**TERRE HAUTE POLICE DEPARTMENT**

**Media Release**

Date: June 18, 2018

To: Media Sources

From: Assistant Chief Shawn Keen

Subject: Conviction Dance Ordinance Violation

Since this story was first aired to the public, the narrative accompanying the events and subsequent citation that occurred on April 21, 2018, has been virtually one-sided. This approach has been intentional on the part of our department and is consistent with department policy and in accordance with the constitutional right of all defendants to a fair trial. Put simply, a law enforcement agency cannot try the specific evidence in a case in the media, social media, or even city council meetings. As much as we may wish to defend our decisions or present compelling evidence, the courtroom remains the appropriate venue for these arguments.

On June 12, 2018, a trial took place in Terre Haute City Court in regards to the alleged violation of the dance ordinance resulting in a conviction. Both The City and the defendant called witnesses and presented evidence. Testimony from the police indicated that at approximately 10:00 P.M. they had been sent to the 2400 block of Liberty Avenue regarding a noise complaint and had heard music from approximately one block away. Further testimony from officers described a DJ table and light show that could be seen from half a block away. Through government records, the City further produced evidence showing that property used by the defendant to host this event did not belong to her or her husband. Furthermore, testimony was given indicating that the property owner denied giving the defendant permission to be on her property or hold an event there. In addition to prosecution witnesses, the defense called several witnesses. Under cross-examination, one of the defendant’s own witnesses testified that the event was open to the public.

Despite the narrative that has been portrayed, this case was never about a person’s right to dance or have a birthday party on their own property. The existing ordinance was adopted from a near identical ordinance in Indianapolis enacted to prevent similar acts of violence. Neither the Indianapolis ordinance nor the Terre Haute one prevents the public from having birthday parties or requires a person to have a permit when they invite family and friends and dancing is to occur. Only when these events become open to the public or money is charged is the person required to get a permit. In this case, evidence was presented from both sides demonstrating that this event had been opened to the public and took place on property not belonging to the defendant, and for which no permission had been granted to hold such an event or even be on said property.

Since its inception, the goal of this ordinance was to ensure that events that are open to the public or require attendees to pay provide a safe environment and insurance to protect those who attend. It has been an essential tool in preventing the violence that precipitated its passage. That violence included multiple incidents where gunfire inflicted property damage and serious injury, the shooting death of a visiting Indianapolis area high school student, and fear in the neighborhoods where the violence occurred. The ordinance has not and will not be enforced against citizens having birthday parties or dances where attendance is limited to family and friends. That being said, I feel that we can do more to alleviate confusion regarding the ordinance and have been working alongside members of the public and city council to propose language enhancements to the ordinance. It is anticipated that those amendments will be in place for discussion at the July council meeting.

Shawn Keen

Assistant Chief

Terre Haute Police Department