

ENTERED  
DATE 11-28-2023  
LISA THOMAS, CLERK PLAINTIFF  
TRIGG CO. CIRCUIT/DISTRICT COURT  
BY: Lisa Thomas D.C.

COMMONWEALTH OF KENTUCKY

VS.

SENTENCING ORDER

AARON ACREE

DEFENDANT

Based upon a plea made to and accept by the Court, Defendant is adjudged guilty of the following offense(s): Official Misconduct 1<sup>st</sup> Degree X 2 (Class A Misdemeanor) and Menacing X 2 (Class B Misdemeanor) and is **ORDERED** sentenced to pay fines, fees, restitution and/or costs of \$ 63<sup>00</sup>, suspended fines of \$ —, and/or to confinement (jail) for a period of 12 months, with 0 days/months to serve, and credit for 0 days/months. The balance, if any, of suspended fines and/or suspended confinement shall be conditionally discharged for 24 months on the following conditions:

- Have no new convictions of any violation, misdemeanor or felony offenses.
- Not possess or consume any illegal/synthetic drugs, take prescription drugs only as prescribed.  No use/possession alcohol.
- Take and pass drug screens, at your own expense, as ordered by the Court\*. And Alcohol screens, if alcohol is marked above.
- Not own or operate a motor vehicle without a valid operator's license and liability insurance.
- Perform \_\_\_\_\_ hours of Community Service and file proof with clerk by \_\_\_\_\_.
- Have no contact/communication with Crystal Smith except as may be necessary for formal legal proceeding through or in the presence of legal counsel.
- Stay off the premises of \_\_\_\_\_.\*
- Have an assessment for \_\_\_\_\_ Domestic Violence \_\_\_\_\_ Anger Management \_\_\_\_\_ Drug /Alcohol Abuse and follow all recommendations. Written proof must be filed with the Clerk before \_\_\_\_\_, 20\_\_\_\_.\*
- Pay as follows:  Today \_\_\_\_\_ in full by Review date below. \$ \_\_\_\_\_ per month starting \_\_\_\_\_, 20\_\_\_\_. Review: Monday/Wednesday, \_\_\_\_\_, 20\_\_\_\_ at \_\_\_\_\_ a.m./p.m. **APPEAR IF NOT PAID.**
- Complete an approved drug/alcohol treatment or counseling program and provide written proof of enrollment and completion.
- OTHER: \_\_\_\_\_

\*A separate Order may be issued with more detail about this issue.

**DURING TERM, YOU SHALL IMMEDIATELY GIVE THE COURT CLERK WRITTEN NOTICE OF ANY CHANGE OF ADDRESS.**

**IMPORTANT INFORMATION FOR DEFENDANT**

THIS IS AN IMPORTANT DOCUMENT THAT YOU SHOULD READ CAREFULLY. FAILURE TO FOLLOW ANY OF THE ABOVE CONDITIONS MAY RESULT IN ADDITIONAL JAIL TIME, MORE FINES, BENCH WARRANTS OR OTHER SANCTIONS. REVIEW THE ABOVE ORDER, if you believe any of the information is incorrect, you must notify your attorney or the Clerk immediately. Trigg County District Clerk, 41 Main Street, Cadiz, KY 42211. 270-522-7070. At the end of the time period stated above, the Defendant shall be deemed fully discharged from this sentence, except for any unpaid restitution/fees, unless a bench warrant or other order issued by the Court is pending. You may have a right to have this conviction expunged (REMOVED) from your record if you have no new convictions and otherwise qualify. See KRS 431.078.

\_\_\_\_ ENHANCABLE OFFENSE(S) NOTICE: Future convictions of the same or similar charge(s) may carry much greater penalties.

This is a final and appealable Order issued on November 28<sup>th</sup>, 2023 with no cause for delay.

HAVE SEEN AND RECEIVED COPY:

[Signature]  
DEFENDANT  
[Signature] or  
ATTORNEY FOR DEFENDANT

[Signature]  
JACK M. TELLE, SPECIAL JUDGE  
TRIGG DISTRICT JUDGE

Not signed due to video appearance but acknowledged on the record by Defendant.  
 mailed  emailed to Defendant  Defendant's Attorney

COMMONWEALTH OF KENTUCKY  
TRIGG DISTRICT COURT  
CASE NO. 22-M-246

COMMONWEALTH OF KENTUCKY

PLAINTIFF

v.

AARON ACREE

DEFENDANT

**PLEA AGREEMENT**

Now come the parties, and hereby respectfully present a plea agreement for consideration by this Court:

