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THURSDAY, MARCH 8, 2018

# The Mountain Advocate

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**BREAKING NEWS**  
@mountainadvocate.com

www.mountainadvocate.com



## Water damages Stivers Center

BY JAY NOLAN  
PUBLISHER

Although it is still closed, the Stivers Aquatic and Wellness center remains in the news. Center Board chairman Randell Young reported that last week the Sprinkler system in the building went off one evening, for no apparent reason. The center sustained some water damage, and some flooding of electrical equipment as a result of the water from the sprinkler incident.

The sprinkler system company has been contacted to fix the system, and Young says

**Sprinkler fault leads to flooded control room**

See STIVERS, A5



Knox Central High School was the target of a threat last week. A Flat Lick teen was arrested and charged with second-degree terroristic threatening. Photo by Charles Myrick

## Arrest made in KCHS threat

BY TASHA STEWART  
REPORTER

A Knox Central High School student has been arrested after police say he wrote threatening messages on the bathroom walls.

Kentucky State Police Post 10 Harlan was first made aware of the threatening messages on March 1 at approximately 11:45 a.m. Troopers Jay Sowders and Chad Gregory responded to the school and began an investigation.

According to a press release from KSP Public Affairs Officer Shane Jacobs, preliminary

investigation indicates that a 16-year-old male from the Flat Lick community wrote threatening messages on the bathroom walls at KCHS while he was at school on March 1. KSP officers arrested the juvenile, charging him with second-degree terroristic threatening. He was transported and lodged in the Breathitt County Juvenile Detention Center.

This case is still under investigation by Tpr. Jay Sowders. The Knox County Sheriff's Department assisted at the scene.

## State Police order threatens media

STAFF REPORT

A spokesperson from the Kentucky State Police (KSP) has issued an order, attempting to place demands on the Mountain Advocate and a Bell County radio station.

The order from State Police Public Affairs

Officer Shane Jacobs says, "...from this point forward when KSP is working an investigation, you are to wait until OUR (KSP) press release is sent out before putting anything out on social media, radio, and newspaper. No more posting inaccurate

information from Sheriff's or anyone else." He then threatens, "Authority of my supervisors, if this continues, you will be taken off our media distribution list." (Officer

See KSP, A9



## FIRE THREATENS HOME

Responders with Barbourville Fire Department were paged to reports of an explosion across from Thompson Park early Monday morning. Firefighters found a camper fully engulfed approximately 15 feet from a residence. The fire was extinguished without injury or damage to the nearby residence.

@barbourvillefd Instagram

## COURT BRIEFS

### Alleged kidnapping case trial set

BY TASHA STEWART  
REPORTER

The man accused of kidnapping Douglas "Bub" Middleton is putting his fate in the hands of jurors.

At his March 2 pretrial conference, the jury trial date for James Davis, 21, was set for May 15 at 9 a.m. with the Honorable Michael Caperton presiding. Before his jury trial, Davis will have a ninth pretrial conference on May 7 at 9 a.m.

Davis allegedly kidnapped 23-year old Douglas "Bub" Middleton from his home in Artemus on February 15. Middleton was located 17 days later, suffering from multiple injuries including severe frostbite which led to the amputation of his legs.

Middleton told Kentucky State Police Detective Jake Wilson that Davis kidnapped him from his residence, placed him onto an ATV, took him to a building in the woods and kept him there for 17 days. Middleton

See KIDNAPPING, A5

### Former deputy jailer awaits rape trial

BY TASHA STEWART  
REPORTER

A woman accused of having sex with a male inmate while employed at the Knox County Detention Center is awaiting a trial date.

Jennifer Ross, 36, appeared in the Knox County Circuit Court for a pretrial conference on March 2 where a third pretrial conference was scheduled for May 4 at 1 p.m. with the Honorable Michael Caperton presiding.

Ross is charged with third-degree rape, which she plead not guilty of, stemming from charges she had sex with a male inmate while she was employed at the jail. Any sexual contact between jail employees and inmates is an automatic third-degree rape charge because the employee is in a position of authority over the prisoner. The charge is a Class D felony, and if found guilty, Ross could serve up to five years in prison.



Jennifer Ross

## Cancer survivor spreads awareness across region



Sherry Payne, pictured, now works around-the-clock as a Community Health Advisor for the American Cancer Society in eastern Kentucky. Along with providing support to those battling cancer, Payne also strives to increase the number of people receiving regular screenings in the region.

Photo Submitted

BY TASHA STEWART  
REPORTER

After winning her own fight with cancer, a local woman is working around-the-clock to raise awareness and support for other cancer patients in Knox County.

Sherry Payne was diagnosed with stage three colon cancer in November 1998. Payne recalls initially thinking the pain she was experiencing as stress-related, but as it increased, she went to her doctor just to be safe.

"It was some of the worst pain I've ever had. I could not get out of bed. I still don't know why I didn't go to the ER, it was that bad," recalls Payne.

After performing several tests which

revealed nothing, Payne's doctor opted for a colonoscopy, something most 44 years olds do not have to worry about.

Payne states that when she went for the colonoscopy, the procedure couldn't be performed.

"When they went in, the tumor was so big, I was completely blocked and that's what was causing the pain," continued Payne, who said if she had waited just two more weeks, she would've become septic and would not be alive today.

The day following the failed procedure, Payne's doctors confirmed she had cancer and

See PAYNE, A7

**ELECT  
CHARLES SPRINKLES  
KNOX CO. JUDGE-EXECUTIVE**

PAID FOR BY CHARLES SPRINKLES





# Knox man arrested in child porn investigation

**STAFF REPORT**  
A Barbourville man was arrested Wednesday and charged with distributing child pornography. Kentucky State Police's Electronic Crime Branch on Wednesday, February 28 arrested Robert T. Whitter III, 27 of Barbourville, on charges related to the distribution of matter portraying a sex performance by a minor.



