

**In the
Supreme Court of Indiana**

IN THE MATTER OF)	
)	
THE HONORABLE)	
)	
WILLIAM PAUL GREENAWAY)	Case No. 19S-JD-165
)	
MAGISTRATE OF)	
)	
HAMILTON SUPERIOR COURT)	

NOTICE OF CRIMINAL CHARGES AND REQUEST FOR SUSPENSION

The Indiana Commission on Judicial Qualifications, by its counsel, Adrienne L. Meiring, hereby notifies the Court that an Information has been filed against the Respondent, the Honorable William Paul Greenaway (hereinafter “Respondent”), for a crime punishable as a felony under the laws of the State of Indiana. Pursuant to Admission and Discipline Rule 25 V, the Commission therefore requests the suspension with pay of Respondent. In support of this Notice and Request, the Commission would show the Court as follows:

1. Respondent has served as a Magistrate of Hamilton Superior Court since September 11, 2007. Respondent has most recently been assigned to the following courts: Hamilton Superior Court 2; Hamilton Superior Court 3; Hamilton Superior Court 4; and Hamilton Superior Court 5.
2. On March 25, 2019, Hamilton County Prosecutor D. Lee Buckingham, II filed an Information for one count of Possession of Methamphetamine, a Level 6 felony; one count of Resisting Law Enforcement, a Level 6 felony; and one count of Obstruction of

Justice, a Level 6 felony, against the Honorable William Paul Greenaway under case number 29D05-1903-F6-002149 in Hamilton Superior Court 5. A true and accurate copy of the filed Information, probable cause affidavit, and request for a special prosecutor are attached as Commission's *Exhibit A*.

3. Counsel for the Commission verified that the Information attached as Commission's *Exhibit A* was filed today.

4. Admission and Discipline Rule 25 V (A) provides that:

A judicial officer shall be suspended with pay by the Supreme Court...upon the filing of an indictment or information charging the judicial officer in any court in the United States with a crime punishable as a felony under the laws of Indiana or the United States.

5. The Information filed in Hamilton Superior Court 5 charges Respondent with Possession of Methamphetamine, which is a crime punishable as a Level 6 felony under Indiana Code § 35-48-4-6.1(a); Resisting Law Enforcement, which is a crime punishable as a Level 6 Felony under Indiana Code § 35-44.1-3-1(a)(1) and 35-44.1-3-1(b)(1)(B); and Obstruction of Justice, which is a crime punishable as a Level 6 felony under Indiana Code §35-44.1-2-2(a)(3).

WHEREFORE, the Indiana Commission on Judicial Qualifications requests that the Court enter an order pursuant to Admission and Discipline Rule 25 V suspending the Honorable William Paul Greenaway with pay from his position as Magistrate of Hamilton Superior Courts pending further order of this Court or final determination of any disciplinary proceeding that may hereafter result from the criminal charges.

3/25/19
DATE

Respectfully submitted,

Adrienne L. Meiring
Adrienne L. Meiring
Counsel to the Commission
Atty. No. 18414-45

03/25/19
DATE

Marcus Alan McGhee
Marcus Alan McGhee
Staff Attorney to the Commission
Atty. No. 34113-49

CERTIFICATE OF SERVICE

Comes now Adrienne L. Meiring and certifies that she served a copy of this "Notice of Criminal Charges and Request for Suspension" by e-mail and by deposit in the United States Mail, first-class postage prepaid, addressed to:

Mr. William Greenaway
Hamilton Superior Court
One Hamilton Square, #313
Noblesville, IN 46060-2662

This 25th day of March 2019.

