

OXFORD, NORTH CAROLINA
November 1, 2021

The Members of the Honorable Board of Commissioners of Granville County, North Carolina met in a regular meeting on Monday, November 1, 2021 at 7:00 p.m. in the Auditorium, Granville Expo and Convention Center, 4185 US Highway 15 South, Oxford.

Present via Zoom were:

Chair: Sue Hinman

Commissioners: Tony W. Cozart Jimmy Gooch
Zelodis Jay Timothy Karan
Russ May David T. Smith

County Manager: Michael S. Felts

County Attorney: James C. Wrenn, Jr

News Reporters: Shawn Taylor – *Butner-Creedmoor News*
Ray Gronberg – *The Daily Dispatch*
Donna Perkins – *Oxford Public Ledger*
Chris Lovingood - WRAL

MEETING CALLED TO ORDER

At 7:00 p.m., Chair Sue Hinman called the meeting to order and recognized Commissioner David T. Smith for the invocation and the Pledge of Allegiance.

RECOGNITION OF LEADERSHIP GRANVILLE CLASS

Chair Hinman welcomed the Leadership Granville Class that was present and met informally with the Board at 6:15 p.m. She asked them to come forward to introduce themselves and then presented each of them with a Granville County 275th Anniversary coin. Rosalyn Green and Annette Meyers, Facilitators of the Leadership Granville Class, and Lauren Roberson, Executive Director, of the Granville County Chamber of Commerce were present.

The members of the 2021-2022 Leadership Granville Class are:

Keith Adcock	Barry Long
Melanie Baldwin	Jonelle Berky Marable
Gail M. Barnes-Hall	Lisa Mayhew
Cheri Blanchard-Hayes	Donna Ingold Owen
James N. Brown, Jr.	Lauren Piper
Kevon Grant	Shelia Thornton
Tyeisha Hewett	Anita Thomasson
Tiana Jones	

CONSENT AGENDA APPROVED

Upon a motion by Commissioner David T. Smith, seconded by Commissioner Tony W. Cozart, and unanimously carried, the Board approved the consent agenda as follows:

(A) Approved the Summary of Contingency and Use of Fund Balance report that showed the following balances:

General Contingency Balance	\$ 51,450
School Bond D/S Contingency	\$ 100,000
Environmental Disaster Contingency	\$ 10,000
General Fund Appropriated Fund Balance	\$ 7,051,008

(B) Approved the *Resolution of Notice to Reduce Salary of Elected Official*:

**Resolution
of Notice to Reduce
Salary of Elected Official**

Whereas, the Granville County Board of County Commissioners is charged with setting the salaries of elected, salaried department managers; and

Whereas, NCGS 153A-92 provides that during the year of a general election, the Board of County Commissioners may reduce the salary, allowances, and other compensation of an officer to be elected at the general election only in accordance with this statute; and

Whereas, this resolution hereby gives notice of intention to make this change and does so within the 14-day notice period;

Now, Therefore, Be It Resolved, that the salary for the elected Sheriff of Granville County to take effect at the time the person takes office is the minimum of the range, or \$76,685.

Adopted, this the 1st day of November 2021.

SPECIAL INVESTIGATION FINDINGS REPORT

Chair Hinman recognized Attorney Jim Wrenn.

Attorney Wrenn announced that there will be no appointment of a Sheriff tonight, but there would be a report of information. He then gave the following presentation and presented a copy to the Clerk:

The indictments last week and this presentation tonight mark the end of the ongoing criminal investigation and internal review. Tonight, we summarize our internal review activities to date. As you know, the internal review I led was authorized by you immediately following the initial indictments of former Sheriff Wilkins.

Before I introduce those who assisted me with this internal review or further describe our work, I would like to thank this Board. You have given me the resources I have needed to conduct this review. Further, you have not constrained my review in any way.

