



**OFFICE OF THE PROSECUTING ATTORNEY
ERIC M. HOFFMAN, PROSECUTOR
46TH JUDICIAL CIRCUIT
DELAWARE COUNTY, INDIANA**

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FOR IMMEDIATE RELEASE

From: Eric M. Hoffman, Prosecuting Attorney
prosecutor@co.delaware.in.us
Date: August 2, 2022

PROSECUTOR CHARGES COUPLE WITH NEGLIGENCE RESULTING IN DEATH

Muncie Indiana – On today's date the Prosecuting Attorney Eric M. Hoffman formally charged Jacob C. Grayson (DOB 1/5/1994) with the following criminal offenses:

- Count 1: Neglect of a Dependent Resulting in Death, a Level 1 Felony.
- Count 2: Neglect of a Dependent Resulting in Death, a Level 6 Felony.
- Count 3: Neglect of a Dependent Resulting in Death, a Level 6 Felony.
- Count 4: Neglect of a Dependent Resulting in Death, a Level 6 Felony.

Prosecutor Hoffman also charged Kimberly D. Grayson (DOB 11/15/1994) with the following criminal offenses:

- Count 1: Neglect of a Dependent Resulting in Death, a Level 1 Felony.
- Count 2: Neglect of a Dependent Resulting in Death, a Level 6 Felony.
- Count 3: Neglect of a Dependent Resulting in Death, a Level 6 Felony.
- Count 4: Neglect of a Dependent Resulting in Death, a Level 6 Felony.

The charges are pending in the Delaware Circuit Court No. 5. The Honorable Judge Thomas A. Cannon Jr. will set the cases for initial hearings. Copies of the charging information and Affidavit of Probable Cause that were filed with the Court are attached.

Pursuant to Indiana law:

- A Level 1 Felony is punishable by 20 – 40 years in prison and up to a \$10,000 fine.
- Each Level 6 Felony is punishable by 6 months – 2.5 years in prison and up to a \$10,000 fine.

It is important to remember that any accusation that someone has committed a crime, an arrest and/or the filing of a criminal charge is simply an allegation and is not evidence of guilt. All suspects are presumed innocent unless and until proven guilty beyond a reasonable doubt at trial. The ethical rules for prosecutors in Indiana prohibit further comment on this matter. At this time, there will be no further comment.

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STATE OF INDIANA

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IN THE DELAWARE CIRCUIT COURT 5

) SS:

COUNTY OF DELAWARE

)

CAUSE NUMBER. 18C05-2208-F1

INFORMATION:

STATE OF INDIANA

Count 1:

VS

Neglect of a Dependent Resulting in Death
I.C. 35-46-1-4(a)(1) and I.C. 35-46-1-4(b)(3)
a Level 1 Felony

JACOB C. GRAYSON

2810 S. Monroe St.
Muncie, IN 47302

DOB: 1/5/1994

SSN: xxx-xx-0848

Count 1:

The undersigned says that on or about July 26, 2022 in Delaware County, State of Indiana, Jacob C. Grayson, being at least 18 years of age and having the care of Crystal Grayson, a dependent less than 14 years of age, did knowingly place said dependent in a situation that endangered the dependent's life or health, to-wit: allowed, permitted, or afforded an opportunity for a child to have access to a firearm or failed to prevent or restrict children access to a firearm, and which resulted in the death of Crystal Grayson contrary to the form of the statutes in such cases made and provided by I.C. 35-46-1-4(a)(1) and I.C. 35-46-1-4(b)(3) and against the peace and dignity of the State of Indiana.

ERIC M. HOFFMAN
Prosecuting Attorney
46th Judicial Circuit of Indiana

BY: /s/ Eric M. Hoffman
Eric M. Hoffman 24232-18
Prosecuting Attorney
46th Judicial Circuit of Indiana

STATE OF INDIANA

)

IN THE DELAWARE CIRCUIT COURT 5

) SS:

COUNTY OF DELAWARE

)

CAUSE NUMBER. 18C05-2208-F1

INFORMATION:

STATE OF INDIANA

Count 2:

VS

Neglect of a Dependent

I.C. 35-46-1-4(a)(1)

a Level 6 Felony

JACOB C. GRAYSON

2810 S. Monroe St.

Muncie, IN 47302

DOB: 1/5/1994

SSN: xxx-xx-0848

Count 2:

The undersigned says that on or about July 26, 2022 in Delaware County, State of Indiana, Jacob C. Grayson having the care of Seth Grayson, a dependent, did knowingly place said dependent in a situation that endangered the dependent's life or health, to-wit: allowed, permitted, or afforded an opportunity for a child to have access to a firearm or failed to prevent or restrict children access to a firearm, contrary to the form of the statutes in such cases made and provided by I.C. 35-46-1-4(a)(1) and against the peace and dignity of the State of Indiana.

