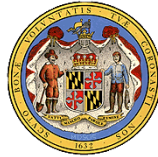


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Statement of Facts

The State and the Defendant understand, agree, and stipulate to the following Statement of Facts, which the State would prove beyond a reasonable doubt had this case proceeded to trial:

Kyle Logan Thomas (“THOMAS”) served as a Deputy for the Cecil County Sheriff’s Office (“CCSO”) from February 2021 through July 2023. The CCSO had written Policies and Procedures (the “Policies”) which served as published directives to all CCSO employees. The Policies state that CCSO employees shall conduct themselves, both on and off duty, in a manner that reflects favorably on the CCSO, and refrain from engaging in any activity or personal business while on-duty that would cause them to neglect or be inattentive to their duties. Additionally, the Policies state that CCSO employees are prohibited from using speech on their personal social media accounts that contains obscene or sexually explicit language, images, or acts.

I. VICTIM 1

In or around 2020, THOMAS began having a romantic relationship with VICTIM 1. Throughout the relationship, THOMAS shared sexual photographs and videos of him and other women with VICTIM 1, primarily via the social media platform, Snapchat. Snapchat users can send messages, photos, and videos to other users, and once the message, photo, or video is viewed by both parties, the message will clear. There is also a feature on Snapchat that enables a user to save something to an album titled “My Eyes Only” that restricts others from accessing the content without a password. THOMAS suggested, because he was married to someone other than VICTIM 1, and communications or other exchanges on Snapchat typically disappear, that he and VICTIM 1 communicate and exchange photos and videos using that social media platform.

On June 16, 2021, THOMAS was on duty as a sworn Deputy with the CCSO from 7:45 a.m. until 7:00 p.m. At approximately 12:21 p.m., while still on duty and acting in his official capacity, THOMAS took a video of himself in his CCSO uniform, in the CCSO building, touching his exposed penis. With corrupt intent, THOMAS uploaded the video into VICTIM 1’s “My Eyes Only” Snapchat album.

VICTIM 1 attempted to end her relationship with THOMAS several times. In response, THOMAS threatened to tell VICTIM 1’s husband about their relationship. In approximately August 2021, VICTIM 1 ended her relationship with THOMAS.

After an interaction between VICTIM 1 and THOMAS in or around October 2022, VICTIM 1 provided the video of THOMAS in his police uniform with his penis exposed to the CCSO, and the CCSO opened an internal investigation. On October 28, 2022, THOMAS became aware of the internal investigation because CCSO Deputies served THOMAS with a CCSO Order of Emergency Suspension and a Non-Contact Order that prohibited THOMAS from contacting several individuals pursuant to an ongoing investigation (the “No-Contact Order”). Though served with the No-Contact Order, THOMAS refused to sign the Order.

Shortly thereafter, THOMAS became aware that VICTIM 1 provided the video to the CCSO. In response, on November 11, 2022 and several times on November 14, 2023, THOMAS contacted VICTIM 1’s place of business, stating that he needed to make a complaint against VICTIM 1. As a result, on November 22, 2022, VICTIM 1 obtained a Final Peace Order against THOMAS.

In response, on April 6, 2023, THOMAS filed an Application for Statement of Charges with a Cecil County Commissioner, requesting that VICTIM 1 be charged with, among other things, revenge porn because VICTIM 1 showed the video of THOMAS to VICTIM 1’s husband and the CCSO. The Commissioner issued a Statement of Charges and Criminal Summons which charged VICTIM 1 with revenge porn in violation of Md. Code, Crim. Law § 3-809. The Cecil County State’s Attorney’s Office subsequently dismissed the charge against VICTIM 1.

II. VICTIM 2

From 2019 through May 2023, THOMAS was in a sexual relationship with VICTIM 2. Throughout their relationship, and without VICTIM 2’s consent, THOMAS used his cell phone to take photos and videos of he and VICTIM 2 engaged in sexual acts, with VICTIM 2’s private areas exposed. On several occasions VICTIM 2 attempted to end her relationship with THOMAS, and in response, THOMAS sent the videos to VICTIM 2.

Additionally, THOMAS sent a sexually explicit photo of VICTIM 2 to VICTIM 2’s fiancé. THOMAS also threatened to post photos and videos of VICTIM 2 on social media. For example, on July 3, 2022, VICTIM 2 and THOMAS engaged in the following conversation on TikTok, another social media application:

VICTIM 2: No I don’t want any of that I told you to erase everything you have. I don’t want an pics , videos , or messages on your phone.

...

THOMAS: Well everything will still be on my phone. Can’t wait to psot [sic] them one day soon . Maybe when you get pregnant or married or ..

From at least April 2022 through at least January 2023, THOMAS sent videos of himself and VICTIM 2 engaged in sexual acts to dozens of different social media users.

THOMAS paid many of the social media users to watch the videos of him and VICTIM 2 engaged in sexual acts. VICTIM 2 was not aware that THOMAS recorded all of the videos of her engaged in sexual acts, and did not give THOMAS consent to record all of the videos. Likewise, VICTIM 2 was not aware that THOMAS sent videos of her engaged in sexual acts to other social media users, and did not give THOMAS consent to distribute the videos.

Further, the No-Contact Order served on THOMAS on October 28, 2022 prohibited THOMAS from contacting VICTIM 2. The No-Contact Order stated that THOMAS's failure to follow the Order could result in misconduct charges filed against him. It further stated that the Order remained in effect until THOMAS was told otherwise. Nonetheless, from at least November 13, 2022, through and including May 4, 2023, while the No Contact Order was still in effect, THOMAS had repeated contact with VICTIM 2 in person, through text message, and on different social media applications.

Additionally, on May 3, 2023, THOMAS received a copy of an affidavit in support of a search warrant executed in this investigation that contained statements made by VICTIM 2. The next day, on May 4, 2023, THOMAS sent a photo of the affidavit to VICTIM 2 accompanied by expletives calling VICTIM 2 a "liar" and a "b*****". In May 2023, VICTIM 2 obtained a Final Protective Order against THOMAS.

If called to testify, VICTIM 1, VICTIM 2, and other witnesses would identify THOMAS. All events originated in Cecil County, Maryland.