

STATE OF INDIANA)

COUNTY OF ST. JOSEPH)

STATE OF INDIANA)

VS)

JASON L HERSHBERGER)

DOB: [REDACTED] 981)

) SS:

IN THE ST. JOSEPH SUPERIOR COURT

CAUSE NUMBER. 71D0 3-1508-F1-000008

INFORMATION IN TEN COUNTS:

COUNT I:

CHILD MOLESTING
A CLASS A FELONY

COUNT II:

CHILD MOLESTING
A CLASS A FELONY

COUNT III:

CHILD MOLESTING
A CLASS A FELONY

COUNT IV:

CHILD MOLESTING
A LEVEL 1 FELONY

COUNT V:

CHILD MOLESTING
A LEVEL 1 FELONY

COUNT VI:

CHILD MOLESTING
A LEVEL 1 FELONY

COUNT VII:

CHILD MOLESTING
A LEVEL 1 FELONY

COUNT VIII:

CHILD MOLESTING
A CLASS A FELONY

COUNT IX:

CHILD MOLESTING
A LEVEL 1 FELONY

COUNT X:

CHILD MOLESTING
A CLASS A FELONY

- FILED -

AUG 24 2015

Clerk
St. Joseph Superior Court

COUNT I

JENNIFER J MCKINNEY, upon information and belief, affirms under penalty of perjury that:

between April 1, 2012 and June 30, 2014 in St. Joseph County, State of Indiana, Jason L Hershberger,
a person of at least twenty-one (21) years of age, did perform sexual intercourse with I.H., a child under

the age of fourteen years.

All of which is contrary to the form of the statutes in such cases made and provided by I.C. 35-42-4-3(a)(1) , and against the peace and dignity of the State of Indiana.

COUNT II

JENNIFER J MCKINNEY, upon information and belief, affirms under penalty of perjury that:

between April 1, 2012 and June 30, 2014 in St. Joseph County, State of Indiana, Jason L Hershberger, a person of at least twenty-one (21) years of age, did perform deviate sexual conduct with I.H., a child under the age of fourteen years.

All of which is contrary to the form of the statutes in such cases made and provided by I.C. 35-42-4-3(a)(1) , and against the peace and dignity of the State of Indiana.

COUNT III

JENNIFER J MCKINNEY, upon information and belief, affirms under penalty of perjury that:

between April 1, 2012 and June 30, 2014 in St. Joseph County, State of Indiana, Jason L Hershberger, a person of at least twenty-one (21) years of age, did perform deviate sexual conduct with I.H., a child under the age of fourteen years.

All of which is contrary to the form of the statutes in such cases made and provided by I.C. 35-42-4-3(a)(1) , and against the peace and dignity of the State of Indiana.

COUNT IV

JENNIFER J MCKINNEY, upon information and belief, affirms under penalty of perjury that:

between July 1, 2014 and December 8, 2014 in St. Joseph County, State of Indiana, Jason L Hershberger, a person of at least twenty-one (21) years of age, did perform sexual intercourse as defined in Indiana Code Section 35-31.5-2-221.5 with I.H., a child under the age of fourteen years (14).

All of which is contrary to the form of the statutes in such cases made and provided by I.C. 35-42-4-3(a) and I.C. 35-42-4-3(a)(1), and against the peace and dignity of the State of Indiana.

COUNT V

JENNIFER J MCKINNEY, upon information and belief, affirms under penalty of perjury that:

between July 1, 2014 and December 8, 2014 in St. Joseph County, State of Indiana, Jason L Hershberger, a person of at least twenty-one (21) years of age, did perform deviate sexual conduct as

defined in Indiana Code Section 35-31.5-2-221.5 with I.H., a child under the age of fourteen years (14).

All of which is contrary to the form of the statutes in such cases made and provided by I.C. 35-42-4-3(a) and I.C. 35-42-4-3(a)(1), and against the peace and dignity of the State of Indiana.

COUNT VI

JENNIFER J MCKINNEY, upon information and belief, affirms under penalty of perjury that:

between July 1, 2014 and December 8, 2014 in St. Joseph County, State of Indiana, Jason L Hershberger, a person of at least twenty-one (21) years of age, did perform deviate sexual conduct as defined in Indiana Code Section 35-31.5-2-221.5 with I.H., a child under the age of fourteen years (14).

All of which is contrary to the form of the statutes in such cases made and provided by I.C. 35-42-4-3(a) and I.C. 35-42-4-3(a)(1), and against the peace and dignity of the State of Indiana.

COUNT VII

JENNIFER J MCKINNEY, upon information and belief, affirms under penalty of perjury that:

between November 10, 2014 and December 8, 2014 in St. Joseph County, State of Indiana, Jason L Hershberger, a person of at least twenty-one (21) years of age, did perform deviate sexual conduct as defined in Indiana Code Section 35-31.5-2-221.5 with I.H., a child under the age of fourteen years (14).

