

## MEMORANDUM DECISION

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## IN THE COURT OF APPEALS OF INDIANA

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Scott Schaeffer,  
*Appellant-Defendant,*

v.

State of Indiana,  
*Appellee-Plaintiff.*

March 30, 2022

Court of Appeals Case No.  
21A-CR-1579

Interlocutory Appeal from the  
Morgan Superior Court

The Honorable Brian H. Williams  
Judge

Trial Court Cause No.  
55D02-2001-F4-100

**Bradford, Chief Judge.**

## Case Summary

[1] It is alleged that, after organizing a controlled buy of methamphetamine from Scott Schaeffer, Bloomington Police Detective Blake McCamey requested and was granted a search warrant to place a GPS unit on the Schaeffer's Nissan Altima to track his movements. The confidential informant ("CI") who purchased methamphetamine at the controlled buy reported that Schaeffer frequently drove the Altima to purchase large amounts of methamphetamine in Indianapolis. Around January of 2020, the GPS unit showed that the Altima had left Bloomington and was traveling north toward Indianapolis. The locations and timing of Schaeffer's stops that day, including a stop at a truck stop known for narcotics activity and a six-minute stop in an alley, led Detective McCamey to conclude that he was conducting a drug transaction. Detective McCamey decided that the car needed to be stopped as soon as possible because he was concerned that Schaeffer may have been off-loading the drugs he had purchased. Detective McCamey explained to Morgan County Sheriff's Deputy Richard Clayton that he had been working a drug investigation, he was following a vehicle, and he needed someone other than him to attempt to stop the vehicle to keep certain information confidential. Shortly thereafter, Deputy Carl Ingle stopped the vehicle and placed Schaeffer under arrest.

[2] Schaeffer was charged with Level 4 felony dealing methamphetamine, Level 4 felony unlawful possession of a firearm by a serious violent felon, Level 5 felony carrying a handgun without a license, Level 6 felony possession of

methamphetamine, Class A misdemeanor possession of a controlled substance, and Class A misdemeanor possession of marijuana. Schaeffer filed a pre-trial motion to suppress the evidence found in the car, arguing that the stop of the vehicle was unconstitutional, which the trial court denied. Schaeffer moved to certify the trial court's order for interlocutory appeal, which the trial court granted and issued on June 24, 2021. We accepted jurisdiction on August 20, 2021. Schaeffer argues that the trial court abused its discretion by denying his motion to suppress because the stopping and arresting deputy did not know or was not informed of the information necessary to support reasonable suspicion or probable cause. Because Schaeffer's arguments misstate the application of the collective-knowledge doctrine, we affirm.

## Facts and Procedural History

[3] Around December of 2019, Bloomington police conducted a controlled buy in which Schaeffer allegedly sold methamphetamine. In January of 2020, a CI told Detective McCamey that he was able to make a purchase of methamphetamine from Schaeffer. The CI also informed Detective McCamey that Schaeffer made trips to Indianapolis using an Altima to purchase upwards of one pound of methamphetamine at a time. Shortly before the controlled buy, Detective McCamey searched the CI's person to make sure that he had no drugs on his person and gave the CI the money to make the purchase. The Bloomington police, including Detective McCamey, maintained visual surveillance throughout the buy, and the CI was equipped with an audio/video

recording device. The video and audio recorded by the CI showed Schaeffer present at the hand to hand exchange of drugs at the controlled buy.

Afterwards, the CI gave the police the methamphetamine, which the CI had stated he was going to purchase from Schaeffer. Detective McCamey confirmed that the CI had no other drugs or money on his person.

[4] Detective McCamey also observed that the Altima that the CI described was outside the residence during the controlled buy. To confirm that the Altima was in fact Schaeffer's, Detective McCamey surveilled the vehicle for some time the next morning until he saw Schaeffer leave the residence in the Altima. Detective McCamey requested and was granted a search warrant on January 8, 2020, to place a GPS unit on the Altima to track Schaeffer's movements. Detective Schaefer never observed anyone but Schaeffer driving the vehicle while he conducted his surveillance.

