

Nashville judge will hear evidence of victim's - Associated Press State Wire: Tennessee (TN) - December 15, 2018

December 15, 2018 | Associated Press State Wire: Tennessee (TN)

NASHVILLE, Tenn. (AP) — A Nashville judge says attorneys for a white police officer charged in the shooting death of a black man can introduce parts of the man's criminal history at a preliminary hearing next month.

The Tennessean reports General Sessions Judge Melissa Blackburn ruled Friday the defense can bring up previous "aggressive acts" by the 25-year-old **Daniel Hambrick**. Prosecutors argued against the motion, saying there is no evidence Officer Andrew Delke, also 25, knew about the past charges.

Blackburn ruled against allowing Delke to introduce Facebook photos showing Hambrick "simulating holding a pistol" and evidence that Hambrick used a gun during a target practice.

Delke has been decommissioned while an internal police investigation into the July shooting remains open.

At the preliminary hearing next month, Blackburn will decide if the case is strong enough to send to the grand jury.

Delke's legal team is preparing to argue the officer acted in self defense because he saw Hambrick holding a gun. Prosecutors have not challenged the fact that Hambrick was armed, but they have rejected a self-defense argument. They note in the warrant that Delke stopped chasing Hambrick before taking aim and opening fire.

Blackburn agreed Friday to let the defense question expert witnesses about police training that might have guided Delke's actions.

An autopsy showed Hambrick was hit three times, twice in the back and once in the back of the head.

Information from: The Tennessean, <http://www.tennessean.com>

Copyright © The Associated Press 2018 All rights reserved.