

NEW-HARMONY, (IND.) April 2022**SENTENCING ORDER
DELBERT W. MCKINNEY
CHILD MOLESTOR
MARCH 30, 2022**

By: State of Indiana/Posey County Circuit Court - Cause No. 65C01-2008-F4-000320 and Reported by: Dan Barton, Publisher, The New Harmony Gazette

Judgement of Conviction: The State of Indiana appears by Prosecutor Thomas Clowers and Deputy Prosecutor Georgianne Mastisson. The Defendant appears in person, in custody and by Counsel William Gooden.

On March 4, 2022, the State (Prosecutor Thomas Clowers) filed with the Court (Judge Craig Goedde) a written sentencing recommendation signed by the Defendant, the Defendant's counsel, and the State of Indiana by their Prosecutor, Thomas Clowers.

The Defendant was verbally advised of the charge, the possible penalties, and the Defendant's rights. The Defendant verbally acknowledged understanding of same.

The Defendant plead guilty, pursuant to an agreement with the State of Indiana (Clowers) to Count 1- Child Molesting, a Level 4 Felony and Count 2 - Failure of a Sex Offender to Possess Identification, a Class A Misdemeanor.

The Court (Judge Craig Goedde) found there was a factual basis for the plea. The Court (Goedde) accepted the plea and found that the same were knowingly, intelligently, and voluntarily entered and that there was a factual basis for each plea.

A Pre-Sentence Investigation Report was ordered.

The Court (Goedde) entered Judgment of Conviction against the Defendant for 1 - Child Molesting, a Level 4 Felony and Count 2 - Failure of a Sex Offender

to Possess Identification, a Class A Misdemeanor.

This matter comes on for sentencing hearing.

The Defendant advises the Court of changes to the Pre-Sentence Investigation Report.

Sentencing Order: The Court orders on County 1 - Child Molesting, a Level 4 Felony, that the Defendant be sentenced to five (5) years of incarceration in the Indiana Department of Correction (INDIANA SENTENCING GUIDELINES RANGE FROM 2 TO 12 YEARS, WITH AN ADVISORY SENTENCE OF 6 YEARS) —

Count 2 - Failure of a Sex Offender to Possess Identification, a Class A Misdemeanor, Be sentenced to one (1) year of incarceration in the Posey County Jail, each sentence to run concurrently with the other.

The Defendant is to receive six hundred one (601) days of credit for time previously served prior to sentencing and two hundred (200) days of earned time credit prior to sentencing for a total of eight hundred and one (801) days credit earned prior to sentencing. (Generally - a felon will initially serve 85% of the sentence, four years in this case, then the 801 days will be deducted, leaving McKinney with slightly over two (2) years to complete - out by end of March 2024 at most)

The Defendant is ordered to pay a \$1.00 fine, a \$100.00 Child Abuse Prevention Fee, a \$250.00 Sexual Assault Victims Assistance Fee and Court Costs in the amount of \$185.00. The Parties (Goedde, Clowers, Gooden/McKinney) agree said amounts shall be reduced to civil judgement and shall be paid within one hundred eighty days of the Defendant's release from the Indiana Department of Correction.

The Defendant is ordered not to have any direct or indirect contact with

Victim 1.

The Defendant is ordered to register as a sex offender pursuant to Indiana Law.

Pursuant to Indiana Code 35-38-1-7.5(b) (2), the Defendant shall register as a sexually

violent predator.

On the State's Motion (Prosecutor Thomas Clowers) pursuant to the Sentencing Recommendation, The Repeat Sexual Offender Enhancement is dismissed.

The State certifies that any and all victims have been notified of the content of the Sentencing Recommendation and of their right to be present and address the Court concerning the sentence imposed.

The Defendant shall provide a DNA sample pursuant to I.C. 10-3-6-10 (a) (3).

The Defendant is remanded into the custody of the Posey County Sheriff.

*Comments in parenthesis added by Dan Barton, Publisher, The New Harmony Gazette.

**POSEY COUNTY SHERIFF'S
PRIMARY RACE - MAY 3, 2022!**

By: Dan Barton

The New Harmony Gazette has in the past "never" endorsed any candidate for any political office, anywhere! This is currently the plan, but in the latest Primary Election being held on May 3rd, one of the races seems to be of the most interest. It even caught the eye of Democrat Party leader Ed Adams, who has no horse in this Primary race, but wrote to me in February for the March Gazette the following comment, "And let's not forget; why does the incumbent Sheriff have two opponents in the primary??" Well, I'm afraid I can't answer Ed's question about the "WHY?",

but I did go to work on finding out some things about the three Republicans running for Sheriff in May.

