

MEMORANDUM DECISION

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IN THE COURT OF APPEALS OF INDIANA

Dewey Lee Camp,
Appellant-Defendant,

v.

State of Indiana,
Appellee-Plaintiff.

December 21, 2023

Court of Appeals Case No.
22A-CR-2909

Appeal from the Porter Superior
Court

The Honorable Mary A. DeBoer,
Judge

Trial Court Cause No.
64D05-1812-F6-11972

Memorandum Decision by Judge Bailey
Judges Tavitas and Kenworthy concur.

Bailey, Judge.

Case Summary

- [1] Dewey Camp appeals his conviction for failing to register as a sex offender, as a Level 6 felony.¹ We affirm.

Issues

- [2] Camp raises two issues for our review, namely:
1. Whether the State presented sufficient evidence to support his conviction.
 2. Whether the trial court abused its discretion when it admitted as evidence the search results from two offender registries.

Facts and Procedural History

- [3] Due to a prior conviction, Camp is required to register as a sex offender. *See* Ex. at 35. On May 7, 2018, Camp reported to the Porter County Sheriff's Department ("PCSD") that he was moving to 94 Leslie Way in Chesterton, which was a home that belonged to his father, Harold Camp ("Harold"), in the Forest Oaks neighborhood. When he reported his address, Camp signed an Offender Registration form. Pursuant to the form, if "any" information changes, including his address, the offender must report "in person" to the Sheriff's office "not later than 72 hours after the change and submit the new

¹ Ind. Code § 11-8-8-17(a)(1) (2023).

information[.]” Ex. at 48 (emphasis removed). Further, the form provides that, if an offender is moving to a different county or state, the offender “must report IN PERSON to the local Sheriff’s Office AND register with the new Indiana county of residence within 72 hours of the address change. If you move to a new state, it is your responsibility to obey the laws of the new state.” *Id.* (emphasis in original).

[4] At some point shortly after May 7, Ashley Hastings, the property manager at Forest Oaks, learned that Camp was living with Harold without having completed a required background check. On May 23, Hastings wrote Harold a letter stating that it was a violation of the Forest Oaks rules to allow Camp to reside there. Hastings informed Harold that Camp had until May 25 to complete a background check. On May 28, after Camp failed to complete the background check, Hastings called the PCSD. Officer Patrick Sanders responded to the call and issued a trespass warning to Camp. Camp packed his belongings and left Harold’s home that day.

[5] In November, Captain Larry Sheets, the Offender Coordinator with the PCSD, received a “tip” about Camp. Tr. at 203. When Captain Sheets investigated the tip, he discovered the trespass warning that Officer Sanders had issued. Captain Sheets also ran Camp’s name through Offender Watch, which is an Indiana database, and he did a search of a national offender database. The results of both the Offender Watch and the national searches showed an address on Leslie Way. *Id.* at 233-34.

[6] The State charged Camp with four counts of failing to register as a sex offender. In Count 1, the State alleged that Camp had knowingly or intentionally failed to register when required.² In Count 2, the State alleged that Camp had knowingly or intentionally failed to register in every location where he was required to register.³ In Count 3, the State alleged that Camp had knowingly or intentionally failed to register in person.⁴ And in Count 4, the State alleged that Camp had knowingly or intentionally failed to reside at his registered address or location.⁵

[7] The trial court held a jury trial on July 27, 2022. During the trial, Hastings testified that, after Camp left Harold’s residence on May 28, 2018, she never saw him again. She also testified that she never heard from any of her residents that Camp had returned. Captain Sheets also testified at Camp’s trial. Captain Sheets testified that, if offenders move, they “need to notify [him] as to the new address” within “[s]eventy-two hours” of the change. Tr. at 207. He also testified that an offender must report this change “[i]n person.” *Id.* at 208. He further testified that, if an offender moves to a different county, that person must still “report in person to [him] first” before contacting the new county. *Id.*

² I.C. § 11-8-8-17(a)(1).

³ I.C. § 11-8-8-17(a)(2).

⁴ I.C. § 11-8-8-17(a)(4).

⁵ I.C. § 11-8-8-17(a)(5).

at 209. And he testified that the same requirement applies if an offender moves out of state.

[8] The State then asked Captain Sheets about the national search that he had carried out on Camp. Camp objected to the results of any searches on the ground that the information Captain Sheets “got from any database is hearsay.” *Id.* at 224. The State responded that the database was maintained by the Department of Justice and that Captain Sheets used it “in the regular course of business.” *Id.* The court determined that “the Department of Justice is one with a high indicia of reliability” and overruled Camp’s objection. *Id.* at 231. The court also indicated that it would take judicial notice of the search results.