Adrienne L. Meiring
Adrienne L. Meiring, Counsel
Attorney Number: 18414-45
Indiana Commission on Judicial Qualifications
251 N. Illinois St., Ste. 1600
Indianapolis, IN 46202
317-232-4706

Marcus Alan McGhee
Marcus Alan McGhee, Staff Attorney
Attorney Number: 34113-49
Indiana Commission on Judicial Qualifications
251 N. Illinois St., Ste. 1600
Indianapolis, IN 46202
317-233-0225

IN THE HAMILTON CIRCUIT/SUPERIOR COURTS

STATE OF INDIANA)
) SS:
COUNTY OF HAMILTON)

CAUSE NO. 29

THE STATE OF INDIANA

INFORMATION FOR:

VS.

WILLIAM PAUL GREENAWAY
16455 Cumberland Rd
Noblesville, IN 46060

Count 1:
Possession of Methamphetamine
I.C. 35-48-4-6.1(a)
a Level 6 Felony

OLN: 2340-19-8446 Indiana
DOB: 7/3/1968
SSN: XXX-XX-2239

Count 2:
Resisting Law Enforcement
I.C. 35-44.1-3-1(a)(1) and I.C. 35-44.1-3-1(b)
(1)(B)
a Level 6 Felony

PHYSICAL DESCRIPTION
Race: W Sex: Male
Height: 6'00" Weight: 204
Eyes: Blue Hair: Brown

Count 3:
Obstruction of Justice
I.C. 35-44.1-2-2(a)(3)
a Level 6 Felony

BE IT REMEMBERED,

That on this day comes the undersigned deputy of the Prosecuting Attorney of the 24th Judicial Circuit who alleges that in the County of Hamilton, State of Indiana,

Count 1: on or about March 20, 2019 William Paul Greenaway did knowingly or intentionally possess methamphetamine, pure or adulterated;

Count 2: on or about March 20, 2019 William Paul Greenaway did knowingly or intentionally forcibly resist, obstruct or interfere with Det. Luke Waikel, a law enforcement officer, while said officer was lawfully engaged in its duties as a law enforcement officer and in committing said act the defendant inflicted bodily injury on or otherwise caused bodily injury to Det. Luke Waikel, to-wit: bruising or swelling or pain;

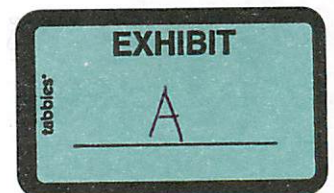
Count 3: on or about March 20, 2019 William Paul Greenaway did alter, damage or remove a thing, to-wit: a clear plastic baggie containing methamphetamine, with the intent to prevent said item from being produced or used as evidence in an official proceeding or investigation;

All of which is contrary to the form of the statute of such case made and provided, and against the peace and dignity of the State of Indiana.

Submitted this day, March 25, 2019

/s/ D. Lee Buckingham II

Hamilton County Prosecuting Attorney
STATE OF INDIANA VS. WILLIAM PAUL GREENAWAY



STATE OF INDIANA VS. WILLIAM PAUL GREENAWAY

Taylor Shafer ISP
Brandon Brooks NPD
Luke Waikel ISP
CI #7360
CI #7386
photos
audio and video recordings
First Sergeant Wiggam
Det. Luke Waikel

Agency case # 19ISPC003164

IN THE HAMILTON CIRCUIT/
HAMILTON SUPERIOR COURT
STATE OF INDIANA

STATE OF INDIANA

CASE NUMBER: 19ISPC003164

V.

CAUSE NO. _____

William Greenaway

AFFIDAVIT FOR PROBABLE CAUSE

Comes now Taylor Shafer, who hereby swears upon his oath, deposes and says:

