



**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
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Date: November 10, 2021

**BILLY RAY BARKER CONVICTED OF UNLAWFUL POSSESSION OF A
FIREARM BY A SERIOUS VIOLENT FELON**

Muncie Indiana – Last night a jury deliberated approximately two (2) hours before returning guilty verdicts against Billy Ray Barker (DOB 1/17/1973). Barker stands convicted, as charged with Unlawful Possession of a Firearm by a Serious Violent Felon, a Level 4 Felony, Criminal Recklessness, a Level 5 Felony, and Criminal Mischief, a Class B Misdemeanor. A copy of the Affidavit of Probable Cause is attached. Barker was on parole at the time of this offense. Barker has a violent criminal record including convictions for Voluntary Manslaughter, a Class A Felony and Battery by Means of a Deadly Weapon, a Class C Felony. Sentencing is currently set for December 6, 2021. He faces 18 years in prison as well as an additional term of years as a result of having his parole revoked. After the guilty verdicts came in, Delaware County Prosecutor Eric Hoffman said “I am thrilled at the jury’s verdicts. They very carefully listed to and weighed the evidence. The Defendant is a violent criminal who belongs I prison. I could not be more proud of Deputy Prosecutor Andrew Ramirez. Despite all the adversity he faced in the courtroom he overcame it all and justice prevailed.”



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STATE OF INDIANA)
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DELAWARE COUNTY)

IN THE DELAWARE COUNTY COURTS

2020 TERM

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AFFIDAVIT OF PROBABLE CAUSE FOR ARREST WITHOUT WARRANT

COMES NOW, **Dustin Lee**, 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 CR # 20-31602

NAME OF ARRESTEE: **Billy Barker Jr.**

D.O.B.: **01/17/1973**

ADDRESS OF ARRESTEE: **2011 E 18th St Apt 1 Muncie, IN 47304**

DATE OF ARREST:

TIME OF ARREST:

CHARGE 1: Aggravated Battery a LEVEL 3 FELONY

CHARGE 2: Possession of a Firearm by a Serious Violent a LEVEL 4 Felony

CHARGE 3: Criminal Recklessness a LEVEL 5 Felony

CHARGE 4: Criminal Mischief a LEVEL 6 Felony

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

On 08/18/2020 Officers were dispatched to 2001 S Madison St on a report of shots fired. Upon arrival, the victims stated that a biracial bald headed male had just fired two shots at them at the intersection of 12 St and Madison St. The holes where the bullets struck the vehicle are very close to the front driver-side door and one of the projectiles was found wedged in the rain guard of the front door. The victims described the suspect vehicle as a blue S10, older model, with possible tinted windows and an extended cab. Video surveillance from the CVS at that intersection depicted both the suspect vehicle and the victim's vehicle. The blue Chevrolet S10 appeared to be an extended cab with a toolbox in the bed and continued eastbound after the incident.

Uniform Officers were called out to 1521 E Kirby Ave on 08/23/2020 on a possible burglary. When they arrived, they located a blue extended cab S10. The victim was an ex of Billy Barker's, and Billy was on scene. Billy was there and kicked in her door in order to get his belongings from the residence. The S10 at the time did not have a toolbox attached to the bed. However, one of the items that Billy wanted from the residence was a toolbox that fit into the bed of the truck. Billy carried the toolbox out and it was captured on Officers body worn cameras. The paper tags on the vehicle returned to Billy Barker as the registered owner. Billy is a biracial male with a bald head, matching the description given by the victims.

It was later determined that Billy accompanied his girlfriend, Kristina Kase, to a local pawn shop on June 10, 2020 in order to purchase a .40 caliber Smith and Wesson M+P 2.0. Kristina was the one who purchased the firearm, but it is believed to have been purchased for Billy.

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An interview was conducted with both adult victims from the incident on 08/25/2020. One victim was able to pick Billy Barker out of a photographic lineup as the suspect who fired the gunshots into their vehicle.

Billy is currently on parole for Voluntary Manslaughter which prohibits him from possession a firearm.

On 08/26/2020 Billy was apprehended in the presence of Kristina Kase. They were both brought up to CID in order to be interviewed.

Kristina was interviewed and admitted to knowing about the incident that occurred. Kristina advised that Billy came home after the incident and advised that he shot at the vehicle after a road rage incident. She further stated that her gun was the gun used in the shooting and that she had left it in the car by accident. Kristina advised that Billy was upset when he arrived and made the statement that he was, "unsure if I hit anyone or not, but I it was close enough I could have." Kristina then admitted to taking the tool box off of the truck and placing it inside. She also advised that she bought decals to stick on the back of the truck in order to make it look different then the one in surveillance footage of the incident. Kristina further stated that she swept the vehicle out and disposed of a spent shell casing that she found inside of the truck.

I then attempted to interview Billy Barker. Billy denied having any part of the shooting. Billy became very angry when I explained to him some of the evidence we had against him. Billy began screaming expletives at me and I exited the room. Billy then became even more agitated inside of the room after I exited. Billy flipped over the table and picked up a chair and threw it at the camera and the wall. This placed a large hole in the wall and moved the camera out of angle. Billy had to be physically controlled and handcuffed at this time.

I affirm under penalty of perjury that the foregoing is true and accurate to the best of my information and belief.

DATE: 08/26/2020 OFFICER:  #1301

JUDICIAL DETERMINATION

STATE OF INDIANA)
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IN THE DELAWARE COUNTY COURTS

2020 TERM

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 \$ 40,000.00 Cash, Surety or 107% cash

DATED: 8/27/2020 SIGNED: [Signature]

CHARGES TO BE FILED BY: 9/2/20 @ 9am Bond * 40k cash/surety

AFFIDAVIT OF PROBABLE CAUSE FOR ARREST WITHOUT WARRANT