I would also like to thank District Attorney Michael Waters for having the courage to be persistent in bringing the alleged wrongdoing by the former Sheriff Wilkins to the attention of authorities. If he had not been persistent in following up on the issue, I am not sure the significant issues that have been brought to light would have ever been exposed.

I would also like to thank Lorrin Freeman, the Wake County District Attorney who has led the criminal investigation. Her efforts have been tireless and selfless. She answered the call initially due to Mr. Waters’ involvement in bringing forward the information leading to the initial indictments. Little did she know that this investigation would take two years to complete. I have heard criticism that her investigation has taken too long. I can assure you she has moved as quickly as possible. She did not have all of the information of alleged wrongdoing when she started. That information has come out at various time throughout this process. One line of inquiry has led to another. The information her team has sorted through has consisted of many thousands of pages of documents and many witness

interviews. She has never interfered with or shown any tendency to direct or limit our internal inquiries, but we have taken care to make her team aware of apparent criminal activity when we have come across it and to halt our review when it might in any way interfere with law enforcement activities.

The last two years have given me a lot of time to reflect on the lessons that should be learned from this sad chapter of Granville County history. I have a few thoughts:

- Law enforcement officers must be loyal to the oaths they take to support and maintain the constitutions of the United States and the State of North Carolina and to enforce the criminal laws of this State faithfully and without bias. Their loyalty to this oath must be paramount—it must come before their personal loyalty to their brother and sister law enforcement officers.
- No leader should force his or her subordinates to choose between loyalty to their superior and loyalty to their oath. No law enforcement officer ever has any reason to lie or to violate his or her oath.
- No citizen should ever have to question the integrity of their law enforcement officers. When law enforcement officers engage in or turn a blind eye to things they clearly know are wrong, they lose the trust of those they are sworn to protect.
- Government officials must always faithfully perform the duties of their office. They should never take shortcuts because they trust the person who is asking them to do so or because an elected official asks them to do so. Checks and balances are established for a reason. Without checks and balances, dishonest people can exploit the trusting or those without the resolve to hold them accountable.
- Knowing about wrongdoing and not reporting it perpetuates wrongdoing and allows the wrongdoers to consolidate their power by compromising others they see as threats.
- Sheriffs in North Carolina have a lot of power. Under our system, all deputies serve at the pleasure of the sheriff. As a result deputies fear a change of control. They have a strong incentive to support stability by supporting an inside choice to protect their jobs. This can lead to the problem mentioned earlier—deputies elevating loyalty to those they serve with over loyalty to their oath.
- CELEA certification (Commission Accreditation for Enforcement Agencies, Inc.) would help maintain continuity between administrations and would provide checks and balances.
- The next remarks are not intended to be political. Many people believe the Sheriff's election is on the ballot tomorrow. This is incorrect. Our filing period for the Sheriff's election begins December 6 and ends December 17. The primary will be held on March 8, 2022 and the general election will be November 8, 2022.

At this point, Attorney Wrenn introduced the following people that helped with the internal review: Chuck Stuber, retired FBI (Federal Bureau of Investigation) Agent and partner at SRS Consulting Services, LLC; Mike O'Leary, former US (United States) Prosecutor and Counsel for Regional Counsel to the Drug Enforcement Administration (DEA); Nick Stone, CPA (Certified Public Accountant) with Cherry Bekaert Accounting Firm; and Rob Bailess, retired DEA Agent. He said that Mr. Stuber, Mr. O'Leary and Mr. Bailess would give reports and efforts that have taken place to implement changes recommended from the report. He noted that while the investigation was ongoing, Former Sheriff Noblin, with the assistance of many in the Sheriff's Office, and Mr. Bailess implemented many of the changes that will be talked about. He said after the *Report to the Granville County Board of Commissioners of Investigation Review of Certain Policies and Procedures Pertaining to the Granville County Sheriff's Office*, he would request an executive session for the Board to receive the report, completed by the Cherry Bekaert Accounting Firm from Mr. Stone, CPA as requested. County

Attorney Wrenn said that following the presentation of the report which is privileged in executive session, he would request that the Board allow the County Attorney to waive the privilege to release the report so the information can be released to the public so they will have full understanding of efforts to date.

