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Victim of former Harrodsburg DARE officer's sexual abuse files lawsuit

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A woman who had a three-year sexual relationship as a minor with a former Harrodsburg police officer has sued him, the city of Harrodsburg, its police department and a former police chief who is now Mercer County sheriff.

The officer, Jason Elder, resigned from the department in May 2011. He was sentenced in April to three years in prison after pleading guilty to 141 felony counts of rape, sodomy and sexual abuse.

The lawsuit, filed Tuesday in U.S. District Court in Lexington, alleges that Elder engaged in sexual misconduct "with the full knowledge and approval of the city, and its chief, both of which failed to act to protect" the girl "from a known and obvious harm, with deliberate indifference to her constitutional rights."

Elder was an officer who conducted Drug Abuse Resistance Education, or DARE, classes in Mercer County schools. The girl was 14 when the sexual relationship began, and it ended when she was 17. Under state law, the girl was unable to give consent because she was a minor.

She is now 18, and she is named as the plaintiff in the suit, but the Herald-Leader typically does not identify victims of sexual abuse.

The lawsuit says the girl's father and others told acting Harrodsburg Police Chief Ernie Kelty Jr. about the inappropriate and illegal conduct. It says Kelty "failed or refused to take any action to discipline" Elder, or to alert the appropriate authorities "or take any corrective action which might have stopped, or further prevented the abuse being perpetrated" upon the girl.

Kelty retired as Harrodsburg police chief in 2008 and was succeeded by Rodney Harlow. Kelty was elected sheriff in 2010. The relationship between Elder and the girl began in November 2007 and ended in November 2010, according to the lawsuit.

Kelty denied the allegations that he failed to alert authorities.

"None of that is true," Kelty said Thursday. "None of that was reported to me (as chief), and when it was, I was already retired and I turned it over to the current chief the very next day."

The city of Harrodsburg "explicitly or implicitly authorized, approved or knowingly acquiesced to the clearly unconstitutional actions and conduct of its employee," the lawsuit says.

Doug Greenburg, attorney for the city of Harrodsburg, declined to comment Thursday.

The suit seeks damages for assault and battery, intentional infliction of emotional distress, negligence, and failure to report child abuse.

Elder is serving time at the Kentucky State Reformatory in LaGrange, and is scheduled to be released in 2015, the lawsuit says.