Robert T. Whitter III

According to a press release from KSP, Whitter was arrested as the result of an undercover Internet Crimes Against Children investigation. The investigation began after discovering the suspect uploading images of child sexual exploitation online. KSP executed a search warrant at Whitter's residence where they seized equipment for examination they say was used to facilitate the crime. The equipment was sent



Robert T. Whitter III was arrested at this residence Wednesday and charged with distribution of matter portraying a sex performance by a minor.

Photo Submitted

to KSP's forensic laboratory for examination. Whitter was charged with three counts of distribution of matter portraying a sex performance by a minor, a Class D felony which is punishable by one to five years in

prison. Whitter was lodged in the Knox County Detention Center, where he is held on a fully-secured \$5,000 bond. He is scheduled for a preliminary hearing on March 23.

# Flat Lick woman arrested for fourth DUI

**BY TASHA STEWART  
REPORTER**  
A Flat Lick woman may be facing a felony after police arrested her for a DUI this past week, her fourth since 2013.

On February 27 at approximately 4:46 p.m., the Laurel County deputies and officers were alerted that a gold colored Chevrolet Classic was driving recklessly in London. The vehicle was operated by Chastity J. Roop, 30, of Flat Lick.

Police caught up with Roop, who stated she was weaving because she was texting while driving. During the traffic stop, police determined she was under the influence. Roop was also found in possession of four syringes, rolling papers, a glass pipe and Ziploc bags.

Roop was charged with operating a motor vehicle under the influence (fourth offense), driving on DUI suspended license (third offense), driving a motor vehicle while texting, failure to wear seatbelts and possession of drug paraphernalia. Roop was also wanted for a Laurel District Court bench warrant for failure to appear in court on

charges of operating on suspended or revoked operator's license and numerous other traffic, registration and insurance violations.



Chastity J. Roop

Roops previous DUI charges come from March 2013, February 2015 and November 2016. In Kentucky, the penalty for a fourth DUI in 10 years is a Class D felony, punishable of up to \$10,000 in fines and/or imprisonment up to five years.

Also arrested during the traffic stop was a passenger in the vehicle, Jason Steven Martin, 33, of Jeffersonville, who gave officers a false name. Martin is charged with giving officer false identifying information. Both individuals were lodged in the Laurel County Detention Center.

Laurel Sheriff's deputies Rick Cloyd, Jake Miller and Travis Napier and London City Police officers Greg Turner, Matt Moore and Steven Sparks made or assisted in making the arrests.

## KSP FROM PAGE A1

Jacobs' full statement is posted at [www.mountainadvocate.com](http://www.mountainadvocate.com)) In response, Mountain Advocate publisher Jay Nolan stated, "We believe our community is best served when an independent, free press works closely with all law enforcement agencies. Our mutual goal should be to keep the public fully informed and protected." He went on to say, "For the KSP to tell us we can only report what the KSP says, when they want to say it, and we must ignore any and all other sources, that's crazy. Any professional journalist would consider a publicly elected law enforcement professional like our Sheriff as a credible source. Sheriff Smith has 27 years of law enforcement experience, 24 of which with KSP itself. To tell us we can't quote someone like him, or an eyewitness, or a local police chief? And, for them to threaten us with removal from their media list is at best misguided."

The Mountain Advocate has notified the Kentucky Press Association, (KPA) about the incident. KPA attorney, Jon Fleishaker, commented, for the State Police to say it will restrict publication of information is clearly a violation of the First Amendment, adding "The officer's threat is not acceptable." At the Mountain Advocate's request, the Executive Director of KPA, David Thompson, has sent a letter asking the commissioner of the KSP to overturn officer Jacobs' order. "In my years of working with The Mountain Advocate, I feel our relationship with local law enforcement is stronger than it's ever been," said Mountain Advocate Editor Charles Myrick. "This demand has totally blindsided us. However, we will continue to do our job and keep the public informed, regardless of the agency or agencies involved." Brian O'Brien, President and General Manager of The Big One 106.3FM WRIL radio station in Bell County was equally caught off guard by the demand. "When I received the email I was very surprised. I have worked for decades to establish a rapport with law enforcement when reporting issues facing the community. While I can't speak for any other media,

I do feel that most of us do our utmost to check sources and present our coverage in a respectful manner," O'Brien said. "I understand that many incidents are fluid and change rapidly especially after the nature of a threat, but we still have an obligation to responsibly report an event to the public." "We always try to support our law enforcement officers at every level. We know they have a difficult and dangerous job," Nolan stated, pointing out that two sheriff's deputies in Knox County were shot in the line of duty just last year. "I appreciate the sacrifices all law enforcement officers make in keeping our people safe," said Myrick. "But part of keeping the public safe is an open forum of

communication, and that's what we do. An attempt to silence the media is not only a breach of the First

to keep our public safe." O'Brien defended his motives, saying "In the role of informing the public of an incident we would never attempt to derail or interfere with any ongoing or active investigation. As with any information we provide, we didn't manufacture it, nor attempt to sensationalize it just to get a like or a click on our pages. That is not our goal." "We want to work with the KSP, but we simply cannot do our job and comply with this order." Nolan said.



Amendment, but a slap in the face of any effort

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## 2017 UNMINED COAL TAX



### Knox County Sheriff's Office Sheriff Mike Smith

234 Court Square • Barbourville, KY 40906

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|---------------|----------------------|
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| • 5% penalty  | if by May 31, 2018   |
| • 21% penalty | after May 31, 2018   |

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Mike Smith  
Knox County Sheriff

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