



**OFFICE OF THE PROSECUTING ATTORNEY
ERIC M. HOFFMAN, PROSECUTOR
46TH JUDICIAL CIRCUIT
DELAWARE COUNTY, INDIANA**

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MUNCIE, IN 47302-6548

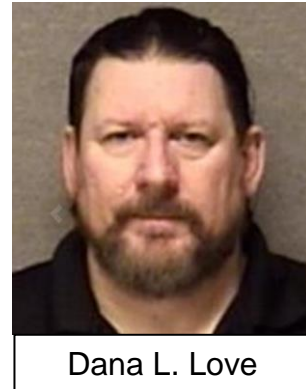
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FOR IMMEDIATE RELEASE

From: Eric M. Hoffman, Prosecuting Attorney
prosecutor@co.delaware.in.us
Date: November 15, 2022 6:23 pm

**JURY CONVICTS MUNCIE MAN
OF BATTERY AND STRANGULATION ON A CHILD**

Muncie Indiana – Today a Delaware County jury deliberated for approximately three (3) hours before convicting Dana L. Love (DOB 4/1/1964) of: Count 1: Battery Resulting in Bodily Injury on a Child Less than 14 years of age, a Level 5 Felony and Count 2: Strangulation, a Level 6 Felony. A copy of the Affidavit of Probable Cause for Arrest that was filed in the case is attached. After the jury returned its verdicts, the Honorable Linda Ralu Wolf, Judge of the Delaware Circuit Court No. 3 revoked Love's bond, remanded him to the custody of the Delaware County Jail and set sentencing for December 15, 2022. Pursuant to Indiana law:



- A Level 5 Felony is punishable by 1 – 6 years in prison and up to a \$10,000 fine.
- A Level 6 Felony is punishable by 6 months – 2.5 years in prison and up to a \$10,000 fine.

After the verdicts were returned, Delaware County Prosecuting Attorney Eric Hoffman said "I am proud of Deputy Prosecutor Andrew Ramirez, Prosecutor's Office Investigator LeAnna Smith, and the Muncie Police Department for their hard work and dedication in this case."

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STATE OF INDIANA)
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DELAWARE COUNTY)

IN THE DELAWARE COUNTY COURTS 4058

2017 TERM

AFFIDAVIT OF PROBABLE CAUSE FOR ARREST WITHOUT WARRANT

COMES NOW, **Kristofer Swanson**, a police officer of the Muncie Police Department, and being first duly sworn upon oath, deposes and says that the following described person was arrested, without Warrant, upon the charge(s) and circumstances hereinafter stated, and makes this affidavit for the purpose of establishing probable cause for said arrest.

Case Report # 17-43540

NAME OF ARRESTEE: **Dana L Love**

D.O.B.: 04/1/1964

ADDRESS OF ARRESTEE: **3848 S Meeker Ave Muncie, IN 47302**

DATE OF ARREST: **10/16/17** TIME OF ARREST: **2:11am**

CHARGE 1 **Battery on a Juvenile a Level 3 Felony**

CHARGE 2 **Strangulation a Level 6 Felony**

The basis and reasons why this officer believes that said Arrestee committed the aforesaid offense (s) are as follows:

October 15, 2017 a 5 year old juvenile with the initials of BB (DOB: 8/17/12) was transported to IU BMH ER reference a strangulation. BB had very concerning petechiae in his eyes, around his eye sockets, and on his neck. The burst capillaries continued from his eyes around to the back of his ears. The bruising around BB's neck extends from the front of his neck all the way around to the back of his neck. Officers responded and learned that the BB had been wrestling around at his grandmother's residence, 3810 S Meeker Ave, with a neighbor, Dana L Love (DOB:4/1/64). BB reported to his mother Kelsey Howard (DOB: 7/26/91) that he had hit Love in the stomach and Love then put his hands around his neck, preventing him from breathing and could only talk "in a tiny voice". BB advised that he ran out of the room to get away from Love. BB was transported to Riley Children's Hospital for further medical treatment and evaluation.

BB's grandmother (Kelly Suarez, DOB: 2/6/70) was interviewed. Suarez advised that her neighbor Love came over and had been playing with BB. BB hit Love in his stomach a couple times. Love picked BB up and wrapped his arms around BB and began to squeeze BB. Suarez advised she thought that Love and BB were just wrestling, which was pretty common for Love and BB. Suarez approximated that Love had BB in his arms for approximately 45

DATE: 10/16/2017

OFFICER:

Kristofer Swanson
Kristofer Swanson, MPD 1001


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seconds. Suarez advised that she was not paying too much attention because she was in the kitchen and could not see exactly how Love had grabbed BB. Following the incident BB was upset and advised that he "could not talk" and left the room. Love cautioned Suarez to not baby him and go after him. Love asked BB if he had taught him a lesson. Suarez advised that she could not tell if Love had gotten upset about being struck in the stomach. A few minutes later Suarez noticed the darkness around BB's eyes and Love advised he thought he had just been crying. Suarez observed the petechiae and was immediately concerned and contacted BB's mother and father. BB's was picked up by his parents and transported to the ER.

Officers made contact with Love at his residence and asked if he would be willing to make a statement about the incident. Love stated that it must have been about "me squeezing that boy". At City Hall Love declined to make a statement about his intentions and advised that he was just going to be arrested anyways.

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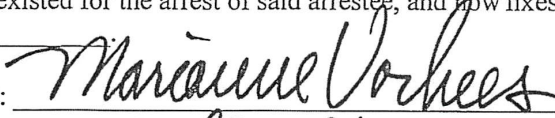

Kristofer Swanson, MPD 1001

JUDICIAL DETERMINATION

The undersigned, being a Judicial officer of Delaware County, and having reviewed the foregoing affidavit, now determines that probable cause existed for the arrest of said arrestee, and now fixes bond in the penal sum of \$ 30,000

DATED: 10/16/17

SIGNED:


Judge CI

CHARGES TO BE FILED BY: 10/23/17

AFFIDAVIT OF PROBABLE CAUSE FOR ARREST WITHOUT WARRANT