant, Indiana State Police Lieutenant Jeffrey C. Hearon swears (affirms) that:

On June 13, 2023, I was assigned a criminal investigation after current Clark County Sheriff Scott Maples reported several criminal allegations of Official Misconduct against Former Clark County Sheriff Jamey Noel. Jamey Noel was the Clark County Sheriff from January 1, 2015 through December 31, 2022.

I was directed to contact the Chief Deputy Sheriff Mark Grube for specific allegations and witness information. On June 22, 2023, I contacted Chief Grube, and he advised one of the allegations was Jamey Noel assigned four of the Clark County Jail Maintenance employees to work on his rental property, private business buildings (New Chapel EMS and Utica Township Volunteer Fire Fighters Association), pole barn, cars, and private residence while being on duty and being paid as Clark County employees.

Chief Grube identified the four employees as Troy "Michael" Bowling, Donald "Donnie" Jones, Rodney Whobrey, and Brent Fisher.

On July 13, 2023, I traveled to the Clark County Jail and met with Chief Mark Grube and Clark County Sheriff Scott Maples. At approximately 10:57 a.m., I interviewed Clark County Jail Maintenance Supervisor Troy "Michael" Bowling. The following is a summary:

Michael Bowling advised he has been an employee of the Clark County Jail for approximately 33 years. His position is Clark County Jail Maintenance Supervisor, and his job responsibilities are to maintain and repair the jail's HVAC, electrical, plumbing and oversee all other repairs. Mr. Bowling explained Jamey Noel approached him around 2018-2019 and inquired if he would be willing to work on Mr. Noel's private residence on weekends or after work. According to Mr. Bowling this eventually changed, and Sheriff Noel began to request he and other maintenance workers work, while on duty and being paid by Clark County Taxpayers, on the Sheriff's private residence, rental properties, father in-law's residence, pole barn, and not for profit businesses (New Chapel EMS and Utica Township Volunteer Fire Fighters Association). He stated they worked on Sheriff Noel's privately owned furnace, electrical, concrete, plumbing, and performed other tasks while on duty and working for the Clark County Jail. Mr. Bowling was unable to provide exact times and dates of when he performed the below work. However, he later provided me with the pole barn HVAC contractor, Paul Isom, and Mr. Isom indicated the HVAC duct work and ventilation was installed shortly after the concrete was poured on November 13, 2018.

On July 13, 2023, at approximately 11:45 a.m., I interviewed Clark County Jail Maintenance Employee Donald Jones. The following is a summary:

Donald Jones advised he has been employee of the Clark County Jail for approximately 9 years. His position is Clark County Jail Maintenance worker, and his job responsibilities are to maintain and repair the jail's HVAC, electrical, and plumbing systems. Mr. Jones explained Jamey Noel hired him in 2015, and he frequently accompanied Michael Bowling to work on various jobs for Jamey Noel, such as furnace, electrical, concrete, and plumbing work on Mr. Noel's private business, garage/pole barn, rental homes, and his father-in-law's home. Mr. Jones worked on the above properties while he was working for the jail. Mr. Jones was unable to provide exact times and dates of when he performed the below work. Mr. Jones felt compelled to work on Mr. Noel's private properties because his wife was ill, and he needed health insurance.

On July 13, 2023, at approximately 3:44 p.m., I interviewed Brent Fisher. The following is a summary:

He advised he has been an employee of the Clark County Jail for approximately 6 years. His position is Clark County Jail Maintenance worker, and his job responsibilities are to maintain and repair the jail's HVAC, electrical, and plumbing systems. Mr. Fisher explained Jamey Noel hired him in 2017, and he frequently accompanied Michael Bowling and other maintenance workers when they did various jobs for Jamey Noel, such as working on Noel's refrigerator, washer and dryer, at his rental property occupied by Noel's father-in-law. Mr. Fisher was unable to provide exact times and dates of when he performed the below work.

