

Kentucky Gov. Andy Beshear has the power to remove convicted sheriffs. Why hasn't he?



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Key Points

Kentucky Gov. Andy Beshear has not initiated processes to remove sheriffs criminally charged or convicted in Kentucky, despite pleas to do so.

The governor threatened to remove one sheriff, Mickey Stines, who ultimately resigned after being charged with murder. But four others facing charges or convictions saw no such action.

Short of action by the governor, Kentuckians seeking the removal of criminally charged or convicted sheriffs have to look to impeachment by the legislature, new laws — or the next sheriff election.

CADIZ, Ky. — Tammy Mason has always been a big supporter of Gov. Andy Beshear, canvassing for the Democrat in bright-red Trigg County during both of his campaigns.

Last time around, the 57-year-old boutique owner estimates she knocked on nearly 1,000 doors in this rural Western Kentucky county, which Beshear lost handily in both 2019 and 2023.

But as [Beshear potentially sets his sights on the White House](#), there is one sticking point that has Mason rethinking her support: the governor's failure to remove Trigg County's criminally convicted sheriff from office.

“We should matter,” she told The Courier Journal. “West Kentucky should matter. Especially if you have higher aspirations: If you can't take care of your little town in West Kentucky, you can't take care of the United States.”

More: ['Beholden to no one': Kentucky sheriffs remain in office despite criminal charges, convictions](#)

In late 2023, Beshear publicly said he would examine removing Trigg County Sheriff Aaron Acree, who had pleaded guilty to four misdemeanor charges stemming from incidents where he allegedly roughed up and threatened to kill a shackled woman and abused his position to secure a free hotel room for a sexual affair.

However, nearly two years later, Beshear — the only person who can single-handedly initiate removal proceedings — has taken no such action, leaving Acree in office.

Beshear also has not taken steps to remove Robertson County's sheriff, who received two DUIs in a nine-month span, including one while he was in uniform and on duty.

"I'm a huge Andy fan, but he has let me down," Mason said.

If Beshear's inaction continues, Kentuckians pushing for the removal of their sheriffs will instead have to pin their hopes elsewhere: On rare impeachment by the legislature, on new laws — or at the ballot box in the next election.

None of those options are immediate. And none are easy or guaranteed to work.

The Courier Journal examined the cases of sheriffs in Trigg, Robertson and other counties as part of an investigation that found [one in six Kentucky counties have had a sheriff criminally charged or convicted since 2010](#). Currently, there are four Kentucky sheriffs with criminal charges or convictions who remain in office.

Beshear's staff declined to make the governor available for an interview despite repeated requests from The Courier Journal.

The governor's office also declined to shed light on how the removal process — which Beshear has portrayed as lengthy and burdensome in previous public remarks — works.

In a written statement to The Courier Journal, Acree said the charges he faced resulted from "personal matters" and reiterated previous denials of ever assaulting or threatening the shackled woman.

'An easy one'

Marshall County Attorney Jason Darnall, who was brought on as the special prosecutor in Acree's criminal case, felt like he did not have enough leverage to get Acree to step down as part of a [plea agreement in 2023](#).

However, he was confident once the governor reviewed the case, Beshear or the legislature would take action and give Acree — who lied to state and federal investigators — the boot.

“We just felt like we were kinda handing him an easy one,” Darnall told The Courier Journal in a recent interview.

As time wore on, that optimism collapsed.

“With two counts of official misconduct, I was shocked that he did not take action to remove him,” Darnall said. “Shocked — and needless to say — disappointed.”

Under Kentucky law, the governor can initiate removal proceedings against a peace officer such as a sheriff for [neglect of duty](#), which includes things like:

“Habitual drunkenness in office”

“Gross immorality or misconduct in office amounting to neglect of duty”

A “trespass or wrongful act” that occurred as part of their official duty

In initiating removal proceedings, Kentucky law requires the governor put his charges, which must be accompanied by witness affidavits, in writing.

Under the law, the governor then would consider testimony from both sides and, if determining the officer is guilty of neglect of duty, can order the sheriff out of office.

At a press conference the week after Acree pleaded guilty in late 2023, Beshear called the sheriff's actions “wrong and inappropriate” and said he would examine the removal process, as well as the details of the case.

He also added that the process had not been used since the 1950s.

“I will tell you where we are now — because, admittedly, it's a new one to me — is understanding that process under state law, since most of us haven't seen it before,” he said during the Dec. 7, 2023, press conference, adding that his office would be happy to provide an update once they looked into it further.

That update never came.

Meanwhile, Beshear received letter after letter from Trigg County residents calling for Acree's removal, according to documents obtained by The Courier Journal under Kentucky's

open records law.

“Each and every visitor to and resident of Trigg County has a reason and a right to be afraid of [Acree],” read a Dec. 13, 2023, letter to Beshear. “We should not have to live in fear.”