1. I am a Sergeant with the Indiana State Police Department. I have been a police officer since March 2011. I am a "law enforcement officer" as that term is defined in I.C. 35-31.5-2-185. I am currently assigned as a Sergeant with the Drug Enforcement Section (hereafter referred to as "DES") and have been so for approximately three years. In connection with my official duties, I am involved in investigations relating to violations of the Indiana controlled substances laws. I have received training relating to enforcement of the Indiana controlled substances laws. My initial training at the Indiana Law Enforcement Academy was in March 2010. I have satisfied the minimum basic training requirements established by rules adopted by the law enforcement training board under I.C. 5-2-1-9 and described in I.C. 35-37-4-5. I have received training in traditional investigative methods as well as criminal interdiction investigations. I have investigated criminal violations of both state and federal narcotics laws. I have received special training in the enforcement of laws concerning controlled substance laws. I have received training and have participated in all normal methods of investigations, undercover operations, visual surveillance, the general questioning of witnesses, the utilization of informants, the intercepting of parcels containing controlled substances, and the execution of arrest and search warrants. Through my experience and training, I am familiar with the appearance of controlled substances, including but not limited to, marijuana, methamphetamine, cocaine, crack, hydrocodone, as well as the means by which controlled substances are packaged. I continue to receive yearly in service training.

2. I am filing this affidavit for probable cause in support of the charges of **Possession of Methamphetamine 35-48-4-6.1 (Lv 6)**, **Resisting Law Enforcement 35-44.1-3-1 (Lv 6)**, and **Obstruction of Justice 35-44.1-2-2 (Lv 6)** on William Greenaway a white/male, DOB: 07/03/1968, height 6'00", weight 200 lbs, with brown hair and blue eyes.

3. The information that is set forth below in this Affidavit is either information known personally to me, information that I obtained from other law enforcement sources, information obtained from public records, or information from a source otherwise identified in this Affidavit.

4. The Investigation

On Wednesday, November 28, 2018, Noblesville Officer Brooks, Indiana State Police (ISP) First Sergeant Wiggam, and ISP Sergeant Shafer met with ISP Confidential Informant (CI) #7360 regarding information concerning a Hamilton County Magistrate allegedly using methamphetamine. Below is a summary of the interview.

CI #7360 identified William Greenaway as the public official. CI #7360 stated that Greenaway was going through a divorce and was dating an identified female, who had previously bought methamphetamine off of CI #7360.

CI #7360 claimed that Greenaway consumes methamphetamine with his alleged girlfriend and potentially other individuals. It should be noted that the identified individuals listed by CI #7360 were known to law enforcement personnel through prior criminal investigations.

CI #7360 claimed that s/he had been in the presence of Greenaway at a residence on two occasions. Both times, s/he observed Greenaway obtain methamphetamine and consume it. CI #7360 described both Greenaway's residence and vehicles. CI #7360 also identified the alleged names of Greenaway's sources of supply for the methamphetamine.

On Monday, February 11, 2019, ISP Sgt. Shafer and Det. Waikel conducted an interview with ISP CI #7386 regarding the aforementioned allegations against Greenaway. Below is a summary of the interview.

CI #7386 advised that s/he had a personal relationship with William Greenaway. CI #7386 stated that s/he had observed Greenaway use methamphetamine in the past on multiple occasions. CI #7386 advised that s/he had purchased and orchestrated methamphetamine transactions on behalf of Greenaway. CI #7386 described Greenaway's residence and vehicles.

CI #7386 also identified possible sources of supply of methamphetamine for Greenaway. CI #7386 advised Greenaway used the code word "coffee" when discussing methamphetamine. Lastly, CI #7386 provided electronic communications to officers to illustrate his/her relationship with Greenaway.

On Monday, February 18, 2019, ISP Sgt. Shafer and Det. Waikel conducted a follow-up interview with CI #7360. Below is a summary of the interview.

CI #7360 provided additional details concerning the investigation to include additional supplier information and confirmed Greenaway was still allegedly consuming methamphetamine.

On Wednesday, February 20, 2019, ISP Det. Baker and Sgt. Shafer conducted a follow-up interview with CI #7386.

CI #7386 advised further details about his/her relationship with Greenaway. CI #7386 provided officers with information concerning the number of times CI #7386 had consumed methamphetamine with Greenaway. In addition, CI #7386 advised various locations s/he had consumed methamphetamine with Greenaway, to include Greenaway's residence within the past 4-5 months. CI #7386 confirmed the identity via photograph of one of Greenaway's alleged suppliers of methamphetamine.

