

STATE OF INDIANA)
)
COUNTY OF ST. JOSEPH) SS:
)
STATE OF INDIANA)
)
VS)
)
RAYMONTOW RETSEL DAVIS)
DOB: 9/7/1984)

IN THE ST. JOSEPH SUPERIOR COURT

CAUSE NUMBER. 71

INFORMATION IN TWO COUNTS:

COUNT I:

BRIBERY

A LEVEL 5 FELONY

COUNT II:

OFFICIAL MISCONDUCT

A LEVEL 6 FELONY

COUNT I

KENNETH P COTTER, upon information and belief, affirms under penalty of perjury that:

On or about August 27, 2019 in St. Joseph County, State of Indiana, Raymontow Retsel Davis, being a public servant, did knowingly solicit, accept or agreed to accept either before or after he was appointed, elected or qualified as a public servant any property except property he was authorized by law to accept with the intent to control the performance of an act related to RAYMONTOW R. DAVIS' employment or function as a public servant.

All of which is contrary to the form of the statutes in such cases made and provided by I.C. 35-44.1-1-2(a)(2) , and against the peace and dignity of the State of Indiana.

COUNT II

KENNETH P COTTER, upon information and belief, affirms under penalty of perjury that:

On or about August 27, 2019 in St. Joseph County, State of Indiana, Raymontow Retsel Davis, being a public servant, did knowingly commit an offense in the performance of his duties , to wit: bribery.

All of which is contrary to the form of the statutes in such cases made and provided by I.C. 35-44.1-1-1(1) , and against the peace and dignity of the State of Indiana.

I affirm under the penalties for perjury that the foregoing representations are true.



KENNETH P COTTER
PROSECUTING ATTORNEY

Probable cause found. Arrest Warrant Issued.

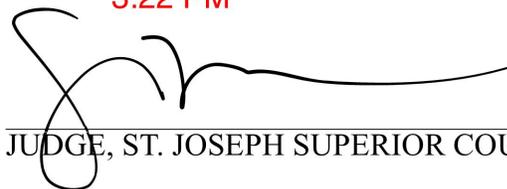
___ Pursuant to Criminal Rule 26 and the St. Joseph County Release/Detention Matrix, Defendant ordered released on recognizance with a promise to appear. Defendant subject to any conditions listed in the attached Pretrial Supervision Order.

XX Defendant to be held for initial bail hearing on 29th day of August, 2019 at 1:00 p.m.

___ Defendant to be held for next available bail hearing after the warrant is served.

___ Bond set in the amount of _____ corporate surety or _____ cash. Defendant subject to any conditions listed in the attached Pretrial Supervision Order.

So found this 28 day of August, 2019 at 3:22 PM am/pm.



JUDGE, ST. JOSEPH SUPERIOR COURT

John M. Marnocha

WITNESSES:

Officer Dave Wells – DIU
Officer Jeff Grzegorek, DIU
Jesse Carlton, Probation Department
Officer Randy Goering, DIU
Officer Brandon Stec, DIU
St. Joseph County Probation Department Personnel
St. Joseph County CSAP Personnel
All witnesses listed in police, medical and laboratory reports

STATE OF INDIANA)
) SS: IN THE ST. JOSEPH SUPERIOR COURT
ST. JOSEPH COUNTY) CAUSE NO. 71D0
)
STATE OF INDIANA)
)
VS.)
RAMONTOW R. DAVIS)
DOB: 09/07/1984)

DAVE WELLS, upon information and belief, affirms under the penalties for perjury, states that:

Your affiant, Commander Dave Wells has been a sworn law enforcement officer for approximately twenty-five (25) years. I successfully completed the Indiana Law Enforcement Academy (ILEA) and was employed thereafter as a police officer with the City of South Bend. For a period of ten (10) years, I was assigned as a detective to the St. Joseph County Metro Homicide Unit where I became the Assistant Commander. Since January of 2016, I have been employed as the Commander of the St. Joseph County Drug Investigations Unit (DIU). My primary duties include investigating armed and violent drug trafficking and overdose fatalities. Our Unit is also tasked with conducting undercover investigations.

I make the following affidavit based upon my own personal knowledge and investigation as well as reviewing South Bend Police Department reports and speaking with other law enforcement officers.

