

“IF WE CANNOT RECONCILE ALL OPINIONS, LET US ENDEAVOR TO UNITE ALL HEARTS.”

NEW-HARMONY, (IND.) September 2022

**THE POSEY COUNTY
“JUSTICE” SYSTEM
SGT. DANIEL LONG ARREST !**

By: Dan Barton



*Posey County Inmate
James Thole*

The article about Posey County Jail Officer Daniel Long’s arrest appeared in the August 23, 2022 edition of the local Posey County News. It was titled, “Posey County Jail Officer Is Arrested”.

The account of the arrest was primarily, if not totally, a word for word repetition of the Indiana State Police report of August 19, 2022 on what the Indiana State Police investigator wrote in his Probable Cause Affidavit about an alleged Battery and Misconduct incident that took place on July 9, 2022 between Jail Officer Daniel Long and inmate James Thole. No problem there. But after reading the Affidavit myself, I decided that before I wrote an article about this Jail Officer’s arrest in The New Harmony Gazette, I’d better get the actual ISP Affidavit from the County Sheriff or County Prosecutor just to make sure there were no mistakes in the newspaper version.

It was on August 25th, the day that

I read the newspaper account, that I immediately emailed Posey County Sheriff Tom Latham with a request for an email of the actual Affidavit. After all, Sheriff Latham would have to be in possession of this document in order for him to fire and make the arrest of Jail Officer-Sgt. Daniel Long. My email to Latham stated:

BARTON’S INQUIRY:

“Good Day Sheriff Latham, this is Dan Barton of The New Harmony Gazette, I am requesting that your office send me, via email, a copy of the Probable Cause Affidavit - regarding the arrest of Sgt. Daniel Long, a Correctional Officer at the Posey County Jail, and his alleged abuse of prisoner James Thole. Thank for your cooperation in this matter.

LATHAM’S response:

“Due to us not being the investigating agency, you would have to contact the Posey County Clerk’s Office to obtain a copy of the probable cause affidavit. Thank you.” (However, The New Harmony Gazette, four days later, on August 29, 2022, received the requested affidavit from the Posey County Sheriff’s Office via the Jail Commander, Mark Pharr. The Gazette never solicited a response from Pharr and so this seemed unusual.)

This all seemed a little strange, but nevertheless not something that would hamper my due diligence.

Odd, because someone in some office in the County or State had already automatically released the Affidavit to a community newspaper prior to August 23, 2022. What was the harm in spreading the news on August 25th to the Gazette for the purpose of accuracy’s sake? Anyway, I would eventually be on to the Clerk’s Office with a request; but first a little more due diligence had to be done with Sheriff Latham!

BARTON’S Reply on 8/25/22 to Latham:

“I will do that. Thanks.”

“By the way, as Sheriff, were you aware that [Inmate] Thole, reportedly, had numerous mental and emotional disorders that caused aberrant behavior, such as using bodily waste in the commission of batteries to other Correction Officers in many of Thole’s prior incarcerations around the state of Indiana?” Ans. - NO - (Rec’d 8/30/22)

“Were you aware of the fact that Vanderburgh was attempting to have Thole placed in a mental health facility?” Ans. NO - (Rec’d 8/30/22)

“Were our Posey County Correction’s Officers aware of these circumstances?” Ans. NO - (Rec’d 8/30/22)

“Also, Daniel Long is a Sgt., correct?” Ans. - He was at the time of his termination. (8/30/22)

“While at the same time Jail Officer Lee Elliott claims that Long, “was fairly new to the Sheriff’s Office.”

When was Long hired by your office and when did he make Sgt. grade?”

Ans. Hired on 7/16/2020. Promoted to Sgt. On 12/15/21. - (Rec’d 8/30/22)

“Did Long or Elliott know that they were being filmed in the Cell-Block?”

Absolutely - (Rec’d on 8/30/22)

“How long has Thole been incarcerated in the Posey County Jail?” 7/6/2022 - 7/11/2022 -(Rec’d 8/30/22)

“What was Thole arrested for in Posey County and when?”

Vanderburgh County Warrant on 7/6/2022 - (8/30/22)

“Who made the arrest?” Ans - Deputy Steven Albin - (Rec’d 8/30/22)

“I’m looking forward to your help so that I can write an accurate account of what happened at the Posey County Jail. Thanks”

On the same day, I emailed the request for the Daniel Long Affidavit to Posey County Prosecutor Thomas Clowers and to Posey County Clerk Kay Kilgore. Kilgore’s Affidavit came in on August 25, 2022. Anna Wiggins of Prosecutor Clowers’ Office sent the Affidavit to the Gazette on the 26th. P.S.C.O. Jail Commander Pharr’s copy came in on the 29th. Now I had three copies of the Affidavit.