At this point, Mr. Mike O'Leary gave a brief overview and then spoke from the report that was presented and included in these minutes. He said the report was organized topically and loosely corresponding to how they moved through the investigation of various topics simultaneously and that their work was directed by County Attorney Wrenn. Information was provided in the form of briefings to District Attorney Lorrin Freeman throughout the investigation. He then spoke from the report section entitled *Initial Efforts – Management Structure*. He reported that a substantial number of interviews with law enforcement and administrative officers in the Sheriff's Office were conducted and they were very cooperative and exhibited an eagerness to seek positive change to the ways things were structured and conducted going forward. The structure and personnel in Sheriff's Office were evaluated to make a recommendation(s) as to who may be a viable candidate to replace Sheriff Wilkins. Several candidates were interviewed, and they reached the conclusion that the Sheriff's Office and County would benefit from bringing in outside experience in managing investigations and implementing policies and procedures with regard to drug trafficking investigations and interdiction. They also felt that there would be value in placing someone in that understood and had a deep understanding and that others would have buy-in. Rob Bailess was recommended as the outside person because of his management, drug investigation, and interagency experience and then Sergeant Charles Noblin, Jr. was recommended to fill the Sheriff's position. He reported that Mr. Bailess has worked for approximately a year and a half in the Sheriff's Office and that he has been well received internally and externally and has substantially improved working relationships.

Mr. O'Leary continued by saying they came into this investigation with the understanding that various law enforcement sources that were involved in the investigation and the initial indictment had expressed concerns about how the Sheriff's Office was being managed. He explained his perspective on the movement of drugs and money in the southeastern United States and talked about highway interdictions, handling of cash, and processing asset seizures by the Granville County Sheriff's Office. He noted that the audit

showed a lack of procedures and compliance with federal programs. He said there were also concerns with permits for the purchases of firearms explaining that the Sheriff is considered the gatekeeper of gun permitting to be sure if there are those with a history of prior criminal activity or mental illness and whether they should be given a firearm permit.

Mr. Chuck Shuber then spoke and clarified that they did not necessarily identify Sheriff Noblin but interviewed him and said that they felt he had leadership characteristics that would be advantageous for the Sheriff's Office. He then talked about the firearms permit process at the Granville County Sheriff's Office and spoke from the report sections entitled *Firearms Purchase Permitting and Other Firearms Issues* and *Orders of Destruction of Firearms* that were separately examined by Granville County Sheriff's Office Advisor Rob Bailess.

Mr. O'Leary then gave an overview of an incident on Antioch Road, Oxford that was included in the report in the section entitled *5118 Antioch Road Incident* and reported that issues with training and certification were identified with former Sheriff Wilkins and former Chief Deputy Sherwood Boyd in the section entitled *Training/LEO Certification Process*.

Mr. Schuber then talked about the information included in the report about the certification and training of former Sheriff Wilkins and former Chief Deputy Sherwood Boyd and noted that this was another matter that was referred to the District Attorney for further investigation as a potential criminal matter.

When asked, Mr. O'Leary explained what Brady/Giglio impaired means as referenced in the report. He then said there seems to be a culture that developed in the Sheriff's Office to be selective as to how the entity dealt with state, federal, and constitutional mandates passed on to them. He concluded by saying that more information is included in the report regarding the matters talked about tonight. He noted there were other matters here and there that came to their attention, but they did not have the resources to exhaustively investigate and they were conscious not to interfere with the criminal investigation.

