

**IN THE COURT OF COMMON PLEAS OF BERKS COUNTY, PENNSYLVANIA
CRIMINAL DIVISION**

COMMONWEALTH OF PENNSYLVANIA :

vs.

JESSE JOHN HILL
Defendant

**: OTN: R 377214-5
: 1829-MD-22
: BARRETT, J.
:**

**COMMONWEALTH'S RESPONSE TO DEFENDANT'S MOTION TO
MODIFY/REDUCE BAIL**

TO THE HONORABLE PATRICK BARRETT, JUDGE OF THE SAID COURT:

AND NOW, this 5th day of December, 2022, comes the Commonwealth of Pennsylvania by and through Daniel J. Dye, Assistant Chief Deputy Attorney General, and respectfully submits the following¹:

PROCEDURAL FACTS

1. The Defendant is currently incarcerated in the Berks County Prison and bail is set at \$1,500,000.00 secured.²
2. The Defendant was charged upon a presentment of the 47th Statewide Investigating Grand Jury with various crimes against minors dating back approximately 30 years. These crimes include felony charges of Rape of a Child, Involuntary Deviate Sexual Intercourse, and related offenses against two victims.³
3. The Commonwealth alleges each act of sexual exploitation and abuse occurred within Berks County, Pennsylvania.

¹ The Commonwealth responds by points for clarity and has elected to not conform to the numeral order of the Defendant's motion.

² Bail was modified at the Commonwealth's request from an initial bail of \$125,000.00.

³ At trial the Commonwealth will likely seek the admission of 404(b) "bad acts" evidence related to the molestation of as many as 20 male children.

4. The Commonwealth further alleges the charged acts of sexual exploitation and abuse, occurred between 1993 and 1998.

5. The Defendant's preliminary hearing is currently scheduled to occur on December 13, 2022 before the Honorable Gail M. Greth, Magisterial District Judge.

NATURE OF THE CASE

6. In 2019, the Office of Attorney General (OAG) initiated an investigation of child sexual abuse within the Jehovah's Witnesses organization in Pennsylvania. This investigation subpoenaed documents from Pennsylvania congregations and the Jehovah's Witnesses worldwide headquarters in Wallkill, New York.

7. OAG agents, including the affiant in this case, began a review of thousands of documents identifying hundreds of offenders – *Jesse Hill was identified within those documents as a known child molester.*

8. These documents are kept in the regular course of business and are created/disseminated between the local congregations and the Jehovah Witnesses organization's headquarters in New York. They are not available to the public, nor were they voluntarily provided to law enforcement. In the case of Mr. Hill, a statewide investigating grand jury issued a subpoena and obtained documents generated by a common internal investigation done within the organization upon any report of child abuse called an "investigative committee." Upon reaching a conclusion that the claim has validity, the organization then moves into a "judicial committee" process to apply religious punishment to the individual accused. Disciplinary actions are often recorded in forms designated as "S-77" forms and provided to headquarters after drafting at the local level.

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9. These documents show that on January 21, 1998, Hill was interviewed by congregational elders as part of a “judicial committee” action. In regards to the act of molesting children, elders noted that the *“act was not planned, but like an alcoholic who has to begin in a small way, and then when addicted the urge later becomes overwhelming, so it was with Brother Hill’s addiction when around young boys.”* Hill admitted to grabbing at the genitals of two young boys. The “S-77” form attachment records that Hill admitted to “the practice of fondling and having oral sex” with minors. These records further memorialize that Hill admitted that he had “affairs” with children “outside the congregation as well as within the congregation.” The records note that on February 2, 1998, Hill attempted suicide when asked to confess “acts of child molestation (Porneia)” to his wife.

10. Records further show that on Friday, February 13, 1998, elders had a subsequent meeting with Hill. In that meeting Hill listed nine boys and the nature of his sexual contact with them. Hill admitted to “touching and oral sex” with one of the victims- *facts upon which these charges are based.* These documents were shared between the congregation and headquarters. In spite of these disclosures, no one called the police.

11. Between February and March 1998, elders of the congregation held a meeting with multiple parents, provided them a “20 page packet” and noted *“when informed their children had been molested (the parents) became belligerent, angry, others were stunned beyond belief.”* Victims reported a reluctance to come forward due to the influence of Hill’s family within the community.

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12. Despite his numerous offenses against minors, internal records of the Jehovah's Witnesses show that on February 7, 2011, elders of the Kutztown Congregation unanimously agreed to reinstate Hill as a Jehovah's Witnesses in spite of "his own admission he still has a continual uphill battle within him." The OAG has since identified as many as 12 children who were victimized by Hill.

