

**GRAND JURY PRESENTMENT**

March 2019 Term

Respectfully submitted to:

**The Honorable Stephen G. Scarlett**

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 Lane**

Judge, Superior Court

Brunswick Judicial Circuit

**The Honorable Robert W. Guy**

Judge, Superior Court

Brunswick Judicial Circuit

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Clerk of Superior Court Glynn County, GA  
MISC BK 22 PG 99 - 107. Ronald M. Adams #1

## GRAND JURY PRESENTMENT

On March 11, 2019 the Honorable Stephen G. Scarlett, impaneled and administered the oath of office to the March 2019 Term of the Grand Jury of Glynn, Georgia. The Jury consisted of the following members:

### **1. Harold Lawrence Crockett, Foreperson**

- |  |                                     |
|--|-------------------------------------|
| <b>2. George Coolidge, Vice-Foreperson</b> | <b>14. Patricia Lynn Simms</b>      |
| <b>3. Lou Pitts, Secretary</b>             | <b>15. Clarissa Williams</b>        |
| <b>4. Jody W. McDaniel</b>                 | <b>16. Patricia Beck Ulmer</b>      |
| <b>5. Donna Livingston Hoh</b>             | <b>17. Jonathan Alan Posey</b>      |
| <b>6. Danielle D. Strickland</b>           | <b>18. Patrick Walter Duffey</b>    |
| <b>7. Laura Gail Long</b>                  | <b>19. Marn Suzanne Larsen-Ball</b> |
| <b>8. Mackie H. Myers, III</b>             | <b>20. Leslie Bradshaw Williams</b> |
| <b>9. Tammy Lee Jones</b>                  | <b>21. Richard James Sapp</b>       |
| <b>10. William Daniel Walker</b>           | <b>22. Sheri Nora Love</b>          |
| <b>11. Linda E. Dickerson</b>              | <b>23. William Andrew Welch</b>     |
| <b>12. Hazel Inez Grovner</b>              | <b>24. _____ (Alternate)</b>        |
| <b>13. Christopher Wayne Walker</b>        |                                     |

The members of the Grand Jury of the March 2019 Term of the Superior Court of Glynn, Georgia, initially met on March 11, 2019. We respectfully submit this report and presentations of the March 2019 Term.

The Honorable Judge Stephen G. Scarlett of the Superior Court, having qualified members to serve as grand jurors, instructed members to adjourn to the grand jury room and select officers for their term. The officers elected were:

Foreperson: Harold Lawrence Crockett

Vice Foreperson: George Coolidge

Secretary: Lou Pitts

Bailiff: Joseph Chestnut

The Grand Jury received orientation by District Attorney Jackie Johnson as to the civil and criminal duties and responsibilities of the Grand Jury. Each Grand Juror was given a copy of the handbook for Georgia Grand Jurors. The Grand Jurors were issued Badges for entrance to the Courthouse.

During the term, the Grand Jury returned a total of 349 counts of True Bill and 0 counts of No Bill.

## **CIVIL INVESTIGATION INTO GBNET AND THE GLYNN COUNTY POLICE DEPARTMENT**

A previous Glynn County Grand Jury empaneled for the September 2018 term of court recommended that the present Grand Jury inquire further into various matters involving the Glynn Brunswick Narcotics Enforcement Team (GBNET). On August 14, 2019, the Grand Jury voted to hear evidence pertaining to the Glynn Brunswick Narcotics Enforcement Team (GBNET) pursuant to its civil investigative authority.

### **A. GRAND JURY FINDINGS**

GBNET consisted of a unit of officers from the City of Brunswick Police Department and the Glynn County Police Department assigned to perform drug investigations. Both departments contributed personnel and funds to the operation of GBNET. GBNET was dissolved in February of this year, when the GBI began an investigation into alleged misconduct by a Glynn County police officer who had been assigned to the unit.

In November 2017, GBNET Officers including Glynn County Police Department supervisors were made aware of allegations that a GBNET officer was having an improper relationship with a confidential informant. That informant had been used by GBNET to make criminal narcotics cases. Nothing was done by supervisors to document or conduct any investigation into the allegations of misconduct by the police officer in question.

Subsequent to supervisors learning of the allegations of misconduct, the officer was allowed two months of sick leave from Glynn County for in-patient alcohol treatment. There is no documentation supporting this sick leave in the records of the Glynn County Police Department. After release from treatment, the officer returned to his duties at GBNET without any restrictions placed upon him.