On July 13, 2023, at approximately 2:38 p.m., I interviewed Clark County Vehicle Fleet Maintenance Employee Rodney Whobrey. The following is a summary:

Mr. Whobrey was hired by Sheriff Jamey Noel in April 2017. His assigned duties were to maintain the sheriff's department vehicles. He was initially assigned a five-day, Monday through Friday, 7 a.m.-3 p.m. work week and was asked to work on Saturdays to maintain Jamey Noel's private vehicle collection. Mr. Whobrey received checks and a federal W-2 from the Utica Township Volunteer Fire Department for his time working on Jamey Noel's private vehicle collection.

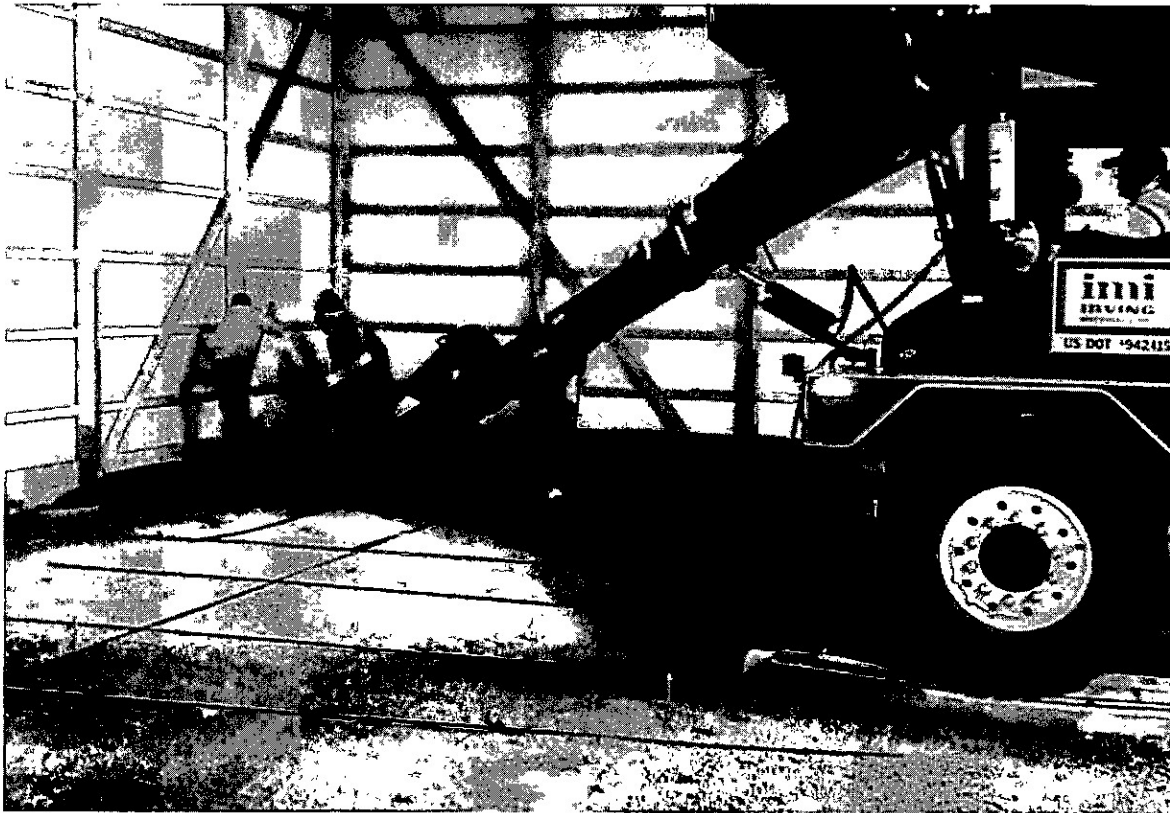
Mr. Whobrey advised over time Jamey Noel began to ask him to pick up and transport cars he had purchased while Whobrey was on duty and working for the Sheriff's Department. Whobrey explained he would often drive out of state at Jamey Noel's direction while on duty, using the jail's truck, trailer, and gas to pick up vehicles for Jamey Noel's private collection.

