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Trial date set in 1997 Jehovah's Witness rape case

Judge holds off on decision to reduce bond



Photo by Abigail Whitehouse

Donovan Moore appears in Lincoln County Circuit Court Tuesday for a pretrial conference to address charges dating back to 1997.

By Abigail Whitehouse | Posted 6 days ago

STANFORD – The trial of a Jehovah's Witness accused of raping a 15-year-old girl nearly two decades ago is expected to begin in April.

Donovan Moore, 53, of 2059 St. Michael Drive in Lexington, was indicted in September on four counts of third-degree rape and four counts of third-degree sodomy for allegedly engaging in sexual intercourse with a juvenile in 1997 and 1998. Moore was 35 at the time of the alleged crimes.

Lincoln Circuit Judge Jeffrey Burdette has scheduled a two-day trial for Moore to begin April 27.

Moore has been lodged at the Lincoln County Regional Jail since his arrest Sept. 30 on a \$75,000 full-cash bond.

Public defender Sarah Bryant made a motion Tuesday to reduce Moore's bond, citing the "old age" of the charges and continuous contact with family members as reasons Moore isn't a flight risk.

"I would like to point out that Mr. Moore was employed until the time of his arrest. It's my understanding his job is still available," Bryant said. "He does not have a criminal history. I don't believe he would offend while he would be out on bond. His family has maintained contact with me throughout this case so far."

Commonwealth's Attorney Eddy Montgomery told Burdette he has made a plea offer but didn't go into any more detail other than saying he wasn't sure if the defense had plans to reject it.

"There is still some information we need in the case before we can make a decision – mainly family court records from Jessamine County," Bryant said.

A few new details emerged during the Tuesday pretrial conference, including information that both the victim and Moore were Jehovah's Witnesses at the time of the alleged sexual abuse – abuse that Montgomery argued was known by the church congregation and intentionally covered up.

"I think a trial would've come after the (allegations) came up and the church was aware of it and basically covered it up, similar to the Catholic church deal," Montgomery said. "Then the victim ended up getting married to this gentleman and having children with him."

Montgomery argued against the motion to reduce Moore's bond, stating, aside from the nature of the charges, there are records to back up the alleged crime and cover up.

"Basically the church told her not to report this and kept it in house. The analogy I've made would be the Catholic church sex abuse cases and that's the reason it had to come forward. He also has children with the victim in this case," Montgomery said.

Bryant said a lot of the allegations came up after "some family court issues" in Jessamine County, which is why she plans to send Montgomery an order to obtain those records.

"That was the first time authorities had been told," Bryant said. "I think they had been divorced for several years prior. They were married for several years and have two children."

Montgomery asked that Moore's bond be very restrictive if the motion to reduce is granted, including restrictive access to children.

"If you do grant any bond, I ask that it be very restrictive but obviously I'm asking you not to do that based on the nature of this case," he said.

Burdette said the only reason he is taking the motion under consideration is because the charges are almost two decades old.

"Just speaking frankly, the reason that you're being held on that bond is the nature of the charges and the number of them," Burdette told Moore. "All I've got is what's on this paper – eight charges that look serious."

Burdette said he's going to think about it before he makes a decision on Moore's bond.

"I see you nodding your head," Burdette said to Moore. "That's just the way they're going to present it. It may not be true but that's the information they've got. They're looking at it," Burdette said. "The fact is the only thing in my process is looking at this paper of multiple charges that are tough, tough stuff."

Montgomery asked the judge to set a trial date, stating that he has spoken to the victim and it's an old case that needs to be resolved.

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