

IN THE DISTRICT COURT OF JOHNSON COUNTY, KANSAS
CRIMINAL DEPARTMENT

STATE OF KANSAS,

Plaintiff,

VS.

No.

RANDALL LEE CARROLL,

Defendant.

A F F I D A V I T

Comes now the affiant, of lawful age, in support of a probable cause finding for the detention of the defendant or the issuance of an arrest warrant, states as follows:

1. In September 2015, the Johnson County Sheriff's Office began to investigate a fuel theft perpetrated by the City of Merriam Public Works Director, RANDALL LEE CARROLL. CARROLL had been employed with the City of Merriam for approximately 34 years, when a Public Works employee notified city officials that CARROLL had been stealing fuel out of the fuel truck located at the public works building in Merriam, Johnson County, Kansas.

2. The suspicions of one employee, _____ began when he and other employees speculated about why city vehicles had to be parked in particular spots at the public works building, all at the direction of CARROLL. _____ provided investigators with a thumb drive containing approximately 19 videos taken at the public works building, which shows CARROLL taking fuel from the fuel truck and dispensing it into his personal vehicle.

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The series of videos began in October 2014 and continued until September 2015.

3. The Merriam Public Works fuel truck—also called the mow truck—is a Ford F-350 with two 75-gallon fuel tanks in the bed of the truck, and an attached trailer used to haul mowers. One tank holds diesel, and the other holds unleaded fuel primarily designated for the mowers. Employees were told by CARROLL that the fuel tanks had to be refilled every Wednesday or Friday, and needed to have fuel in them at all times.

4. In the winter months, no mowing would occur because the grass did not grow. However, the unleaded fuel continued to require filling during this time, which seemed odd to [REDACTED] also noted sporadic instances where the employees would find the mow truck with a dead battery, and the ignition key in the “on” position. In order to operate the fuel tanks, the truck must be turned on. This indicated to him that someone was using the fuel pump after business hours.

5. The employees began to suspect that CARROLL was the one dispensing fuel after hours, and started to take action. In late 2014, employees hid the mow truck keys and CARROLL could not find them. CARROLL gathered the employees and called them liars for not telling him where the mow truck keys were—despite the fact that he would have no need for the mow truck keys after hours. As the Director of Public Works, CARROLL did not operate the mow truck.

6. [REDACTED] also observed curious tire tracks in the dust on the floor of the public works building

When he returned in the evening, there were tire tracks leading from the wash bay to the mow truck area, and then out the garage exit.

7. proceeded to place a Go-Pro video camera in the public works building to capture the potential fuel thefts. He did not record every night, but attempted to target nights when city council meetings were held, and Fridays when CARROLL would start vacations.

8. Five videos depict CARROLL fueling the black public works administration car with fuel from the fuel tanks. This is an acceptable transfer of fuel from one public works vehicle to another. In all of those videos, the public works shop floor is wet.

9. Another video shows the black administration car parked near the mow truck. CARROLL, on a wet shop floor, pulls his personal black GMC Sierra 4-door truck up to the mow truck and dispenses fuel from the mow truck fuel tank into his personal vehicle. He then exits with his personal vehicle, before returning to wash the shop floor. He uses a hose to wash the shop floor, and specifically targets areas of the floor where tire tracks were made. This action of washing tire tracks off the floor is seen on multiple videos.

10. On one occasion, CARROLL appears to urinate on the floor of the public works building while he is washing the floor with the hose. A puddle of urine can be seen accumulating on the floor, before he steps back and washes it away.

11. On August 28, 2015, intentionally placed a smaller truck and trailer

in front of the mow truck and fuel tanks, in an effort to block access to the fuel tanks. He did so to make it difficult for CARROLL to take the fuel. He also disassembled the wires on the fuel pump to prevent the pump from being used. The video taken later that day shows CARROLL moving multiple dump trucks out of the way of the mow truck, before pulling his personal truck into the building. However, upon trying to operate the fuel pump, CARROLL was unable to do so due to the wiring having been undone by CARROLL then pulled all of the other trucks back to their original spots and left.

12. In the subsequent days, CARROLL would speak to the mechanic to find out why the fuel pump was not working. The mechanic corrected the issue and educated CARROLL on the problem.

13. On another date, CARROLL purposely wrapped the fuel hoses in a tedious manor to make it harder for CARROLL, and disengaged the relay switch on the mow truck. Video shows CARROLL unwinding the fuel hoses, engaging the relay switch and dispensing fuel into his personal vehicle. He then reengaged the relay switch under the hood of the mow truck and replaced the fuel hoses in the tediously-wrapped position they were previously in.

14. CARROLL was contacted by investigators in September 2015. He admitted that he had "taken some fuel." He clarified that he had filled up the tank on his personal truck "once or twice." He admitted that what he had done was wrong, and was done without the City's permission.

15. CARROLL further described that the City actually provides him a \$400 vehicle allowance. That money, which he collected during the time he was stealing fuel, was specifically allocated for expenses related to using his personal vehicle for employment purposes. He was not allowed to take fuel from the mow truck for a personal vehicle.

16. When investigators told him they had evidence of him taking fuel more than "once or twice," he responded that if they had the evidence, that is what he did. He admitted that he was pictured in the videos taking fuel for his personal vehicle dating back to October 2014. He estimated that he had taken 160 gallons of fuel for personal gain without permission.

17. The above information was provided from the reports of the Johnson County Sheriff's Department.

DECLARATION

I declare under the penalty of perjury that the foregoing is true and correct.

Executed on the 21st day of December, 2015.

/S/ Deputy C. Gibson 1303/628
Affiant/Badge #

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