

# The State Journal

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**MONK SCORES FRESHMAN RECORD IN WILDCATS' WIN**  
(Sports, B1)

## Washington's record runs deep



Murder suspect Toma Washington is shown here in a social media photo.

Man charged with murder of Jaleesa Robinson on probation when shooting occurred

By Rosalind Essig

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Toma Washington, charged in Frankfort's only homicide of 2016, had been released on bond with a 2015 case still pending and was serving probation for a 2015 assault and unlawful imprisonment case when he allegedly shot to death Jaleesa Robinson on Tuesday night.

Commonwealth's Attorney Larry Cleveland asked a judge to revoke Washington's probation in August 2015 after he was indicted for first-degree wanton endangerment, third-degree terroristic threatening and first-degree persistent felony offender. However, an order was never made to revoke the probation because the new case had not been resolved.

"When I file a motion based on the fact that I've got a new charge pending against somebody, the court, 99 times out of a hundred, simply holds that motion in abeyance pending the outcome of the new charge. So, that looks like that's what happened here."

— Commonwealth's Attorney Larry Cleveland

See RECORD, A4

## FCHD to provide naloxone training

Program to be free to residents Wednesday

By Rosalind Essig

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The Franklin County Health Department will provide free naloxone training for citizens and distribute free naloxone from 1 p.m. to 4 p.m. Wednesday.

The training only lasts 10 to 15 minutes, and the health department is encouraging all citizens to attend — not just emergency and health care professionals. The health department is also encouraging syringe exchange program participants to attend, as well.

The training "will cover rescue breathing, because you do need to have air circulation, or oxygen circulation,

See FCHD, A10

## Judge says get degree, stay out of courtroom

By Brad Bowman

[@bradleybowman](https://twitter.com/bradleybowman)

Franklin Circuit Judge Thomas Wingate said Friday that one sure way to stay out of his courtroom is to get a college degree.

Wingate didn't mince his words for Austin May, 20, of Frankfort who pleaded guilty in October to second-degree assault and second-degree robbery after assaulting a juvenile, rushing into his home and stealing a safe containing

\$2,600 in cash. Co-defendant Jordan Wise is out on bond.

"Why did you get involved in a situation like this? You were going to college. Why are you doing this?" Wingate asked May in court. "Here you are some gifted athlete ... and then you end up in something like this. You have the opportunity to have a college degree and you start taking Xanax bars?"

"Do you know the number one thing

See JUDGE, A5

## Audit: Franklin County schools adds \$297K to its contingency fund

State Journal Staff Report

Independent auditors had no issues to report for Franklin County Public Schools' fiscal year that ended June 30.

Heather Cochran with Lexington firm RFH CPAs & Consultants made an audit presentation to the school board at Monday's regular meeting. She said the audit presented fairly, the best opinion auditors can give.

She said the audit shows the district brought in more revenue than it budgeted for last year and added \$297,000 to its contingency fund.

"We go to a lot of board meetings and school boards are one of those places that every time you go, everybody's always very passionate about helping the kids and making sure things go right," Cochran said.

TODAY'S WEATHER • Mostly cloudy, high 29 WEATHER, A12



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# RECORD

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outcome of the new charge. So, that looks like that's what happened here," Cleveland said.

The case was scheduled for trial last December but was intentionally passed over. Cleveland said it was a weak case but one that could be used to keep Washington in compliance with the law — a strategy informally called “the R.L. Doss plan.”

“And it worked until this day when he was in a terribly nasty mood and got mad at this girl for some reason,” Cleveland said.

On Tuesday evening, Washington allegedly shot Robinson, who drove about a half mile to the Circle K at 750 Schenkel Lane, where she called 911, according to an investigation by the Frankfort Police Department. Robinson was flown to the University of Kentucky Chandler Hospital in Lexington, where she died around 8 p.m. from a gunshot wound.

After a guilty plea on March 18, 2015, Washington was sentenced to 12 months imprisonment for fourth-degree assault, a Class A misdemeanor, and 12 months for second-degree unlawful imprisonment, a Class A misdemeanor, according to court records. Washington was granted 24 months of probation, which he was serving at the time of the shooting.

“He’s currently on active supervision and it’s on misdemeanor charges out of Franklin Circuit Court,” said Chris Copenhaver, District 12 supervisor for the

Kentucky Division of Parole and Probation.

While supervision requirements can vary widely, Copenhaver said they generally include drug testing, home visits to assure the person is living where he says he’s living and employment checks.

Due to Washington’s criminal history and probation, he was not supposed to possess a gun, Cleveland said. He will be adding charges to the murder case against Washington to include convicted felon in possession of a firearm and persistent felony offender in the first degree.

Washington’s felony convictions include second-degree burglary in 2011, first-degree manslaughter in 2001, first-degree trafficking in a controlled substance (cocaine) in 1996, and third-degree assault in 1996 for assaulting a corrections officer as an inmate, according to court records.

