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46TH JUDICIAL CIRCUIT
DELAWARE COUNTY, INDIANA**

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FOR IMMEDIATE RELEASE

From: Eric M. Hoffman, Prosecuting Attorney
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Date: February 24, 2022

**JURY CONVICTS SHANE SHUMATE
OF ATTEMPTED MURDER OF SHERIFF'S DEPUTY**

Muncie Indiana – Today a Delaware County jury deliberated for a little over four (4) hours before convicting Shane Shumate (DOB 9/4/1995) of:

- Count 1: Attempted Murder, a Level 1 Felony
- Count 2: Domestic Battery, a Level 6 Felony
- Count 3: Interference with the reporting of a crime, a Class A Misdemeanor

The evidence at trial demonstrated that on the evening of January 30, 2018, Shumate battered his then wife and prevented her from calling the police. The victim was able to leave the residence and eventually call the police for help. When the police came to Shumate's house to arrest him for felony Domestic Battery, Shumate exited the rear of his house armed with a .22 caliber revolver. Shumate raised the revolver directly toward a Sheriff's Deputy. The Deputy yelled commands to the Defendant to "drop the gun." Shumate refused to do so and instead fired a shot at the Sheriff's Deputy – luckily Shumate missed and the bullet struck a house directly behind the Deputy. The Deputy returned fire, striking Shumate – putting an end to Shumate's violent aggression. A copy of the Affidavit of Probable Cause for Arrest is attached. The Honorable Marianne L. Vorhees, Judge of the Delaware Circuit Court No. 1, remanded Shumate into the custody of the Delaware County Sheriff and set sentencing for March 21, 2022 at 9:00 a.m. Pursuant to Indiana law:



Shane A. Shumate

- A Level 1 Felony is punishable by 20 – 50 years in prison and up to a \$10,000 fine.
- A Level 6 Felony is punishable by 6 months – 2.5 years in prison and up to a \$10,000 fine.
- A Class A Misdemeanor is punishable by up to 1 year in jail and a \$5,000 fine.

After the verdicts were returned, Delaware County Prosecuting Attorney Eric Hoffman said “Police officers form the thin blue line that stands between criminals and their would-be victims. In doing so, they routinely put their life in jeopardy so that we may live in a civilized and safe society. Officers have the absolute right to defend their own lives so that they may go home at the end of their shift. If you choose to fire a gun at a police officer, you do so at your own peril. As Prosecutor I will not tolerate acts of violence against law enforcement. I am proud of my Deputy Prosecutors Steve Sneed and Joe Orick for their hard work and dedication in this case.”

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STATE OF INDIANA)
) SS: IN THE DELAWARE COUNTY COURTS
COUNTY OF DELAWARE)

AFFIDAVIT OF PROBABLE CAUSE FOR ARREST WITHOUT WARRANT

COMES NOW Kurt Walthour, a Police Officer with the Delaware County Sheriff's Department, and being first duly sworn upon his/her oath, deposes and says that the following described person was arrested without warrant based upon the charges, facts and circumstances herein after stated, and makes this affidavit for the purpose of establishing probable cause for said arrest.

NAME OF ARRESTEE: Shane A. Shumate DOB: 09/04/1995

ADDRESS: 220 W. HUNTINGTON ST. MONTPELIER, IN 47359

DATE OF ARREST: 10-29-18 TIME OF ARREST: 12:40 PM

CHARGES: Attempted Murder A LEVEL 1 FELONY MISDEMEANOR

CHARGES: Domestic Battery A LEVEL 6 FELONY MISDEMEANOR

CHARGES: Interference with Rep. of Crime A Class A FELONY MISDEMEANOR

CHARGES: _____ A LEVEL _____ FELONY MISDEMEANOR

The basis and reasons why this Officer believes that said Arrestee committed the aforementioned offense(s) in Delaware County, State of Indiana are as follows:

On January 30, 2018, at approximately 7:17 pm Eaton Indiana Police officer, Chris Liggett, was dispatched to 606 E. South Street regarding a domestic battery report. Dispatch told Liggett that the altercation had taken place at 419 E. Church Street, Eaton, Delaware County Indiana, and that the suspect had left in a vehicle with the victim's cell phone. Liggett met with the victim, Yelenna Bonner Shumate, at her parent's residence. She reported to Liggett that she and Shane Shumate lived together at 419 E. Church Street with their two (2) year old son. She reported that an argument started between the Shane and Yelenna. Shane took Yelenna's cell phone and refused to give it back. At one point, Shane punched her in the face, placed his arm around her neck, and slammed her on the ground. This battery took place in front of their two (2) year old son. Yelenna told Shane

she was calling the police. Shane refused to give Yelenna her cell phone back so she could make the call. Yelenna reported that her neck hurt and later went to IU Health Ball Memorial Hospital for treatment. She further advised that Shane has several weapons in the residence.

Officer Liggett asked other officers to meet him so they could take Shane into custody on the charge of domestic battery. Liggett met with Officer Chase Knepper from the Eaton Police Department, Officer Brian Hussung from the Gaston Police Department as well as Deputies Adam Curtis and Derrick Marvin from the Delaware County Sheriff's Department. All officers were wearing their law enforcement uniforms and badges. The group of officers proceeded to 419 E. Church Street.

Liggett approached the front door of the residence and knocked. As he did so, he saw Shumate sitting on the couch. Shumate got up from the couch and walked up to the window, pulled the curtain back and looked outside. Liggett reported that Shumate was looking right at the officers as they were telling him to answer the door. Liggett could see Shumate walking through the house. Shumate had a handgun in his right hand and walked toward the back door of the residence. At that moment, Liggett used his radio and advised the other officers that Shumate had a gun. A few moments later, Liggett could hear Deputy Marvin yelling commands to "drop the gun." Liggett then heard gunshots. He ran to back side of the residence and observed Shumate on the ground, laying on his back. Liggett saw a black revolver lying beside Shumate.