I emailed all three candidates, Current Incumbent Sheriff Tom Latham; Challengers Dan Ko, and Henry Smith, questions about why they were running and what they offered to the citizens of Posey County.

Let's start with Sheriff Tom Latham. First off, Tom Latham has been in Law Enforcement in Posey County since 1997. Most of it with the County Sheriff's Office. Latham is the incumbent, so he got the hardest and the most questions, as incumbents usually have the advantage over challengers. Latham became Sheriff in December 2018 and had previously held the Office of Posey County Chief Deputy for almost nine years. He had always been a Democrat until very recently, when he changed from Democrat to Republican. He is running as a Republican Candidate in May 2022. He holds an Associates Degree in Law Enforcement from Vincennes University.

SHERIFF TOM LATHAM:

I sent Sheriff Latham an email on March 25, 2022 at 12:40 P.M., he responded on March 25th at 3:27 P.M., the same day.

I asked Sheriff Latham six questions. Here are my questions and his answers:

1) Q - To what do you attribute the cause of so many, especially Posey County (67) inmates, currently being housed in the Posey County Jail?

A - Depending as to whether the current Posey County population are sentenced or Pre-Trial detainees would help answer the question. With that being said, as of today, March 25, 2022, there are 69 Posey County inmates, 42 are pre-trial detainees and 27 are sentenced.

2) Q - I know that it's obviously because they were arrested for a crime, but why are they lingering in our detention facility and not being quickly adjudicated and transferred to IDOC or released in some other regard?

A - I'm unable to answer this question, for my position as Sheriff is to provide safe housing to those who populate the jail, in addition provide them access to court and his or her council of representation.

3) Q - What does it cost the taxpayers of Posey County to house one inmate in the Posey County Jail for one year?

A - Prior to COVID we were able to keep meals, per person, down to just below \$3.00 per meal. During that time we were able to purchase milk at \$.99 per gallon where now we are paying \$3.19 per gallon. Due to the food price increase we have a little more

than doubled in cost. Breaking it down for an average, due to a person being indigent or not, is very strategic. According to the State of Indiana it costs an average of \$52.61 per day (\$19,202.65 per year) to keep an adult inmate incarcerated in the State of Indiana, which is ironic because the state will only pay each county in the state \$37.50 per day to house state prisoners.

4) Q - Why has there been such a shortage of jailers recently, and still your facility is down four positions?

A - The reason for shortages, not just in our jail but seems to be a nation wide issue, may be to our own U.S. government. Over the course of a month we took in about forty applications for the position of jail officers. Most of the applicants were given the opportunity for interviews and never showed. Several were offered the positions and were given start dates and never arrived to work, only to not answer the phones when we attempted to make contact with him or her. Many Sheriff's Offices throughout the state are faced with this same issue. Just recently, I spoke with Vanderburgh County Sheriff Wedding, who stated he was thirty jail officers short.

5) Q - Are our jailers leaving for reasons other than retirement; if not what is the reason they are leaving?

A - Most jail officers are leaving the jail for better paying jobs with better

hours of work, and or other jobs they wish to take, in efforts of moving in the career field they want to take. I always wish them the best and understand if it better fits his or her life to leave, most of the time welcoming them back if able.

6) Q - Why is it that the Posey County Jail is having such a hard time recruiting and keeping Jailers?

A - Recruitment is always up and down, but faced with the issues of, in my opinion, government funding individuals has been an issue. In addition the stigma which the national media has thrown on law enforcement, in general, doesn't help. I believe some associate the jail as a general law enforcement affiliate. Those who have come and have left, state the job wasn't for them or they too, have left for better paying jobs. The jail environment is very unique and unpleasant while working as a jail officer. Jail staff are faced with people who smear feces on the wall, throw urine, spit, bleed, and the staff must try to subdue the folks who are doing these things. A Jail Officer is a special person and not all are capable of the position. I commend those who we hire and then leave when he or she recognizes it's not for them. I have a great staff who work diligently to make the jail a safe environment for the inmates, staff, and community.

It's my hope we will continue to move forward in hiring those who answer the calling. At one point we were seven jail officers down from fifteen, and now we are down three. We continue to make progress, but I'm also very cautious of who I hire to work in the jail, and should be because everyone's safety is at stake.