County Attorney Wrenn reiterated that this is a report of the administrative review of the matters and should not be considered conclusive as everyone is entitled and presumed innocent until proven guilty. He said that he wanted the public to know what efforts had been taken on behalf of the County at the Board's request. He said that issues that they ran into that they feared were criminal were referred to State investigative authorities and District Attorney Lorrin Freeman. He said they have not undertaken to try to ascertain anyone's guilt or

innocence and said he wanted to be clear on that. He said they reviewed things and found internal controls lacking and found things that concerned them, but the things found appeared to brush up against the line of possibly being criminal so they turned those items over to people who can make the determination whether they warrant criminal charges. He cautioned people to read the report carefully as sometimes it is hard to be as accurate in an oral presentation as it is in writing. He said he wanted to give everyone involved in the matter the benefit of the doubt. He said that the report and other related documents pertaining to the investigation would be put on the County's website tomorrow.

A copy of the report talked about during the meeting was given to the Clerk and follows:

**Report to the Granville County Board of Commissioners of Investigation
Review of Certain Policies and Procedures pertaining to
the Granville County Sheriff's Office**

Presented by: James C. Wrenn, Jr., Granville County Attorney, Michael J. O'Leary,
and Charles W. Stuber, Jr.

Date: November 1, 2021

Background

On September 16, 2019, the then sitting Granville County Sheriff, Brindell Wilkins, was indicted by a Granville County Grand Jury and charged with two counts of Felony Obstruction of Justice. The indictments alleged, *inter alia*, that on or about August 12, 2014, Wilkins had withheld knowledge of a credible threat to imminently kill former Granville County Deputy Sheriff Joshua Freeman¹. They further alleged that Wilkins had failed to make reasonable and professional efforts to protect Freeman. The prosecution is being pursued on behalf of the State of North Carolina by N. Lorrin Freeman, District Attorney of the 10th Prosecutorial District, due to the recusal of Michael Waters, District Attorney of the 11th Prosecutorial District which includes Granville County. On or about June 22, 2021, Wilkins was indicted on additional charges including two counts of felony obstruction, as well as two misdemeanor charges, all relating to alleged failure to discharge the duties of his office². Substantial additional criminal charges were also filed against former Sheriff Wilkins and others on or about October 26, 2021.

On September 23, 2019, Granville County Attorney James C. Wrenn, Jr. filed, on behalf of the County, a Petition for Removal of Sheriff Brindell B. Wilkins, Jr. Then Sheriff Wilkins subsequently agreed on that same date to a consent order suspending his service as Sheriff of Granville County, pending resolution of the above-described criminal charges.

In the course of law enforcement officials' investigation into the above-described allegations, concerns surfaced regarding a number of issues pertaining to the management of the Granville County Sheriff's Office (GCSO). Most notably at that time, concerns were expressed pertaining to the GCSO's highway interdiction program in which numerous traffic stops had been made of principally southbound vehicles along Interstate 85 as it traversed through Granville County, with large sums of cash frequently being seized from motorists and/or passengers during such

¹ Joshua Freeman is no relation to N. Lorrin Freeman, District Attorney of the 10th Prosecutorial District.

² At the time of the issuance of this report, there has been no resolution of the criminal charges/allegations described in this report. As is true of all defendants in criminal proceedings, the Government bears the burden of proof beyond a reasonable doubt, and any defendant is presumed innocent unless and until convicted in a lawful criminal proceeding.

interdiction stops, based upon suspicions that the cash constituted the proceeds of illegal trafficking in controlled substances.