As late as April 2024, members of Beshear’s staff told concerned residents the governor’s office was continuing to look at the removal process.

However, in correspondence from July and September 2024, the governor’s office recommended the husband of Crystal Smith — the woman whose alleged assault was at the center of most of Acree's charges — look to the legislature to impeach Acree and made no mention of the governor’s ability to remove him.

Beshear also received letters requesting the removal of sheriffs from other counties, including Robertson, where Sheriff Terry Gray collected two DUIs in the span of nine months.

“If this were a truck driver, his professional license would be revoked,” wrote one Robertson County resident. “A drunk in a semi is no more dangerous than a drunk in a cruiser with a gun and a badge.”

Separately, Robertson County’s five magistrates wrote to Beshear last October requesting Gray be removed.

A Courier Journal open records request to the governor’s office for all written responses to Robertson County residents by the governor or his office — including any response to the formal request by the magistrates — yielded no documents.

Contacted by The Courier Journal, Gray declined to comment.

Removal rare, but not unprecedented

While Beshear has not sought to remove Acree or Gray — or explained his reasoning not to — he did more vociferously threaten to oust one sheriff last year: former Letcher County Sheriff Mickey Stines, who is [charged with murder in the caught-on-camera shooting of Judge Kevin Mullins](#).

In a Sept. 25, 2024, letter to Stines, Beshear’s general counsel, S. Travis Mayo, [gave Stines two days to step down or face removal](#).

“If you do not tender your resignation, the Governor will move forward with removal under [KRS 63.100](#),” Mayo wrote, referring to the Kentucky law that permits the governor to remove peace officers for neglect of duty.

[At a press conference the next day](#), Beshear again pushed for Stines to step down.

“If he doesn’t, there is a removal process that the governor is able to start,” he said, adding again that it hasn’t been done in “decades” and would likely take a minimum of six months to complete.

Stines complied with the governor’s request and avoided removal. He is currently in jail awaiting trial.

That last removal of a sheriff, which Beshear referred to, came in 1957 when Gov. A.B. “Happy” Chandler successfully ousted Perry County Sheriff William M. Cornett after the lawman punched out a Lexington attorney during a heated meeting in a judge’s chambers.

According to accounts at the time, Cornett struck attorney John Young Brown, who was representing two men accused of killing a sheriff’s deputy, after the lawyer told a judge he would not be speaking to him like that if the judge was not “flanked by pistol-packin’ sheriffs.”

About three months after the incident, Chandler initiated the process to remove Cornett for neglect of duty.

Three commissioners appointed by Chandler to review the evidence each found Cornett guilty. The governor signed an order removing Cornett from office in November 1957, roughly six months after he initiated proceedings.

Three decades earlier, another governor tried and failed to remove another Perry County sheriff, Tolbert Holliday, over a litany of alleged misconduct, including gambling and a drunken fight at a pool hall where Holliday reportedly pistol-whipped a “crippled” 20-year-old man.

Impeachment through the legislature — the other venue for removal — has happened more recently, though not for sheriffs.

In 2023, former Commonwealth's Attorney Ronnie Goldy Jr., the top prosecutor in several eastern Kentucky counties, was impeached for trading favors for nude photos with a defendant. He resigned before the impeachment hearings began but was ultimately convicted in [the Senate's first impeachment trial in 135 years](#).

That same year, former [Christian County Commonwealth's Attorney Rick Boling](#) also [stepped down](#) after a resolution to begin impeachment proceedings against him was filed in the House.

'Legislation needs to change'

School resource officer Kenny Brockman found himself in a heated confrontation with Gray, the Robertson County sheriff, right before the county's top lawman was arrested for an in-uniform DUI in 2023.

Brockman and the school's superintendent told Kentucky State Police that Gray, who appeared to be intoxicated, refused to leave the county's school complex, repeatedly put his hand on his gun and, at one point, threatened Brockman with arrest.

Their argument can't be heard in video footage of the incident, but Gray can be seen waving handcuffs at one point and, according to KSP, placing his hand on his firearm at another.

But despite his DUI that day and collecting another one less than nine months later, Gray remains in office.

"It's almost like people that's elected have it different — they get better treatment versus the regular Joe on the street. If it had been me, you or somebody else, they would have probably jailed us. ... It's just like a different set of standards is set for elected sheriffs." Brockman, who is planning to run for sheriff next year, said in an interview with The Courier Journal. "...Legislation needs to change on that."

Brockman would like to see additional avenues put in place to remove sheriffs — or ways to strip them of funding, forcing them to step down.

Darnall, the prosecutor in Acree's case, suggested the legislature look at making official misconduct an automatically removable offense when it meets certain criteria — perhaps misuse of funds or a crime of dishonesty.