DANIEL KO - RUNNING FOR POSEY COUNTY SHERIFF IN MAY PRIMARY AS A REPUBLICAN:

On March 27th at 4:39 P.M. The New Harmony Gazette sent Mr. Ko the following email:

Q - Mr. Ko, I am Dan Barton, and I publish a monthly periodical in Posey County called The New Harmony Gazette. Since you are now running for

the Office of Posey County Sheriff, I have the obligation to ask a few questions about what your plans are if you get elected. First, I'd like to know why it is you have decided to run for Posey County Sheriff, especially since you have lived in Vanderburgh County most of your life. I'd like to know what it is you plan to do that will improve the operations of both the Sheriff's Office and the Posey County Jail. Most of the people I speak to in Posey County say that they have never heard of you and they want to know what your background in Law Enforcement is. Can you fill me in on that question? What is your employment background that qualifies you for such an important and complicated job? The other matter that seems to concern most of those I speak to, is how you are funding your campaign, since billboard signs, road signs and yard signs, etc., all accumulate a lot of expenses. Who, and how is your campaign being funded? I thank you for your time on these questions and issues.

A - Tuesday, March 29th at 9:17 A.M. - Good morning Dan.

You are correct that I grew up and lived in Vanderburgh County most of my life. However, I have for many years known people from Posey County and have participated in many county activities. I moved to Posey County a couple of years ago. This further emerged me into the county and discussions with others about the Sheriff's Office and how well the Sheriff's Office was managed. While I heard many concerns from those I have talked with, one that interested me is how well the Sheriff's Office follows up with individuals that have been involved in an event. This is something that I have personal experience with, so I completely understood them. Not the first step in my decision to run for Sheriff, but a good nudge.

After receiving my degree in Criminal Justice, I have always wanted to pursue a career within Law Enforcement. However, life has led me in many other directions to provide for my family. While I may not have a background in Law Enforcement, I do have a very diverse background in life and working

with people. Most of my background is in sales that requires an extensive ear to listen to the people and work to achieve what is best for all involved. Before COVID, I was running a successful business of my own that required me to understand budgets, required paperwork, effective communication skills and follow through with the public. Unfortunately, my small business could not survive the crazy economy that we had to face and still face today. All of this did not change the facts that I believe these to be very useful attributes of a Sheriff's Office. I have talked to a previous Sheriff of Posey County, a few deputies and many of the great people of Posey County to learn that all they want is to be heard! Many of them have great ideas and just want a Sheriff that will listen, understand, and make a change! I strongly believe I can be that Sheriff!

Some of my other concerns that I've been asked to address is the good 'ol boy system that I've heard so much about in Posey County, property and business check-ins, and ensuring that we have the correct individuals in place for a successful operation of the Posey County Jail.

The one question that puzzles me the most is about the funding of my campaign and how this a concern to most that you have talked with. I filed all the necessary paperwork to start raising funds for my campaign back in October 2021. Since then, I have done two raffles that have funded what I need for my signs and other advertising materials. One will be completed and announced this Friday if you would like to come meet with Dan Ko! I have been very fortunate to have the support of many family, friends and Posey County residents that are looking for a change.

HENRY SMITH - RUNNING FOR POSEY COUNTY SHERIFF IN MAY PRIMARY AS A REPUBLICAN:

Henry Smith answered the Gazette's email very late on April 3rd. This caused some last minute maneuvering to get in what he wrote. The New Harmony Gazette sent Mr. Smith an email inquiry

on March 27, 2022. The questions asked of Mr. Smith were identical to the questions asked of Dan Ko.

Smith replied to the Gazette as follows:

First, I had an interest in law enforcement as a young man, but I never pursued. I grew up in my father's business, Freddie's Trucking and did so until we closed it closed in 2008.

The recent peak in my interest began after listening to Sheriff Tom Latham speak during the Republican breakfast at the Mount Vernon County Club last year. I started to do a bit of research and speak with Posey County residents about crime and the community. As I continued to research and listen to concerns, it became clear to me Posey County residents want and need something different.

Yes, I spent most of my life in Vanderburgh County, Posey County is now home to me and I intend to stay here for the remainder of my life. I have many friends and family in our county, and well, I just like it here.

As far as the operations go, as you know most changes aren't made by the Sheriff, it's a process and involves many others such as the commissioners and so on. What I would like to focus on is retention of the quality jailers and deputies as well as civilian staff. Employees who are appreciated, respected, encouraged and rewarded, work hard and they work as a cohesive unit. There are other things in my vision as well, the reserve deputy and work release/trustee programs come to mind.