ERIC M. HOFFMAN

Prosecuting Attorney

46th Judicial Circuit of Indiana

BY: /s/ Eric M. Hoffman

Eric M. Hoffman 24232-18

Prosecuting Attorney

46th Judicial Circuit of Indiana

STATE OF INDIANA) IN THE DELAWARE CIRCUIT COURT 5
) SS:
COUNTY OF DELAWARE) CAUSE NUMBER. 18C05-2208-F1

INFORMATION:

STATE OF INDIANA

VS

JACOB C. GRAYSON

2810 S. Monroe St.
Muncie, IN 47302

DOB: 1/5/1994
SSN: xxx-xx-0848

Count 3:
Neglect of a Dependent
I.C. 35-46-1-4(a)(1)
a Level 6 Felony

Count 3:

The undersigned says that on or about July 26, 2022 in Delaware County, State of Indiana, Jacob C. Grayson having the care of Crystal Grayson, a dependent, did knowingly place said dependent in a situation that endangered the dependent's life or health, to-wit: maintained a dirty, filthy, or uninhabitable residence, contrary to the form of the statutes in such cases made and provided by I.C. 35-46-1-4(a)(1) and against the peace and dignity of the State of Indiana.

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46th Judicial Circuit of Indiana

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STATE OF INDIANA) IN THE DELAWARE CIRCUIT COURT 5
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COUNTY OF DELAWARE) CAUSE NUMBER. 18C05-2208-F1

INFORMATION:

STATE OF INDIANA

VS

JACOB C. GRAYSON

2810 S. Monroe St.
Muncie, IN 47302

DOB: 1/5/1994
SSN: xxx-xx-0848

Count 4:
Neglect of a Dependent
I.C. 35-46-1-4(a)(1)
a Level 6 Felony

Count 4:

The undersigned says that on or about July 26, 2022 in Delaware County, State of Indiana, Jacob C. Grayson having the care of Seth Grayson, a dependent, did knowingly place said dependent in a situation that endangered the dependent's life or health, to-wit: maintained a dirty, filthy, or uninhabitable residence, contrary to the form of the statutes in such cases made and provided by I.C. 35-46-1-4(a)(1) and against the peace and dignity of the State of Indiana.

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Prosecuting Attorney
46th Judicial Circuit of Indiana

BY: /s/ Eric M. Hoffman
Eric M. Hoffman 24232-18
Prosecuting Attorney
46th Judicial Circuit of Indiana

STATE OF INDIANA)
)
DELAWARE COUNTY) 2022 TERM

AFFIDAVIT OF PROBABLE CAUSE FOR ARREST WITHOUT WARRANT

COMES NOW, Andrew Sell, a police officer of the Muncie Police Department, and being first duly sworn upon oath, deposes and says that the following described person was arrested, without Warrant, upon the charge(s) and circumstances hereinafter stated, and makes this affidavit for the purpose of establishing probable cause for said arrest.

MPD Case Report # **22-25997**

NAME OF ARRESTEE: **Jacob Grayson** D.O.B.: 01/05/1994

ADDRESS OF ARRESTEE: 2810 S. Monroe St. Muncie, IN 47302

DATE OF ARREST: 07/26/2022 TIME OF ARREST: **1930**

CHARGE 1: Neglect of a Dependent Resulting in Death – Level 1 Felony

CHARGE 2: Neglect of a Dependent – Level 6 Felony

CHARGE 3: Neglect of a Dependent – Level 6 Felony

CHARGE 4: Neglect of a Dependent – Level 6 Felony

The basis and reasons why this officer believes that said Arrestee committed the aforesaid offense (s) are as follows:

On 07/26/2022 at approximately 1425 Muncie Police Department Officers responded to 2810 S. Monroe in reference to a shooting. Upon arrival 5-year-old CG was located with a severe gunshot wound to the head. She was later pronounced deceased at Ball Memorial Hospital. Initial 911 caller, Jacob Grayson, advised that 6 year old SG got a gun out of his safe and shot his sister, CG. Jacob and Kimberly Grayson are the biological parents of both SG and CG.