In February 2018, GBNET officers gave a confidential informant \$1000.00 and subsequently surveilled a vehicle as it traveled into Camden County,

Georgia and Nassau County, Florida without notifying law enforcement authorities in those jurisdictions. After observing an apparent narcotics transaction in Fernandina Beach, Florida, GBNET officers surveilled the vehicle back to Glynn County and requested a Glynn County Patrol Officer to initiate a traffic stop. The vehicle did not stop, a chase ensued, and the Georgia State Patrol performed a "P.I.T.T." maneuver near Exit 38 on Interstate 95. The subsequent automobile crash resulted in the death of the passenger and the driver was charged with homicide by vehicle.

The Glynn County patrol officer who initiated the stop was instructed by his supervisors at the scene of the crash to omit from his report any information concerning the GBNET operations that had taken place in Florida. When another supervisor instructed the patrol officer to change his report to include *all* the information leading to the chase, including GBNET involvement, an Internal affairs investigation was conducted into that supervisor's "interfering."

In February 2019, a GBNET officer was watching a videotaped interview of a subject that took place a year earlier in order to complete a report. While left alone in the interview room, the subject made statements that she had been engaged in a sexual relationship with a GBNET officer. The GBNET officer watching the video became alarmed and reported it to another GBNET officer. Those two officers and a supervisor then reported the information to an Assistant District Attorney, who advised them to report what they had observed to their chain of command. The GBI was contacted to conduct an investigation and the Glynn County Police Department began a simultaneous Internal Affairs investigation.

During the GBI investigation, at least one Glynn County supervisor refused to be interviewed by the GBI and later testified that he would encourage others not to cooperate with the GBI. That supervisor was not disciplined and continues in his position. During the Glynn County Internal Affairs investigation, one officer was encouraged to reconsider his previous statements and testimony because it did not match the testimony of a supervisor. This resulted in the officer changing his previous statements to match the supervisor's testimony.

Other officers who have cooperated with the GBI investigation or testified in court have been the subject of retaliation by Glynn County Police supervisors. The retaliation went so far that those supervisors contacted

outside law enforcement agencies in an attempt to discredit the officers and damage their careers.

After a series of hearings in Glynn Superior Court, Judge Roger Lane entered an Order finding multiple occasions where allegations of GBNET misconduct were not documented, and were instead concealed or ignored by supervisors within the Glynn County Police Department. Cases made by GBNET over a two-year period are potentially adversely affected by the Court Order. This includes some 200 criminal cases that have been already been adjudicated. An additional 100 cases that have not yet come to court could be affected.

As a result of the Court order, several defendants have been released from prison thus far. One defendant charged with trafficking in excess of 400 grams of methamphetamine was pled down from the mandatory minimum sentence to a few years with the possibility of parole. The defendant charged with vehicular homicide (chase and crash which involved GBNET operations in Nassau County and Camden County) has been released by a Judge on an OR (own recognizance) bond.

## B. FINDINGS OF PREVIOUS GRAND JURIES

The September 2018 Grand Jury made recommendations that the Glynn County Police improve training and procedures in conducting investigations into allegations of child abuse, after a teacher was arrested and charged with child molestation on a warrant that was later dismissed by the District Attorney. That teacher lost his job.

The March 2016 Grand Jury formed a committee to study whether the Glynn County Police Department should be merged with the Glynn County Sheriff's Office. That Grand Jury found that the issue should be placed on a referendum for vote in 2020.

## C. CONCLUSIONS AND RECOMMENDATIONS

The Grand Jury finds as follows:

1. Glynn County commissioners are elected to supervise and be accountable for the actions the Glynn County Police Department;



2. Lack of integrity leads to a lack of moral integrity, which undermines the perceived authority of our law enforcement;
3. There is an ongoing culture of cover-up, failure to supervise, abuse of power and lack of accountability within the administration of the Glynn County Police Department;
4. Glynn County commissioners need to implement and/or enforce existing policies pertaining to the failure by supervisors to document and investigate allegations of misconduct by Glynn County employees;
5. Glynn County commissioners need to maintain personnel files on Glynn County Police Officers independent of and outside of the Police Department with controlled access and an audit process;
6. Glynn County commissioners need to implement and/or enforce existing policies to address the actions by supervisors to retaliate against Glynn County employees who have cooperated or provided truthful information in investigations into allegations of misconduct within county government;
7. Glynn County commissioners need to implement and/or enforce existing policies to protect Glynn County employees who have cooperated or provided truthful information in investigations into allegations of misconduct within county government;
8. Glynn County commissioners need to review the current Glynn County Police Department organizational chart and structure, and address discrepancies in rank within the chain of command;
9. Glynn County commissioners need to establish criteria and policies for the selection, hiring and promotion of persons who will serve as supervisors over law enforcement officers;
10. Glynn County commissioners need to establish criteria and policies within the Police Department for determining when an Internal Affairs Investigation should be conducted and who is qualified to conduct such investigation, and to address the recent practice of conducting "inquiries" in lieu of an internal affairs investigation;
11. Glynn County commissioners need to implement and/or enforce existing policies to ensure that County police officers prepare reports in a timely manner and include all relevant information;
12. Glynn County commissioners need to establish criteria and policies within the Police Department for ensuring that all statutory and

