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*****MEDIA ALERT*****

For Immediate Release

November 22, 2024

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PROSECUTOR MOERS ANNOUNCES 3 MORE JURY TRIAL WINS INVOLVING CHILD VICTIMS OF MOLESTATION AND NEGLECT RESULTING IN DEATH

Evansville, IN – Prosecutor Diana Moers announces that the Vanderburgh County Prosecutor’s Office has recently secured convictions in three cases involving child victims – including neglect causing death and child molestation.

Prosecutor Moers stated: “I am happy to report continued success in the prosecution of cases involving child victims – from child molestation to neglect and death. These cases often involve the worst Defendants among us; they should be held accountable to the fullest extent allowable under the law and not have the opportunity to run or end another innocent life.

I should never have to prosecute a single case like this—each and every one is preventable. Unfortunately, children and babies are often victims since they don’t have the voice or ability to fight back—but that’s where we begin. I will continue to work with our law enforcement, child advocacy centers, and medical professionals to fiercely prosecute these cases in court. Notably, these are some of the most legally difficult and hardest cases to try—but we are up to the task. We will continue to hone our skills and effectively tell the stories of our most innocent and precious victims.”

State v. Taylor Mitchell Fischer

INFANT DIES WITH 8 TIMES ADULT DOSAGE OF FENTANYL IN SYSTEM

On November 21, 2024, Taylor Mitchell Fischer was found guilty by a jury of Neglect of a Dependent Resulting in Death, a Level 1 Felony; two counts of Neglect of a Dependent, Endangering the Dependent’s Life or Health, a Level 6 Felony; Possession of Methamphetamine, a Level 6 Felony; Possession of a Controlled Substance (Fentanyl), a Level 6 Felony; and Possession of Paraphernalia, a Class C Misdemeanor. The Honorable Magistrate Judge Celia M. Pauli of the Vanderburgh Circuit Court presided.

On September 11, 2023, dispatch received a 911 call in regard to an unresponsive child at 201 N. Spring Street. Emergency response personnel attempted life-saving measures on the 11-month-old child, but the child was pronounced dead at the hospital.

In the home, law enforcement officers found substantial evidence of drugs (narcotics including methamphetamine and fentanyl), drug paraphernalia (glass pipe), digital scales, baggies of drugs, and other storage containers of drugs. At least some of these were within reach of a child. The Defendant exhibited signs of impairment on-scene and during an interview later that evening. The Defendant admitted ownership of the glass pipe that later tested positive for fentanyl and also admitted ownership of the other drugs in the home.

Toxicology reports showed the presence of fentanyl, fentanyl precursors, xylazine, and naloxone in the child's system. The forensic pathologist determined that the cause of death was due to fentanyl intoxication.

At the trial, the State presented the 911 call, crime scene photos and evidence, toxicology reports, autopsy reports, and the testimony of first responders, law enforcement, and the forensic pathologist. The testimony reflected that the amount of fentanyl in the child's system was approximately eight times that of the amount used for medical treatment of adults. The jury returned a guilty verdict on all charges.

Prosecutor Moers thanks her Deputies Ian Blair and Keaton Maurer for their zealous advocacy and dedication in this tragic case. Moers also extends her thanks to Evansville Police Detectives P. Klein, S. Toney, Q. Keil, J. Oakley and Officers R. Andrews and J. Malcolmson for a thorough and effective investigation that provided the evidence needed to achieve a guilty verdict.

Prosecutor Moers stated: "This case is an absolute tragedy. The community has myriad of resources available to those with drug addiction—and if you cannot stop using drugs, you need to remove yourself from the presence of children. This precious baby had a tragic end to life which was 100% preventable because those around him were careless. We will ask for a sentence that reflects the absolute disregard for this child's life and which will put this Defendant behind bars for the maximum time allowable under the law."

Sentencing is scheduled for December 20, 2024, in front of the Honorable Magistrate Judge Celia M. Pauli of the Vanderburgh Circuit Court.

