



PRESS RELEASE

Keith Sparks of McCoy & Sparks, PLLC issues the following response to the City of Bardstown's release of information relating to former Bardstown Police Captain Tom Roby:

On Tuesday, May 31st the City of Bardstown continued down the destructive path it has recently chosen. After 27 years of dedicated public service, in which he had a spotless record, the City has fired and attempted to publically humiliate Tom Roby. We intend to show that the firing was not, in reality, based on the allegations that were publically released by the City. It was, in our opinion and based upon the information we have seen, an act of retribution and a way to justify the City's much criticized police reorganization.

For background, on May 12th, my office issued an open records request pertaining to Tom Roby's unexplained demotion from Captain to patrolman. I was told that this upset City Officials. Just over two weeks later, Captain Roby was called into the Mayor's Office and read an Employee Warning Report saying that he committed a crime by essentially cleaning out his desk and file cabinets. The City released these allegations publically the same day. As his attorney, I inquired into what type of "investigation" was performed. Instead of disclosing the facts, I was told by the City's HR director that we were not permitted to ask any questions. In short, we believe this action was a thinly veiled threat to discourage his pursuit of a civil case against the City.

For the record, Tom Roby did nothing wrong. The only wrong being committed here is the continued abuse of power by certain City officials. Captain Roby simply put old copies of documents that he had stored in his office into the department's trash box. Most were duplicates of case files whose originals are still of record at the Bardstown PD and Greater Hardin County Narcotic Task Force. Some were his notes on matters that never developed into a case. Some were his personal training manuals. Captain Roby did this openly, in full view, and with the full knowledge of his superiors. Had the investigators been interested in the truth, they would have asked him and known this. Had they interviewed Chief McCubbin, they would have known this. I did speak with Chief McCubbin. He says that Captain Roby was cautious, organized and open about what he was doing – getting rid of duplicates. Chief McCubbin said that to his knowledge Captain Roby did not violate any policy of the City.

Captain Roby fully intends to sue the City for his wrongful demotion, discharge, and the defamation of his character. We intend to show that all of this was orchestrated as retribution for what the Mayor and others perceived as past wrongs.

Being elected to office does not grant permission to abuse power.