



**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 M. Hoffman, Prosecuting Attorney  
ehoffman@co.delaware.in.us  
Date: October 27, 2020

**OCTOBER 15, 2020 INCIDENT IN DOWNTOWN MUNCIE**

*Muncie Indiana* – I have received the very thorough investigation conducted by the Muncie Police Department into the events that transpired on the evening of October 15, 2020 in downtown Muncie. The investigation reveals that two juveniles (ages 13 and 17) rode a MITS bus to the downtown area. One of the juveniles had possession of a BB gun. Sometime shortly before 8:00 p.m. one or both of the juveniles shot the BB gun a few times down an alley toward a red car that was parked on the other end of the alley on Walnut Street. One of the juveniles stated that he did so “just because it was there.” The juveniles then fled the scene and discarded the BB gun in a bush downtown. Both juveniles, together with their guardians, agreed to cooperate during the investigation and gave videotaped interviews wherein they admitted their wrongdoing. One of the juveniles also took detectives to the bush where the BB gun was recovered by the police. The BB gun uses a CO2 cartridge for propulsion of the BBs. I have attached the Release that was issued by the Muncie Police Department on October 21, 2020 which contains more specifics concerning the investigation.

There is no evidence that either juvenile had any idea whether or not the red vehicle was occupied by a person nor is there any evidence that they were aware of the identity of anyone in the immediate area. There is no evidence that they had an intended target or plan. There is no evidence that the two juveniles intended to harm, hurt, threaten, or intimidate the individual in the red car or any other person. Additionally there is no evidence that the two juveniles are connected to or are affiliated with any political candidate, party, or activists. There is no evidence that any person’s race played any role in their actions. Rather, all of the evidence indicates that that this was simply a poor choice of juvenile delinquency.

No person was struck by a BB pellet, no person was injured, and no property was damaged.

I have referred this matter to Juvenile Probation where the probation department will treat this case as it would any other similarly situated case. Juvenile Probation has evaluated the facts and circumstances of the case and

recommended that they conduct an Administrative Hearing where the juveniles and their parents/guardians are brought into the Probation office. There, a discussion will be had between the parties and the juveniles will be formally reprimanded. I agree with this recommendation as I do not believe that these juveniles should be treated any worse or better than similarly situated juveniles who have committed similar acts of delinquency. Therefore, I will not be filing a request to file a petition alleging delinquency. Recall, that unlike the adult system, the prosecutor cannot simply file charges against a juvenile. The prosecutor must obtain permission from the juvenile court to initiate delinquency proceedings against a juvenile. Consequently, this concludes this investigation.

Under Indiana law, at most, the juveniles committed attempted criminal mischief, a Class B Misdemeanor. Indiana law prohibits the release of the identities of juveniles who commit misdemeanor acts of delinquency. Therefore, the names of the juveniles cannot and will not be released.

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City of **MUNCIE**  
MUNCIE, INDIANA

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From: Melissa Pease, Deputy Chief of Police  
Date: October 21, 2020

**Update on October 15, 2020 report of shots fired**

On October 15, 2020 at approximately 7:44 p.m., the Delaware County 911 Dispatch center received one call reporting possible shots fired in the 200 block of S. Walnut St. in Muncie, IN. The caller was an employee in the building located south of the alley that runs east and west between two businesses. The alley connects a parking lot on the west side of the buildings and Walnut St. on the east side. The caller stated they did not see anything but possibly heard two shots.

Muncie Police Officers responded to the area, checked the area for any type of evidence of a crime and spoke with witnesses. The responding officers did not locate any shell casings, projectiles, bullets, injured parties, or damage to vehicles or other property. There were no witnesses who saw a suspect or suspects fire a firearm. However, witnesses on scene reported hearing what they believed to be gun shots.