In addition to maintaining Jamey Noel's vehicle collection and transporting the vehicles he purchased, Whobrey explained he would transport some vehicles to auctions and for resale. Whobrey indicated many of the vehicles were titled as owned by the Utica Township Volunteer Fire Department.

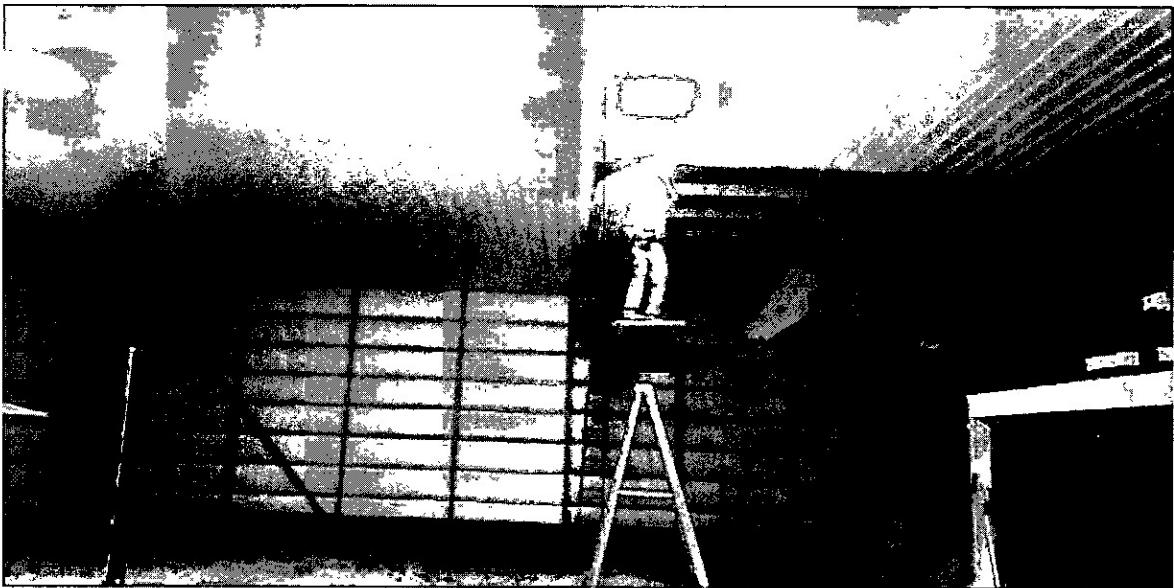
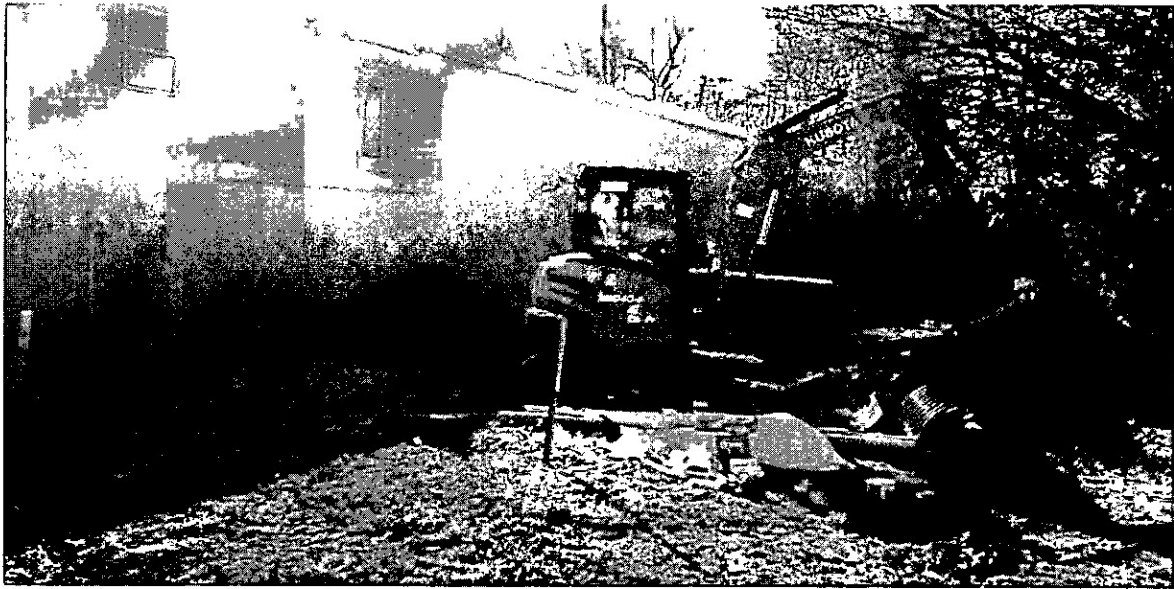
According to Whobrey, Jamey Noel hired a contractor to build the shell of a large pole barn on property owned by Jamey Noel. The pole barn is located at 709 Old Salem Road, Utica, IN 47130.