Thereafter, Granville County Attorney James C. Wrenn, Jr. retained, again on behalf of the County Board of Commissioners, the services of consultants Charles W. Stuber, Jr., and Michael J. O'Leary (collectively the "consultants"). Their mandate was to conduct an administrative investigation to assist the County in assessing the events leading up to the criminal charges against Sheriff Wilkins and his management of various aspects of the Granville County Sheriff's Office (GCSO), and to make recommendations on action to be undertaken to improve the functioning and effectiveness of that office, and the public's confidence with regard to the same. Stuber is a retired Special Agent with the United States Department of Justice (DOJ), Federal Bureau of Investigation (FBI), having served in that capacity for over 28 years in multiple FBI field offices, including 16 years in the Charlotte Field Division, working in the Raleigh Resident Agency. In addition to being trained as a federal investigator, Stuber holds a Juris Doctorate degree from the University of North Carolina and an accounting undergraduate degree from North Carolina State University. He is also a Certified Public Accountant, licensed to practice in North Carolina, and is currently a partner in the firm SRS Consulting Services, LLC. O'Leary is a retired Division Counsel for the Atlanta Field Division of DOJ's Drug Enforcement Administration (DEA). That division managed DEA operations in much of the Southeastern United States (Georgia, North and South Carolina, Tennessee). O'Leary worked in that capacity for over 10 years, having previously worked for approximately 15 years as a federal prosecutor (Assistant United States Attorney), initially in Illinois and then principally in Atlanta, Georgia. He is a principal in The O'Leary Firm, LLC.

On or about July 2, 2020, one of Wilkins' principal GCSO managers, Deputy Sheriff Chad Coffey, was also indicted on two felony obstruction of justice charges related to his utilization of confidential informants in drug trafficking investigations and prosecutions. Coffey was subsequently charged, on approximately November 5, 2020, with additional charges of embezzlement by public officer, obstruction of justice, and altering, destroying, and stealing evidence of criminal conduct, and conspiracy to deliver cocaine which related to his utilization of undercover informants and the improper use of GCSO funds with regard to such utilization, including the use of such funds to buy illegal drugs for one or more informants.

As the consultants began their investigation under the direction of County Attorney Wrenn and spoke with various individuals inside and outside of the GCSO, additional issues surfaced pertaining to the operations and management of the GCSO. The following is a summary of the efforts undertaken by consultants Stuber and O'Leary, and others working with them, and it is intended to identify and discuss issues that surfaced and were pursued to various extents in the course of their work. The summary is organized topically and in many cases the issues were not able to be investigated exhaustively due to resource concerns and other constraints, most notably the ongoing criminal investigations by state authorities. The efforts included substantial document reviews and the interviews of numerous individuals.

During the consultants' work, and particularly in the course of interviews of GCSO personnel, the consultants found the great majority of GCSO employees to be cooperative, dedicated public servants. These employees have repeatedly advised that they are supportive of any efforts to enhance the operations and professionalism of the GCSO, and the quality of the service to the citizens of Granville County.

The consultants operated entirely independent of state and federal investigators and reported directly to County Attorney Wrenn. When information that may have been criminal in nature was discovered, law enforcement authorities were notified by the County Attorney. The consultants assisted County Attorney Wrenn from time to time throughout the course of this matter in informing state and federal investigators regarding certain aspects of the consultants' work and analysis which might potentially have crossover significance to the state and federal investigators' work with regard to existing or potential criminal charges. On a number of occasions, the consultants were requested to stand down on certain aspects of their investigations, in order to give law enforcement personnel the ability to conduct their own investigations in this area without the County's internal work interfering.

Initial Efforts – Management Structure

The consultants' initial work involved the review of GCSO documents, certain public court filings, and interviews of a number of then current and former GCSO employees, including line level deputy sheriffs, office management personnel, administrative assistants and others. The first objective in this regard was to assist in providing perspectives and making recommendations with regard to the imperative effort of fairly immediately determining the suitability of any candidate to be appointed by the Granville County Board of Commissioners (the "Board") to fill the position of Granville County Sheriff, occasioned by the above-described consent order. By default, Chief Deputy Sherwood Boyd fulfilled the duties of sheriff following Wilkins' suspension pursuant to N.C. Gen. Stat. §162-5, pending the Commission's determination of who should be permanently appointed to fill the position in the wake of Sheriff Wilkins' consent suspension of his service. The consultants concluded and recommended that Chief Deputy Boyd would not be the best candidate for appointment by the Commission at that time, as it became apparent that he was integrally involved in management of the GCSO with regards to many of the rapidly emerging areas under investigation and described below. The consultants ultimately identified to County Attorney Wrenn that the Board could consider GCSO Sergeant Charles Noblin, who at that time was managing the office's civil enforcement statutory duties, to be appointed Sheriff. Noblin had interacted in what was perceived to be an open and straight forward fashion with the consultants, had articulated a strong personal desire to see the GCSO adhere more precisely to state mandates and expectations with regard to policies and procedures, seemed to be well thought of by other GCSO personnel, and there did not appear to be any negative issues making his appointment problematic.