Below is a brief summary from witnesses on the scene:

Witness # 1

Witness #1 reported that he was sitting outside at a table next to the southeast end of the alley. Witness #1 stated he heard what he believed to be 3 gunshots. He looked west down the alley and did not observe anyone or hear anything further. Witness #1 stated he went inside a business and asked them to call 911 while Witness #2 walked down the alley. Witness #1 stated he was 60-70% sure the sounds were gunshots of a small caliber weapon.



City of **MUNCIE**  
MUNCIE, INDIANA

Witness # 2

Witness #2 reported that he was sitting next to the alley (east side) when he heard 3 “pops” down the alley. Witness #2 stated he believed he heard something strike metal twice on the east side of Walnut St. Witness #2 believed the sound came from west, down the alley or in the parking lot to the west. Witness #2 stated he did not see anyone down the alley. Witness #2 noticed a female sitting in her vehicle on her cell phone. Witness #2 said the female noticed him and asked if she could help him with anything. Witness # 2 told her about the gun shots and asked her if she was okay. Witness #2 stated he did not think she was aware of the “pops.”

Witness # 3

Witness #3 reported that he has some hearing loss but heard a noise that sounded like something striking metal. He thought possibly the bike rack or mailbox was struck with something. Witness #3 said he heard what he said was a distinctive sound and thought it came from the alley and pointed toward the west.

Witness # 4

Witness #4 reported that she was sitting in a red car when she thought she heard something and then a man came rushing up to her vehicle. The man then asked her if she was okay. She was then told by others that they believed that they heard gunshots and the shots may have gone in the direction of where her car was parked. Witness #4’s vehicle was parked on S. Walnut St. on the east side of the road facing north. Upon inspection, there was no visible damage to the vehicle.

Further investigation

Muncie Police Department Detectives canvassed the area and made contact with local businesses to acquire any video surveillance that may have captured evidence of a crime. Detectives were able to collect video surveillance that shows two subjects walking south from the MITS terminal at 113 W. Main St. The two subjects then walked south across W. Jackson St. and halfway across the parking lot behind the 200 block of S. Walnut St. The two subjects then ran toward the west entrance of the alley from the west parking lot in the 200 block of S. Walnut St. According to the surveillance clock, the two subjects are in the alley at 19:42:44 which is 7:42 pm. After



City of **MUNCIE**  
MUNCIE, INDIANA

approximately 4 seconds in the alley, the two subjects ran out of the alley and back to the MITS station. There is no video surveillance capturing the subjects and their activity or lack thereof in the alley.

Detectives obtained video surveillance from the MITS station. On the surveillance video, the two subjects were observed on one of the buses with what appears to be a black handgun. The two subjects pass the gun back and forth to one another prior to exiting the bus. When the two male subjects return to the bus a short time later, one manipulates an item that appears to be the gun.

Detectives were able to identify the two males in the surveillance footage. They were both identified as juveniles: one 17 year old male and one 13 year old male. Both juveniles, with their guardians present, gave statements to detectives. Both juveniles stated that on October 15, 2020 they had a black BB gun while on the MITS bus. The two juveniles decided to get off of the bus and go to the alley and shoot the BB gun down the alley. One juvenile reported they shot the BB gun down the alley toward a red car that was parked on the street (Walnut St.) at the other end of the alley, "just because it was there." This would match where witness #4's vehicle was parked. The other juvenile stated that the BB gun was not shot at a vehicle but rather toward the ground. One juvenile reported that the BB gun had been discarded in some bushes in the downtown Muncie area. This juvenile led a Detective to the location of the bushes where the Detective recovered a black BB gun that uses a CO2 cartridge for propulsion of the BBs. The BB gun that was recovered matches the description provided by the juvenile and also matches what was observed on the MITS bus surveillance video.

There is no evidence that either juvenile was aware of anyone being in the red vehicle nor aware of the identity of anyone in the immediate area. There is no evidence that they had an intended target or plan. There is no evidence that the two juveniles intended to harm, hurt, threaten, or intimidate Witness #4 or any other person.

This case is being forwarded to Delaware County Juvenile Probation and the Delaware County Prosecutor's Office for review.