When the shell was completed, Jamey Noel requested Rodney Whobrey and Mike Bowling pour and spread the concrete floor. Mr. Whobrey indicated this occurred on November 13, 2018, at approximately 10:28 a.m., while both men were on duty and being paid by Clark County Tax Government. Whobrey provided the below photograph, which was time stamped with the above date and time.



I obtained the timecards for both employees and on November 13, 2018, Rodney Whobrey clocked on at 6:54 a.m. and off duty at 5:06 p.m., and Mike Bowling clocked on at 6:54 a.m. and off at 2:59 p.m. According to Rodney, over the next several months he, Mike Bowling, and Donnie Jones performed various tasks, including the following: created a driveway, installed the septic system, installed water lines, installed the HVAC, hung the ceiling, installed light fixtures, and ran propane lines. Whobrey provided the following photographs with time stamps for each photo. During all of this work, Whobrey's timecards indicate he was clocked in as an employee for the Clark County Sheriff's Department.





Rodney Whobrey provided the below picture, which shows the inside of Jamey Noel's pole barn. According to Whobrey, he installed numerous car lifts to house and store Jamey Noel's car collection. According to Whobrey, Jamey Noel's car collection was approximately 100 vehicles.]



On August 16, 2023, Rodney Whobrey was interviewed by your affiant at the Pole Barn. During the interview, Rodney Whobrey explained which vehicles he worked on while employed by the Clark County Sheriff's Department that were still located in the pole barn. Rodney indicated he completed all of this work while either working for the Clark County Sheriff's Department or being paid by Utica Township Volunteer Fire Fighters Association. Additionally, Mr. Whobrey explained he purchased repair parts for many of the vehicles at the pole barn using a credit card Jamey Noel provided. Mr. Whobrey produced a photograph of the credit card which indicated the card was property of the Clark County Sheriff's Department and the funds were from the Sheriff's Commissary Fund.



Jamey Noel is the Chief Executive Officer of the Utica Township Volunteer Fire Fighters Association (UTVFFA).

Additionally, I observed several Assumed Business Names associated with Utica Volunteer Fire Fighters Association, such as New Chapel Emergency Medical Services, Utica Security Group, and New Chapel Volunteer Fire Company in which Jamey Noel is the registered agent.

I also discovered Jamey Noel was the Fire Chief of New Albany Township Fire Department which had contracted with New Chapel Fire & EMS, INC to provide fire service to the Floyd County New Albany Fire Protection District.