All of which is contrary to the form of the statutes in such cases made and provided by I.C. 35-42-4-3(a) and I.C. 35-42-4-3(a)(1), and against the peace and dignity of the State of Indiana.

COUNT VIII

JENNIFER J MCKINNEY, upon information and belief, affirms under penalty of perjury that:

between October 1, 2012 and December 8, 2014 in St. Joseph County, State of Indiana, Jason L Hershberger, a person of at least twenty-one (21) years of age, did perform deviate sexual conduct with C. H., a child under the age of fourteen years.

All of which is contrary to the form of the statutes in such cases made and provided by I.C. 35-42-4-3(a)(1), and against the peace and dignity of the State of Indiana.

COUNT IX

JENNIFER J MCKINNEY, upon information and belief, affirms under penalty of perjury that:

between July 1, 2014 and December 8, 2014 in St. Joseph County, State of Indiana, Jason L Hershberger, a person of at least twenty-one (21) years of age, did perform deviate sexual conduct as

defined in Indiana Code Section 35-31.5-2-221.5 with C. H., a child under the age of fourteen years (14).

✓ All of which is contrary to the form of the statutes in such cases made and provided by I.C. 35-42-4-3(a) and I.C. 35-42-4-3(a)(1), and against the peace and dignity of the State of Indiana.

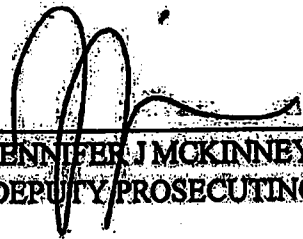
COUNT X

JENNIFER J MCKINNEY, upon information and belief, affirms under penalty of perjury that:

between October 1, 2012 and January 30, 2014 in St. Joseph County, State of Indiana, Jason L. Hershberger, a person of at least twenty-one (21) years of age, did perform deviate sexual conduct with E. P., a child under the age of fourteen years.

All of which is contrary to the form of the statutes in such cases made and provided by I.C. 35-42-4-3(a)(1), and against the peace and dignity of the State of Indiana.

I affirm under the penalties for perjury that the foregoing representations are true.


JENNIFER J MCKINNEY
DEPUTY PROSECUTING ATTORNEY

WITNESSES:

I.H.

C.H.

E.P.

Loretta Thomas

Katie Schrock

Steven Schrock

Det. Brad Haney, MPD- SVU

All witnesses listed in police, medical and laboratory reports

STATE OF INDIANA)

ST. JOSEPH COUNTY)

STATE OF INDIANA)

VS.)

JASON HERSHBERGER)

DOB: [REDACTED]-1981)

IN THE ST. JOSEPH SUPERIOR COURT

CAUSE NO. 71DO 2-1508-MC-0012103

- FILED -

AUG 19 2015

Clark
St. Joseph Superior Court**FINDING OF PROBABLE CAUSE AND ORDER OF COURT**

The undersigned, Judge of the St. Joseph Superior Court, FINDS that the State of Indiana has filed a Petition for Finding of Probable Cause in the above-captioned action, and the Petition and the verified police reports and/or Supplemental Affidavit for Probable Cause attached thereto establishes probable cause to believe that between the 1st day of April, 2012 to June 30, 2014, and between the 1st day of July, 2014 and December 8, 2014, the above-named individual committed the offenses stated in the Petition and that the Office of the Prosecuting Attorney needs additional time to evaluate the case and determine what type of criminal charges, if any, should be filed.

Accordingly, the above-named individual is ORDERED held by the Sheriff of St. Joseph County, Indiana, or other law enforcement agency, until such time as said individual posts a Bond in the amount of \$ 500.00 corporate surety or \$ 50.00 cash in lieu thereof. The Clerk of the Court and/or the Prosecuting Attorney shall forward a copy of this Order to the Sheriff of St. Joseph County, Indiana, or other law enforcement agency, who shall be charged with execution of this Order of Commitment, and further hearing in this matter is continued until the 24th day of August, 2015, at 1:15 P.M., in the St. Joseph Superior Court, 1855 Courthouse,

132 South Lafayette Boulevard, South Bend, Indiana.

xxx. Defendant is to have NO CONTACT with [REDACTED] and [REDACTED]

[REDACTED] as a condition of bond.

SO ORDERED THIS 19 DAY OF AUGUST, 2015, AT 2:25 A.M. P.M.

JUDGE ST. JOSEPH, SUPERIOR COURT

STATE OF INDIANA
ST. JOSEPH COUNTY

) IN THE ST. JOSEPH SUPERIOR COURT
) SS:
)

CAUSE NO. 71D031508-FL-000008

STATE OF INDIANA

VS.