CI #7386 also went into further detail about how Greenaway obtains his methamphetamine and advised that s/he would be most likely made aware of when Greenaway would be looking for methamphetamine in the future.

On Sunday, February 24, 2019, Det. Waikel was advised by CI #7386 that s/he had received a text message from Greenaway in which he referenced "coffee." In an additional text, Greenaway also mentioned the nickname of one of his alleged suppliers of methamphetamine that had been previously identified by both ISP CI's.

Through a follow-up investigation, the following information was corroborated through investigative efforts and means: Greenaway was a Hamilton County Magistrate, Greenaway had a personal relationship with the identified female girlfriend, Greenaway's vehicle and residence description, and Greenaway is going through a divorce. It should be noted that multiple identified potential suppliers of methamphetamine for Greenaway were the same individuals and telephone numbers provided by both CI #7360 and CI #7386. In addition, many of those names were familiar with law enforcement personnel concerning prior drug investigations.

Greenaway's residence was identified as 16455 Cumberland Road, Noblesville, IN. This has been determined by numerous surveillance details witnessing Greenaway accessing the residence. The same residence was also identified by both aforementioned CI's. Hamilton County property records for 16455 Cumberland Road, Noblesville, IN listed the deeded owner as William Greenaway. Indiana Bureau of Motor Vehicles listed William Greenaway as the registered owner of a gray 2017 Ford Explorer license plate number SMN295 vehicle identification number 1FM5K8F82HGB05228. This confirmed through CI interviews and officer surveillance as his normal vehicle.

On Wednesday, March 20, 2019, at approximately 11:28 a.m., Sgt. Shafer and Det. Waikel met with CI #7386 to prepare for a money transaction from William Greenaway for the anticipated purchase of methamphetamine. A search was conducted of CI #7386 and the room where the transaction was

expected to occur. Nothing of significance to the case was located on the CI or in the room. Covert audio and video recording devices were placed in the room and on CI #7386.

Sgt. Shafer and Det. Waikel left the residence and maintained a visual of the residence. William Greenaway arrived in the area, parking approximately one block away from the residence. William Greenaway was observed walking through the alley and arriving at the residence. CI #7386 allowed William Greenaway into the residence at approximately 11:48 a.m. Greenaway left the residence at approximately 12:52 p.m. and walked back to his vehicle. Throughout the course of the meeting between CI #7386 and Greenaway, officers monitored their verbal communication via an audio transmitter located within the residence.

Sgt. Shafer and Det. Waikel returned to the residence and met with CI #7386. The officers turned off all recording devices. CI #7386 explained Greenaway provided \$140.00 of U.S. currency for CI #7386 to purchase methamphetamine for him. Officers then took possession of the U.S. currency and left the residence.

Det. Waikel reviewed the audio and video recordings. CI #7386 and Greenaway talked about a specific individual being arrested earlier that morning for Possession of Methamphetamine. Greenaway explained who else was in the vehicle when the individual was arrested. When asked about the money Greenaway stated, "How much do you need?" Greenaway stated, "How much can you get us?" Greenaway retrieved U.S. currency from his pocket and counted it, stating, "Here is one hundred and forty."

The U.S. currency provided by Greenaway was documented and used by CI #7386 for a controlled purchase of approximately two and a half (2.5) grams of methamphetamine. The controlled purchase occurred at approximately 4:35 pm in Hamilton County, Indiana. Standard control procedures were implemented before and after the controlled purchase. The case was documented under Indiana State Police Incident #19ISPC003157.

The purchased methamphetamine was weighed and field tested by Sgt. Shafer. The methamphetamine and clear plastic baggie weighed approximately two and four tenths (2.4) grams. The crystal substance field test positive for methamphetamine. A small amount of the methamphetamine was retained for prosecution purposes. The remaining methamphetamine was kept in the same clear baggie for the anticipated controlled delivery.

