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LOCAL

After rape case acquittal, defense attorney calls case a 'sham'

Lawyer says Ohio Attorney General should investigate Clyde Police

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Published 11:49 a.m. ET Apr. 22, 2021

FREMONT - A local attorney is calling for the Ohio Attorney General's Office to investigate Clyde Police's handling of a case involving his client that saw a jury return a not guilty verdict on rape charges.

Andrew Mayle called the jury trial of of Cody Delgado, 34, who was charged with two counts of rape and two counts of sexual battery, a "sham" and blasted James Snell, the Clyde Police detective sergeant who handled the case.

Witness not questioned

Mayle said the department failed to follow up with Nathan Longbrake, a key witness, and said electronic messages debunked the case against Delgado. He said the department should be investigation for dereliction of duty, perjury and obstruction of justice in what he called a "bull---t" case.

"They knew of him and never talked to him and had contemporaneous social media Facebook instant messages from the other alleged victim around the time of the offense that completely debunked her entire story," Mayle said. "And this is just the tip of the iceberg of the evidence of what a sham investigation it was."

Following a three-day trial, Delgado was acquitted by a jury after they deliberated for 90 minutes.

But Mayle, who represented Delgado, said the case should have been thrown out before a jury decided his client's fate, claiming dereliction of duty and perjury on the part of Snell.

Calls for investigation

The attorney said an independent investigator or the Ohio Attorney General's office should investigate the case, saying someone should be held accountable for the prosecution, calling the case a "complete farce."

A call seeking comment from Snell was not returned Thursday.

Monti Campbell, Clyde Police Chief, said he could not comment on the case's investigation because he was not part of the probe and did not attend the trial, but he did say if an outside agency or the attorney general's office wanted to investigate the department's handling of the case, he would welcome it, saying "we don't have anything to hide on our end."

Mayle said the case should have been dropped after the first cross examination of the first witness.

"We're very thankful to the jury," Mayle said Thursday. "There was literally no evidence against him (Delgado), it was just the accusations of two drug addicts."

During testimony, Mayle said Snell told the jurors one of the women whom he interviewed in person was "high."

Mayle said he handed Snell a copy of the police report and a marker and asked the sergeant to circle where in the report it said the woman was high when she provided a statement: He could not do that, Mayle said, as the information was never put in the report.

Who's on trial?

By the end of the trial, Mayle said it was not the prosecution against Delgado, it was his client prosecuting Detective Snell.

"We completely exposed the ineptitude of the police department," Mayle said.

During one interview with an alleged victim, Mayle said Snell let a material witness in the case come into the interview and coach the woman.

At one point in the interview, Mayle said Snell was scrolling on his phone and the witness began telling the woman to say she got herpes from the sexual encounter with Delgado.

Mayle said he was thankful there was video footage of the interview and said Snell had "zero credibility" and called it "appalling."

He did say Delgado worked with the two women to get addiction treatment, but said there was never any sexual encounter or sexual assault between Delgado and the women.

Mayle said he is looking at all options in reporting Clyde Police's handling of this case.

"The fact that my client had to go to trial for this and risk his life is insane to me," Mayle said. "This should never happen to anybody."

Campbell said in regard to Mayle's claims that Snell may have committed perjury during testimony, that he would like to see evidence.

"If he perjured himself, show me the evidence," Campbell said. "I'm not going to stand and let them accuse one of our officers of perjuring himself, because that's not the case here at all."

In response, Mayle declined to provide evidence, saying he did not want to compromise a potential investigation into his complaints.

Campbell said that things do get missed during investigations and that any investigator can second guess themselves about how an investigation was conducted, but he said any investigation at Clyde PD is conducted in good faith towards the benefit of possible victims.

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