



Commonwealth's Attorney Office-Christian County

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FOR IMMEDIATE RELEASE

The Grand Jury is an important part of the criminal justice system. When someone is accused of committing a felony offense, an officer or witness must go before the Grand Jury and provide sworn testimony regarding the facts of the case and why the person should be indicted. On November 3, 2023, that process did not take place for 26 cases. Out of those 26 cases, 15 involved crimes against people in our community, and 13 cases involved people who are incarcerated. Charges included:

- Sodomy,
- Unlawful Transaction with a Minor,
- Robbery,
- Strangulation
- Assault involving Domestic Violence
- Wanton Endangerment,
- Burglary,
- Assault 1st Degree, and
- Fleeing or Evading Police.

The Commonwealth's Attorney Office was prepared to present all pending cases to the Grand Jury.

All Oak Grove Police Officers and Troopers from the Kentucky State Police, scheduled to present their cases to the Grand Jury appeared.

One Detective from the Hopkinsville Police Department presented his case to the Grand Jury and no Deputies from the Christian County Sheriff's office appeared at their scheduled time.

The Commonwealth Attorney's office has never had to issue subpoenas to officers for Grand Jury.

Consistency, accountability, following the law and transparency are paramount if we want to build trust in the criminal justice system with our community. The leadership at the Hopkinsville Police Department and the Christian County Sheriff's Office chose not to attend Grand Jury. And they chose, not to follow the established process used to notify officers for Grand Jury, nor did they properly follow the legal process used to determine validity of a subpoena.

The proper process to follow when you challenge the validity of a subpoena would be to contact your attorney, not call a Judge. That attorney would file a Motion to Quash the subpoena, go before the Court, have a hearing, allow both sides the opportunity to be heard and then the court would make a ruling regarding the validity or invalidity of that subpoena. Neither the Hopkinsville Police Department nor the Christian County Sheriff's Office followed the proper legal process in this case.

How can you arrest someone for breaking the law, or for not following the established rules and procedures of the Court when the leadership at the Hopkinsville Police Department and the Christian County Sheriff's Office did not do so themselves.

If the average citizen decided not to comply with a subpoena, that person would be found in contempt of court and a warrant would be issued for their arrest. Accountability should be the same for everyone.

Officers are thwarting Justice by avoiding subpoenas to appear at the very Grand Jury proceeding that they initiated after incarcerating people and accusing them of crimes. When dealing with people's lives, and their freedom, we owe it to our community to do our jobs.

The actions that took place on Friday, is another example of why I requested the Department of Justice investigate the entire criminal justice system in Christian County.

The integrity of my office has been continuously called into question despite the fact that we attended two City Council meetings to express the concerns that I have regarding the unethical and unconstitutional actions taken place in our criminal justice system, provided specific events and cases illustrating that behavior and having requested that the Department of Justice investigate our entire criminal justice system. The joint press release from the Hopkinsville Police Department and Christian County Sheriff's Office is an attempt to gaslight our community and is being used to divide and distract everyone from the facts.

Here are the facts as to Grand Jury:

- The Commonwealth Attorney's office has never had to subpoena officers to appear before the Grand Jury.
- Prior to last week, the standard operating procedure used to notify officers of their Grand Jury appearance was done via email. Specifically, the agency's point of contact was emailed and provided with the officer's name, the name of the defendant and the officers assigned time to present their case before the Grand Jury.
- The first time subpoenas were ever mentioned occurred via a email sent by Chief Newby on Thursday, November 2, 2023, at 11:15 am. This email was sent less than 24 hours before the Grand Jury convened.
- The email stated, "Officers with HPD will not be attending grand jury unless they are served with subpoenas." Chief Newby did not direct that email to me, he directed it to a member of my staff.
- The Christian County Sherriff's office never requested subpoenas and just simply chose not to come to Grand Jury after being notified.
- On November 3, 2023, at 11:47 am (roughly 3 hours after the Grand Jury convened and after officers were scheduled to present

their case to the grand jury), Deputy Chief Pacheco indicated that no one was going to appear for grand jury because the subpoenas.

- The Commonwealth Attorney's office followed the established rule of notifying officers regarding Grand Jury. Officers from the Oak Grove Police Department and Troopers from the Kentucky State Police appeared to present their case before the Grand Jury at their scheduled time and were notified the same way HPD and CCSO were.
- One detective from the Hopkinsville Police Department appeared before the Grand Jury and presented his case.

If the subpoenas were deemed invalid, why did an officer from the Hopkinsville Police Department appear before the Grand Jury and present his case?

The same accountability that would be given to a person who did not show up when subpoenaed should be given to officers. Regardless of the reason, officers should have appeared before the Grand Jury just like they have done in the past.

Clarification and Transparency of TikTok Videos Regarding Officers

It has been brought to my attention that 2 TikTok videos are circulating. One is regarding an arrest that took place at the Oak Grove Casino and the second video involves an arrest that took place on the Eastside. Transparency is a key component in building trust in the criminal justice system, which is why my office is releasing video footage of both events.

Regarding the Oak Grove Casino-On September 24, 2023, Oak Grove police officers were dispatched to a disturbance taking place at the casino. Upon arrival, the defendant was asked to leave. Although this encounter took place for over 30 minutes, the TikTok video of the incident only captured a small part of the actions taking place that day. The video capturing the entire encounter is attached.

Regarding the arrest that took place on the Eastside- On May 17, 2023, officers were conducting a search of a residence. This led to an encounter with the accused. It has been brought to my attention that segments of this incident is on social media and has been presented to some members of City Council. The attached captures the unedited entire encounter.