Washington pleaded guilty to first-degree manslaughter in 2001 after his 1997 murder conviction was overturned by the Kentucky Supreme Court. In that case, Washington was tried for the shooting death of Rodney Williams. Since then, Washington has been found guilty or pleaded guilty in a number of other cases.

He was found guilty of second-degree fleeing or evading police and acquitted on other charges in a 2008 case.

In 2009 there were a number of court actions involving Washington on emergency protection and a fourth-degree assault charge that was dismissed provided there were no new problems. Another emergency protection was dismissed at



Larry Cleveland

the alleged victim’s request in 2014. None of those actions involved Robinson, and Maj. Rob Warfel of the Frankfort Police Department has said he was not aware of any history of violence between Washington

and Robinson.

Washington pleaded guilty in 2011 to second-degree unlawful imprisonment, two counts of fourth-degree assault, second-degree burglary and violating a Kentucky emergency protective order or domestic violence order. The case involved another woman with whom Washington had children.

The charges in the case were amended from kidnapping and two counts of second-degree assault to unlawful imprisonment and two counts of fourth-degree assault. Washington was charged with breaking into an apartment and assaulting Brandi King, and assaulting and kidnapping Whitney Davis, the mother of Washington’s children. Davis later changed her statements and Washington was released from jail and given home incarceration to allow him to help Davis care for their children.

Because of his role as caretaker of the couple’s children and the need for supervision, Franklin Circuit Judge Thomas Wingate sentenced Washington to five years of probation. Washington had 520 days of jail time credit at the time, which meant he would have been released sooner with less supervision if given a jail sentence.

“The main thing you need to focus on is proving to the citizens of Franklin County that you aren’t the same Tom Washington that you were in 1995-1997,” Wingate told Washington at his sentencing in 2012. “... You need to prove to them that you are a much better person than that, and I believe that you are.”

Washington, a former Frankfort High School star athlete in the early 1990s, was sentenced for multiple charges in-

cluding first-degree trafficking in cocaine, disorderly conduct, resisting arrest, terroristic threatening and multiple assaults prior to the 1997 murder case.

Washington pleaded guilty in 2013 to carrying a concealed deadly weapon, third-degree terroristic threatening, probation violation for a felony offense, disregarding a traffic light, operating a motor vehicle under the influence, possession of marijuana, buying or possession of drug paraphernalia, and three counts of possession of an open alcohol beverage container in a motor vehicle, according to court records.

And in 2015 Washington pleaded guilty in the case for which he was serving probation at the time of the shooting. Just three months after his guilty plea, Washington was indicted on the charges that never went to trial.

In that case, Washington allegedly approached a man to accuse him of sleeping with a woman with whom Washington had a relationship, of owing Washington \$200 and of being in possession of a package that belonged to Washington. He also allegedly threatened the man, who said he then heard gunshots fired at the house, which had people indoors.

Cleveland said the case was weak and “not going to go anywhere at a trial.” Holding a case like that in abeyance can go on as long as the prosecutor wants it to, to act as a sort of pretrial diversion, he said.

It’s a strategy Cleveland allegedly created in the 1960s and ‘70s by Henry Meigs, who served as a circuit judge in Franklin County until the 1980s. Cleveland said there is a criminal rule in state statute that establishes the same idea.

“We’ll just hold this over the guy’s head,” Cleveland said. “Tell him, ‘I’m going to just hold this in abeyance and I’m going to prosecute it the first time you do something wrong.’ Most people, that works with. They’ll comply with the requirements of the law and you don’t have any more problems with them. And it seems to work pretty well with people who have offended before and been in prison and don’t want to go back.”

It was given the name “the R.L. Doss plan” after the first defendant Meigs used the tactic with. The goal is to keep the individual on good behavior and in compliance with the law.

“There’s as much art as science to this job,” Cleveland said.

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**FPB CYCLE BILLING UPDATE**

FPB’s Board and staff continue to look for ways to improve service and efficiency. One way to accomplish this goal is through the use of cycle billing. With cycle billing, bills are sent twice a month instead of once a month. Customers will still have due only one bill per month in an amount similar to what they have paid in the past.

FPB’s past practice of billing all of its customers at the same time has resulted in longer wait times for customers trying to reach staff in our office and on our phone lines. Cycle billing will more evenly distribute the work for staff throughout the month, thereby improving customers’ ability to reach our staff to handle their business needs.

FPB plans to begin cycle billing in May 2017, and once implemented, bills for half of FPB’s customers will be due on the first of the month and bills for the other half of FPB’s customers will be due on the fifteenth of the month. Payments for customers on bank draft will coincide with their due date.

FPB realizes this change will result in some customers receiving a bill due April 15th and their May bill due May 1st. To help alleviate this financial impact, FPB will work with these customers to create payment arrangements to ease the implementation of this process. However, due to meter reading schedules and routes, FPB is unable to allow customers to select a particular due date.

To learn more about cycle billing customers can visit our website at [fpb.cc](http://fpb.cc) or follow us on Facebook and Twitter, or by calling FPB customer service at 352-4372.



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