[5] On January 13, 2020, it is alleged that the GPS unit showed the Altima leave Bloomington and drive north toward Indianapolis. The GPS unit showed that the Altima drove to an area near the I-465 interstate, which contained several truck stops known for drug deliveries. The Altima stopped there for approximately an hour. The Altima then drove to the Rural Street exit off of I-70 and pulled into an alley off of Brookside Parkway, stopping there for approximately six minutes. Bloomington police confirmed with local police that the area where Schaeffer was stopped was a high crime area. The Altima then drove to Mooresville, made another stop, and then headed south toward Bloomington. Detective McCamey decided that the car needed to be stopped

as soon as possible because he was concerned that Schaeffer may have been off-loading drugs.

[6] Detective McCamey, who was following the Altima, contacted Deputy Clayton so that he did not need to make the stop himself, thereby keeping the Bloomington narcotics investigation and the identity of the CI out of the paperwork, protecting their confidentiality. Detective McCamey explained to Deputy Clayton that he was working a drug investigation, he was following an Altima that he expected contained a large amount of methamphetamine, the vehicle now seemed to be returning to Bloomington, and he needed Deputy Clayton to attempt to stop the vehicle.

[7] Deputy Clayton communicated the information to Deputies Ingle and Jeremy Long, who were riding together in the same vehicle, and asked them to try and stop the Altima. Detective McCamey, who was still following Schaeffer, gave periodic updates on the Altima's location. Deputies Ingle and Long eventually located the Altima and when Ingle saw the vehicle cross the fog line he initiated a traffic stop.<sup>1</sup> When Deputy Ingle approached the vehicle, Schaeffer advised Ingle that he was a "wanted man" and that he had just thrown a handgun into the backseat of the vehicle. Tr. Vol. II p. 13. The female passenger also stated that she had a handgun in her purse. Schaeffer and the female passenger were

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<sup>1</sup> The State agreed at the suppression hearing that the stop was not supported by this non-infracton and argued instead that the stop was supported by the probable cause or reasonable suspicion of criminal activity known to the Bloomington police.

both removed from the vehicle and handcuffed. Deputy Clayton, who was also at the scene, walked his K-9 around the Altima and the dog alerted on the car. Officers searched the vehicle and found controlled substances.

[8] Schaeffer was charged with Level 4 felony dealing methamphetamine, Level 4 felony unlawful possession of a firearm by a serious violent felon, Level 5 felony carrying a handgun without a license, Level 6 felony possession of methamphetamine, Class A misdemeanor possession of a controlled substance, and Class A misdemeanor possession of marijuana. Schaeffer filed a pre-trial motion to suppress the evidence found in the car, arguing that the stop of the vehicle was unconstitutional. The trial court denied the motion to suppress because there was probable cause and reasonable suspicion to support his arrest and stop. Schaeffer moved to certify the trial court's order for interlocutory appeal, which the trial court granted and issued on June 24, 2021. We accepted jurisdiction on August 20, 2021.

## Discussion and Decision

[9] “The Fourth Amendment to the United States Constitution generally prohibits a warrantless search or seizure absent a valid exception to the warrant requirement.” *Dunson v. State*, 64 N.E.3d 250, 252 (Ind. Ct. App. 2016). However, “[a]n arrest without a warrant is proper when it is supported by probable cause[,]” *Jackson v. State*, 597 N.E.2d 950, 956 (Ind. 1992), and officers may “stop and briefly detain a person for investigative purposes if the officer

has a reasonable suspicion [...] that criminal activity may be afoot.” *Dunson*, 64 N.E.3d at 252–53.

When reviewing a trial court’s denial of a defendant’s motion to suppress, as in sufficiency of evidence analysis generally, we construe conflicting evidence in the light most favorable to the ruling. In the particular context of a motion to suppress, however, we will also consider any substantial and uncontested evidence favorable to the defendant.

The constitutionality of a search or seizure is a question of law, and we review it de novo. On any disputed issue of fact, we defer to the trial court’s finding unless it is clearly erroneous; we will not reweigh the evidence.

*Kelly v. State*, 997 N.E.2d 1045, 1050 (Ind. 2013) (citations omitted). Schaeffer contends that “the trial court abused its discretion by denying [his] motion to suppress as there is no evidence in the record to support its conclusion that the police had reasonable suspicion or probable cause to believe that [he] had committed the offense of delivering a controlled substance” and therefore his stop and arrest was unconstitutional. Appellant’s Br. p. 5.