On July 20, 2023, I requested and received an off-line search, from the Indiana Bureau of Motor Vehicles, for all the vehicles registered to the Utica Township Volunteer Fire Department and New Chapel EMS. As of July 20, 2023, there were approximately 133 vehicles registered to those businesses. A review of the registered vehicles indicated several cars and SUVs which appeared inconsistent with a not-for-profit fire department and EMS business. The vehicles are as follows:

1. 2023 Blue Cadillac Escalade
2. 2020 Gray Dodge Charger Hell Cat
3. 2020 Black Cadillac CT 5 Sport
4. 2015 Black Camaro Z28
5. 2020 Blue Cadillac ST6
6. 2017 Black Cadillac Escalade Luxury
7. 2017 Blue Corvette Grand Sport
8. 2018 Orange Camaro SS
9. 2019 Black Cadillac XT5
10. 2022 Black Cadillac CT5 Premium Luxury
11. 2023 Gray Cadillac V ESU Sport
12. 2023 Gray Cadillac Sport
13. 2023 Black Grand Wagoneer Series III Jeep
14. 2022 Black Cadillac Sport Platinum
15. 2021 Black Cadillac Escalade Sport
16. 2023 Black Cadillac CT5-V
17. 2020 Red Corvette Sting Ray
18. 2021 Gray Dodge Challenger SRT Hell Cat Red Eye
19. 1993 Blue Ford Taurus
20. 2000 Silver Mercury Grand Marquis
21. 1998 Brown Ford Crown Victoria
22. 1994 Blue Crown Victoria
23. 1989 Blue Ford Bronco II
24. 2022 Black Dodge Pursuit

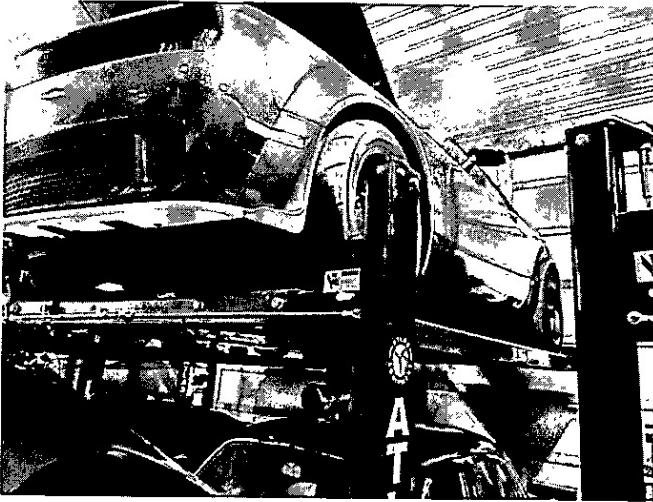
On August 16, 2023, at approximately 1230 hours I formed four teams of detectives, uniform troopers, and State Board of Account Investigators and served four search warrants at the following locations: Jamey Noel's residence, Jamey Noel's Pole Barn, Utica Township Volunteer Fire Fighters Association Station 1 and 2. Detective Chris Hanson oversaw the pole barn scene and observed a camera doorbell next to the pole barn entry door. He made several attempts to locate Jamey Noel by ringing the bell and knocking on the door. Jamey Noel eventually answered via the audio microphone of the doorbell system. Detective Hanson informed him that he had a search warrant to search the property and Jamey Noel agreed to come to the scene and open the barn.

As Jamey Noel approached the pole barn, Detective Hanson waved him over and read the search warrant to Jamey Noel. The search warrant authorized the seizure of Jamey Noel's cell phone. Jamey Noel produced his cell phone, but it had been factory reset and the data had been wiped clean shortly before Detective Hanson seized the phone.

