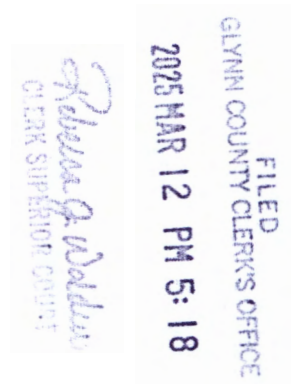


Rebecca J. Walden, Clerk of Court, Glynn County

IN THE SUPERIOR COURT OF GLYNN COUNTY
STATE OF GEORGIA

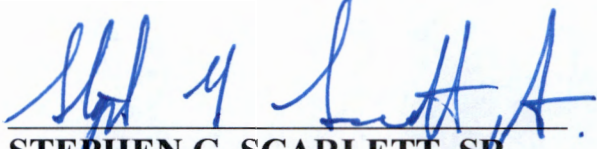
IN RE: GRAND JURY PRESENTMENTS
SEPTEMBER 2024

ORDER



The foregoing Presentments of the Glynn County Grand Jury, September 2024 Term, having been submitted in open court, let the same be laid upon the minutes of the Court, and let them be published in the legal organ for Glynn County as provided by law.

This 12th day of March, 2025.



STEPHEN G. SCARLETT, SR.
Chief Judge, Superior Courts
Brunswick Judicial Circuit

GRAND JURY PRESENTMENT
SEPTEMBER 2024 TERM

Respectfully submitted to:

The Honorable Stephen G. Scarlett Sr.

Chief Judge, Superior Court
Brunswick Judicial Circuit

The Honorable Anthony L. Harrison

Judge, Superior Court
Brunswick Judicial Circuit

The Honorable Stephen D. Kelley

Judge, Superior Court
Brunswick Judicial Circuit

The Honorable Roger B. Lane

Judge, Superior Court
Brunswick Judicial Circuit

The Honorable Robert W. Guy Jr.

Judge, Superior Court
Brunswick Judicial Circuit

GRAND JURY GENERAL PRESENTMENT

On September 18, 2024, the Honorable Stephen G. Scarlett, Sr., impaneled and administered the oath of office to the September 2024 Term of the Grand Jury of Glynn County, Georgia. The Grand Jury consisted of the following twenty-six members:

1. Jose Pinto-Fontainez, Foreperson
2. John Vining, Vice-Foreperson
3. Patricia Costello, Secretary
4. Joshua McFall
5. Brian Goodman
6. Henry Preston Newton
7. Pamela Parker Tyrer
8. Benjamin Raulerson
9. Michelle Hart
10. Lisa McNeal
11. Gudrun Leiferman
12. Edward Sines
13. Traci Thomas
14. Jordan Keene
15. Dennis Rucker
16. John Phillip Yates
17. Sade R. Thomas
18. Carla Shae Whitmore
19. William Ehrensperger
20. Debora Doyle Edenfield
21. Laura East
22. Patricia Mills Latham

23. Kenita Wallace

24. Travis Johnson, Alternate 1

25. Laurel Barnes, Alternate 2

26. Calandra Gamble, Alternate 3

The members of the Grand Jury of the September 2024 Term of the Superior Court of Glynn County, Georgia, initially met on September 18, 2024. We respectfully submit this report and presentations for the September 2024 Term. The Honorable Stephen G. Scarlett, Sr., Chief Judge of the Superior Court, having qualified members to serve as grand jurors, instructed members to select officers for the September 2024 Term. The following jurors were selected as officers:

Foreperson: Jose Pinto-Fontainez

Vice-Foreperson: John Vining

Secretary: Patricia Costello

The appointed Bailiffs: Bobbie Patrick and Donnie Hutchinson

The Foreperson, Grand Jury Members and Bailiffs were administered their respective oaths.

The Chief Judge then charged the Grand Jury with the law concerning their duties and responsibilities. The Court adjourned to allow the District Attorney to meet with the Grand Jurors.

The Grand Jury received an orientation as to the civil and criminal duties and responsibilities of the Grand Jury by District Attorney Keith Higgins. Each Grand Juror was provided with a copy of the Grand Jury Handbook and were issued their courthouse entrance badges.