I conducted a forensic interview with SG at the child advocacy center. I am trained and certified as a forensic interviewer by the Zero Abuse Project. In his interview SG stated that he got a black gun out of a safe in his mom and dad's bedroom while his mom napped. SG said the safe was located on a dresser in the parents' bedroom. SG stated the key was in the key hole and he simply turned it, pushed on the door, and it opened. He advised he accidentally shot CG while playing with the gun.

Jacob Grayson was interviewed at Muncie Police Department. He acknowledged and waived his rights. Jacob stated in his interview that SG has accessed his safe in the past. After SG

I affirm under penalty of perjury that the foregoing is true and accurate to the best of my information and belief.
/s/ Officer Andrew Sell 1902 DATE: 7/27/2022

Page 2 of 2

STATE OF INDIANA

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IN THE DELAWARE CIRCUIT COURT 5

) SS:

COUNTY OF DELAWARE

)

CAUSE NUMBER. 18C05-2208-F1

INFORMATION:

STATE OF INDIANA

Count 1:

VS

Neglect of a Dependent Resulting in Death
I.C. 35-46-1-4(a)(1) and I.C. 35-46-1-4(b)(3)
a Level 1 Felony

KIMBERLY D. GRAYSON

2810 S. Monroe St.
Muncie, IN 47302

DOB: 11/15/1994

SSN: xxx-xx-0355

Count 1:

The undersigned says that on or about July 26, 2022 in Delaware County, State of Indiana, Kimberly D. Grayson, being at least 18 years of age and having the care of Crystal Grayson, a dependent less than 14 years of age, did knowingly place said dependent in a situation that endangered the dependent's life or health, to-wit: allowed, permitted, or afforded an opportunity for a child to have access to a firearm or failed to prevent or restrict children access to a firearm, and which resulted in the death of Crystal Grayson contrary to the form of the statutes in such cases made and provided by I.C. 35-46-1-4(a)(1) and I.C. 35-46-1-4(b)(3) and against the peace and dignity of the State of Indiana.

ERIC M. HOFFMAN

Prosecuting Attorney

46th Judicial Circuit of Indiana

BY: /s/ Eric M. Hoffman

Eric M. Hoffman 24232-18

Prosecuting Attorney

46th Judicial Circuit of Indiana

STATE OF INDIANA

)

IN THE DELAWARE CIRCUIT COURT 5

) SS:

COUNTY OF DELAWARE

)

CAUSE NUMBER. 18C05-2208-F1

INFORMATION:

STATE OF INDIANA

Count 2:

VS

Neglect of a Dependent

I.C. 35-46-1-4(a)(1)

a Level 6 Felony

KIMBERLY D. GRAYSON

2810 S. Monroe St.
Muncie, IN 47302

DOB: 11/15/1994

SSN: xxx-xx-0355

Count 2:

The undersigned says that on or about July 26, 2022 in Delaware County, State of Indiana, Kimberly D. Grayson having the care of Seth Grayson, a dependent, did knowingly place said dependent in a situation that endangered the dependent's life or health, to-wit: allowed, permitted, or afforded an opportunity for a child to have access to a firearm or failed to prevent or restrict children access to a firearm, contrary to the form of the statutes in such cases made and provided by I.C. 35-46-1-4(a)(1) and against the peace and dignity of the State of Indiana.

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46th Judicial Circuit of Indiana

BY: /s/ Eric M. Hoffman

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Prosecuting Attorney

46th Judicial Circuit of Indiana

STATE OF INDIANA) IN THE DELAWARE CIRCUIT COURT 5
) SS:
COUNTY OF DELAWARE) CAUSE NUMBER. 18C05-2208-F1

INFORMATION:

STATE OF INDIANA

VS

KIMBERLY D. GRAYSON

2810 S. Monroe St.
Muncie, IN 47302

DOB: 11/15/1994
SSN: xxx-xx-0355

Count 3:
Neglect of a Dependent
I.C. 35-46-1-4(a)(1)
a Level 6 Felony

Count 3:

The undersigned says that on or about July 26, 2022 in Delaware County, State of Indiana, Kimberly D. Grayson having the care of Crystal Grayson, a dependent, did knowingly place said dependent in a situation that endangered the dependent's life or health, to-wit: maintained a dirty, filthy, or uninhabitable residence contrary to the form of the statutes in such cases made and provided by I.C. 35-46-1-4(a)(1) and against the peace and dignity of the State of Indiana.