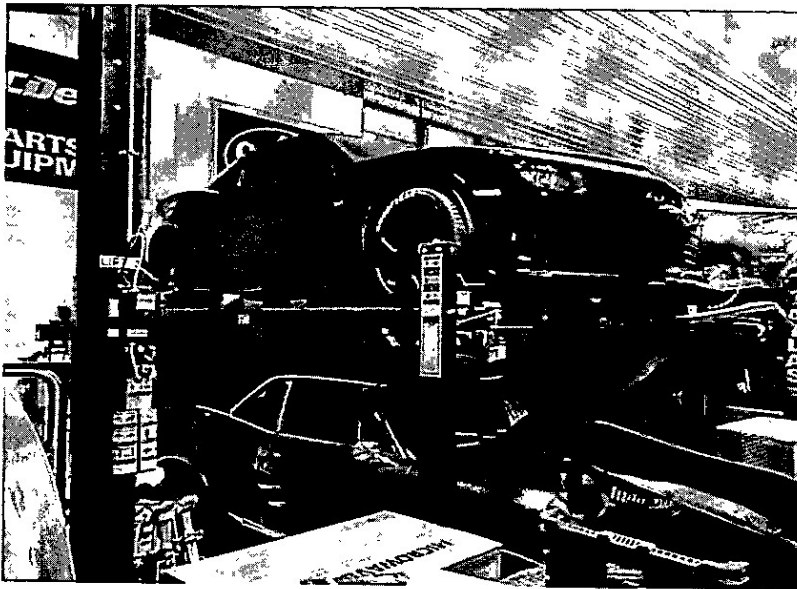
While searching Jamey Noel's Pole Barn (located at 709 Old Salem Road, Utica, IN) detectives located seven vehicles registered to the Utica Township Volunteer Fire Fighters Association inside and outside the pole barn. The seven vehicles belonging to UTVFD were mixed in with approximately 40 personally owned vehicle belonging to Jamey Noel. The seven vehicles are listed below:

Registered to the Utica Township Volunteer Fire Fighters Association or an associated assumed business name:

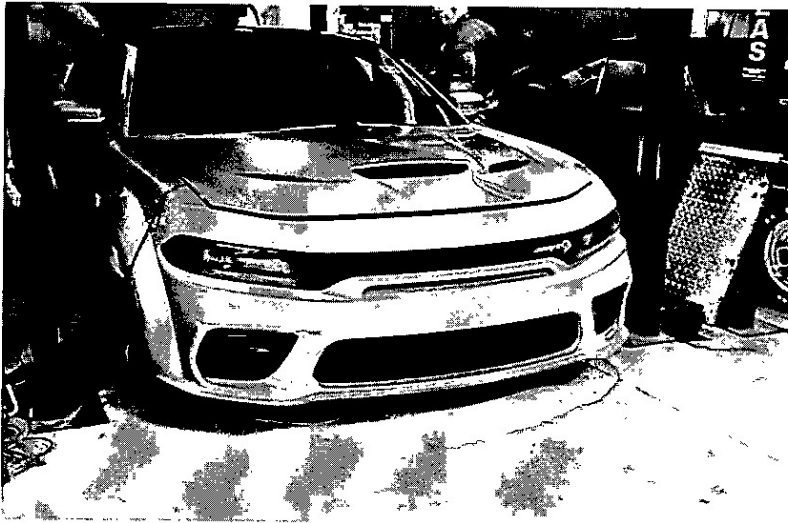
2021 Blue Dodge Challenger, VIN# 2C3CDZL90MH534251 (located inside the building)



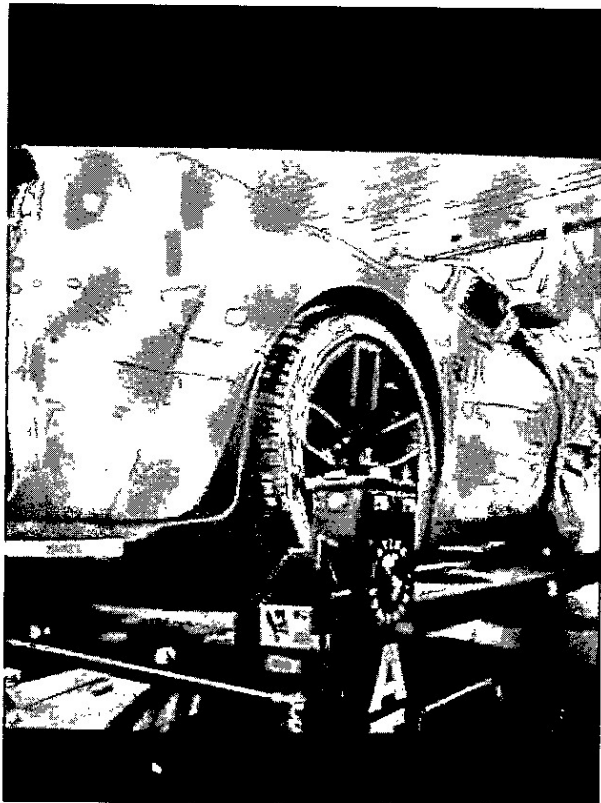
2015 Black Chevrolet Camaro, VIN# 2G1FZ1EE0F9700215 (located inside the building)