## I. Collective Knowledge Doctrine

[10] “Information obtained by one officer may be relied upon by other law enforcement officials who are called upon to assist in the investigation and arrest of a suspect, as long as the officer who obtained the information possessed probable cause to make the arrest.” *Jackson*, 597 N.E.2d at 957.

Probable cause can rest on collective information known to the law enforcement organization as a whole, and not solely on the personal knowledge of the arresting officer. The police force is considered a unit. Where there is a police-channel

communication to the arresting officer, he acts in good faith thereon, and such knowledge and information exist within the department, the arrest is based on probable cause.

*U.S. v. Williams*, 627 F.3d 247, 252 (7th Cir. 2010) (citations omitted). The Supreme Court explained that “this rule is a matter of common sense: it minimizes the volume of information concerning suspects that must be transmitted to other jurisdictions and enables police in one jurisdiction to act promptly in reliance on information for another jurisdiction.” *U.S. v. Hensley*, 469 U.S. 221, 230–33 (1985).

[11] It follows that “an arrest or search is permissible where the actual arresting or searching officer lacks the specific information to form the basis for probable cause or reasonable suspicion but sufficient information to justify the arrest or search was known by other law enforcement officials initiating or involved with the investigation.” *State v. Gray*, 997 N.E.2d 1147, 1153 (Ind. Ct. App. 2013), *trans. denied*. Therefore, the question is not whether Deputy Ingle or some other officer had the requisite knowledge to make the arrest or stop, but “whether the law enforcement officers initiating the search or arrest,” in this case Detective McCamey, “on whose instructions or information the actual searching or arresting officers relied, had the information that would provide reasonable suspicion or probable cause to arrest the suspect.” *Id.* Courts have purposefully stopped short of requiring the officer with the specific knowledge to “relay the exact details” of their knowledge, as it “would be cumbersome and impractical, if not dangerous.” *Dunson*, 64 N.E.3d at 256. In essence,



[i]n order for the collective knowledge doctrine to apply, (1) the officer taking the action must act in objective reliance on the information received, (2) the officer providing the information—or the agency for which he works—must have facts supporting the level of suspicion required, and (3) the stop must be no more intrusive than would have been permissible for the officer requesting it.

*Williams*, 627 F.3d at 253.

[12] Schaeffer argues, in sum, that the chain of instructions linking Deputy Ingles to Detective McCamey was too attenuated and that Deputy Ingle’s personal knowledge was too limited to support an arrest. This is a mischaracterization of the collective knowledge doctrine, which emphasizes that “[t]he police force is considered a unit.” *Williams*, 627 F.3d at 252. It is of no consequence that Detective McCamey relayed information to Deputy Clayton who relayed information to Deputy Long and Deputy Ingle. We are only concerned that Detective McCamey had sufficient probable cause and reasonable suspicion to support the arrest and stop, as Deputies Long and Ingle could then support any subsequent arrests or stops which relied on his request.

## II. Probable Cause

[13] “Probable cause adequate to support a warrantless arrest exists when, at the time of the arrest, the officer has knowledge of facts and circumstances that would warrant a person of reasonable caution to believe that the suspect committed a criminal act.” *Griffith v. State*, 788 N.E.2d 835, 840 (Ind. 2003). Detective McCamey testified that he had properly conducted a controlled buy, which would be sufficient to establish probable cause for Schaeffer’s arrest.

*Heyen v. State*, 936 N.E.2d 294, 300 (Ind. Ct. App. 2010) (“So long as the ‘controls are adequate, the affiant’s personal observation of a controlled buy may be sufficient as grounds for finding probable cause.’”) (quoting *Methene v. State*, 720 N.E.2d 384, 390 (Ind. Ct. App. 1999)). In doing so, the evidence shows that Detective McCamey met with the CI to confirm he had no drugs, provided him with the buy money, fitted him with an audio/video recording device, visually surveilled the CI at all times except for when he was inside the residence, met with the CI after the buy, received the purchased drugs from the CI, and re-searched the CI to confirm he had no other drugs or money.