Deputy Marvin reported that upon arrival at the residence, due to the nature of the call and the report that Shumate was armed, Marvin grabbed his rifle as he exited his patrol car. Marvin went to the front door with the other officers. As Liggett knocked on the door, Deputy Marvin could see Shumate in the house through a window. Shumate looked out the window several times. He then observed Shumate walk passed a window with something in his hand. At that time, Marvin heard Officer Liggett announce over the radio that the suspect had a gun in his right hand. Marvin was

standing in the middle of Church Street when he saw Shumate exit the house. Marvin made several verbal commands to Shumate to show his hands. Marvin could see a gun in Shumate's right hand. Shumate then raised his right arm directly toward Marvin. As a result and in self-defense, Marvin fired his rifle several times at Shumate. Shumate then dropped the gun from his right hand. Marvin approached Shumate and kicked the gun out of Shumate's reach. Shumate then said "don't shoot me, I'm done." Shumate was subsequently transported to IU Health Ball Memorial Hospital for treatment for gunshot wounds.

Deputy Curtis was positioned on the west of the house, on the Southside of the detached garage. Curtis heard Liggett's report on the radio that Shumate had a gun. Just after that, Curtis heard the door open and heard someone yelling "drop the gun." Curtis then heard gunshots. After the shots were fired, Curtis came around the corner and saw Shumate laying on ground. Next to Shumate on the ground was a handgun.

Several of the officers on scene were equipped with body worn video cameras. The Affiant reviewed the body camera footage. On Deputy Curtis's footage, you can hear Officer Liggett announce on the radio that Shumate had a gun. On the footage, you can hear Deputy Marvin shouting commands at Shumate. Then you can hear the sound of a single gunshot that is not consistent with rifle fire from Marvin. Then you can hear Deputy Marvin shoot his rifle eight (8) times and continue to give commands to Shumate.

Deputy Marvin's body camera footage was sent to the Indiana State Police Cyber Crime Unit. Sgt. Jeremy Chapman was able to slow the video down and make frame by frame snapshots of the video footage. The Affiant viewed the video footage and the snapshots. From that review, the Affiant could see where Shumate walked out of the back door of the residence, raised his right arm up and pointed it at Deputy Marvin. The Affiant could see that there was something dark in Shumate's right

hand. On February 9, 2018, the Affiant was present for a court hearing wherein Shumate signed court documents. When he did so, he used his right hand indicating that he is right handed.

The crime scene was processed by Delaware County Sheriff's Department Investigator Jeff Stanley. Next to Shumate's body, Stanley found a black Chiappa .22 caliber revolver. That revolver was seized as evidence. This particular revolver holds a total of six (6) rounds. At the time it was collected from the scene, it had five (5) live (unfired) rounds and one spent shell casing (fired round) in the cylinder of the revolver. Stanley located and collected eight (8) spent .223 caliber rifle casings lying in Church Street. Directly behind where Deputy Marvin was standing, Stanley located a bullet hole in a structure. Stanley and Investigator Walter Blackmer were able to inspect the bullet hole and remove a .22 caliber projectile.

Shumate's .22 caliber revolver and the .22 caliber projectile that was lodged in a structure directly behind where Deputy Marvin was standing, were sent to the Indiana State Police Crime Laboratory for analysis. On July 24, 2018, the ISP Crime Lab issued a Certificate of Analysis which indicated that: (1) the spent shell casing in the .22 caliber revolver found next to Shumate was indeed fired by that revolver; and (2) the projectile found lodged in a structure directly behind where Deputy Marvin was standing was fired by the .22 revolver found next to Shumate.

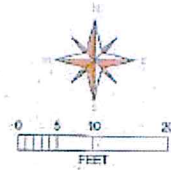
All of the physical evidence demonstrates that Shumate had his revolver in his right hand, raised the revolver, pointed it at Deputy Marvin, fired the revolver one time, and Deputy Marvin returned fire in self-defense. A crime scene sketch was prepared to illustrate the following relevant data points. Point A represents where Shumate's body was found. Point B represents approximately where Deputy Marvin was standing at the time Shumate opened fire on him. Point C represents where the projectile that was fired from Shumate's revolver was recovered. See below:

Shumate was arrested on 2-9-2018 for the Domestic Battery and interfering with the reporting of a crime in reference to this case. Shumate was booked in a release due to his medical condition.

Delaware County Sheriff's Office
Case Report 2018-2247
January 30, 2018
Drawing by:
Inv Kip Curtis

C

Fired Bullet
recovered from
Shumate
Revolver



NEAR TO SCALE

Speed
Limit Sign

RP1

B

Approximate
position
of
Deputy
Derrick
Marvin

Church St

Meridian St

223 casings

RP2
Stop
Sign

RP3

419 E
Church St
Eaton, IN

A

Approximate
position
of
Shane Shumate

Garage

Approximate
position of
Deputy Adam
Curtis

Bullet recovered
from fence


Fence

Blood

DATE: 10-29-2018 OFFICER SIGNATURE: 
KURT WALTHER

JUDICIAL DETERMINATION

The undersigned, being a Judicial Officer of Delaware County, and having reviewed the foregoing affidavit, now determines that probable cause existed for the arrest of the arrestee, and now fixes bond in the sum of \$ 50,000.00 CASH OR SURETY

DATED: 10/30/2018 SIGNED:  Judge

CHARGES TO BE FILED BY: _____