



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

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FOR IMMEDIATE RELEASE

From: Eric M. Hoffman, Prosecuting Attorney
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Date: December 4, 2023

JURY CONVICTS HABITUAL OFFENDER OF MURDER

Muncie Indiana – Today a Delaware County jury deliberated for approximately 1.5 hours before convicting Jason D. Harris (DOB 2/26/1989) of the following criminal offenses:

- Count 1: Murder, a felony.
- Count 3: Criminal Confinement, a Level 3 Felony.
- Count 4: Unlawful Possession of a Firearm by a Serious Violent Felon, a Level 4 Felony.
- Count 5: Obstruction of Justice, a Level 6 Felony.
- Count 6: Theft, a Class A Misdemeanor.



Jason D. Harris

The Jury also found Harris to be an Habitual Offender because he has two prior unrelated felony convictions for Aggravated Battery, Level 3 Felonies. The Jury also found Harris guilty of using a firearm during the commission of Murder. The Honorable Thomas A. Cannon Jr., Judge of the Delaware Circuit Court No. 5 set sentencing for January 18, 2014 at 2:30 PM. Pursuant to Indiana law:

- Murder is punishable by 45 – 65 years in prison and up to a \$10,000 fine.
- A Level 3 Felony is punishable by 3 – 16 years in prison and up to a \$10,000 fine.
- A Level 4 Felony is punishable by 2 – 12 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.
- A Class A Misdemeanor is punishable by up to 1 year in jail and a \$5,000 fine.

- The Habitual Offender Enhancement can add an additional 6 – 20 years to the total sentence.
- The Firearm Enhancement can add an additional 5 – 20 years to the total sentence

After the verdict was returned, Delaware County Prosecuting Attorney Eric Hoffman said “Although nothing can bring Erik Sparks back, I am very grateful for the jury verdicts in this case. Jason Harris will now be held accountable for brutally executing Erik Sparks on a cold and dark night last February. It is my sincere hope that this will be the first step in the healing process for Erik’s family and friends. I am proud of co-counsel Chief Deputy Prosecutor Zach Craig, Prosecutor’s Investigators Gala Laughner and Heather Stanley, and Muncie Police Detectives including Ryan Plummer and Joseph Duckham for their assistance and hard work and dedication in this case.”

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AFFIDAVIT OF PROBABLE CAUSE FOR ARREST WITHOUT WARRANT

COMES NOW, **Ryan Plummer**, 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.

MPD CR # 22-4051

NAME OF ARRESTEE: **Jason De'Andre Harris**

D.O.B.: **02/26/1989**

ADDRESS OF ARRESTEE: **3704 N Oakwood Ave, Muncie In 47304**

DATE OF ARREST: **02/7/2022**

TIME OF ARREST: **1408**

- CHARGE 1: **Murder** a **Felony**
- CHARGE 2: **Criminal Confinement armed with a Deadly** a **Level 3 Felony**
- CHARGE 2: **Possession of a firearm by serious violent felon** a **Level 4 Felony**
- CHARGE 3: **Intimidation with a Deadly Weapon** a **Level 5 Felony**
- CHARGE 4: **Pointing a firearm** a **Level 6 Felony**

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

February 8, 2022, (Detective Ryan Plummer) responded to 2013 S Clark St, Muncie IN 47304, to assist in a report of a missing person. Officers had recently taken a report at the residence from Kyle Harris, that his roommate Erik Sparks was missing. During the report Kyle Harris states that the night prior his brother Jason Harris and he went to a party and upon returning home had a verbal altercation that led to Jason Harris producing a firearm and pointing it at Kyle threatening his life. Kyle advised officers that Erik Sparks, the homeowner, wanted Jason to leave. Kyle advised when he woke up on today's date, Erik was gone and Jason was at the house. When Kyle asked Jason where Erik was, Jason made a motion with his hand pulling his thumb across his throat as if Erik was dead. Kyle also advised officers that after making the missing person report, his brother Jason came back and told him that they had to leave now.

