STATE OF INDIANA)
) SS:
COUNTY OF JOHNSON)

IN THE JOHNSON CIRCUIT/SUPERIOR COURT

CAUSE NUMBER. 41

STATE OF INDIANA

v.

RANDY A. SUTT
387 Legacy Boulevard
Greenwood, IN 46143
DOB: 08/08/1976
SSN: XXX-XX-5036

INFORMATION FOR:
MURDER

I.C. 35-42-1-1(1)

a Felony

Count 1:

The undersigned affiant, being duly sworn upon his oath, says that he is informed and verily believes that:

on or about April 13, 2020 in Johnson County, State of Indiana, Randy A. Sutt did knowingly and/or intentionally kill another human being, to-wit: Cecelia Cooper Laverne Babcock.

All of which is contrary to the laws of the State of Indiana.

I affirm under the penalties of perjury as specified by I.C. 35-44.1-2-1 that the foregoing representations are true.

Joseph M. Villanueva

Joseph M. Villanueva, #22609-53
Prosecuting Attorney
Eighth Judicial Circuit

I/we hereby certify, to the best of our knowledge, that the foregoing document complies with the requirements of Trial Rule 5(G) with regard to information excluded from the public record by Administrative Rule 5(C).

STATE OF INDIANA)
) SS:
COUNTY OF JOHNSON)

STATE OF INDIANA

v.

RANDY A. SUTT
387 Legacy Boulevard
Greenwood, IN 46143
DOB: 08/08/1976
SSN: XXX-XX-5036

IN THE JOHNSON CIRCUIT/SUPERIOR COURT

CAUSE NUMBER. 41

INFORMATION FOR:
ATTEMPTED MURDER

I.C. 35-42-1-1(1) and I.C. 35-41-5-1

a Level 1 Felony

Count 2:

The undersigned affiant, being duly sworn upon his oath, says that he is informed and verily believes that:

on or about April 13, 2020 in Johnson County, State of Indiana, Randy A. Sutt did attempt to kill another human being, to wit: Officer Matthew Bennett, by engaging in conduct that constituted a substantial step toward the commission of said crime of Murder, to wit: shot at Officer Bennett.

All of which is contrary to the laws of the State of Indiana.

I affirm under the penalties of perjury as specified by I.C. 35-44.1-2-1 that the foregoing representations are true.

Joseph M. Villanueva

Joseph M. Villanueva, #22609-53
Prosecuting Attorney
Eighth Judicial Circuit

I/we hereby certify, to the best of our knowledge, that the foregoing document complies with the requirements of Trial Rule 5(G) with regard to information excluded from the public record by Administrative Rule 5(C).

ARREST AFFIDAVIT FOR PROBABLE CAUSE

STATE OF INDIANA, COUNTY OF JOHNSON, SS:

Detective Scott Cottongim of the Greenwood Police Department swears or affirms that he believes and has good cause to believe that on April 13, 2020, Randy A. Sutt, an adult male, DOB: 08/08/1976, SSN: XXX-XX-5036, did commit the crimes of Murder pursuant to I.C. §35-42-1-1 and Attempted Murder pursuant to I.C. §35-41-5-1 and I.C. §35-42-1-1.

In support of your affiant's assertion of Probable Cause your affiant bases his belief on the following attending facts and circumstances:

On April 13, 2020, at approximately 10:31 a.m., Greenwood Police were dispatched to 387 Legacy Blvd in reference to a person who had been shot. I was informed while the responding officers were en route to the residence they were advised that a female was still inside of the residence, and had been shot in the head.