BARTON’S RESPONSE TO CLOWERS ON AUGUST 29TH:

“Dear Prosecutor Clowers: On August 26, 2022, I received from Anna Wiggins, the Clerk of your

office, a copy of the Probable Cause Affidavit via email, that I had requested on the Daniel Long, Battery and Misconduct Case. I thank you for the timely response.

“I have read the Affidavit, which originally appeared in the Posey County News, and realized that it seemed to entirely favor the position of the Posey County Prosecution, the Sheriff’s Office and the Indiana State Police.”

“The publicized Affidavit contained no evidence favorable to the accused Jail Officer and defendant, Daniel Long, whatsoever. So, I immediately sent an email to Sheriff Tom Latham requesting a copy of the Affidavit for myself as Publisher of the New Harmony Gazette. Sheriff Latham responded that his office was not the investigating agency and directed me to the Posey County Clerk’s Office. I also immediately notified your office via email with the same request. Which, I assume, is why Clerk Anna Wiggins has emailed the document to me.

“In further regard to Sheriff Latham and my request to his office, I also emailed him some pertinent questions regarding the inmate James Thole’s apparent mental disorder, reported in the affidavit and The Posey County News, which may have played a role in Thole’s reported aberrant behavior on the day of the alleged incident with Daniel Long.

“The Indiana State Police Affidavit states that Thole was allegedly using Bodily Waste in the Commission of Battery against Jail Guard Long. State records also reveal that Thole has been charged with this type of offense against other Jail Guards in his other incarcerations in other

Correctional Facilities in the the State of Indiana. I wanted to know if he [Latham] was aware of this development. Sheriff Latham did not answer this inquiry.

“On the day of the stated incident between Long and Thole, Thole was also reportedly banging his handcuffs on the cell door and Long was responding to this disruption. The Affidavit states that Thole’s father had said that Vanderburgh County was reportedly attempting to have Thole placed in a mental health facility.

“I asked Sheriff Latham if he and our Posey County Corrections Officers were aware of these circumstances. No Answer. (Answered NO on 8/30/22)

“I asked Sheriff Latham if, as was reported, that Daniel Long was a Sgt. on the Posey County Jail staff. No Answer.” (Answered YES At the time he was fired. (Rec’d 8/30/22)

“As it was reported by another Jail Officer in the affidavit by the Posey County News, that Long was in fact, “fairly new to the Sheriff’s Office” I asked Sheriff Latham what the date of Long’s hiring was and, “when did he make Sgt. grade. No Answer. (Answered on 8/30/22)

“I asked Sheriff Latham if Officers Long and /or Elliott knew that they were being filmed in the cell-block. No Answer. (Answered Absolutely on 8/30/22)

“I asked Sheriff Latham how long Thole had been incarcerated in the Posey County Jail and what Thole had been arrested for in Posey County and when. Who made the arrest? No Answers were made by Sheriff Latham to any of these

questions. (Answered on 8/30/22)

“In addition, I would like to know what training our Posey County Jail Officers receive in the handling of inmates, and most especially, inmates who are recognized to have mental disorders.

“Since Sheriff Latham has deemed it unnecessary to answer questions from the press, I am therefore passing the questions on to you and to your office for answers. It appears that there may be some attempt here, thus far, to suppress evidence favorable to the accused - which I have requested. (Sheriff Latham provided his answers to the questions on 8/30/22)

“All defendants are assumed to be innocent until proven guilty by a court of law - even Jail Officers employed by Posey County.

“The New Harmony Gazette is a newspaper, a free newspaper, that I publish at my own expense for the benefit of the citizens of Posey County and New Harmony. I hope that I will not experience any further delays in getting answers to these very simple and pertinent questions regarding the arrest and prosecution of Jail Officer Daniel Long.” — Dan Barton, Publisher, The New Harmony Gazette.

It is a Prosecutor’s duty to provide evidence favorable to the accused upon request, where the evidence is material either to guilt or punishment, irrespective of the good faith or bad faith of the prosecution. U.S. Supreme Court 1963

Publisher’s Opinion: Both sides of the charges related to the arrest of Jail Sgt. Daniel Long should be presented, not just the aggravating

circumstances, which seemed to be overwhelmingly reflected in the Indiana State Police Affidavit of Probable Cause that was released by our County or State Government to a local news source; but also the mitigating circumstances, as has just now been provided here by the Posey County Sheriff, Tom Latham, in his statements to The New Harmony Gazette.

