

STATE OF INDIANA)
) SS:
COUNTY OF ST. JOSEPH)
)
STATE OF INDIANA)
)
VS)
)
AUSTIN KIPP)
DOB: 9/2/1997)

IN THE ST. JOSEPH SUPERIOR COURT

CAUSE NUMBER. 71D011712F5000263

INFORMATION IN COUNT I:

SEXUAL MISCONDUCT WITH A MINOR
A LEVEL 5 FELONY

- FILED -

DEC 15 2017

COUNT I

Clerk

St. Joseph Superior Court

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

On or about November 18, 2017 in St. Joseph County, State of Indiana, AUSTIN KIPP, being at least 18 years of age, to-wit: 09/02/1997, did perform or submit to sexual intercourse, with A. M. [REDACTED], a child at least 14 years of age but less than sixteen (16) years of age, to-wit: with a Date of Birth of [REDACTED].

All of which is contrary to the form of the statutes in such cases made and provided by I.C. 35-42-4-9(a), 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

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 15th day of December, 2017 at 1:00 p.m. or, if not in custody,

☒ 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 15 day of December, 2017 at 11:42 ampm.



JUDGE, ST. JOSEPH SUPERIOR COURT

WITNESSES:

A ■ M ■

Deb Verduin

Mark Maudlin

Ofc. Christie, WPD

Jeremy Wright, SVU

Tyler Jackey, SVU

All witnesses listed in police, medical and laboratory reports

AUSTIN KIPP
Defendant

CAUSE NO. 71 D01712F5000263

PRETRIAL SUPERVISION ORDER

Defendant Released on Own Recognizance; or

Bond set at: \$ _____ (cash/surety)

Defendant is not placed on Pretrial Supervision.

Defendant is placed on Pretrial Supervision and is ordered to report to the Adult Probation Department (4th Floor County-City Building, 227 W. Jefferson Blvd., South Bend, IN 46601) ***within 24 hours of release from custody.***

Pretrial Release Conditions are indicated below. Defendant:

- Will not use any controlled substance without a valid prescription.
- Will keep all scheduled appointments with my Pretrial Supervisor.
- Will notify my Pretrial Supervisor at least 24 hours in advance if I am unable to keep a scheduled appointment.
- Understands that any missed appointments must be documented.
- Understands that it is my responsibility to reschedule any missed appointment immediately.
- Understands that incurring any new charges may cancel my Pretrial privilege, and my original bond amount will be reinstated or a warrant for my arrest issued.
- Must notify the Pretrial Office of any change in employment, residence, telephone number, within 24 hours of the change.
- Will not commit a new criminal offense while on pretrial release.
- Will abide by any No Contact Order and/or Protective Order issued by the Court. _____
- Will report to the Court for all hearings/proceedings.

Will not consume alcoholic beverages.

Will submit to random urinalysis and pay a \$15.00 fee for same if ordered to do so.

Agrees that the written results of any test(s) performed on urine sample(s) for the presence of controlled substances are admissible as evidence in bond and/or any other pretrial release proceedings. These written results will be admissible without the oral testimony of any person involved in the chain of custody of the urine sample(s) or involved in the actual performance of the test(s).

Will be placed on Pretrial Supervision with the following form of electronic monitoring:

____ **GPS:** (If Defendant violates the Conditions of the Pre-Trial Release, attempts to tamper with the GPS unit, or has failed to maintain the GPS unit as directed by Community Correction, Law Enforcement Officers and Community Corrections Officers are **hereby authorized to seize and detain** the Defendant in the St. Joseph County Jail for up to 48 hours. Community Corrections shall advise the Court at the earliest possible opportunity once Defendant has been detained. The Defendant shall be released after 48 hours unless there is further order of the Court.)

SCRAM:

Home Detention:

Other

So Ordered by: _____, Magistrate Date: _____

I understand that non-compliance with the above stated requirements may justify revocation of my Pretrial supervision. If it appears that I have violated the terms of Pretrial supervision, I will be summoned to appear before the Judge or a warrant will be issued for my arrest. I understand that my Pretrial status may be withdrawn, and a specified bond amount may be required for my release.

_____, Defendant Date: _____
 Defendant to sign upon reporting to Probation Department

Revised 10-25-2017

STATE OF INDIANA
ST. JOSEPH COUNTY

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

CAUSE NO. 71D01-1712-F5-000263

STATE OF INDIANA

VS.

)
)
) SUPPLEMENTAL AFFIDAVIT IN
) SUPPORT OF PROBABLE CAUSE

- FILED -

DEC 15 2017

AUSTIN KIPP a/k/a
AUSTIN CSENAR
DOB: 9/2/1997

Clerk
St. Joseph Superior Court

I, Detective, Jeremy Wright, upon information and belief, affirm under the penalty of perjury that:

I am a sworn law enforcement officer with the South Bend Police Department, and I am assigned to the St. Joseph County Special Victims Unit (SVU). I make this affidavit after reviewing a verified Walkerton Police Report, observing the forensic interview of A[REDACTED] M[REDACTED] hereafter referred to as Child Victim, conducting my own interviews and speaking with other investigating officers.