In recent years, there have been proposed legislative fixes that would have laid a path for citizens to remove sheriffs like Acree and Gray without going through the governor or lawmakers.

However, those bills ultimately failed.

A bill filed by former Rep. Dean Schamore (D-Hardinsburg) and Rep. George Brown Jr. (D-Fayette) for the 2020 legislative session [would have allowed county voters to demand a recall election](#) for elected peace officers like sheriffs or jailers for neglect of duty.

The bill's definition of neglect of duty proposed in the bill was broader than what the governor could consider when removing a sheriff, including things like:

- Conviction of any felony while in office.

- Two Class A misdemeanor convictions within an eight-year period while in office.

- Conduct that “adversely affects the administration of the office” and “rights and interests of the public.”

- Lack of physical or mental fitness.

- Incompetence.

With two Class A misdemeanor convictions under his belt, Trigg County's sheriff, Acree, would have met that threshold for neglect of duty.

However, the bill stalled in committee and never received a hearing.

Ahead of the 2021 legislative session, Rep. James Tipton (R-Taylorsville) filed a bill [proposing a constitutional amendment](#) that would subject all Kentucky elected officials — except judges — to be subject to recall by voters.

“It's not just sheriffs — we hear a lot of things about malfeasance from local officials that cause concern,” Tipton told The Courier Journal. “Usually when somebody gets caught with something, the honorable thing to do is to resign and drop out and let somebody go ahead and fill that role, but not everybody is honorable.”

Like the Democrat-backed bill the year before, Tipton's proposal never received a hearing.

Former Fleming County Sheriff Jerry Wagner is the executive director of the [Kentucky Sheriffs' Association](#), which provides yearly in-service training for sheriffs and advocates to

support the position in the commonwealth.

However, the organization has limited ability to sanction members and has no ability to strip their powers; after Gray's DUIs, the association barred him from training, but that was all they could do, Wagner said.

The former sheriff is open to potential legislation that would make it easier to hold sheriffs guilty of misconduct accountable, but still believes sheriffs bear a high level of accountability as they answer to voters.

"But if you look at it, it's not a terrible system that we have in place," he said. "... You're tried by the peers and by the voters of your county every four years."

Few options

Experts say there are few good options in place to hold sheriffs involved in misconduct accountable. Farhang Heydari, a Vanderbilt University Law School assistant professor who studies sheriffs, said while the removal of sheriffs is not unheard of across the country, it is not common.

In creating removal mechanisms, he warned, states have to strike a difficult balance: If it is too easy, you may see removals used as a political bludgeon against ideological opponents by governors and legislators, as well as state government overstepping on local matters.

"At the same time," he said, "if you make it too hard to remove, or it's too infrequent, then what does accountability look like? It's really just elections."

Other experts also saw the removal of sheriffs as rare nationwide.

"It's really only the most gross offenses that are going to remove sheriffs from office — and even then, you're not getting a fundamental reform of the office, or what led to the problem to begin with," said Emily Farris, a Texas Christian University associate political science professor and the co-author of the book ["The Power of the Badge: Sheriffs and Inequality in the United States."](#)

Revoking a sheriff's law enforcement certification is one possible avenue for states to address misconduct, Farris said, but that only works in states that require sheriffs to be certified, like [Texas](#) or [Missouri](#).

Kentucky has no such requirement.

And while sheriffs can be booted from office by the voters, those elections can be an uphill battle.

Sheriff elections, experts warned, notoriously favor the incumbent more than most other kinds of contests and are often down-ballot races that **can escape** public scrutiny.

For healthy, democratic elections, voters need more than one viable candidate to choose from said Zoe Nemerever, an assistant professor of political science at Alabama's Auburn University who studies sheriffs.

But, she added, that rarely happens in sheriff races.

“That just does not count as democracy at its basic sense,” Nemerever said.

The most likely person to run for sheriff, she said, would be a sheriff's deputy.

“They're the ones who have experience and interest in the position, but nobody wants to run against their boss,” she said. “And they're, in often cases, actively discouraged from doing so.”

Robert Chase, an associate professor of history at New York's Stony Brook University who is writing a book on sheriffs, said while incredibly powerful in many parts of the United States, sheriff's offices often escape the scrutiny police do.

“People don't know enough about how the system and the office of the sheriff operates — and if they did, we might have a movement that would ask to rethink the power of the sheriff the way we've asked to rethink municipal and urban police departments,” he said.

Back on the Tennessee-Kentucky border in rural Trigg County, Mason still hopes Beshear will remove Acree, who is running for re-election.

She feels like if she had just 30 minutes of the governor's time to explain things, he would come around.

“He's a really caring guy,” she explained.

But Mason is also moving on and looking for other, more surefire avenues; the self-proclaimed “purple” Democrat said she is now helping a Republican who plans to primary Acree with his campaign.

“There’s no reason this man should still be wearing a badge,” she said.

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