Next Month The Affidavit!



PERILLA MINT: TOXIC TO YOU AND YOUR ANIMALS AND MAY BE THRIVING IN YOUR YARD!

By: Angelia Phillips

Recently I saw my sister with our good friend, Lee Brown, walking the property around our home, in Southwestern Indiana. They appeared to be intently searching for something, low to the ground.

Later, I inquired as to what they were hunting and if they’d found it. Thankfully, the answer was no.

Turns out our friend lost some livestock last winter, and after some research, he discovered the problem was a plant, a type of toxic mint called Perilla and also known as the Beefstock plant and it killed multiple goats on his farm.

Lee and his wife, Brenda, reside

across the field from our property. We have a horse that is a much loved part of our family and Lee wanted to ensure she was safe from the Perilla threat.

That’s one of those beautiful aspects of living in a tiny village. We look after one another.

Since I’m a big fan of the Brown family’s goat farm, not far from our village, the info on Perilla prompted me to write about it here, in hopes it will be seen by others who have animals endangered by the stuff.

My thanks to Lee and Brenda, as well as their son and daughter-in-law, Wyatt and Micah, for unknowingly providing me with some wonderful therapy while I’ve been in cancer recovery during the last year.

Ain’t no way most folks can feel blue when they can spend a little time watching the antics of miniature, cavorting goats. If you’ve got access to such, be cautious. They can make you laugh hard enough to pop some stitches.

Between the Brown family’s goats and the horses in our village, I consider myself highly favored and blessed to have such divinely assigned and designed therapists.

Things to Know about Perilla:

- It’s an invasive species from Asia/ India
- An annual plant, blooming from July to October
- Often found in pastures and adjacent woodlands
- Sometimes, although not as often,

found in gardens and disturbed fields

- Exhibits ribbed, square stems and broad leaves, arranged oppositely with a toothed margin
- Produces a spindly, hairy spike (raceme) bearing purple or white flowers in pairs
- Its leaves vary in color from green to purple (especially in shaded areas)
- When the plant is crushed or swept over, it releases a minty scent
- Its toxicity levels can vary from plant to plant and environment and not all varieties of the plant are toxic

Of the Perilla mint plant varieties that are toxic, the flowers are the most dangerous, having the ability to cause respiratory distress syndrome. The Perilla plant has ketones that can damage the lungs through inflammation.

Ingestion of the plant has caused multiple deaths to livestock in Southwestern Indiana, during the winter of 2021 and 2022.

How to get rid of it:

- The plants are most vulnerable

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in early spring, when they're easier to uproot and bag for disposal. Or douse with herbicides, such as 2,4-D (low-volatile ester formulations) or tank-mixtures containing both 2,4-D and dicamba (several formulations) along with a surfactant.

- Herbicides containing aminopyralid (Milestone, Grazon Next) also provide effective control but may persist in treated hay and in manure derived from animals that were fed with treated forage or hay.
- Seeds of the plant in hay are also toxic and can cause death

Hoping this will inspire you to check your own property, if you have a lawn or pastures where this type of mint may grow, and spread the word to others who may live in a similar environment. It's good to be proactive with such things, whenever possible.

SEPTEMBER GAZETTE RECIPE

By: Denise Rapp

MEXICAN STREET CORN

Serves 8 - 10

When sweet corn is at its peak, one of my favorite things to make is Mexican Street Corn. This street corn is great off the cob as a side dish or a dip with corn chips. You can also slather the goodie on the cob and have it that way. Anyway you do it, its a winner!

Ingredients:

- 3 Tbs salted butter
- 5 ears of corn shucked and rinsed (or)
- 3 cans of whole kernel corn

- 1 jalapeño, seeded and diced
- 4 Tbs Mayo
- 4 Tbs cotija cheese
- 2 Tbs chopped fresh cilantro
- 1 tsp chili powder
- 1 clove of garlic
- Zest & juice of one lime

Directions:

Melt butter in a large skillet at medium high heat, add the corn & jalapeño
Cook stirring occasionally, until cooked through and slightly charred. (8-10 minutes)
Stir in cotija, cilantro, lime, Mayo, chili powder & garlic.
Serve immediately.

Enjoy !



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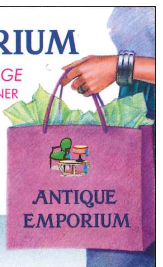
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