When I arrived, several bags were sitting by the front door packed, as if for a rapid departure. Kyle advised that Erik's car, phone and keys were at the residence and it would be out of character for Erik to leave without his car or things. When Officers later returned to the residence for follow up, Jason was found in the back of the residence, and produced Erik's wallet for officers. Officers were aware of a history of violence involving Jason Harris from numerous incident including when he stabbed his brother Kyle. Jason was detained and transported to City Hall for interview. Kyle was also transported for interview at City hall.

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During his interview Kyle signed consent to search for his phone, wherein officers located a conversation between Kyle and several contacts on Facebook Messenger. In these communications, Kyle mentions Erik is dead, even stating in one, “ (Jason) had Erik’s wallet and sat there and told me he killed him.” During his interview, Kyle told investigators he had even been contacted by his brother Gabe Bruce, who lives in Chicago, and Gabe asked him what was going as Jason had contacted him telling him he shot someone, and needed to get out of town. Officers also verified, there was a three way call on messenger between Gabe, Kyle, and Jason. One of the other people who Kyle had a conversation with was Brent Foy, who made several comments about bringing Jason home, advising he needed to get out of Muncie ASAP.

During his initial interview, after being read Miranda and waiving his rights, Jason told Officers that after the party he got home and went to bed after arguing with Kyle. Jason stated during his interview, that he and Kyle had been at a party on W. Rex St. When they got home they argued and he just wanted to go to sleep. He denied having a gun during the argument, stating he is a convicted felon he can’t have a gun. (Officers verified that Jason had serious violent felony convictions for Aggravated Battery prohibiting him from having a firearm). Jason stated that the morning after the argument, he went with Brent Foy to help him move some things. However, Jason did not know where they had gone. Later Jason admitted that he had left the residence on Clark with Erik, and was going to his mothers house on north Oakwood, and stopped on the bike trail (identifying the Cardinal Greenway) by Red Lobster, to urinate. Jason went on to explain that he and Erik walked up the trail and someone, who he could not describe or identify, put them both on their knees and shot Erik in the head twice. Jason also advised that he was worried Officers would not believe his story so he dragged Erik into the woods and covered him with snow. Jason advised he would like to show officers by driving to the area to where the incident happened, as he was not sure exactly where Erik’s body was, by looking at a map. Jason gave a description of the area north of McGalliard on the Greenway. Upon arrival in the area, Jason told officers it was actually the parking lot behind Red Lobster where he parked. Jason explained they parked, and walked across an aluminum bridge to the Greenway and then walked down the path. Jason told Officers, who were searching, they were not far enough down the trail. Officers located a body covered in snow and signs of blood splatter in the area of the body close to the trail.

Later during interview after finding Erik’s body, Jason admits to officers, that he had an argument with Erik in the car and made him stop, and walked him down the trail at gunpoint, where he ordered Erik to his knees, before shooting him. Jason advised he blacked out and came out of it when he realized what he had done and Erik was lying on the ground. When asked, Jason advised he shot 3-4 times with a ,40 caliber handgun. Jason went on to explain he did not know where the gun was at but possibly back at the residence.

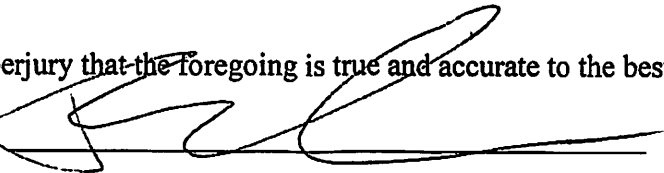
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I affirm under penalty of perjury that the foregoing is true and accurate to the best of my information and belief.

DATE: 2/7/22 OFFICER:



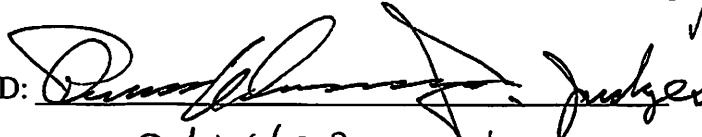
JUDICIAL DETERMINATION

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 \$ HOLD WITHHOLD BAIL.

No Bond

DATED: 02/08/2022

SIGNED:



CHARGES TO BE FILED BY:

2/14/22 @ 1pm

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