



**July 8, 2025**

**Defendants:**

- John Lipscomb, Case #20D03-2506-F6-000626
- Travis McKay, Case #20D03-2506-F6-000624
- Arlin Hochstetler, Case #20D03-2506-F6-000625

**Subject:** Demand to Reopen Animal Cruelty Case Against Jayco Former Employees

**Dear Prosecuting Attorney Vicki Becker,**

We are Janelle Babington and Penny Eims, co-founders and petitioners with [Animal Victory](#), reaching out on behalf of 17,785 petition signers demanding accountability in the tragic case involving Travis McKay, John Lipscomb, and Arlin Hochstetler.

 [Hold Three Men Who Killed Cats in Trash Compactor Accountable](#)

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## **Misrepresentation in Press Release**

Your recent press release titled “*Additional Evidence and Indiana Law Exceptions Do Not Support Formal Criminal Charges Being Reinstated in Alleged Animal Abuse Case*” asserts that:

- “Additional evidence ... and ... exceptions ... do not support formal criminal charges being reinstated” ([elkhartcountyprosecutor.com](#)).
- It claims that evidence showed no intent “to cause suffering or prolonged physical pain” and that the animals posed a threat or caused substantial property damage.

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## **Legal Standards Misapplied**

Indiana Code § 35-46-3-12(c) categorizes torture or mutilation of a vertebrate animal as a **Level 6 felony** if done *knowingly or intentionally*. Omitting “intentionally” in your press release distorts the legal threshold and weakens the standard for prosecution.

Furthermore, **IC § 35-46-3-5(a)(10)**—referenced in your justification—permits destruction *only* if animals are *endangering, harassing, or threatening* livestock/domestic animals, or causing **substantial** property damage. No objective evidence has been presented that supports this statutory exception.

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## Clear Intent & Torturous Method

- Your own release confirms the cats were **deliberately captured** and **knowingly placed** into a trash compactor.
  - Trash compactors apply high-force crushing designed to destroy material. The use of such a machine on living animals constitutes clear **torture and mutilation**, as defined under Indiana law.
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## Dangerous Precedent

This dismissal sets a troubling precedent for Elkhart County:

**What precedent does this set for a town you are hired to protect?**

It sends a message that:

- Admitted acts of cruelty are permissible without consequence.
  - Legal interpretations can be bent to protect offenders and corporate interests.
  - Animal protection laws are vulnerable to misapplication, and public trust in the justice system is eroded.
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## Our Demand

We reject your office's legal interpretation and urge immediate corrective action. We respectfully demand:

1. **Reopening of all three criminal cases** against John Lipscomb, Travis McKay, and Arlin Hochstetler.
  2. **A correction or clarification** to your June 2025 press release, explicitly including the statutory language omitted.
  3. **Appropriate charges under IC § 35-46-3-12**, and consideration of violations under Elkhart County's Animal Ordinance.
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## Next Steps

Our pursuit of justice will not be silenced. Absent immediate corrective action, we will continue to mobilize:

- National and local press
- Legal and legislative reviews
- Public demonstrations and protest
- Further organizational pressure

The lives of those cats matter—and so does the responsibility of your office to apply the law with integrity and consistency.

Sincerely,

**Janelle Babington**

CEO & Co-Founder, Animal Victory

**Penny Eims**

Co-Founder, Animal Victory

**Animal Victory**

<https://animalvictory.org>

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### CC: City of Elkhart Government & Law Enforcement:

- *Mayor Rod Roberson*
- *Chief of Staff, Megan Erwin*: [ChiefofStaff@cityofelkhart.org](mailto:ChiefofStaff@cityofelkhart.org)
- *Director of Communications, Alex Otto*: [DirectorofCommunications@cityofelkhart.org](mailto:DirectorofCommunications@cityofelkhart.org)
- *Elkhart Police Department, Chief of Police*: [contact@elkhartpolice.org](mailto:contact@elkhartpolice.org)

### Jayco Inc.:

- *Rod Roberson, Mayor* (duplicate mention of name removed above)
- *Derald Bontrager, CEO, Jayco*: [derald\\_bontrager@jayco.com](mailto:derald_bontrager@jayco.com)

- *Jayco Customer Care*: [customercare@jayco.com](mailto:customercare@jayco.com)

#### **Elkhart City Council Members:**

- *1st District – Aaron Mishler [D]*: [aaron.mishler@coei.org](mailto:aaron.mishler@coei.org)
- *2nd District – Chad Crabtree [D]*: [chad.crabtree@coei.org](mailto:chad.crabtree@coei.org)
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