

Town Hall Forum/Debate 5/30/24

Prepared Statement Delivered by Undersheriff Gary Upton

Good evening, everyone.

Firstly, thank you all for attending tonight's Town Hall Forum. We appreciate your engagement with the civic process and your dedication to understanding the issues that affect Osage County.

We would like to start by addressing the presence of District Attorney Mike Fisher as the speaker for this event. It is important to recognize that Mr. Fisher is a named party in pending court cases—*Osage County Cases: #2023-1134 and #CJ-2023-172, Osage County Sheriff v. Mike Fisher*. As members of this community, it is crucial that we respect the judicial process and its integrity. Mr. Fisher, as an experienced attorney, knows well the importance of not discussing pending legal matters in a public forum, especially when he is directly involved as a party to those cases.

Given this context, it is inappropriate for Mr. Fisher to take part in discussions or debates regarding matters that are sub judice, or under judicial consideration. His participation in such debates could potentially compromise the fairness of the legal proceedings and prejudice the case itself.

Furthermore, Sheriff Eddie Virden, Mr. Bud Beaston, and Mrs. Robin Slack are also legally counseled parties and/or witnesses in the same pending cases. They too have been advised not to engage in public discussion surrounding these cases to avoid any legal ramifications and to uphold the integrity of the judicial process.

We must emphasize that this is not an attempt to shy away from public scrutiny or debate. Rather, it is a measure of

prudence and respect for the rule of law. Engaging in debate on these subjects at this time would be a foolhardy endeavor that could jeopardize the case and its legal standing.

It is worth noting that Mike Fisher, though holding his own office, is not a candidate in the upcoming June 18th election. This debate was scheduled for Mr. Fisher to address what he deems as "rumors." However, it is important to clarify that these so-called rumors are actually criminal allegations detailed in this 15-page affidavit. The forum for tonight should have focused on the candidates and the policies they wish to champion. Instead, the focus has been improperly diverted to matters that are best left within the purview of the courts.

In light of these considerations, Eddie Virden, Bud Beaston, and Robin Slack will not be participating in tonight's debate. We believe that this decision is in the best interest of transparency, justice, and the community. We trust the public will understand the necessity of this decision, and we appreciate your ongoing support and engagement.

Thank you.