13. The Defendant has remained at large since his documented admission to felony sex acts with children in 1998. During that time he was reinstated in Jehovah's Witnesses activities, has continued to have contact with children, and has volunteered with another church in the Berks County area as recently as two years ago. He was terminated from that most recent position based upon complaints of inappropriate contact with 11 and 12 year old boys.

14. The Defendant was arrested in the state of Georgia where he currently owns a home as his primary residence. At the time of his arrest, the Defendant was in possession of a "silver season pass" to "Wild Adventures Theme Park." This park is an amusement park similar to Pennsylvania's "Hershey Park" or "Dorney Park." The Defendant is a 52 year old adult male, unmarried, with no children, who was living alone.

15. The 47th Statewide Investigating Grand Jury reviewed documents, evidence, and took witness testimony regarding these events and recommended criminal charges against the Defendant upon a finding of probable cause.

16. The Defendant has requested a modification or reduction of bail and the Commonwealth now responds.

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I. DEFENDANT'S REQUEST TO MODIFY/REDUCE BAIL SHOULD BE DENIED.

17. The evidence against the Defendant indicates he is a known child molester who has remained at large for decades. He was able to do this in spite of the fact that his religious organization and his family had full knowledge of his conduct. The Defendant's averment that he will return to Berks County and await trial is no comfort. It was in Berks County where he committed his crimes and, in spite of full knowledge of his crimes, no one did anything to stop him.

18. The Defendant's family has considerable resources from a family owned business and land investments. His religious organization held knowledge of his offenses against minors. While the Defendant cites to a lack of a criminal record, it should be noted that he only lacks a criminal record because those same support groups enabled him in covering up his crimes – *neither his family nor his religious elders were reliable checks on his unchecked molestation of children.*

19. Hill has resided in several states in the United States including Georgia; Pennsylvania; Cathedral City, California; and Montgomery County, Pennsylvania. There are addresses associated with him in the States of Maine, Florida, and Vermont.

20. Hill has access to considerable resources. His family company is JMH Machine Company - a multi-million dollar company headquartered in Hamburg, Pennsylvania. Recently, he purchased a home in Douglas, Georgia, at a cost of over \$300,000.00.

21. Certainly the evidence that would be brought forth at trial regarding the crimes perpetrated against each victim would show intent, planning, preparation,

knowledge and the absence of any mistake or accidental touching. The Defendant faces a significant likelihood of conviction and, subsequently, a substantial likelihood of incarceration for decades.

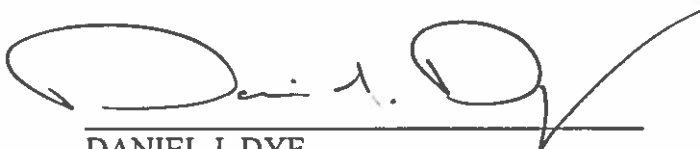
22. The Commonwealth is reasonably and prudently concerned that the Defendant is a threat to the community. Likewise, in light of the strength of the Commonwealth's case, the Commonwealth is equally concerned that there is compelling incentive for the Defendant to flee. As such, the Commonwealth avers that substantial bail is required to protect the community and ensure the Defendant's appearance at trial.

23. The Commonwealth is prepared to call Special Agent Jimmy Mummau to testify in support of the averments herein at any bail hearing regarding this matter.

WHEREFORE, based on the foregoing, the Commonwealth requests the Defendant's Motion for the Modification/Reduction of Bail be DENIED.

Respectfully submitted,

OFFICE OF ATTORNEY GENERAL

A handwritten signature in black ink, appearing to read "Daniel J. Dye", is written over a horizontal line.

DANIEL J. DYE
Assistant Chief Deputy Attorney General
I.D. No. 205638
For the Commonwealth

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PROOF OF SERVICE

I hereby certify that on this date a copy of the foregoing filing was served to the
person and address set forth below via email:

Jay Nigrini, Esq.
Attorney for the Defendant
606 Court Street, Suite 200
Reading, PA 19601

DATED: 12/5/2022


Daniel J. Dye
Assistant Chief Deputy Attorney General

Please return service upon:

Daniel J. Dye
Assistant Chief Deputy Attorney General
Office of Attorney General-Criminal Prosecutions
16th Floor, Strawberry Square
Harrisburg, PA 17120

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CERTIFICATE OF COMPLIANCE

I certify that this filing complies with the provisions of the *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and trial Courts* that require filing of confidential information and documents differently than non-confidential information and documents.



Daniel J. Dye
Assistant Chief Deputy Attorney General
Attorney I.D. # 205638

Dated: 12/5/2022

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