The consultants also advised that notwithstanding the change in management at the top with the appointment of then Deputy Sheriff Noblin, and the likely inevitable change in other middle level management personnel, it would also still be greatly important for an outside advisor to nonetheless be brought in with a deep background in criminal investigation and prosecution policies and procedures, and law enforcement management, particularly as it relates to narcotics matters. The recommendation was that such an advisor should be brought in to work very closely with the appointed Sheriff and other GCSO management for an extended period to reform a number of internal policies and procedures, and to ensure actual implementation of such changes over a mutually agreed upon duration of time.

The consultants assisted in this effort by searching for and reaching out to a substantial number of law enforcement contacts, and ultimately identified certain potential candidates for such a role. Various such interviews and contacts resulted in discussions with possible candidates as a result of these efforts. Robert Bailess was ultimately identified and agreed to begin work in approximately August of 2020. Bailess was to be imbedded nearly full time in the Sheriff's Office for a period of time that would ultimately be mutually agreed upon as the advisory role progressed. Bailess, who retired from the U.S. Drug Enforcement Administration shortly before taking the advisory position, has a deep background in narcotics-related law enforcement management. That background included not only working as a narcotics agent himself at both the local and federal levels, but also as a manager of DEA's operations in the Johnson City and the Eastern Tennessee area; as DEA assistant country attaché in Costa Rica and foreign liaison in Peru; and as an executive manager in the federal agency's Special Operations Division (SOD), focused on interagency cooperation on particularly substantial narcotics investigations and prosecutions nationwide that involved numerous state and federal jurisdictions and, indeed, worldwide, with operations often crossing state and even international political boundaries..

Highway Interdictions/Handling of Cash/Processing Asset Seizures

The consultants received information raising numerous questions regarding a substantial component of the GCSO's work that involved roadside interdictions of suspected drug and, particularly, drug proceeds couriers utilizing the Interstate 85 corridor as a transportation route to and from the Eastern United States. In addition to broad concerns regarding techniques used in the interdictions both from an officer safety and liability perspective, questions arose regarding whether there could have been cash seizures resulting from roadside interdiction efforts in which all or some portion of the cash may possibly have been diverted at some point along the way, or at least whether policies and procedures with regard to such initiatives may

create the opportunity for such defalcations. At a minimum, concerns were identified that the manner in which such interdictions were conducted at least created a substantial opportunity for such diversion. As a result, the consultants examined the processes involved in these interdictions and the subsequent handling of cash seized.

Additionally, at the consultants' recommendation, forensic accountants were ultimately retained by the County, and worked with County Attorney Wrenn and the consultants to conduct a reasonably comprehensive analysis of banking and other records related to the processing of the assets, principally cash, seized from such roadside interdictions. County Attorney Wrenn identified the accounting firm Cherry Bekaert, LLP, to undertake such work. Those accountants traced the deposit of millions of dollars in seized funds and the subsequent processing of such funds for turnover to federal authorities for the purpose of administrative forfeiture proceedings, and the ultimate return of some of those funds to the County and the GCSO in the form of equitable sharing proceeds.