I've yet to have anyone inquire about my funding, so I am surprised to hear that it seems to be a matter of concern for so many of the people you have spoken with. I am self funded, except for two \$500 donations. I'm a put my money where my mouth is kind of guy. I am also doing a raffle, the drawing is April 9th at Eagle 1717 in Mt. Vernon.

Henry Smith is listed as a Train-Master at the Squaw Creek Southern Short Line Railroad out of Newburgh, Indiana, since January 2017 to present.

Prior that he is listed as a Freight

Conductor with CSX Rail Transportation from March 2011 to January 2016.

Mr. Smith's is a graduate of Reitz High School in Evansville, Indiana.

THEFTS IN THE NEW HARMONY BUSINESS HISTORIC DISTRICT!

By: Dan Barton

It was recently reported to The New Harmony Gazette that two businesses in the Business Historic District had experienced thefts. Both businesses had found that money had been taken out of either their cash register or from a safe. In each case the crook had apparently entered through an unlocked back door and went right to the location where the money was kept. No one saw the thief, as in each case the register or safe was unattended and unlocked at the time.

The third report was of a local business that had an attempted breaking and entering from, once again, their back door. This happened at a time when the business was closed. The thief was unsuccessful in this attempt.

Store Owners, be on the alert for anyone circulating in your business that appears to be nearing the source of where you keep money - and keep your registers and safes locked when unattended.

ISAIAH MOSS OFFERED JEWISH STUDIES SCHOLAR AWARD!

JASPER - Isaiah Moss of Jasper is the recipient of an inaugural Robert A. and Sandra S. Borns Jewish Studies Indiana

THE NEW-HARMONY GAZETTE.

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Scholar award.

The renewable scholarship, which covers tuition and fees for full-time Jewish Studies majors, requires students maintain a 3.0 or higher grade point average each year, and can be later used toward study abroad programs, or to pursue full-time unpaid Jewish Studies related internships.

In his application letter for the program, Moss noted that he is part of a practicing Jewish family, and the program would be an opportunity to deepen his understanding of Jewish thought, philosophy, history and belief. "For personal and professional reasons, I would love to deepen my knowledge of Judaism, God, Israel, the prophets, the wisdom literature and Jewish History," he wrote. "The chance to pursue a major in Jewish studies, to meet and interact with other students and professors, and to engage in Jewish activities and efforts in Bloomington and elsewhere would be a dream and a great opportunity."

Isaiah Moss expressed interest in spending a semester or a year in Israel, to become fluent in Hebrew and Yiddish, to learn and deepen his knowledge of the Holy Land, and to work with Israeli students, teachers and scholars.

"As a musician, the rich history of Jewish music, sacred, Klezmer, or classical, would also be of great value for me. It would enrich my musical interests and abilities.

"I have an interest in science and will most likely pursue a pre-med path as well. To become a scientist or a physician would be fulfilling for me, and Jewish wisdom and understanding would be essential to such an undertaking. Its principles would guide me in all that I do, especially my desire to help others. The moral teachings of our prophets would be a guiding light to me.

"A Jewish Studies major is a wonderful opportunity to fulfill my goals as a student, researcher, writer, future scientist or physician, a musician, an American and as a Jew."

Isaiah Moss is the son of Dr. Richard and Supit Moss of Jasper. Dr. Moss is also a writer and a regular contributor to the New Harmony Gazette.

APRIL GAZETTE RECIPE Famous 1905 Columbia Salad

By: Denise Rapp

Warmer weather is on its way, so some crisp yummy salads are sounding really good to me right now. The famous 1905 Salad is simple & unique and I can not wait until you try it. Yum.. the dressing is so tasty. I hope you will enjoy it as well.

1905 Columbia Salad:

3 heads of romaine lettuce- washed and diced

1/2 c. nice chunks of ham

1/2 c. shredded Swiss cheese

Spanish Olives (to taste)

I love olives so I would load up on these

1/2 c. chopped tomatoes

Garnish with Romano Cheese

Dressing:

1/2 c. olive oil

1/4 c. white wine vinegar

1Tbs. Worcestershire

2Tbs. dried oregano

Juice of one lemon

4 minced cloves of garlic

Salt & pepper

Whisk until emulsified, dress salad right before serving.

Enjoy!