- constitutionally mandated information is provided in a timely manner for criminal prosecution;
13. The added layers of government (County Administration and County Commissioners) between the Glynn County Police Department and the citizens creates inefficiency and less accountability;
  14. The citizens of Glynn County should have the opportunity to vote on the issue of whether to continue to have a Glynn County Police Department in November 2020, as previously recommended by the March 2016 Grand Jury, and this Grand Jury concurs;
  15. If the Glynn County commissioners are unable to address the issues set forth in these recommendations, the operation of the county police department should be terminated by the County Commission and/or the state legislature;
  16. The Glynn County Police Department is supervised by added layers of government (County Administration and County Commissioners) that creates inefficiency and less accountability to the public;
  17. The Grand Jury refers this matter to the September 2019 Term Grand Jury for further civil investigation and consideration of any indictments; and
  18. The Grand Jury has formed a committee to discuss its findings with the County Attorney and State legislators.


### **FINAL REMARKS**

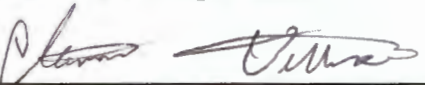
The members of the Grand Jury wish to express their gratitude to Mr. Chestnut, for serving as our Bailiff and taking care of our needs. We also would like to thank Jackie Johnson, District Attorney and her staff for their assistance.

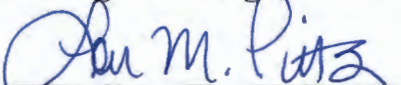
The members of the March 2019 Term are grateful for being given the opportunity to serve their county in a most important function.


Respectfully submitted on the 9 day of <sup>September</sup>~~August~~, 2019.

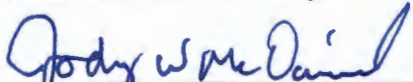
  
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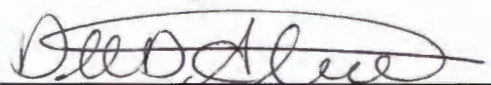
  
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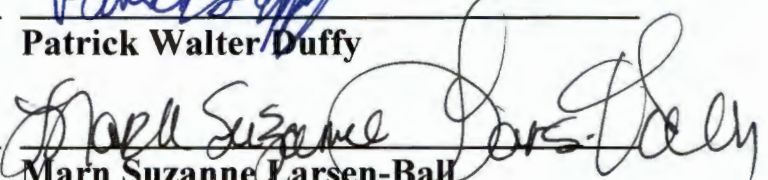
  
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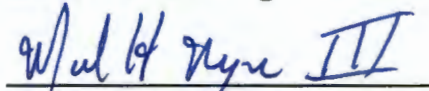
  
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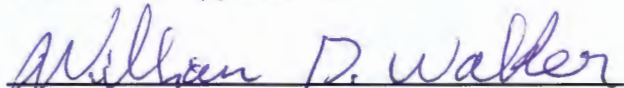
  
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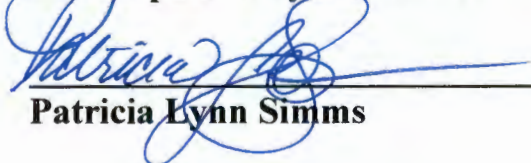
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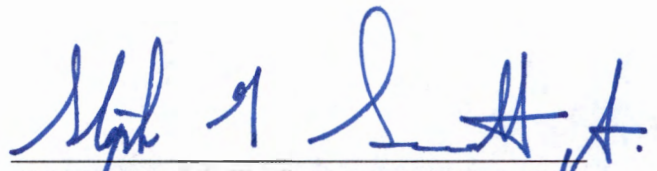
**IN THE SUPERIOR COURT OF GLYNN COUNTY  
STATE OF GEORGIA**

IN RE: GRAND JURY PRESENTMENTS  
MARCH 2019 TERM

**ORDER**

The foregoing Presentments of the Glynn County Grand Jury, March 2019 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 9<sup>th</sup> day of September, 2019.

A handwritten signature in blue ink, appearing to read "Stephen G. Scarlett, Sr.", is written over a horizontal line.

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