PRESENTMENT OF CASES FOR INDICTMENT

During the September 2024 Term of the Glynn County Grand Jury, a total of 59 cases were presented by the District Attorney's Office for criminal indictment. Of those 59 cases, a total of 261 counts were voted "True Bill" and 1 count was voted "No Bill".

INSPECTIONS

The Fall 2023 Grand Jury did not conduct any inspections during the term. One civil investigation was conducted, the presentment for that investigation is attached.

CLOSING REMARKS

The Grand Jury is grateful for all the assistance extended to us by the different departments in helping us carry out our civic duty.

ATTACHMENT

Civil Investigation Report – Findings and Recommendations

Glynn County Georgia Grand Jury – September 2024 Term

Civil Investigation Report, Findings & Recommendations

Subject Of Investigation:

- District Attorney's Office of Brunswick Judicial Circuit (DAO) – Financial condition, causes of recent budget overages and possible solutions.
- Resources available to DAO, relative to needs. Specifically, manpower requirements versus case backlogs.
- Relationship between DAO and Glynn County officials and leadership.

Note that the subjects of this investigation were the result of private discussions within the Grand Jury and **were not suggested or influenced by anyone outside of the Grand Jury.**

Investigative Actions:

- Interview conducted (under oath) with DA Keith Higgins on 1/13/2025.
- Obtained various documents (emails, memos, budget data, statistics, etc.) from DA Higgins during that interview.
- On January 15, 2025 two Glynn County officials (William Fallon & Tamara Munson) cordially agreed (via email) to sit for interviews which were then scheduled for 2/3/2025. A third official (Dwayne Pollock) was invited on 1/21/2025.
- The interviews referenced above **did not occur** due to objections made on January 30 & 31 (four days prior to schedule) by County Attorney Aaron Mumford and private attorney Brad Watkins.
- Private conversations took place with multiple employees of the DAO in order to gain insight to the “human cost” of this matter.
- On 1/31/2025 DA Higgins informed us that he had recused himself from this civil investigation due to his personal involvement in the matter vs his role as the Grand Jury's legal advisor.
- On 2/10/2025, two members of the Grand Jury met with Judge Steven Scarlett seeking guidance on how to best proceed given the recusal of DA Higgins and the objections made to interviewing county officials. While Judge Scarlett offered to assist with securing subpoenas, time did not allow for the process and interviews to be completed prior to the deadline (2/19) for preparation our report.

Findings:

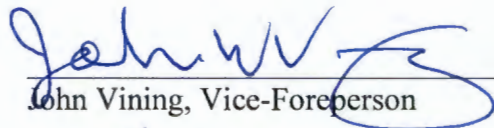
- Based upon data provided by the DAO, caseloads exceed 600 cases per ADA. Felony cases presented to the Grand Jury often occurred 1, 2 or even 3 years ago. Priority is given to “crimes against persons” with other cases being delayed due to lack of manpower.
- Backlogs of criminal cases **delay justice for victims** and **place an undue burden on the ADA's**. They also contribute to over-crowding in the County Jail and the publicized budget overage (+\$700K) within the Sheriff's Department.
- Funding for the DAO comes from 4 different sources which are; (1) State of Georgia provides base salary for 9 Assistant District Attorneys (ADA's) (2) County Supplements (provides additional funds to make ADA compensation competitive) (3) Grants - outside organizations funding a specific ADA position (4) “5% Money” – 5% of fines collected are designated for the DAO to use as seen fit.
- The use of the multiple funding sources referenced above resembles a “Byzantine Maze” which while intended for good, **creates a confusing system ripe for mistakes**. An ongoing “juggling act” is being carried out to fund the various positions required to operate the DAO creating uncertainty and a distraction to the mission of the office.
- There appears to be agreement from all concerned that a budget overage did occur sometime between January 2021 and May 2024. We were not able to verify the exact amount of the overage (\$800K-\$900K) due to not having access to county financial records or being able to speak with the individuals with knowledge of the matter.
- DA Higgins in his testimony acknowledged that one of the primary causes of the overage was due to mistakes made within his office and his relying on advice regarding funds available that later turned out to be incorrect.
- DA Higgins also testified that a management control procedure within county administration known as “Position Control” might have prevented the overage from occurring. Without the ability to speak with officials in Glynn County, we have no way of knowing if this policy was in effect or if it could have (or not) alerted anyone to the problem.
- According to DA Higgins, he has made attempts to resolve the budget overage issue with the county by proposing a “repayment plan” and presenting a “staffing plan” to the County Commission. To the best of our knowledge, the County has not agreed to any resolution of this matter.
- On September 7, 2024, Glynn County informed DAO that it would no longer provide payroll services for DAO employees including health benefit administration. This action caused the DAO to hurriedly seek an alternate payroll service provider (Camden County?). The public controversy and uncertainty surrounding this action has caused serious morale issues amongst DAO employees.