2020 Gray Dodge Charger, VIN# 2C3CDXL9XLH122664 (located inside the building)



2018 Gray Dodge Challenger SRT, VIN # 2C3CDZL98KH502984 (located inside the building).



2017 Silver Nissan Versa, VIN# 3N1CN7AP1HL804456 (located outside the building on the northeast side)



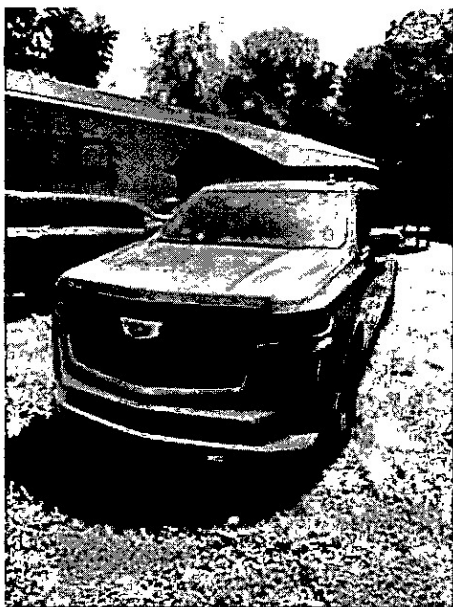
2022 White Ram ProMaster, VIN# ZFBHRFAB1N6X76771 (located outside the building on the northwest side)



2021 Red Chevrolet Tahoe, VIN# 1GNSKNKD6MR376629 (located outside the building on the northeast side)



While Whobrey was being interviewed he provided information that there were additional vehicles owned by Jamie Noel or the Utica Township Volunteer Fire Fighters Association at Jamey Noel's daughter's, Kasey Noel, residence approximately 100 yards northeast of the pole barn. A search warrant was obtained and executed. Detectives located two vehicles belonging to the Utica Township Volunteer Fire Fighters Association. The vehicles are listed below:

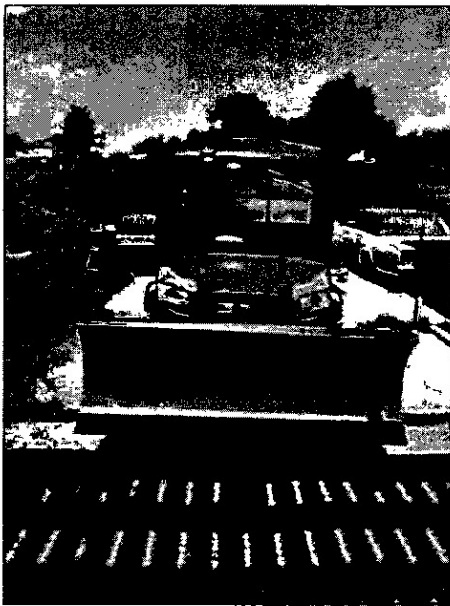


2023 Cadillac Escalade VIN 1GYS4SK99PR159538



2022 Jeep Wrangler VIN 1C4JJXP68NW100789

Additionally, Detectives located a Kubota 4x4 mule utility vehicle in the pole barn belonging to Kasey Noel which a tag on the key indicated it belongs to New Chapel EMS/UTVFFA.