On December 4, 2017, I was assigned an investigation into allegations of a substitute teacher at [REDACTED] Middle School, AUSTIN KIPP a/k/a AUSTIN CSENAR, hereafter referred to as KIPP, date of birth 9/2/1997, engaging in sexual behavior with a student, Child Victim, date of birth [REDACTED]. Officer Christie with the Walkerton Police Department spoke with the principal at [REDACTED] Middle School, Mark Maudlin. Mr. Maudlin stated that there were rumors at the school that KIPP had engaged in sexual intercourse with Child Victim. Mr. Maudlin indicated that KIPP had been a substitute teacher at the school on Friday, November 17, 2017.

On December 13, 2017, Child Victim was forensically interviewed at the CASIE Center. Child Victim disclosed there had been a sub in two of her classes she knows as "Austin", later learned to be KIPP. Child Victim disclosed that during one of the classes, she spoke with KIPP about some problems she was having. She also disclosed that she added him on Facebook and SnapChat the next day, Saturday. Child Victim disclosed that on Saturday, she met KIPP at the McDonald's in Walkerton, Indiana. KIPP took her to his residence. It was later learned that this residence is located at 200 Taylors Way in North Liberty, Indiana. Child Victim stated that once

at the residence, she and KIPP turned on a movie, and they smoked a "vape" in the basement. Child Victim stated that KIPP asked her if she wanted to "do it". Child Victim stated that she and KIPP started making out, and that she and KIPP engaged in sexual intercourse, his penis into her vagina, in the basement of the residence. Child Victim stated that KIPP told her not to tell anyone what had happened because he could go to jail. KIPP took Child Victim home later that evening.

On December 14, 2017, I spoke with KIPP at the Special Victims Unit. KIPP stated that he had recently legally changed his name from Austin Csenar to Austin Kipp. KIPP was advised of his rights under *Miranda*, and he agreed to speak with me. I asked KIPP about the allegations, and he stated that his brother attended Urey Middle School, and he told KIPP there were rumors. KIPP denied the allegations. KIPP stated that on November 17, 2017, he substitute taught at [REDACTED] Middle School. He taught an art class that Child Victim was a student in. KIPP stated that Child Victim was scratching on her arm, and this concerned him, so he spoke with her in the hallway. He denied Child Victim ever being in his residence or seeing her outside of school beyond one time seeing her at the Dollar General Store. Eventually, KIPP stated that he had met Child Victim at McDonald's on Saturday, November 18, and they went to his residence and watched a movie. He later admitted that he had sexual intercourse with Child Victim.

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.


DET. JEREMY WRIGHT
SPECIAL VICTIMS UNIT

DETENTION CONSIDERATIONS

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

1. The defendant was in a position of trust over the victim.
2. The defendant knows where the victim lives and goes to school.

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

The State is requesting a bond of no less than thirty thousand dollars (\$30,000) corporate surety or three thousand dollars (\$3,000) cash.

The State is requesting the Court issue a No Contact Order to prevent from having contact, direct or indirect, with Child Victim.

The State is requesting that KIPP be required to wear a Global Positioning System (GPS) as a condition of bond and/or release, and that he shall not be released from the jail until Ducomb Center has affixed a GPS monitor to KIPP.

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



JENNIFER J. MCKINNEY
DEPUTY PROSECUTING ATTORNEY

APPEARANCE FORM (CRIMINAL)

State of Indiana

Case Number: 71D 1-1712-F5- 000263

1. Name of Defendant: AUSTIN KIPP
2. Case Type of proceeding: Level 5 Felony
3. Prosecuting Attorney information:

Kenneth P. Cotter
St. Joseph County Prosecuting Attorney
227 West Jefferson Boulevard, Room 1004.
South Bend, Indiana 46601-1870

Attorney No.
Phone: (574) 235-9544
FAX: (574) 235-9761

Email Notifications to: fromodyssey@stjoepros.org

4. Will the State accept service by FAX: NO
5. Arrest report number (Originating Agency Case Number): Not Available
6. Additional information required by state or local rules:
7. TCN#: 7110155002

- FILED -

DEC 15 2017

Clerk
St. Joseph Superior Court

Authority: Pursuant to Criminal Rule 2.1(A), this form shall be filed at the time a criminal proceeding is commenced. In emergencies, the requested information shall be supplied when it becomes available. Parties shall advise the court of a change in information previously provided to the court. This format is approved by the Division of State Court Administration.