- Among the “unintended consequences” of the County’s action was the anxiety created with the interruption/change in health benefits. One employee was in the midst of dealing with a pre-mature infant and another with a breast cancer diagnosis.
- There exists within this issue the human cost being borne by the ADAs of this circuit. The human cost of financial instability is immeasurable, affecting these individuals and their families in profound ways, leading to a ripple effect of emotional and physical strain. It results in stress, anxiety, and depression, tearing apart the very fabric of community and eroding trust in systems meant to protect them. With many, if not all ADAs seeking alternate ‘stable’ employment, we must address this crisis with urgency and empathy to ensure our ADAs remain in place. They are functioning under the stress of incredible caseloads for this county and circuit. They deserve a life of dignity and security, free of worry when and where their next paycheck will come from.
- Vigorous resistance to our scheduled interviews with County officials by attorneys Watkins & Mumford prevented our learning the County’s perspectives on these financial issues. We have no evidence (although it may very well exist) of any interest by the County to resolve these matters in a collaborative manner.

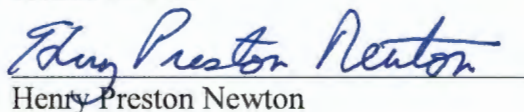
Recommendations:

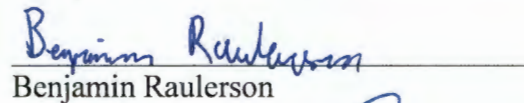
- We strongly recommend that the next term of the Grand Jury continue investigation of this matter in order to get a complete picture of what has occurred. Specifically, they should explore the “other side of the story” by interviewing County officials with knowledge of the subject. Time can be saved by compelling testimony via subpoena rather than our unsuccessful method of “invitations”. Members of this Grand Jury offer our assistance in sharing our knowledge of the matter as well as the relevant documents that we gathered.
- Urge the County Commission to review any proposals made to resolve the matter and negotiate a reasonable solution regarding “payback” of the existing budget overage. At some point, a settlement is inevitable. Sooner is better than later given the expense of pointless litigation (private attorneys) and the on-going “human costs”. “Bad News Does Not Get Better With Age”.
- Urge the County Commission to consider any reasonable request from the DAO to increase funding levels so that staffing levels more fairly reflect the current caseload.
- Local members of the State Legislature should consider a study of the various funding mechanisms used to support the DAO and hopefully introduce legislation to combine, streamline and simplify the process. Additionally, a review of the amount of State funding for ADA’s should be conducted.

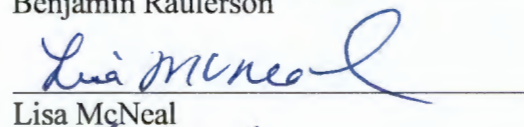
Respectfully submitted this 10th day of March, 2025