Greenaway and CI #7386 arranged to meet and transfer the aforementioned purchased methamphetamine at the Goodwill Store located at 16650 Mercantile Blvd, Noblesville, IN. A search was conducted of CI #7386 and his/her vehicle. Nothing of significance to the case was located on the CI or vehicle. CI #7386 was provided covert audio and video recording devices. Sgt. Shafer provided CI #7386 with the

methamphetamine. After leaving the pre buy location, we arrived at the Goodwill Store parking lot at approximately 5:44 pm. CI #7386 parked near Greenaway's vehicle. A short time later, Det. Waikel witnessed Greenaway exit the store and get into the driver's seat of his Ford Explorer. CI #7386 got into the passenger seat of his vehicle. After approximately ten minutes, CI #7386 exited Greenaway's vehicle and gave the take down signal, indicating the methamphetamine was delivered to Greenaway.

Det. Waikel gave the take down signal over the radio to other law enforcement officers. Det. Waikel was parked one row north of Greenaway. Det. Waikel exited my vehicle in plain clothes and began to walk towards Greenaway. At the same time, uniform officers in un-marked police vehicles were pulling in behind Greenaway's vehicle. The red and blue emergency lights were activated and a siren was being periodically activated. Det. Waikel could see his driver's side window was rolled down and he was looking directly at Det. Waikel as he was quickly walking towards him. Approximately fifteen (15) feet from the vehicle, Det. Waikel exposed his chain necklace bearing his Indiana State Police metal badge. At the same time, Det. Waikel began to run to the driver side door. Det. Waikel yelled loudly, "State Police, put your hands on the window. Hands up, hands up." As Det. Waikel passed the front hood and could clearly see inside the windshield, Det. Waikel witnessed Greenaway place a plastic baggie that Det. Waikel recognized and knew was the methamphetamine inside his mouth. Det. Waikel immediately yelled numerous times, "open your mouth!"

At the same time, Det. Waikel pushed Greenaway's chin away from him and attempted to apply pressure to his hypoglossal pressure point with his four fingers on both sides of his jaw line. This was in an attempt to prevent Greenaway from swallowing the methamphetamine for his own safety and evidence recovery purposes. Det. Waikel continued to yell numerous times, "State Police, open your mouth!" Greenaway continued to refuse to comply. Det. Waikel was noticing that the hypoglossal pressure point was not preventing him from destroying the evidence. Det. Waikel turned Greenaway's head back towards Det. Waikel, still attempting to apply pressure to the hypoglossal pressure point with his left hand to Greenaway's right jaw. In an attempt to see if the baggie was still in his mouth, Det. Waikel pushed his right thumb into Greenaway's mouth trying to pry it open. This technique worked for a short time, until Greenaway used his teeth to bite down hard onto Det. Waikel's thumb. Det. Waikel had to pull his thumb out of Greenaway's teeth to prevent further injury to his thumb. Suddenly, Greenaway opened his mouth and began to comply. Det. Waikel could see that nothing was inside of Greenaway's mouth, indicating that Greenaway had swallowed the baggie of methamphetamine. Det. Waikel indicated he experienced pain to his thumb for several hours after it was bit by Greenaway.

Greenaway was placed into custody and properly handcuffed (checked for tightness and double locked) behind his back. As Greenaway exited the vehicle, it was still in reverse. The open door wedged against the vehicle parked next to it, causing damage. Sgt. Shafer was able to place the vehicle in park to prevent further damage. While searching Greenaway incident to arrest, Sgt. Shafer located Hamilton County

probable cause court documents Greenaway's jacket, those court documents pertained to the arrest of the aforementioned individual that Greenaway and CI #7386 had discussed earlier in the day. It should be noted that the individual identified in the court documents had previously been identified as a methamphetamine source of supply for Greenaway by both CI #7360 and CI #7386. In addition, the individual is familiar to law enforcement personnel from prior drug investigations.