)
)
) SUPPLEMENTAL AFFIDAVIT IN
) SUPPORT OF PROBABLE CAUSE

JASON HERSHBERGER
DOB: [REDACTED] 1981

= FILED =
AUG 24 2015
AUG 24 2015
St. Joseph Superior Court
Clerk

BRAD HANEY, upon information and belief, affirms under the penalty of perjury that:

I am a Law Enforcement Officer with the Mishawaka Police Department assigned to the Special Victims Unit. I and make this affidavit after reviewing verified Walkerton Police Reports as well as observing and conducting interviews, reviewing reports from the Indiana State Police Lab, and my own investigation.

On December 8, 2014, I.H. date of birth [REDACTED] 10, was forensically interviewed by Debbie Verduin at the CASIE Center. I.H. indicated that she lived with HERSHBERGER, her grandma, and C.H. I later learned from Loretta Thomas, I.H.'s grandmother, that I.H. lived with HERSHBERGER and Loretta since she was one and a half years old (approximately April of 2012). During this interview, I.H. was asked about body parts on anatomical drawings of an unclothed male and an unclothed female. She referred to the penis as a "dingy" and the vagina as a "front butt". During the interview I.H. told Debbie that "her JASON", JASON HERSHBERGER, date of birth [REDACTED] 1981, put medicine on her front butt. She further stated that he put the "buzzy thing" in her front butt, as well as his finger and his dingy. I.H. indicated that the "buzzy thing" came in the mail in an orange envelope. I.H. stated that HERSHBERGER'S dingy was in her mouth, and that he takes it out of her mouth when it drips. I.H. further disclosed that HERSHBERGER licked her front butt.

C.H. date of birth [REDACTED] 2010, was interviewed at the CASIE Center by Sally Wisthuff. C.H. was shown anatomical drawings of an unclothed male and an unclothed female. C.H. identified the vagina as a part that should never be touched. She identified

the penis as a "dingy". C.H. stated that JASON (HERSHEBERGER) is her "other dad", and that she spends the night at his house, and that her sister I.H. also lives with JASON. C.H. disclosed that daddy JASON put his "dingy" into her. When asked where he put his dingy, C.H. pointed to her buttocks, and then pointed to the buttocks on the drawing of the girl. C.H. also identified this as her "butt". C.H. stated that it hurt when her daddy JASON puts his dingy in her butt, and disclosed that it was more than one time. She further disclosed that when this happens she cries, but he stops when she screams, and that his dingy is hard. C.H. stated that HERSHBERGER told her it wasn't ok to talk about what happened. When asked if anything comes out of HERSHBERGER'S dingy, C.H. disclosed that "he wants it to drop". She further stated a drop that makes you have to stop doing stuff. C.H. further stated that her other daddy Robby never puts his dingy in her, only her daddy JASON puts his dingy in her.

I applied for a search warrant for HERSBERGER'S residence at [REDACTED] Illinois Street in Walkerton, Indiana. When I arrived, HERSHBERGER and his mother, Loretta Thomas, were there. I began to process the residence. When I was in HERSHBERGER'S bedroom in the basement, I found a manila envelope underneath the bed. It was addressed to HERSHBERER. Inside was what appeared to be an invoice. It showed two dates, one was 11/9/14, which I assumed to be the order date; the other was 11/10/14, which I assumed to be the shipping date. The slip described that the item shipped was a Slim Teardrop Bullet-Smoke. Under a bed sheet, I found silver in color vibrator that was a silver in color, cone shaped object with a cord attached to it. The cord connected to an object that appeared to be a control that powered the device. This item was collected and sent to the Indiana State Police Lab. I also collected buccal swabs from I.H. and HERSHBERGER, which were also sent to the Indiana State Police Lab. The lab analyst found DNA on the controller that was a mixture of at least three individuals, and found that I.H. and HERSHBERGER could not be excluded as possible contributors. On the proximal end of the vibrator, there was a mixture of two individuals. A major profile was determined to be consistent with HERSHBERGER, and a minor profile was consistent with I.H.

On March 5, 2015, I spoke with Katie Schrock, I.H.'s mother. Katie stated that her son E.P., date of birth [REDACTED] 2009, had made disclosures to her husband, Steven

Schrock. She stated that he had been talking about when he went to school in Walkerton. Katie explained that E.P. lived with HERSHBERGER in Walkerton from October 2012 to January of 2014. I spoke with Steven, and he told me that he asked E.P. if HERSHBERGER had ever done anything to him, and E.P. began to cry, and told him yes. E.P. stated that HERSHBERGER pulled down his pants and did something to him.

E.P. was then interviewed at the CASIE Center by Debbie Verduin. E.P. was shown anatomical drawings of an unclothed male and an unclothed female. He described the buttocks of both the male and female as a butt, and described the penis on the male as a weenie or dingy. E.P. disclosed to Debbie that HERSHBERGER put his dingy in E.P.'s butt, and that his dingy was hard and it hurt E.P.

All incidents listed herein happened in St. Joseph County, Indiana.

I affirm, under the penalties for perjury, that the foregoing representations are true as they have been related to me.


DETECTIVE BRAD HANEY
SPECIAL VICTIMS UNIT