

MEDIA RELEASE

From the Office of the Laclede County Prosecuting Attorney

March 3, 2016

In December, 2015, approximately twenty-three months after Gaylon Bennett was killed, information was brought to our attention indicating that a person other than Bradley Montgomery might have been involved in the homicide of Gaylon Bennett. The trial was set to begin on January 11, 2016. Because of our duty to seek justice and avoid wrongful convictions, we asked for a continuance in order to investigate the recently disclosed information. The request was granted. Since then, law enforcement has been working to verify the truthfulness of the information. Several search warrants have been issued, multiple interviews have been conducted and tests have been performed in an effort to determine whether the information provided in December is accurate.

At this time, law enforcement has been unable to prove whether the recently provided information is factual or false. Additionally, the investigation has resulted in questions which must be answered prior to proceeding to trial. Experience has shown that jurors do not like unanswered questions. It is my belief that until law enforcement can clear up these remaining issues, a jury is unlikely to find guilt beyond a reasonable doubt. Unfortunately, the questions will not be answered before the start of the trial on March 14, 2016.

Therefore, the State of Missouri is dismissing the charges against Mr. Montgomery and we are asking that law enforcement continue investigating the circumstances surrounding Mr. Bennett's death. There is no statute of limitations for murder and charges may be filed again when the issues have been resolved.

If the information received in December is true, at least four people who live in our community were aware of it in January, 2014. One of them had the information the night Gaylon Bennett was killed. Two others knew within a day of Gaylon Bennett's death. Another person knew within a week. None of these people came forward in a timely manner to divulge that information to law enforcement. By waiting almost two years to reveal potentially relevant information, evidence that would have tended to corroborate or impeach the information no longer exists.

There is no question that Gaylon Bennett was the victim of a homicide. Mr. Bennett did not have a high social standing. He was not well known. He was not rich. But, he was a member of our community. He had family. He was loved. Regrettably, the delay in receiving the information pertaining to his death means that justice might never be obtained for him and his family. The possibility of that outcome is both disappointing and disturbing.

Dismissed