

FILE - SVU

STATE OF INDIANA )  
 ) SS:  
COUNTY OF ST. JOSEPH )  
 )  
STATE OF INDIANA )  
 )  
VS )  
 )  
KENT BUTLER )  
 )  
DOB: 2001 )

IN THE ST. JOSEPH SUPERIOR COURT

CAUSE NUMBER. 71

INFORMATION IN THREE COUNTS:

COUNT I:  
BURGLARY  
A LEVEL 4 FELONY

COUNT II:  
RESIDENTIAL ENTRY  
A LEVEL 6 FELONY

COUNT III:  
PERFORMING SEXUAL CONDUCT IN THE  
PRESENCE OF A MINOR  
A LEVEL 6 FELONY

COUNT I

THOMAS HARDMAN, upon information and belief, affirms under penalty of perjury that:

On or about September 17, 2019 in St. Joseph County, State of Indiana, Kent Butler did break and enter the dwelling of [REDACTED] with the intent to commit a felony or theft therein.

All of which is contrary to the form of the statutes in such cases made and provided by I.C. 35-43-2-1 and I.C. 35-43-2-1(1), and against the peace and dignity of the State of Indiana.

COUNT II

THOMAS HARDMAN, upon information and belief, affirms under penalty of perjury that:

On or about September 17, 2019 in St. Joseph County, State of Indiana, Kent Butler did knowingly or intentionally break and enter the dwelling of [REDACTED]

All of which is contrary to the form of the statutes in such cases made and provided by I.C. 35-43-2-1.5 , and against the peace and dignity of the State of Indiana.

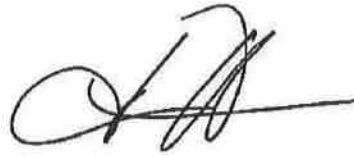
COUNT III

THOMAS HARDMAN, upon information and belief, affirms under penalty of perjury that:

On or about September 17, 2019 in St. Joseph County, State of Indiana, Kent Butler, being at least eighteen years of age, did knowingly or intentionally engage in other sexual conduct in the presence of Victim No. 1, a child under the age of fourteen, to wit: 13; with the intent to arouse or satisfy the sexual desires of Kent Butler.

All of which is contrary to the form of the statutes in such cases made and provided by I.C. 35-42-4-5(c)(2), and against the peace and dignity of the State of Indiana.

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



THOMAS HARDMAN  
DEPUTY PROSECUTING ATTORNEY

DATE: \_\_\_\_\_

Probable cause found. Arrest Warrant Issued.

\_\_\_\_ Pursuant to Criminal Rule 26 and the St. Joseph County Release/Detention Matrix, Defendant ordered released on recognizance with a promise to appear. Defendant subject to any conditions listed in the attached Pretrial Supervision Order.

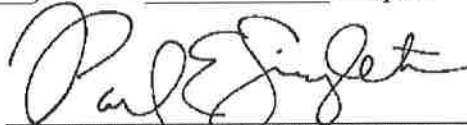
\_\_\_\_ Defendant to be held for initial bail hearing on 20th day of September, 2019 at 1:00 p.m.

**XX** Defendant to be held for next available bail hearing after the warrant is served.

\_\_\_\_ Bond set in the amount of \_\_\_\_\_ corporate surety or \_\_\_\_\_ cash.

Defendant subject to any conditions listed in the attached Pretrial Supervision Order.

So found this \_\_\_\_\_ day of **09/19/19**, 2019 at **11:31 AM** am/pm.



MAGISTRATE, ST. JOSEPH SUPERIOR COURT

WITNESSES:

VICTIM #1

Robert Anton South Bend Police Department

\_\_\_\_\_  
Mark Chabot South Bend Police Department

Sean Killian South Bend Police Department

\_\_\_\_\_  
All witnesses listed in police, medical and laboratory reports

STATE OF INDIANA )  
 ) SS:  
COUNTY OF ST. JOSEPH )  
 )  
STATE OF INDIANA )  
 )  
 )  
VS )  
 )  
KENT BUTLER )  
DOB: 7/15/2001 )

IN THE ST. JOSEPH SUPERIOR COURT  
CAUSE NUMBER. 71  
  
SUPPLEMENTAL AFFIDAVIT IN  
SUPPORT OF PROBABLE CAUSE

Thomas Hardman, upon information and belief and affirming under the penalties for perjury, states that:  
I am the Deputy Prosecuting Attorney with the 60th Judicial Circuit, St. Joseph County, State of Indiana.  
I have reviewed verified South Bend Police Department reports as well as video and audio interviews and photographs. I make this affidavit based upon those reports.

On or about September 17, 2019, South Bend Police Officers were called to a burglary in progress in South Bend, Indiana. Upon arrival, officers spoke with [REDACTED] and [REDACTED] who both related that, at around 6:00 a.m., they were asleep when they heard the scream of VICTIM #1 [REDACTED], age 13, coming from her room in their house. Both are related to VICTIM #1.

Both [REDACTED] and [REDACTED] stated that upon hearing those screams, they ran to VICTIM #1s room, where they found her in visible distress. Both stated that VICTIM #1 told them she had woken up to a man in her room using his phone to take pictures or videos of her. VICTIM #1 further related that the man fled through an open window when she started screaming.

Officers also spoke to VICTIM #1 and during their conversation, Officers observed that VICTIM #1 was wearing pajama pants that had a medium sized white stain on the center of her buttocks. VICTIM #1 stated that when she had gone to sleep, that stain was not there. The pants were then taken as evidence and examined. The stain is preliminarily believed to be bodily fluid.

VICTIM #1 also showed officers her room where she had been sleeping. The room has a single window facing the backyard of the residence. Upon looking at the window from the outside of the home, the Officers observed that a screen that had been on the outside of the window had been removed, and that there was a bucket positioned beneath this window. Officers further observed that there was a pair of pants and underwear on the ground outside the window. VICTIM #1 identified that clothing as her pants and underwear. VICTIM #1 stated that she had taken off the underwear the night before and left it by the foot of

her bed, which is not within reach of the window. VICTIM #1 further advised officers that when she went to sleep, her window was closed, but was open when she was awakened. VICTIM #1 was interviewed at the CASIE center and repeated the story as told to the officers above.

Officers processed the scene and dusted for latent prints. Upon examination of the open window, officers were able to collect 8 latent prints from that same window. These prints were then transported as evidence and processed by the South Bend Crime Lab. Upon examination of the prints, they were found to be a match to KENT BUTLER. All of the interviews conducted indicate that BUTLER is unknown to the victim and her family, and that did not have permission to be in their home that day.

All of the above occurred in St. Joseph County, Indiana.

#### DETENTION CONSIDERATIONS

I. The Defendant is a a substantial flight risk or a danger to self, others or the community for the following reasons:

1. The allegations described above indicate that the Defendant is a danger to the community.
2. The allegations as stated above involve a public safety offense of a sexual nature involving a child.

WHEREFORE, the State requests that the Court detain the Defendant until the Court conducts a bail hearing in open court.

In light of the events, the State requests that as a condition of bond:

That before releasing the defendant from custody, and as a condition of bond, Community Corrections shall affix a GPS monitoring device upon the defendant, who shall be responsible for the costs of the device. This GPS monitoring device shall remain until further Order of the Court.

The Defendant shall have no contact, directly or indirectly, with VICTIM #1.

That the Defendant post a bond no less than \$15,000.00.

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

A handwritten signature in black ink, appearing to be 'TH' with a long horizontal stroke extending to the right.

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Thomas Hardman  
Deputy Prosecuting Attorney