Greenwood Police Officers Adam Bandy, Aaron Hagist, Josh Rush, Kourtney Burrello, Matthew Bennett, Connor Trumble, and Tanner Skeel were the first group on scene. Shortly after they arrived an unknown male, later identified as Alfred Lawrence, exited the front of the residence. Lawrence was later determined not to be the suspect. These officers started to set up a perimeter around the exterior of the residence, with additional officers from other departments assisting with extended perimeters. Officer Matthew Bennett of the Greenwood Police Department was set up on the perimeter on the northwest corner of the residence. Shortly after Officer Bennett took his position, he observed an unknown male, later identified as the suspect Randy A. Sutt (hereinafter "Sutt") on the northeast corner of the residence, and Sutt was armed with a handgun. Officer Bennett gave loud verbal commands to Sutt to drop the gun. Sutt fired his handgun at Officer Bennett's, and Officer Bennett did return fire at Sutt with his service rifle. While returning fire and retreating around the corner of the residence, Officer Bennett fell and was pulled to safety by other officers nearby. Sutt then went back into the residence, while Officer Bennett took cover for his safety. I confirmed these series of events as accurate by viewing Officer Bennett's body worn camera footage of the incident.

Greenwood Police Officers Adam Bandy and Rich Kelly then went to the northeast corner of the residence where Sutt was standing when he shot at Officer Bennett. While standing near the exterior residence window at this corner of the house, Officer Kelly yelled "look out" to Officer Bandy, who had his back to the window. At that time Officer Bandy turned towards the window and fired multiple rounds from his service weapon into the window of the residence. Immediately afterwards Officer Bandy told Officer Kelly that he saw movement inside of the residence, that included someone with a handgun standing near the window. I confirmed these series of events as accurate by viewing Officer Bandy's body worn camera footage of the incident.

Officers were still outside of the residence at this time and the condition of the injured female was unknown. Sutt had called into dispatch and was speaking with dispatcher Joe Elmore. Because of the volatile nature of this circumstances, his call was transferred to Greenwood

officer Kourtney Burrello, who is a police department negotiator. After a short conversation, Officer Burrello was able to convince Sutt to leave the gun in the house and to come out of the residence unarmed. Sutt complied with the request, came outside the residence and was taken into custody without any further incident.

After Sutt was checked out by the medics, I transported him to the Greenwood Police Department so I could speak with him about the incident. I brought Sutt to an interview room that was audio and video recorded. Before speaking with Sutt I informed him of his Advice of Rights. After reading Sutt his rights, he signed the sheet, and said he would speak with me about the incident today.

Sutt informed me that on 4/13/2020, at approximately 8:00 a.m. he was having a conversation with Andy Sutt (hereinafter referred to as "Andy") and Cecelia Babcock (hereinafter referred to as "Cecelia") at 387 Legacy Blvd. Sutt said that Andy is his brother, and Cecelia is Andy's fiancé. He said they all live in the residence at 387 Legacy Blvd. Sutt said during the conversation he remembers asking Andy for a Klonopin pill. Sutt said he has his own prescription for Klonopin, but he had just recently run out, and this was the only reason that he was asking. Sutt said Andy told him he wasn't going to give him any Klonopin. Sutt said after this, Andy and Cecilia then started making fun of him, making reference that Sutt was an addict, and this was why he wanted the pill.

Sutt said eventually Andy and Cecilia went to their own bedrooms on the second floor of the residence. Sutt said he knew Cecilia was still talking about him, and this was making him very upset. Sutt said he has known Cecilia for approximately seven (7) years, and they have never gotten along with each other.

Sutt said he was so mad today that he remembers sending a text to his brother Andy, that he was going to shoot her, making reference to Cecelia. Sutt said this wasn't the first time he had mentioned wanting to shoot Cecelia. Sutt said he was finally "tired of her shit."

Sutt said he then went to the safe that was in his bedroom on the first floor of the residence. Sutt said he got his personal black Taurus 40 caliber handgun out of the safe and proceeded upstairs to find Cecelia. He said he went into her bedroom first, and she wasn't there. He said he then proceeded to the bathroom Cecelia uses. Sutt said when he opened the door Cecelia was in the rear of the bathroom near the bathtub/toilet. Sutt said he remembers Cecelia was in possession of a knife. I asked Sutt what happened next, and he said he shot Cecelia one time, and then left the bathroom. When I asked Sutt if he remembered where he shot Cecelia, he said he thinks it might be in or near her head. When I asked Sutt about what his intentions were with Cecelia, he said "to kill her." During a subsequent search of the residence, police did not locate a knife in the bathroom.

