

AFFIDAVIT FOR PROBABLE CAUSE

STATE OF INDIANA
COUNTY OF LAWRENCE

LAW ENFORCEMENT AGENCY: Lawrence County Sheriff's Department
CASE NUMBER: S22-01785
OFFICER: Detective Captain James E. Slone

DATE: May 31st, 2023

I, Detective Captain James E. Slone, have probable cause to believe that;

NAME: Cheyenne N. Hill
ADDRESS: 7 Maple Ridge Apartments
CITY: Bedford STATE: IN ZIP: 47421
DOB: 03-20-90 OLN: 3138-93-4787 SOC:

did, between October 24th, 2022 and November 23rd, 2022, commit the following criminal offenses in the County of Lawrence, Indiana, in violation of Indiana law, to-wit;

NEGLECT OF A DEPENDENT; SUPPORT; MEDICAL CARE LEVEL I FELONY - 35-46-1-4(b)(3)

This probable cause is based upon the following facts and circumstances based upon my personal knowledge:

On November 23rd, 2022 at approximately 12:16 PM I was summoned to IU Health Hospital Bedford, Indiana. Upon my arrival I was informed by Department of Child Services Caseworker Emily Werner that 18 month old _____ was being flown by helicopter to IU Health Riley's Children's Hospital in Indianapolis, Indiana.

Werner advised _____ had presented to IU Health Hospital Bedford November 23, 2022 at approximately 11:01 AM with what had been diagnosed as a brain bleed, a broken collar bone and head and facial bruising. Pictures of _____ prior to being transported to Indianapolis revealed a swollen and deformed head and bruising on her forehead and the left and right sides of her face. Red-brownish marks were observable underneath both eyes (See attached pictures).

Werner reported DCS had previously received two anonymous Hotline tips of possible importance to this matter. The first tip was received on November 17th, 2022 at 1:26 PM, six days prior to this incident. The caller reported suspicious smells coming from near the apartment where _____ lived with her mother. The caller reported smelling marijuana and a strong chemical-drug-like smell. The caller reported mother had admitted using marijuana and was suspected of using meth. The caller reported seeing lightened bruises on _____ face and had been told that she had fallen out of bed. The caller reported the

bruising had been present for less than a week that there were no concerns about having been physically abused.

The second anonymous tip to DCS occurred November 23, 2022 at approximately 10:58 AM. According to the report, injuries are possibly abuse related, that it appeared to be non-accidental, and was suspicious and/or inconsistent with the explanation given for the injury. The report also alleges an unreasonable delay, refusal, or failure on the part of caregiver to seek, obtain and/or maintain the necessary medical care. The caller reported had what appeared to be three fingerprint marks on one side of her face and one on the other consistent with what seemed to have been caused by someone grabbing her face and squeezing. The caller described condition as lethargic, that she would not wake up, appeared "half dead", and could barely hold her head up. The caller stated mother left for work, leaving with the individual she had been living with despite condition.

On November 23rd, 2022 Hill advised woke up whining at approximately 3:40 AM and she noticed the swelling on forehead had returned. Hill did not feel it was serious enough to call an ambulance. Hill explained she felt as a mom she would know if something was wrong with her baby. Hill subsequently admitted that was a failure on her part.

Hill stated she (Hill) woke up at 8:00 AM later that morning and was still sleeping and she heard her snoring. She stated she was surprised was sleeping that late and was not whining. Hill went into Cameron's bedroom and talked with him for about forty (40) minutes before returning to where was sleeping. She said Cameron told her looked pale. Hill gently pulled on and called her name. Hill noticed breathing was shallow and she was "posturing" describing that hands and feet were tensing/constricting up. She advised she gently pulled on and called her name and that she put water in her mouth but did not respond. Hill stated she flicked water in face and responded to that with a moaning sound and grunted. Hill opened eyes and noticed they did not dilate, but seemed normal. Hill stated she tried to get to respond or wake up until 9:30 AM when she left for work. Hill stated she smoked marijuana before she left because she was freaking out and worried and marijuana helps when she is stressed.

On November 23rd, 2022 Cameron Fleming, Hill's boyfriend, who shares an apartment with Hill and reported when Hill first came to his apartment Hill would throw food on the floor for her to eat. She referred to it as "free roaming". Fleming reported on November 22nd, after Hill picked up from the babysitter, forehead injury was much worse, huge, and looked "klingsonish". He described it was so big that one side of the swelling was down further on the forehead than the other. Cameron reported it was at this point he realized should go to the hospital. He stated when the injury originally happened "we all" told Hill that needed to go to the hospital. Cameron reported on the morning of November 23, 2022 he and Hill checked on shortly after 9:00 AM before Hill left for work. He described at that time as lying face up with her legs straight as if they were tensed up. Cameron stated appeared pale and uncomfortable, with her eyes partially open. He said her breathing was labored and erratic, explaining would take a breath and then not take another breath for ten to twenty five seconds. He stated was snoring and he had never heard her snore before. He stated that he observed a "hematoma" on forehead that had been there for eight to ten day. He stated Hill had previously told him that the injury was from hitting her head on an end table. He stated Hill initially attempted to wake by talking to her and gently shaking her, mentioning that the babysitter and her boyfriend had told her had been sleepy all day the day before which made her think just needed sleep. Cameron stated he told Hill he didn't think that was the case, that it was worse than that. He stated he believed Hill thought the same thing but stated she had to go to work. Cameron advised