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STATE OF INDIANA

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IN THE DELAWARE CIRCUIT COURT 5

) SS:

COUNTY OF DELAWARE

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CAUSE NUMBER. 18C05-2208-F1

INFORMATION:

STATE OF INDIANA

VS

Count 4:

Neglect of a Dependent

I.C. 35-46-1-4(a)(1)

a Level 6 Felony

KIMBERLY D. GRAYSON

2810 S. Monroe St.
Muncie, IN 47302

DOB: 11/15/1994

SSN: xxx-xx-0355

Count 4:

The undersigned says that on or about July 26, 2022 in Delaware County, State of Indiana, Kimberly D. Grayson having the care of Seth Grayson, a dependent, did knowingly place said dependent in a situation that endangered the dependent's life or health, to-wit: maintained a dirty, filthy, or uninhabitable residence contrary to the form of the statutes in such cases made and provided by I.C. 35-46-1-4(a)(1) and against the peace and dignity of the State of Indiana.

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Prosecuting Attorney

46th Judicial Circuit of Indiana

BY: /s/ Eric M. Hoffman

Eric M. Hoffman 24232-18

Prosecuting Attorney

46th Judicial Circuit of Indiana

STATE OF INDIANA)
)
DELAWARE COUNTY)

IN THE DELAWARE COUNTY COURTS

2022 TERM

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AFFIDAVIT OF PROBABLE CAUSE FOR ARREST WITHOUT WARRANT

COMES NOW, Andrew Sell, a police officer of the Muncie Police Department, and being first duly sworn upon oath, deposes and says that the following described person was arrested, without Warrant, upon the charge(s) and circumstances hereinafter stated, and makes this affidavit for the purpose of establishing probable cause for said arrest.

MPD Case Report # 22-25997

NAME OF ARRESTEE: **Kimberly Grayson** D.O.B.: 11/15/1994

ADDRESS OF ARRESTEE: 2810 S. Monroe St. Muncie, IN 47302

DATE OF ARREST: 07/26/2022

TIME OF ARREST: 1930

CHARGE 1: Neglect of a Dependent Resulting in Death – Level 1 Felony

CHARGE 2: Neglect of a Dependent – Level 6 Felony

CHARGE 3: Neglect of a Dependent – Level 6 Felony

CHARGE 4: Neglect of a Dependent – Level 6 Felony

The basis and reasons why this officer believes that said Arrestee committed the aforesaid offense (s) are as follows:

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I conducted a forensic interview with SG at the child advocacy center. I am trained and certified as a forensic interviewer by the Zero Abuse Project. In his interview SG stated that he got a black gun out of a safe in his mom and dad's bedroom while his mom napped. SG said that the safe was located on a dresser in his parents' bedroom. SG stated the key was in the key hole and he simply turned it, pushed on the door, and it opened. He advised he accidentally shot CG while playing with the gun.

Kimberly Grayson was interviewed at Muncie Police Department. She acknowledged and waived her rights. Kimberly stated in the interview that SG has accessed their safe in the past. She

STATE OF INDIANA)
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 DELAWARE COUNTY)

IN THE DELAWARE COUNTY COURTS
 2022 TERM

also stated that she took a nap this afternoon, but estimated she only slept five minutes. Kimberly was in her bed in her bedroom, where the safe was located. The safe was on a very low dresser that 6-year-old SG can easily reach. Kimberly advised that SG must have accessed the safe and obtained the firearm while she napped. Kimberly also acknowledged that the key which unlocks the safe may have been left in the key hole on the safe. Kimberly said that she and Jacob Grayson have taken SG to a shooting range before and showed him how to shoot a handgun.

The living conditions in the home were deplorable. There was food, trash, animal feces, and furniture strewn throughout the house. The children's beds were mattresses on the floor with no sheets or blankets. Both mattresses had various stains on them. The walls of the home appeared to have feces smeared on them in multiple places.

Kimberly Grayson is charged with Neglect of a Dependent Resulting Death (Level 1 Felony) for placing CG in a situation that endangered her life or health which resulted in her death. She is charged with Neglect of a Dependent (Level 6 Felony) for allowing SG unsupervised access to a firearm. She is also charged with two counts of Neglect of a Dependent (Level 6 Felony) for maintaining inhabitable housing conditions for CG and SG.

I affirm under penalty of perjury that the foregoing is true and accurate to the best of my information and belief.
 /s/ Officer Andrew Sell 1902 DATE: 7/26/2022

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 said arrestee, and now fixes bond in the penal sum of \$ 65,000.00 CASH OR SURETY. NRO Jacob; CG; SG

DATED: 07/27/2022

SIGNED: [Signature]

CHARGES TO BE FILED BY: August 3rd, 2022 @ 1:00p

AFFIDAVIT OF PROBABLE CAUSE FOR ARREST WITHOUT WARRANT