

Some Charges Dropped In Lonoke Trial

Melissa Dunbar-Gates ■ 1 year ago

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Some of the charges are dropped against the former Lonoke police chief and his wife in court Thursday. As part of that decision, Judge John Cole decided having sex with inmates was not illegal.

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A total of five charges were dropped but keep in mind there are still dozens more. This, as the defense calls its first witnesses.

The Campbell trial reached a new phase inside the Cabot City Annex Building. Now, the defense is presenting its side after the prosecution rested its case. (See story link below pictures.)

Before testimony began Thursday, Cole announced he was dropping three charges against Jay Campbell and two against Kelly Campbell. Most of Jay's dropped charges involved theft of property; some centered around one man's testimony that the judge deemed unreliable, suspecting the man was on drugs at the time he testified.

Defense attorney Patrick Benca says, "It's a tough call. The judge has to make a tough decision but I think he analyzed the evidence before him and I believe he made the right decision."

Kelly Campbell's dropped charges were for having sex with two prison inmates. She is still charged with allegedly furnishing them with prohibited articles like alcohol, cell phones and drugs.

Lonoke County Prosecuting Attorney Lona McCastlain says, "State's position all along was that the sex was a prohibited article and every single prisoner testified that they knew that sex was not allowed. So it comes down to whether sex is a prohibited article."

In total, four defense witnesses took the stand Thursday. Most of them testified about the evidence room at the Lonoke Police Department, specifically how the confiscated drugs were kept.

Private investigator Mike West, who was hired by the prosecutor to audit and inventory the evidence room, called it pretty bad. He claimed all evidence was not accounted for, that evidence maintenance was failing, and out of 1,490 pieces of evidence only four had attached pieces of paper documenting their chain of custody. West says this means there's no idea who's handled the evidence or where it's been.

Even after the dropped charges, there are still 64 counts remaining against both Campbells.

The defense has a list of 20 witnesses. Patrick Benca says he only needs two to four days for his case. Benca says he doesn't know when or if his client, Jay Campbell, will take the stand in his own defense.