Kubota Mule VIN A5KC2GDBVGG029320

Due to the late hours, approximately 10:30 PM, Detectives moved the five vehicles from Kasey Noel's property approximately 100 yards and placed them next to Jamey Noel's Pole Barn and placed a uniform trooper as security until a search warrant was obtained.

The pole barn scene was held overnight to allow detectives to arrange for transport of seized vehicles located inside and outside the pole barn. A total of 30 vehicles were seized.

An examination of Jamey Noel's and Utica Township Volunteer Fire Fighters Association and other affiliated businesses (assumed businesses names) bank records and vehicle purchase records was conducted. Several suspicious transactions were examined, and patterns appeared.

The multiple business names appear to be an attempt at "Layering"- the goal of layering in a corrupt business practice is to make the process of tracking money or assets through each layer of a business, in this case using assumed business names and separate accounts, more difficult. There is evidence of complex layering schemes involving sending money to different accounts using a series of transactions.

In addition to the layering above, I noticed a pattern of purchasing and selling dozens of vehicles owned by Utica Township Volunteer Fire Fighters Association and its' affiliated businesses. I discovered multiple instances of prior Utica Volunteer Fire Fighters Association owned assets that were sold and/or traded, resulting in zero return to Utica Volunteer Fire Fighters Association and financial gain to Jamey Noel personally. For example:

On May 3, 2021, Jamey Noel traded a Utica owned 2020 Chevrolet Corvette, VIN#1G1Y72D43L5115893, valued at \$92,000 for a 2020 Mercedes-Benz S-Class 450, VIN#WDDUG6EB1LA497932, and registered said Mercedes in his own name.

On January 2, 2019, Jamey Noel traded a Utica owned 2017 Chevrolet 3500 Silverado, for a 2019 Challenger SRT Hellcat, VIN#2C3CDZL98KH502984, and titled said Hellcat in his own name. On October 10, 2019, Jamey Noel then personally sold said Hellcat to Utica for \$83,716.

On April 30, 2021, Jamey Noel traded a Utica owned vehicle in for a 2012 Porsche Panamera, VIN# WP0AB2A74CL060999, and titled said Porsche in his own name. On September 12, 2022, Jamey Noel sold said Porsche for \$32,000 to a car dealership and deposited said funds into his personal bank account on September 14, 2022.

On December 2, 2020, Jamey Noel traded a Utica owned vehicle in for a 1957 Chevrolet Bel-Air, VIN#VC57S281812, and titled said Chevrolet in his own name. On September 27, 2022, Jamey Noel sold said Chevrolet for \$39,500 to Kenny Hughbanks and deposits said funds into his personal bank account on September 28, 2022.

On August 31, 2022, Jamey Noel took a Utica owned Kubota HST Tractor, purchased in 2017 for \$40,600, and sold it to James Bishop for \$31,000. On September 14, 2022, Jamey Noel deposited the check for \$31,000 in his personal bank account.

Conclusion:

I am currently investigating a ghost employment, tax evasion, fraud, theft, corrupt business practices and official misconduct case involving Former Clark County Sheriff and current Utica Volunteer Fire Fighters Association, Chief Jamey Noel. I anticipate providing the special prosecutor with additional information for potential additional charges as the State Board of Accounts and the Indiana Department of Revenue complete their audits and investigations.

The facts set forth in this affidavit are based upon my own personal observations, my training and experience, and information obtained during this investigation, along with my mapping and analysis of the data. Therefore, based on the above facts, I have probable cause to believe, and do believe, that evidence of the commissions of felonies, in violation(s) of Indiana Code 35-44.1-1-3 Ghost Employment, 35-43-4-2 Theft, 35-44.1-2-2 Obstruction of Justice, 35-45-6-2 Corrupt Business Influence, and 35-44.1-1-1 Official Misconduct and property related to the commission of said felonies.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

All of the above events occurred in Clark County, Indiana.

I swear (affirm), under penalty of perjury as specified by IC 35-44-2-1, that the foregoing representations are true.

DATED: November 6, 2023

/s/ Lieutenant Jeffrey C. Hearon PE 5201
AFFIANT