On August 21, 2019, a Cooperating Source (CS), whose identifying information is known to law enforcement, asked to speak with the St. Joseph County Chief Probation Officer, Jesse Carlton. This CS advised Chief Carlton that he was currently on probation. As a condition of probation, he was required to submit to random urine drops which are administered by the Court's Substance Abuse Program (CSAP). The CS advised Chief Carlton that an employee with CSAP had discussed accepting US Currency in exchange for doctoring the urine results.

Based upon this concern, Chief Carlton met with the Prosecutor's Office on that same day. The Prosecutor's office immediately asked the DIU to investigate and I spoke with the CS.

On August 27, 2019, the CS met with Investigator Randall Goering and I at the DIU office. The CS advised us that he/she is required to submit random urine samples through the Court's Substance Abuse Program (CSAP) as a term of probation. The Cooperating Source advised that a CSAP employee known to him/her as "Ray Davis" (later identified as RAYMONTOW R. DAVIS) had offered to ensure that the CS would pass his/her urine drug screens in exchange for one hundred and fifty dollars (\$150.00).

According to the CS, DAVIS solicited money from him/her through calls and texts. He/she stated that DAVIS offered to substitute a third party's urine sample for the CS's own, but required that the CS pay him one hundred and fifty dollars (\$150.00) in cash. Through this process, DAVIS would then submit the third party's urine for drug analysis rather than taking a sample directly from CS. This would allow the CS to use illegal drugs while under court supervision. The CS advised me that he/she would have to bring DAVIS the money and a condom filled with clean urine.

The CS showed Inv. Goering and I a series of text messages between the CS's phone and another cell phone number. These calls and texts began on July 5, 2019 and continued up until August 27th. I later confirmed that the number is the number for RAYMONTOW R. DAVIS. During the texts, the CS and DAVIS discuss a "drop" and a payment of \$150.00. (I know from my training and experience that "drop" is common terminology for submitting a urine sample.)

While Investigator Goering and I were speaking with the CS, the CS sent a text message to DAVIS stating that his/her probation officer had talked about having the CS "locked up" if he had a positive urine screen. The CS almost immediately received a call from DAVIS., who was upset at the CS for sending a text. DAVIS stated "You know I type nothing when it comes down to that."

I heard the CS and Davis discuss the process of submitting the sample that day. DAVIS told the CS to arrive as early as possible so that fewer people would be around. DAVIS confirmed that the cost would be one hundred and fifty dollars (\$150.00).

This phone conversation was recorded.

Following this phone call, DIU investigators conducted a controlled delivery of the currency. The CS was searched for weapons, illegal drugs, currency or other contraband. None were found. DIU investigators supplied the CS with one hundred and fifty dollars (\$150.00) in prerecorded United States Currency and audio/visual recording devices. Investigators Jeffrey Grzegorek and Brandon Stec then transported the CS to the CSAP offices at 125 W. Lafayette Street, South Bend, Indiana. The CS then met with DAVIS as part of a scheduled appointment, which meeting was recorded.

I have reviewed that recording. I observed DAVIS accept the pre-recorded bills from the CS. The video shows that DAVIS did not require the CS to give a urine sample. Rather, DAVIS allowed the CS to pour the "clean" urine into the CSAP receptacle. I saw that when the CS attempted to throw the empty condom in the trash can, DAVIS stopped him and instructed him to flush it down the toilet. DAVIS can also be clearly seen accepting the pre-recorded currency and placing it into his wallet.

Following the controlled delivery, the CS was again searched by DIU investigators for any weapons, currency, illegal drugs or other contraband. None were found. The recording devices were collected and the CS was debriefed.

DIU investigators then went to the CSAP officers and identified DAVIS as the individual who accepted money from the CS. Of the one hundred and fifty dollars (\$150.00) of prerecorded currency given by the CS to DAVIS, Officers recovered one hundred and thirty dollars (\$130.00) from DAVIS' wallet. Officers thereupon placed DAVIS under arrest.

Detention Consideration

Based upon the nature and circumstances of this offense and that the Defendant is a public servant who had betrayed the community's trust, the State believes that DAVIS is a flight risk and a danger to the community. The State is therefore requesting that the Court detain the Defendant until a full assessment can be completed and a bail hearing be conducted.

All of the above-listed events occurred in St. Joseph County, Indiana.

I affirm, under the penalties for perjury, that the foregoing representations are true


Dave Wells

St. Joseph County Drug Investigations Unit