prior to Hill leaving for work that morning Hill told him "if [redacted] wakes up take her down stairs". It struck him as odd Hill would leave [redacted] in that condition to go to work, knowing [redacted] was at least impaired or that she was that bad. Cameron opined Hill was neglectful to [redacted] and he felt guilty because Hill cared more about him than [redacted]

Evelyn Nunez, a coworker of Hill's, reported after arriving at work on November 23rd, 2022 Hill ask her "Did you ever have a problem with your baby not wanting to wake up?" Nunez stated Hill told her "Well my baby won't wake up" before continuing on with her work. Nunez recalled to be on November 15th, 2022, Hill had told her she had a child that was born with a brain tumor that bled occasionally.

Donna Fortner, a coworker of Hill's, reported Hill told her she couldn't wake her child that morning and that when Cameron woke her [redacted] up she was incoherent.

Michelle Barrow, [redacted] babysitter reported [redacted] had a big "goose egg" on her forehead on November 15th, 2022 that was supposedly caused by her falling off the bed. She stated Hill told her she had contacted her Doctor's office about the injury and was told it would go away in five days or so. Barrow stated she babysat for [redacted] on the 15th, 16th, and 17th from 1:00 PM to 8:00 PM and the size of the knot did not change, but did cause [redacted] eyes to squint a little. She stated during this time frame she again told Hill she needed to take [redacted] to the emergency room. Barrow stated the bruising on [redacted] face became more prominent beneath her eyes and on her cheeks as time wore on. Barrow stated on one occasion, when she noticed small dark bruises on [redacted] face, Hill explained [redacted] had gotten her head stuck in the futon upside down and could not get out. Barrow reported during this time frame [redacted] personality seemed to change, that she seemed clingy, wanting to be close to her and did not want to do anything by herself. Barrow reported when she babysat [redacted] on November 22nd, 2022 the swelling was back.

Kevin Cliff, Barrow's fiancé, reported he had observed [redacted] head injury on November 15th, 2022. He described it as a mass that was so swollen and pronounced it had caused swelling in [redacted] eyes and lips. He stated when he and Barrow told Hill she needed to take [redacted] to the hospital she responded by telling them "under no circumstances are you to call an ambulance or take her in yourself. I will make the decisions. That is my child". He stated Hill told them [redacted] was all right that it was just swelling from where she hit her head.

On November 23rd, 2022 Hill received a message from Cameron stating [redacted] needed to go to the hospital. She left work and took her to IU Health Bedford Hospital.

Kara Fleming, neighbor of Hill in the apartment complex and wife of Hill's boyfriend, reported Hill and her husband began living together mid-September 2022. She stated on one occasion she had observed Hill toss four donuts on the floor for [redacted] eat explaining [redacted] "free ranges or "free roams". Kara additionally advised on or about November 17th, 2022 she noticed a large hematoma on [redacted] forehead. She described the injury as being as wide as [redacted] entire forehead and about two (2") inches deep, that [redacted] entire forehead was swollen. Kara stated both Hill and Cameron told her that [redacted] had fallen off the bed and hit her head on the hardwood floor, but about three days later, Hill told her that injury was from running into the counter.

On October 7th, 2022 Hill sent a text message to Cameron stating, [redacted] was fucking terrible last night when we came back. I wouldn't stop crying. I wanted to throw her (believed to be referring to [redacted])

On October 13th, 2022 Hill sent a text message to Cameron stating, Let me get this asshole to bed (believed to be referring to

On November 11th, 2022 Cheyenne Hill told co-worker Sherry Davidson, was sick and she may get a phone call to take her to the emergency room. Hill told Davidson, was born with a tumor on her brain and it was bleeding. Davidson said a day later, Hill told her fell off of the bed and hit her head and it caused bleeding on the brain. Davidson told Hill if it were her child she would have them at the hospital and would not even be at work, but Hill continued to work.

Davidson recalled on another occasion Hill informed her had gotten her head stuck in the futon where they sleep. Davidson ask Hill if she took to the hospital. Hill said no. Davidson told Hill if has a tumor and its bleeding you need to take her to the hospital, what is wrong with you? Hill replied, I don't have to go to the hospital is going to be ok.

