



STATE OF INDIANA
INDIANA PAROLE BOARD

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Mike Braun, Governor
State House, Room 206
200 W. Washington Street
Indianapolis, IN 46204

May 13, 2025

Dear Governor Braun,

On behalf of the Indiana Parole Board, acting in our capacity as Clemency Commission, we submit to you our recommendation regarding the Clemency Petition of Benjamin Ritchie, received by this Board on April 24, 2025, in which Mr. Ritchie requests a commutation of his death sentence to a sentence of life in prison without parole.

The board conducted a Clemency Hearing by personally meeting with Mr. Ritchie at the Indiana State Prison on May 5, 2025 for an hour long interview as well as conducting a series of public hearings at the Indiana Government Center on May 12th, 2025 where those in favor of clemency and those opposed to clemency were allotted equal amounts of time to present evidence for the Board's consideration. In addition, the board has reviewed all documentation available regarding the legal proceedings related to Benjamin Ritchie's jury trial, appellate process, and post-conviction relief proceedings. We received and reviewed numerous reports containing evaluations of Benjamin Ritchie by mental health professionals. We received and reviewed a Community Investigation Report conducted by Parole District 3. Finally, we received and reviewed letters written in support of clemency and opposed to clemency. We have now concluded our review, and we recommend that you deny Benjamin Ritchie's request for clemency.

In reviewing a petition of clemency, the board considers: 1) the nature and circumstances of the offense, 2) the offender's criminal history, 3) history of institutional conduct, and 4) the best interest of society.

The nature and circumstances of the offense are well documented in trial testimony and appellate opinions. Mr. Ritchie himself has given multiple versions of the events that transpired on the evening on September 29, 2000. However, during his hearing on May 5, 2025, Mr. Ritchie did admit to being in a stationary position and intentionally shooting Officer Bill Toney and leaving

him to die from the fatal gunshot wound. At the time of his murder, Officer Toney was a uniformed officer with the Beech Grove Police Department in pursuit of Benjamin Ritchie, who was a felony suspect in a vehicle theft that occurred earlier that evening.

Benjamin Ritchie's criminal history was also well documented in the Board's materials. Mr. Ritchie had a series of juvenile delinquency true findings, ultimately resulting in his incarceration as a juvenile. As an adult, Mr. Ritchie had a Burglary/FB conviction which resulted in a short sentence in the Indiana Department of Corrections, followed by a period of probation from which he had absconded at the time of his present offense.

Benjamin Ritchie has had a history of institutional conduct while incarcerated on this case, totaling over 40 conduct reports, some including violent and/or threatening behavior. The Board does acknowledge that Mr. Ritchie did receive some positive feedback from former correctional officers in an anecdotal fashion, however we felt that his institutional conduct record as a whole did not support the commutation of his sentence.

The Board considered a vast amount of testimony and evidence regarding Benjamin Ritchie's more recent diagnosis of Fetal Alcohol Syndrome Disorder. The Board considered this evidence, along with a documented history of abuse and neglect as a child, as well as all evidence of corrective measures taken to address the behaviors associated with these conditions. The Board considered this information in the context of our institutional knowledge. Collectively, the members of the Indiana Parole Board have decades of experience working with offenders and evaluating their circumstances both individually and in the larger scheme of corrections. We find that a vast majority of the information related to Benjamin Ritchie's history of abuse and neglect, including but not limited to pre-natal alcohol exposure, has been appropriately considered by the fact finders and judicial officers tasked with considering the evidence.

The Board also considered the testimony of the family and friends of Bill Toney. By all accounts, Bill Toney was a loving husband, father, and friend as well as a devoted public servant who genuinely tried to do what was best for his community of Beech Grove. Officer Toney left behind a wife, two young daughters (aged 4 and 18 months), and many close friends, neighbors, and fellow officers. The outcome that those individuals were promised by a jury of Mr. Ritchie's peers was that Mr. Ritchie would ultimately be put to death for his egregious actions. The family and friends of Bill Toney have patiently waited for the day when that sentence would be fulfilled.

In weighing the factors provided to us by our statutory authority, we have determined that Benjamin Ritchie's request for clemency does not rise to the level of requiring a commutation of his death sentence.

Sincerely,

Gwendolyn M. Horth

Gwendolyn M. Horth, Chair
Indiana Parole Board