1. Count 4 of the Indictment – The Defendant pleads guilty as charged to one count of Official Misconduct First Degree involving the incident with the rental of a guest room at Lake Barkley Lodge. Sentence shall be 12 months in jail, all time to be conditionally discharged for a period of 24 months, condition no violations of law, with \$500.00 fine to pay. No restitution to Lake Barkley Lodge is owed and management is in agreement (via written communication on email) with these terms after consultation by the Commonwealth.
2. Count 2 of the Indictment – The Defendant pleads guilty as charged to one count of Official Misconduct First Degree involving the incident with Crystal Smith at the Trigg County Sheriff's Office. Sentence shall be 12 months in jail, all time to be conditionally discharged for a period of 24 months, conditions no violations of law and no contact or communication with Crystal Smith except as may be required in formal legal proceedings. Crystal Smith, via written email communication from her attorney (Marilyn Shrewsbury), is in agreement with these terms after consultation with the Commonwealth.
3. Count 1 of the Indictment – The Defendant pleads guilty to the amended charge of Menacing (UOR 00803) involving the incident with Crystal Smith at the Trigg County Sheriff's Office. Sentence shall be 90 days in jail, all time to be conditionally discharged for a period of 24 months, conditions no violations of law and no contact or communication with Crystal Smith except as may be required in formal legal proceedings. Crystal Smith, via written email communication from her attorney (Marilyn Shrewsbury), is in agreement with these terms after consultation with the Commonwealth.
4. Count 3 of the Indictment – The Defendant pleads guilty to the amended charge of Menacing (UOR 00803) involving the incident with Crystal Smith at the Trigg County Sheriff's Office. Sentence shall be 90 days in jail, all time to be conditionally discharged for a period of 24 months, conditions no violations of law and no contact or

communication with Crystal Smith except as may be required in formal legal proceedings. Crystal Smith, via written email communication from her attorney (Marilyn Shrewsbury), is in agreement with these terms after consultation with the Commonwealth.

The Commonwealth further explains the reasons for the two amended charges as follows. First, as to the original charge of Terroristic Threatening Third Degree, two witnesses described the Defendant's statements to Crystal Smith as being (paraphrasing) "if I ever catch you in my house again, I'll kill you." The Commonwealth would note that Crystal Smith had just been arrested for unlawfully entering the Defendant's home at the time this threat was made. Smith also recently entered a guilty plea to Burglary 3<sup>rd</sup> Degree because of her conduct. Further, the threat attributed to the Defendant was apparently conditional in nature. The Commonwealth would point out at that Kentucky has formally adopted the Castle Doctrine by statute (KRS 503.055), meaning that the Defendant, hypothetically speaking, *could potentially* be justified in using lethal force against Crystal Smith if in fact she once again *unlawfully* enters his home.

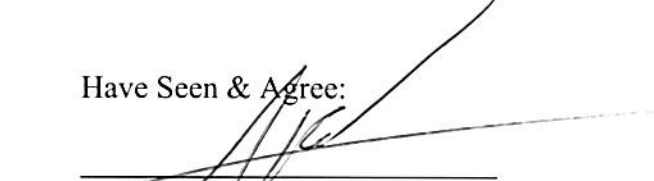
Second, as to the original charge of Assault 4<sup>th</sup> Degree, the Commonwealth would note that this charge would require proof beyond a reasonable doubt of actual physical injury to Crystal Smith. Although Smith *could* be capable of helping to establish this element of the offense through her testimony, the Commonwealth would point out that when Smith was admitted to the Christian County Jail following her encounter with the Defendant, she immediately went into detox treatment due to her being under the influence at that time of one or more drugs (heroin was found on her person at the time she entered Defendant's home and she has since entered a guilty plea to possession of same. Note that Smith stated this in a recorded interview with Sgt.Det. Zach Jones of KSP. (See also Cadiz Police Department report). Thus, the accuracy of Smith's testimony *could* be called into question due to her intoxicated state. Further, Smith never sought treatment for injuries while an inmate at the Christian County Jail

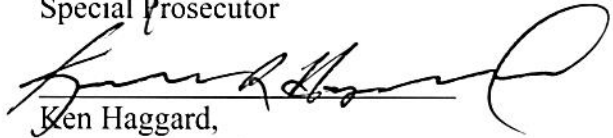
and there are no photos of any bruising or injuries. (This information also comes from Smith's recorded interview).

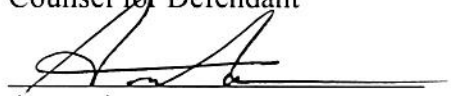
As one final matter, the Commonwealth is fully aware of the public interest in this case due to the Defendant being the current Trigg County Sheriff. The Commonwealth would note that neither the Commonwealth nor this Court is vested with any power or authority over his status as a peace officer or as Trigg County Sheriff. Stated another way, a removal from office was never going to be an automatic consequence as a result of this case, regardless of any possible outcome as to the original charges or the two charges as amended. What may transpire in the future as it relates to the Defendant's status as Trigg County Sheriff rests solely in the hands of other entities, which could include, but not necessarily be limited to, the Governor of the Commonwealth, the Kentucky General Assembly, and/or or the body politic of Trigg County.


Submitted on this the 28 day of November, 2023.

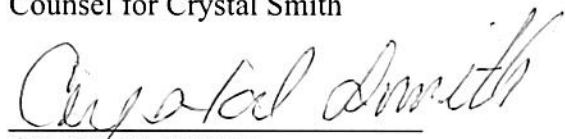
Have Seen & Agree:

  
\_\_\_\_\_  
JASON F. DARNALL,  
Marshall County Attorney  
Special Prosecutor

  
\_\_\_\_\_  
Ken Haggard,  
Counsel for Defendant

  
\_\_\_\_\_  
Aaron Acree,  
Defendant

  
\_\_\_\_\_  
MARILYN L. SHREWSBURY  
Counsel for Crystal Smith

  
\_\_\_\_\_  
CRYSTAL SMITH