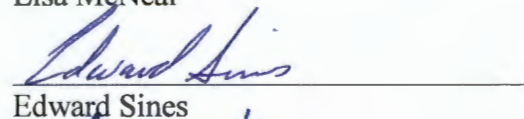

John Vining, Vice-Foreperson

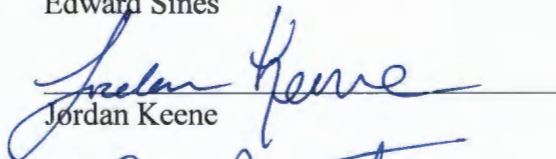

Joshua McFall

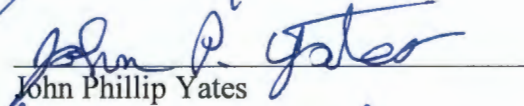

Henry Preston Newton

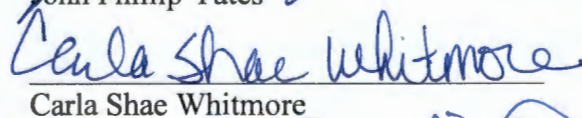

Benjamin Raulerson

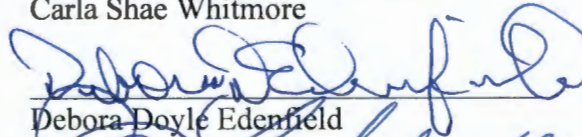

Lisa McNeal

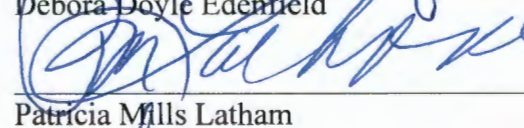

Edward Sines

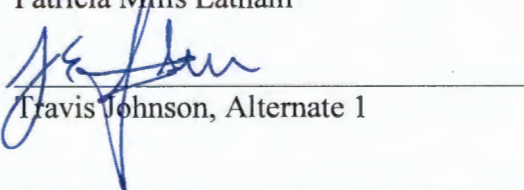

Jordan Keene


John Phillip Yates

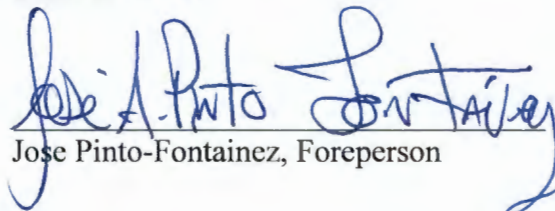

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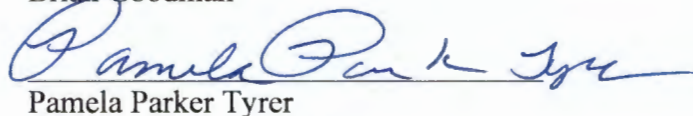

Travis Johnson, Alternate 1

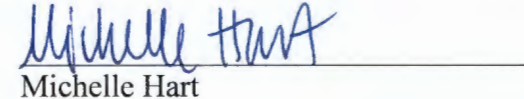
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Jose Pinto-Fontainez, Foreperson

Patricia Costello, Secretary

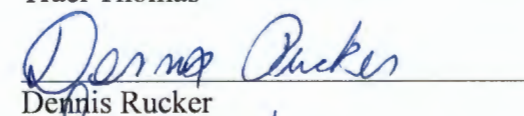
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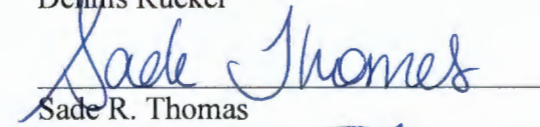

Pamela Parker Tyrer

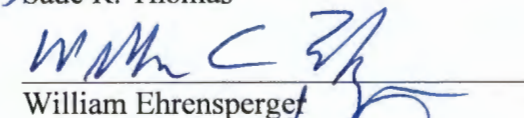

Michelle Hart

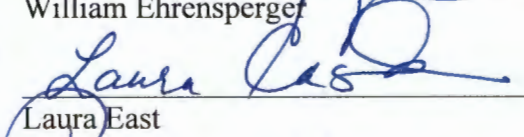

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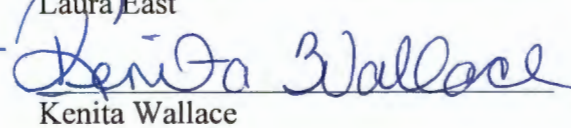
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