On November 13th, 2022 Jeremiah Zollman, an acquaintance of Cameron Fleming, who also lives in the same apartment building, sent a text message to a friend regarding Hill and reporting had two black eyes and her hair was falling out.

On November 18th, 2022 Hill told co-worker Nunez her little girl had a broken collar bone. Nunez recalled being told that the man (name unknown to Nunez) she lives with did not like her little girl and she (Hill) believes he was hurting her.

On November 21st, 2022 Hill stated to co-worker Fortner her baby used to be beautiful and now she is ugly.

On November 22nd, 2022 Hill told co-worker Fortner, Cameron would not mind marrying her if she didn't have a baby.

On December 9, 2022 Detective Andrea Barnett interviewed Carol Zollman who resides in the same apartment complex as hill. According to Detective Barnett's report Carol stated on November 1, 2022 she had the opportunity to speak with Hill and see Carol thought had chocolate all over her face, but realized it was bruises. Hill told Carol, randomly jumps off things and falls on the floor and pulls at her ears and hair so much she has bruising. Before ending the conversation, Hill looked down at and said "one day she's going to kill somebody".

On November 23rd, 2022 after being transferred to Riley Hospital, IU Child Protection Program Nurse Practitioner Andrea Powers report states at this time, there has been no accidental history provided that would account for patients traumatic and likely fatal injuries. Further, there has been no medical condition identified that would predispose patient to these findings. Her medical evaluation is ongoing. At this time, patient's constellation of injury is most characteristic of NAT/inflicted injury/child abuse. In addition to the above impression, the history provided of child's clinical state at home over a period of several hours (described as grunting, unable to be woken up, "posturing," unresponsive) without a caregiver seeking medical care for the child is consistent with medical neglect.

On November 25th, 2022 Indiana Donor Network Family Service Representative Erin Lane made note in her report Hill referred to as "not a nice kid" and stated that she (Hill) believes would have been the next "Jeffrey Dahmer". Hill stated "something wasn't right with her".

On November 26th, 2022 [redacted] was pronounced dead at 4:35 PM. According to Deputy Coroner Herniter's report per hospital staff, [redacted] appeared to be malnourished and approximately ten (10) pounds under weight. Hill reported to D.C. Herniter, when she picked [redacted] up from the babysitter on November 22nd, 2022, she was told [redacted] had been sleeping on and off all day long, which was abnormal. The next morning (November 23rd, 2022) at approximately 8:40 AM upon checking [redacted], she was pale, was not able to be woken up, and appeared to have difficulty breathing. Hill flicked water on her face and stated that she grunted. Hill stated that she went to work and did not take her to the hospital because she did not have a working vehicle.

On November 29th, 2022 a post mortem examination conducted by Pathologist Doctor Amanda Paul revealed [redacted] was malnourished, had a laceration to her upper and lower frenula that was not from medical intervention, a right acute clavicle fracture and multiple subgaleal hemorrhages. Dr. Paul concluded the manner of death was homicide, that the injuries would have occurred after November 21st, 2022, and the cause of death was blunt force trauma to the head.

On December 7th, 2022 Cheyenne N. Hill submitted to a stipulated polygraph examination. Indiana State Police Sergeant Polygraph Examiner Jason Sample performed the examination. The following is a summation of the questions ask, answers given, and Sergeant Sample's analysis:

1. Did you physically injure that girl's head? (Answer: No)
2. Are you the person who physically injured that girl's head? (Answer: No)
3. Do you know for sure who physically injured that girl's head? (Answer: No)

Based on the information furnished to this examiner and analysis of the polygraph chart data collected during this examination, it is the opinion of this examiner that the subject Cheyenne Hill was not truthful to the above listed relevant questions. The results of her polygraph examination were DECEPTION INDICATED.

In a post-polygraph interview, Cheyenne Hill told me she feels like she did not pass the test because she feels like she failed [redacted]. I told Cheyenne she seen the state [redacted] was in that morning, yet you still go to work. Cheyenne replied, because I had to provide for my daughter. I ask Cheyenne who would do that. She replied, someone who is about to be homeless.

I told her being in a time of crises that is unimaginable and her (Cheyenne) referring to [redacted] as being Jeffrey Dahmer. Cheyenne Hill began to laugh and said she [redacted] is an asshole.

For the foregoing reasons, I have probable cause to believe that the Defendant named herein committed the offenses stated herein above.

(x) Review & Issuance of Arrest Warrant, if warranted

I SWEAR OR AFFIRM UNDER THE PENALTIES OF PERJURY THAT THE FOREGOING STATEMENTS ARE TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

/s/ James E. Slone Digitally signed by James E. Slone
Date: 2023.05.31 12:33:56 -04'00'
ID: 47-07