[9] Captain Sheets then testified, over Camp’s objection, that the results of the Offender Watch search showed an address of 94 Leslie Way. *Id.* at 233. Captain Sheets similarly testified, again over Camp’s objection, that the Department of Justice database “showed that [Camp] was still registered in Porter County [at] the Leslie Way address” in November 2018. *Id.* at 234. At that point, the State asked the court to take judicial notice of the search results from the Department of Justice’s offender registry. The court again noted that the Department of Justice website “has a high indicia of reliability” and took judicial notice, over Camp’s objection. Captain Sheets then testified that Camp did not “report in person within that 72-hour time frame” a “change in address after May 28, 2018,” and that he never reported such a change. *Id.* at 237.

[10] At the conclusion of the trial, the jury found Camp guilty of all four counts. At a sentencing hearing, the court entered judgment of conviction as to Count 1 only. The court then sentenced Camp to two years in the Porter County Jail. This appeal ensued.

Discussion and Decision

Issue One: Sufficiency of the Evidence

[11] Camp first contends that the State failed to present sufficient evidence to support his conviction. Our standard of review on a claim of insufficient evidence is well settled:

For a sufficiency of the evidence claim, we look only at the probative evidence and reasonable inferences supporting the verdict. *Drane v. State*, 867 N.E.2d 144, 146 (Ind. 2007). We do not assess the credibility of witnesses or reweigh the evidence. *Id.* We will affirm the conviction unless no reasonable fact-finder could find the elements of the crime proven beyond a reasonable doubt. *Id.*

Love v. State, 73 N.E.3d 693, 696 (Ind. 2017).

[12] To show that Camp failed to register as a sex offender, as charged in Count 1, the State was required to prove that he knowingly or intentionally failed to

register when required to register. Ind. Code § 11-8-8-17(a)(1).⁶ On appeal, Camp contends that the State failed to prove that he did not register “when required by Indiana law.” Appellant’s Br. at 11. In particular, he alleges that the State’s evidence was “inadequate” because “it never proved that [he] had an obligation to register elsewhere in Porter County (or, indeed, anywhere in Indiana) during the charged period.” *Id.* He further alleges that the State “offered no evidence that [he] obtained a new residence” that “would trigger a registration requirement.” *Id.* Camp contends that, to support his conviction, the State was required to “prove that he was spending sufficient time in Indiana” after May 28, 2018.” *Id.* And he maintains that, “[b]ecause the [S]tate failed to prove where [he] resided after May 28, 2018, it failed to prove that he had an obligation to register in Porter County (or anywhere in Indiana).” *Id.*

[13] However, Camp’s argument misses the mark. Captain Sheets testified that, if an offender moves, the offender is required “to notify [him] as to the new address” within “[s]eventy-two hours” of the change. Tr. at 207. He also testified that an offender must report this change “[i]n person.” *Id.* at 208. He further testified that, if an offender moves to a different county, that person must still “report in person to [him] first” before contacting the new county. *Id.*

⁶ While the court only entered judgment of conviction as to Count 1, Camp separately challenges the sufficiency of the evidence to support the jury’s guilty verdicts as to Counts 2, 3, and 4. However, because we hold that there is sufficient evidence to support his conviction on Count 1, we need not address Camp’s arguments regarding the other counts.

at 209. And he testified that the same requirement applies if an offender moves out of state.

[14] And Camp was advised of these requirements when he signed the Offender Registration form. That form advised Camp that a convicted offender is required to register his principal address with the Sheriff's office. Ex. at 48. In addition, the form provides that, if "any" information changes, the offender must report "in person" to the sheriff's office "not later than 72 hours after the change and submit the new information[.]" *Id.* (emphasis removed). Further, the form provides that, if an offender is moving to a different county or different state, the offender "must report IN PERSON to the local Sheriff's Office AND register with the new Indiana county of residence within 72 hours of the address change. If you move to a new state, it is your responsibility to obey the laws of the new state." *Id.*

[15] In other words, contrary to Camp's assertions, the question here is not whether the State proved that he continued to reside in Indiana after May 28, 2018. Rather, Camp was required to notify the PCSD of any change to his address, even if that change were to a new county or new state. *See Moore v. State*, 45 N.E.3d 832, 834 (Ind. Ct. App. 2015) (stating that "Moore's obligation to comply with Indiana's sex offender registry statutes did not cease because he moved out of state."). Thus, to support Camp's conviction, the State was simply required to prove that Camp had moved from his registered address without notifying the PCSD; it was not required to show where he currently

resided. And, again, Camp does not dispute that he moved from that address on May 28, 2018, or that he failed to notify the PCSD of that move.