[14] Schaeffer also argues that the trial court’s order denying his motion to suppress relied on facts not in evidence. Specifically, Schaeffer points to a sentence which reads “Detective McCamey conducted operations that resulted in a [CI] making a surveilled and documented hand to hand controlled buy of drugs from the defendant.” Appellant’s App. Vol. II p. 12–13. Schaeffer argues that “no mention of Schaeffer being the individual who sold narcotics to the CI is present[,]” Appellant’s Br. p. 11., and that

There is no evidence in the record that Detective McCamey actually observed Schaeffer as being the seller in a hand-to-hand drug transaction. Since there is no evidence in the record that Schaeffer ever committed the offense of dealing in a narcotic drug, the trial court’s stated basis for concluding that probable cause existed to arrest Schaeffer for a felony at any point in time thereafter was erroneous.

Appellant’s Br. p. 11. On the contrary, the evidence as a whole supports the inference that Schaeffer committed the crime of dealing a narcotic drug: the CI

reported to McCamey that he was able to buy methamphetamine from Schaeffer; the CI had proved trustworthy and reliable by making statements against their interest in the past; the CI arranged the buy; Detective McCamey properly executed a controlled buy; Detective McCamey observed video surveillance which “showed Schaeffer present at the controlled buy[,]” Tr. Vol. II p. 33; and Detective McCamey recovered drugs from the CI after the controlled buy was complete. The trial court was not clearly erroneous in determining that Schaeffer participated in the hand to hand buy or that the CI purchased controlled drugs from Schaeffer. *Kelly*, 997 N.E.2d at 1050 (“On any disputed issue of fact, we defer to the trial court’s finding unless it is clearly erroneous[.]”). Therefore, Schaeffer’s argument concerning Detective McCamey’s basis for probable cause is nothing more than a request that we reweigh the evidence, which we will not do. *Id.*

### III. Reasonable Suspicion

[15] Officers may “stop and briefly detain a person for investigative purposes if the officer has a reasonable suspicion supported by articulable facts that criminal activity may be afoot.” *Dunson*, 64 N.E.3d at 252–53. “The existence of reasonable suspicion is determined by looking at the totality of the circumstances to see whether the detaining officer has a particularized and objective basis for suspecting wrongdoing.” *Peak v. State*, 26 N.E.3d 1010, 1015 (Ind. Ct. App. 2015). “The reasonable suspicion requirement is met where the facts known to the officer, together with the reasonable inferences arising from such facts, would cause an ordinarily prudent person to believe criminal activity

has occurred or is about to occur.” *L.W. v. State*, 926 N.E.2d 52, 55 (Ind. Ct. App. 2010).

[16] Schaeffer argues that Detective McCamey did not have reasonable suspicion that Schaeffer’s Altima contained drugs. It is alleged that the CI identified that Altima by photographs and its license plate number. The CI informed the Bloomington police department that Schaeffer made frequent trips to Indianapolis to buy large quantities of methamphetamine using that particular Altima. Detective McCamey also personally observed the Altima parked at the scene of the controlled buy and saw Schaeffer drive away from the scene in it. Following a successful warrant request, Detective McCamey was able to place a GPS unit on the Altima and observe that Schaeffer drove from Bloomington to Indianapolis, drove to an area of truck stops known for illegal narcotics activity, drove to an alley in a high-crime area and remained there for six minutes, before beginning his return to Bloomington. Schaeffer’s allegations that Detective McCamey lacked articulable facts sufficient to support reasonable suspicion amount to requests to reweigh the evidence, which we will not do. *Kelly*, 997 N.E.2d at 1050.

[17] As explained above, the collective-knowledge doctrine emphasizes that “[t]he police force is considered a unit[,]” and applies equally to reasonable suspicion as it does probable cause. *Williams*, 627 F.3d at 252 (“The collective knowledge doctrine permits an officer to stop, search, or arrest a suspect at the direction of another officer or police agency, even if the officer himself does not have firsthand knowledge of facts that amount to the necessary level of suspicion to

permit the given action.”). Because Detective McCamey had both probable cause and reasonable suspicion to arrest and stop Schaeffer, Deputy Ingle’s stop and arrest were supported by the collective-knowledge doctrine.

[18] The judgment of the trial court is affirmed.

Crone, J., and Tavitas, J., concur.