As mentioned, the consultants initially reviewed the interdiction efforts, which largely occurred based upon stops of vehicles travelling principally southbound along Interstate 85 as it routed through Granville County. In the review process, the consultants spoke with a number of GCSO personnel familiar with the interdiction process, and also reviewed a substantial number of reports filed in the GCSO Report Management System (RMS) by responding deputies. Based upon this review, the consultants concluded that there were numerous best practices which could and should be instituted by GCSO personnel with regard to such interdictions. They included ensuring that such roadside stops, or at least the ensuing searches and seizures, not be conducted by a single deputy without backup present at the time of the stop and particularly the seizure in question; that additional steps be taken with regard to the handling of cash and the timeliness of the deposit of such interdiction proceeds; and additional improvements with regard to evidence handling (some of which, in fairness, had already begun even before the consultants' review, and particularly with regard to the GCSO's planned move to new facilities then under construction).

The consultants also note that there are substantial ongoing efforts (some even commenced by Sheriff Wilkins and further enhanced under Wilkins management) with the GCSO and other law enforcement entities to ensure the broad and uniform utilization of body and dashboard cameras, the implementation of which has hopefully significantly assisted in providing much greater transparency with regard to the interdiction operations.

The consultants were and are of the opinion that properly implemented policies and procedures are imperative to ensure officer safety, to reduce the possibility of conflict between law enforcement and citizens and to minimize potential financial risk to the County. Such risk can arise as a result of the potential for harm to officers and/or citizens in these particularly dangerous police/citizen encounters; and the potential for constitutional and other litigation being commenced against the County arising from such encounters and the ensuing asset seizures, often of large amounts of cash in possession of vehicle drivers and other occupants.

Upon review of a substantial number of the reports filed in the GCSO's Records Management System (RMS) pertaining to interdiction stops between approximately February of 2012 to approximately November of 2014, it became readily apparent to the consultants that a large number of these interdiction activities occurred while only the reporting officer was apparently present. As noted above, the consultants concluded that this scenario created a very substantial opportunity for some or all of the cash to be seized from citizens and thereafter diverted. (Or, for that matter, a driver or passenger may readily have the opportunity to claim, in light of no accompanying deputy and quite possibly problematic body camera and/or dashboard camera imaging, that all or some portion of their cash or other valuables had been unlawfully taken by the officer initiating the stop and/or not accounted for in subsequent administrative processing.) With regard to this particular and substantial concern, the further efforts of the consultants were made difficult due the inability of the consultants, for various reasons including most notably the ongoing criminal investigation, to interview a number of key individuals who would have substantial information regarding internal details about the processes, and applicable policies and procedures, as well as the adequacy of training with regard to such roadside interdictions.

In the process of investigating such interdictions, the consultants also gained a more thorough understanding of a serious rift that had developed over time in which the District Attorney's Office had grown increasingly unwilling to prosecute criminal offenses that had been investigated by GCSO personnel, particularly with regard to drug trafficking investigations. These conflicts were purportedly a result of problems that prosecutors had encountered on numerous occasions in specific cases with regard to evidence storage, confidential informant utilization, and other related matters³. Along these lines, the consultants also reviewed a copy of a court order that had been entered by Superior Court Judge G. Wayne Abernathy, in the case of *State v. Oakley*, 16 CRS 50629. Judge Abernathy ruled that key evidence obtained in that case with the participation/assistance of a certain confidential informant, was to be excluded from use in the prosecution of the defendant. The ruling was based upon a hearing highlighting the general inadequacy of the GCSO's record keeping system pertaining to the utilization and payment of such confidential informants generally, and the ability of the prosecution to comply with its legal obligations, established by the United States Supreme Court in *Brady v. Maryland* (1963) and subsequent rulings in federal and state courts. Judge Abernathy's ruling essentially eliminated the ability to successfully prosecute the defendant in the *Oakley* drug trafficking case, and also cast considerable doubt on the viability of other drug trafficking prosecutions initiated by the GCSO in which confidential informants had been utilized.

The consultants also found that the documentation maintained with regards to funds utilized for payments to confidential informants for their assistance and for their purchase of drug evidence from suspects was inadequate. Again, further complete investigation with regard to this specific concern was largely curtailed principally due to the pending criminal charges against GCSO Deputy Chad Coffey, the individual perhaps most integrally involved in the use of funds for payments to cooperators.