[16] Indeed, the evidence demonstrates that Camp originally registered in Porter County on May 7, 2018, with an address of 94 Leslie Way. The evidence also shows that Camp left that address on May 28, when Officer Sanders issued him a trespass warning, after which point Hastings never saw Camp again or heard about him returning. Further, Captain Sheets testified that Camp did not “report in person within that 72-hour time frame” that he had moved, nor did he ever “report a change in address after May 28, 2018.” Tr. at 237. In other words, the evidence shows that Camp moved from 94 Leslie Way on May 28 but never reported the move to the PCSD as required. From that evidence, a reasonable fact-finder could readily conclude that Camp failed to register as required. The State presented sufficient evidence to support Camp’s conviction.

Issue Two: Admission of Evidence

[17] Camp next contends that the court abused its discretion when it admitted certain evidence. As our Supreme Court has stated:

Generally, a trial court’s ruling on the admission of evidence is accorded “a great deal of deference” on appeal. *Tynes v. State*, 650 N.E.2d 685, 687 (Ind. 1995). “Because the trial court is best able to weigh the evidence and assess witness credibility, we review its rulings on admissibility for abuse of discretion” and only reverse “if a ruling is ‘clearly against the logic and effect of the facts and circumstances and the error affects a party’s substantial rights.’” *Carpenter v. State*, 18 N.E.3d 998, 1001 (Ind. 2014) (quoting *Clark v. State*, 994 N.E.2d 252, 260 (Ind. 2013)).

Hall v. State, 36 N.E.3d 459, 466 (Ind. 2015).

[18] In particular, Camp asserts that the court abused its discretion when it admitted as evidence Captain Sheets' testimony regarding his search of the Indiana and national offender registries and when it admitted the printout of the search results from the national offender registry because those search results constituted inadmissible hearsay. Camp also contends that the evidence did not fall into any hearsay exception. In addition, Camp contends that the court abused its discretion when it took judicial notice of the search results because "Rule 201 does not provide any exception to the hearsay rule" and that, even if the court could take judicial notice of the results, "that does not render admissible the information from the online databases." Appellant's Br. at 19.

[19] However, we need not decide whether the printout from the Department of Justice or Captain Sheets' testimony regarding either search result constituted inadmissible hearsay or whether the court erred when it took judicial notice of that evidence because any error in the admission of that evidence was harmless. It is well settled "that a claim of error in the admission or exclusion of evidence will not prevail on appeal 'unless a substantial right of the party is affected.'" *Troutner v. State*, 951 N.E.2d 603, 612 (Ind. Ct. App. 2011) (quoting *Pruitt v. State*, 834 N.E.2d 90, 117 (Ind. 2005)), *trans. denied*. That is, even if the trial court errs in admitting or excluding evidence, this Court will not reverse the defendant's conviction if the error is harmless. *Caesar v. State*, 139 N.E.3d 289, 292 (Ind. Ct. App. 2020). We "consider the likely impact of the improperly admitted or excluded evidence on a reasonable, average jury in light of all the

evidence in the case.” *Hayko v. State*, 211 N.E.3d 483, 492 (Ind. 2023).

“Ultimately, the error’s probable impact is sufficiently minor when—
considering the entire record—our confidence in the outcome is not
undermined.” *Id.*

[20] Here, as discussed above, the State was simply required to prove that Camp moved from his address without notifying the PCSD. And, during Camp’s trial, Captain Sheets testified that Camp had registered at 94 Leslie Way on May 7, 2017. Officer Sanders testified that he issued a trespass warning to Camp on May 28 and that Camp left 94 Leslie Way on that day. Hastings testified that, after Camp left on May 28, she never saw him or heard about him returning. And Captain Sheets testified that Camp never notified him of any change to Camp’s address after May 28.

[21] Having considered the entire record, we can say with confidence that the probable impact of Captain Sheets’ testimony regarding the search results or the printout of the national registry results that showed that Camp still resided at 94 Leslie Way was sufficiently minor so as to not affect Camp’s substantial rights. Thus, any error in the admission of that evidence was harmless.

Conclusion

[22] The State presented sufficient evidence to support Camp’s conviction. And any error in the admission of Captain Sheets’ testimony about the search of offender

registries or the printout from the national registry was harmless. We therefore affirm Camp's conviction.

[23] Affirmed.

Tavitas, J., and Kenworthy, J., concur.