Sutt said he went downstairs after he shot Cecelia, and he was the one who called 911 to tell dispatch that he shot someone. When I attempted to question Sutt about him shooting at the police at his residence after he shot Cecelia, his only response was "the police were shooting at him first."

I asked Sutt where the handgun was currently located and he told me it was in a safe in his bedroom at the residence. Sutt said it was locked in the safe, but he didn't want to give me the code to get inside.

After the original responding officers were able to make entry into the residence, Cecelia was located in the second story bathroom as described by Sutt, and was transported to Methodist Hospital in Indianapolis, where she was initially listed in critical condition, and on life support. On the morning of April 14, 2020, I made contact with Methodist Hospital in reference to the condition of Cecelia. I was informed by ICU Forensic Nurse Natalie Calow that Cecelia had passed away at 5:37 pm on April 13, 2020. The initial reason that was given was because of a non-survivable gunshot wound to the head.

After the incident was cleared and it was safe to enter the residence, Greenwood Police Crime Scene Investigators Steve Estrada and Jonathan McAtee went to the scene to collect any viable evidence. Two separate search warrants for the residence had already been granted though Johnson County Courts giving them access to the residence, under cause numbers 41D01-2004-MC-000590 and 41D01-2004-MC-000591. Evidence Tech Jerry Pickett from the Sheriff's office also assisted in scene processing and documentation through the use of as FARO machine. Due to one of the occupants of the residence being possible positive for COVID-19, no other individuals were permitted to be on scene other than first responders entering to remove the injured female.

On the afternoon of April 13, 2020, I returned to 387 Legacy Blvd. because I wanted to look at the exterior of the residence. While I was on the northwest corner of the residence where Officer Bennett was at during his shooting, I did observe the single bullet hole through the neighbor's white plastic privacy fence located at 373 Legacy Blvd. This hole that I observed would have been directly behind where Officer Bennett had been standing when Sutt shot at Officer Bennett.

CSI Estrada took lead in the evidence collection, and was responsible for logging all of the collected items into the Greenwood Police Property Room. I spoke with Estrada on the morning of April 14, 2020, about the articles collected. Estrada informed me he collected (1) 40 caliber bullet casing from the bathroom where Cecelia Babcock was located. A second 40 caliber bullet casing was located outside of the residence on the northeast corner of 387 Legacy Blvd. Estrada said both of these casings that were collected are of the same caliber and from the same manufacturer.

These bullet casings and their respective locations are consistent with what Sutt said happened during his interaction with Cecelia and Officer Bennett. Sutt told me in his interview he shot Cecelia one time with a 40 caliber handgun. And the bullet casing found outside of residence is consistent with Officer Bennett saying the location where Sutt shot at him.

On the morning of April 14, 2020, CSI Estrada contacted me and informed me he collected a small locked safe that was in a bedroom on the bottom floor of the residence at 387 Legacy Blvd. Sutt previously spoke about the existence of a personal safe in his interview, and how he used it to lock the weapon that was used in the incident. After getting the safe open, CSI Estrada located a black Taurus 40 caliber with the serial number of SKRO2951. This weapon was an exact

match to how Sutt described it when I interviewed him. CSI Estrada also informed me that there were still rounds left in the magazine and those remaining rounds were the same caliber and bullet manufacturer that were recovered from the scene of the shootings.

All of the evidence Estrada collected will be logged into the Greenwood Police Department Property Room, and he will be adding a supplement report on all of his findings. Additional supplements have been added to this case, along with copies of the audio/video interviews

I then transported Sutt to the Johnson County Jail where he was remanded into their custody.

All these events occurred in Johnson County, Indiana.

I swear, under penalty of perjury, as specified by IC 35-44.1-2-1, that the foregoing representations are true. (IC 35-34-1-2.4).

Signed: /s/Scott Cottongim

Printed: Scott Cottongim

Reviewed by:

Deputy Prosecuting Attorney
8th Judicial Circuit Court

Probable cause found.

Judge of _____
Court of Johnson County