State v. Matthew Edward Tierney

DEFENDANT FOUND GUILTY OF CHILD MOLESTATION

On November 8, 2024, Matthew Edward Tierney was found guilty by a jury of Child Molesting, a Level 4 Felony. The Honorable Judge Wayne S. Trockman of the Vanderburgh County Superior Court presided.

On July 29, 2022, parents notified local law enforcement that their 4-year-old child was found frightened and curled in the fetal position. A close relative, Matthew Edward Tierney, was visiting from out of town and had been staying with the family. The young child told their parents they wanted Tierney to leave the house and that he had made them engage in inappropriate touching. Through forensic interviewing and thorough investigations, it was confirmed that the Defendant had molested the child.

At the trial, the State presented testimony from the child, family members, the child's therapist, and the Executive Director of Holly's House where the forensic interview took place. The Defendant took the stand but offered no context or explanation as to why the child would claim he had molested them. The Defendant also danced around the fact that he had earlier said something had happened to the children in the home, but it was not him. The jury returned a guilty verdict.

Prosecutor Moers thanks her Deputies Ian Blair and Jessica Berry for an effective and successful trial on this difficult subject matter. Moers also extends her thanks to Detectives T. Troopes, J. Juncker, and K. Kuester for their attentiveness to the investigation which led to a solid case and successful outcome.

Prosecutor Moers stated: “Our child advocacy center, Holly’s House, holds the highest level of accreditation and conducts victim forensic interviews with trained professionals. This means that we have the resources available to investigate and interview children who are survivors of molestation and present it effectively in court. These cases are of the utmost importance as we know that it is imperative to get those who target children out of society and cut off from the ability to gain more victims. We believe children who report child molestation— and so do our juries.

Molestation of a child is hard on families; we provide victim advocacy and resources along the way and the process works to give children a voice in court which we hope leads to healing for all involved. We commend this brave child and family for coming forward and ensuring that this defendant no longer has access to children.”

Sentencing is scheduled for December 12, 2024, in front of Honorable Judge Wayne S. Trockman of the Vanderburgh County Superior Court.

State v. Samuel Caleb Womack

DEFENDANT FOUND GUILTY OF DEATH OF INFANT AFTER HOLDING INFANT FACE-DOWN IN BASSINET

On October 17, 2024, Samuel Caleb Womack was found guilty by a jury of Neglect of a Dependent Resulting in Death, a Level 1 Felony. The Honorable Magistrate Judge Celia M. Pauli of the Vanderburgh Circuit Court presided.

On March 12, 2024, Samuel Caleb Womack put his one-month-old son to bed. A few hours later, the child became fussy, waking up the Defendant. To stop his child from crying, the Defendant placed a pacifier in his child’s mouth and used his hand to make sure his child would not spit the pacifier out. The Defendant then placed his child in the bassinet face-first, knowing this was unsafe, and then applied pressure to the back of his child’s head for a period of 2 to 3 minutes until the child stopped crying. The Defendant went to sleep afterward. During the 911 call made by the Defendant, he remarked that the situation made him “look bad.”

At the trial, the State presented the 911 call, crime scene photos and evidence, interviews of the Defendant, and testimony from law enforcement, paramedics, the coroner’s office, and medical professionals. The Defendant took the stand but could refute the statements made in the interview only by claiming they were coerced. The jury returned a guilty verdict.

Prosecutor Moers thanks her Deputies Ian Blair and Keaton Maurer for their excellent performance during trial. Moers also extends her thanks to Detectives J. Helm and J. Brievogel for their effective investigation of the case, especially the interviewing of the Defendant that contributed to the guilty verdict.

Prosecutor Moers stated: “This is another excellent investigation conducted by the members of the Evansville police department and effectively presented to the jury by office. We will continue to work hard to ensure we are able to tell the stories of our most vulnerable and seek justice for them in court after their tragic end at the hands of a person that is supposed to keep them safe in the world.

We all have a duty to children to keep them safe; for my office, this means holding those who harm children accountable. We will always ask for the highest allowable sentences for those who kill babies.”

Sentencing is scheduled for November 26, 2024, in front of the Honorable Magistrate Judge Celia M. Pauli of the Vanderburgh Circuit Court.