



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

100 W. MAIN STREET, ROOM 312
MUNCIE, IN 47305

TELEPHONE 765-747-7801
FAX: 765-747-7830

FOR IMMEDIATE RELEASE

From: Eric Hoffman, Prosecuting Attorney
Subject: Press Release - Arrest of Joel David West
Date: February 21, 2019

In January and February of 2019, the Yorktown Police Department conducted an extensive investigation into the January 16, 2019 overdose death of a Delaware County resident. On February 21, 2019, at approximately 8:45 pm, Joel David West was arrested and taken into custody by Yorktown Police Officer Blake Barnard for the criminal offense of Dealing in a Controlled Substance Resulting in Death, a Level 1 Felony. A copy of the Affidavit of Probable Cause for Arrest Without a Warrant is attached.

Last year, the Indiana General Assembly passed the Dealing in a Controlled Substance Resulting in Death statute as a tool for prosecutors across the state to hold those accountable who sell drugs to people that end up overdosing and dying. The statute took effect July 1, 2018. The statute provides as follows:

(a) A person who knowingly or intentionally manufactures or delivers a controlled substance or controlled substance analog, in violation of:

(1) IC 35-48-4-1 (dealing in cocaine or a narcotic drug);

(2) IC 35-48-4-1.1 (dealing in methamphetamine);

(3) IC 35-48-4-1.2 (manufacturing methamphetamine); or

(4) IC 35-48-4-2 (dealing in a schedule I, II, or III controlled substance);

that, when the controlled substance is used, injected, inhaled, absorbed, or ingested, results in the death of a human being who used the controlled substance, commits dealing in a controlled substance resulting in death, a Level 1 felony.

(b) A person who knowingly or intentionally manufactures or delivers a controlled substance, in violation of IC 35-48-4-3, that, when the controlled substance is used, injected, inhaled, absorbed, or ingested, results in the death of a human being who used the controlled

substance, commits dealing in a controlled substance resulting in death, a Level 2 felony.

(c) A person who knowingly or intentionally manufactures or delivers a controlled substance, in violation of IC 35-48-4-4 or IC 35-48-4-10.5, that, when the controlled substance is used, injected, inhaled, absorbed, or ingested, results in the death of a human being who used the controlled substance, commits dealing in a controlled substance resulting in death, a Level 3 felony.

(d) It is not a defense to an offense described in this section that the human being died:

(1) after voluntarily using, injecting, inhaling, absorbing, or ingesting a controlled substance or controlled substance analog; or

(2) as a result of using the controlled substance or controlled substance analog in combination with alcohol or another controlled substance or with any other compound, mixture, diluent, or substance.

The Prosecutor's Office expects to file formal charges next week. Based on the date of the death, the charges will be filed in the Delaware Circuit Court No. 3. Chief Deputy Prosecutor Zach Craig will be assigned to prosecute the case.

It is important to remember that 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.

###

STATE OF INDIANA)
)
DELAWARE COUNTY)

IN THE DELAWARE COUNTY COURTS

2019 TERM

AFFIDAVIT OF PROBABLE CAUSE FOR ARREST WITHOUT WARRANT

COMES NOW, Blake Barnard , a police officer of the Yorktown 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.

NAME OF ARRESTEE: Joel David West CASE REPORT #: 19-01-0031

ADDRESS OF ARRESTEE: 1004 E. 8th St. Muncie, IN 47302

ARRESTEE DATE OF BIRTH: 02/25/1991

DATE OF ARREST: 02/21/19 TIME OF ARREST: 8:45 PM

CHARGE 1: Dealing in a controlled substance resulting in death Murder a Level- 1 Felony

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

On January 28th, 2019 Chief St. John and I, Officer Blake Barnard of the Yorktown Police Department began an investigation into the death of John “Jake” Adams. According to the autopsy Adams cause of death was acute mixed drug intoxication.

Investigators were able to obtain Adams’ cell phone and conduct an investigation of Adams’ conversations prior to his death. On January 16th, 2019 at approximately 3:47 PM Adams began a conversation with Joel West via Facebook Messenger. The conversation starts by West messaging Adams “I got some”. Adams asks West if he would be willing to trade for Xanax or be willing to front him (meaning he would pay West at a later date) West refused both offers. They later settle on an amount of .15 mg for fifteen dollars and West agreed to come to Adams residence at 1809 S. Oakdale Rd. Yorktown, IN 47396 to deliver the drug. Through the conversation Adams had with West it appeared that West sold/supplied the drug Adams consumed the morning of January 17th, 2019 that ultimately lead to Adams death.

Investigators spoke to multiple witnesses that stated they observed West come inside the residence of Adams on the night of January 16, 2019. They also advised Adams and West went to Adams’ bedroom for approximately 10-15 minutes, and then West left with one of the witnesses around 3:00 AM on 1/17/2019.

On February 21, 2019, investigators interviewed Joel West. After being advised of his Miranda Rights, West admitted that he sold John “Jake” Adams “ice” (Methamphetamine) on the night prior to Adams’ death. West also admitted that he did have a conversation with Adams’ through Facebook messenger prior to going to Adams’ residence that night.

Blake L. Barnard #111

STATE OF INDIANA)
)
DELAWARE COUNTY)

IN THE DELAWARE COUNTY COURTS

2019 TERM

DATED: OFFICER:

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 BAIL IN THE PENAL SUM OF \$_____.

DATED: _____ SIGNED: _____ TITLE: _____

NAME OF ARRESTEE: Joel David West

CASE REPORT #: 19-01-0031

Blaine L. Bennett # 111