Det. Waikel reviewed the covert audio recording during the meeting at Goodwill between Greenaway and CI #7386. During the conversation, CI #7368 advised Greenaway that the methamphetamine should weigh "2.5" Greenaway responded, "I'll weigh it out when I get home."

Due to concern for Greenaway's health, Det. Waikel requested an ambulance from Noblesville PD. After a Noblesville Fire Department ambulance arrived, he was placed into the ambulance for evaluation. Before being transported, Greenaway was un-handcuffed for easier medical evaluation. Det. Waikel rode in the ambulance with Greenaway to Riverview hospital in Noblesville. After arriving at the hospital he was placed into a room at the emergency department.

After being evaluated by medical staff, Sgt. Shafer and Det. Waikel entered the room at approximately 7:02 p.m. Det. Waikel activated an audio and video recorder. Sgt. Shafer gave Greenaway a copy of the Indiana State Police Advice of Rights waiver. Since Greenaway didn't have his eye glasses, Sgt. Shafer read the paperwork to Greenaway as he followed along. After being advised of his rights, Greenaway signed the paper and agreed to talk. Below is a brief synopsis of the interview.

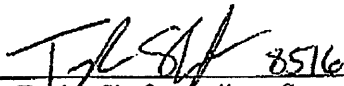
Sgt. Shafer asked Greenaway to describe the chain of events that occurred earlier that evening and Greenaway stated, "I have been set up." Greenaway said he met a female acquaintance in the parking lot of Goodwill. The female asked him to hold something for her and he had "a fairly good idea of what it was." Greenaway explained that as the female exited his vehicle and an officer ran up to his vehicle, "I panicked and I swallowed it." He explained that when she put it in his hand he noticed it was a "crystal white crystal substance in a little baggie (stuttering) at that point I looked at it and thought I know what this is. It was my belief at that time it was methamphetamine."

Greenaway explained his relationship with the female. Sgt. Shafer asked Greenaway how he knew it was methamphetamine. Greenaway explained, "When she put it in my hand it was a little bag, a little corner bag. One side was one big crystal and the other side was like broken up pieces. I looked and I thought that's the only thing I think it could be. Obviously wasn't she wasn't giving me freaking candy." Sgt. Shafer again asked Greenaway what made him swallow it. Greenaway stated, "I panicked I knew what it was and the guy said State Police and I said what the fuck do I do and I swallowed the damn stuff so whatever it was it's in me now." A nurse entered the room and advised that he needed to take medication as soon as possible and the interview was terminated. Sgt. Shafer and Det. Waikel exited the room.

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

I swear under the penalties of perjury as specified by IC 35-44.1-2-1 the foregoing representations are true.

Date: 03/22/2019


Sgt. Taylor Shafer, Indiana State Police

STATE OF INDIANA
COUNTY OF HAMILTON

SS: IN THE HAMILTON SUPERIOR COURT _____

STATE OF INDIANA
v.
WILLIAM PAUL GREENAWAY

CAUSE NO.: 29D-__1903-F6-_____

Petition for Special Prosecutor

Comes now the State of Indiana by D. Lee Buckingham, II, the Prosecuting Attorney for the 24th Judicial Circuit, Hamilton County, Indiana, and hereby respectfully moves the Court for an Order appointing a Special Prosecutor in this cause of action, and, in support therefor, does aver:

1. In accordance with INDIANA CODE § 33-39-10-2(b)(3), the Prosecuting Attorney hereby requests the Court to appoint a special prosecutor.
2. The appointment of a special prosecutor is necessary to avoid the appearance of impropriety because the named defendant has served as a judicial officer in the Hamilton County Superior Courts.

Wherefore, the State prays the Court to appoint a special prosecutor in this cause and for all other just and proper relief in the premises.

Respectfully submitted,

/s/ D. Lee Buckingham II
D. Lee Buckingham II, # 16328-49
Prosecuting Attorney