Many of these issues with regard to GCSO/District Attorney coordination have been and continue to now be addressed by the new management structure put in place at the GCSO, and the assistance being provided by Advisor Bailess, with regard to reforms to office policies and procedures. It appears that great strides have been made in this regard. The consultants have conducted follow-up interviews with the District Attorney and members of his staff, who have uniformly articulated a greatly improved working relationship with the GCSO, with much more communication occurring between investigators and prosecutors on an ongoing basis, and much more transparency regarding GCSO processes. District Attorney's Office managers and GCSO personnel as well, describe a much better culture of cooperation that exists currently, when compared to the culture under the former GCSO administration.

The efforts undertaken by the consultants and the Cherry Bekaert accountants also revealed a quite substantial lack of financial controls with regard to the handling, management and documentation of cash seizures. These controls were the responsibility of both GCSO managers and County management, and there appeared to have been failures by both groups to appropriately implement

SECTION LEFT BLANK INTENTIONALLY

³ As reported by area media sources, District Attorney Michael Waters had acknowledged that his office felt compelled, in 2017, to dismiss over 100 pending drug cases due to perceived problems with regard to the GCSO's investigations.

the requirements of the federal equitable sharing programs. These conclusions were reached after a substantially exhaustive review of incident reports, bank records, and the GCSO, County and many (but certainly not all) federal government documents pertaining to equitable sharing transactions related to the roadside interdictions. Such financial control issues are documented and separately addressed in considerably more detail in the separate report prepared by the accounting firm.

The lack of financial controls with regard to the asset forfeiture/equitable sharing program was also identified by auditors with The U.S. Departments of Justice and of Treasury, who in 2021 issued highly critical reports identifying numerous violations of federal equitable sharing program mandates. These findings of the government auditors are also discussed in substantial detail in the Cherry Bekaert report. Responses to the audits were prepared with input from various county officials, with the effort largely spearheaded by Advisor Bailless. That effort appears to have been successful in satisfying federal authorities that the County and new GCSO management have implemented reforms sufficient to permit the County's continued participation in these important programs.

More recently, the consultants have discussed with Granville County finance personnel, including the County Manager, County Finance Director, and County Internal Auditor, reforms that have now been put in place with regard to the programs, and the oversight over the GCSO's handling of these programs moving forward. These reforms even include participation by the County's external auditors in scrutinizing the programs more closely. A significant item with regard to the federal agency partners' audits was the identification of a lapse in oversight over the GCSO's activities in this regard by county management.

Firearms Purchase Permitting and Other Firearms Issues

In the course of their work, the consultants received information indicating that the GCSO had, for quite some time, been circumventing certain laws that had been put in place by the North Carolina legislature in an effort to curb the purchase of firearms by certain individuals deemed potentially dangerous. Specifically, these laws called for background screening of applicants prior to the issuance of such permits, to ensure that permits were not being given to individuals who might present undue risks due to mental health issues and other concerns. In response, the consultants conducted a number of interviews regarding GCSO permitting processes and reviewed a large volume of records pertaining to permits that had been issued by the GCSO.

More specifically, effective in 2015 the North Carolina General Assembly passed legislation pertaining to handgun purchases in the state. The legislation required North Carolina sheriffs, who were statutorily authorized and obligated to approve or deny handgun purchase applications, to work with the respective Clerks of Superior Court in their jurisdictions to conduct mental health records checks for individuals who applied for permits to purchase handguns, based upon a review of any existing court orders with regard to mental health issues. A process was established to enable them to do so. In order for the sheriff's offices to get access to mental health records, applicants for handgun purchase permits were required to sign a state form entitled "Release of Court Orders Concerning Mental Health and Capacity for Pistol Purchase Permits." Language in the form concerning the authorization by the applicant reads as follows:

I hereby authorize and request any and all Clerks of Superior Court of North Carolina to inform the Sheriff of the county named above whether or not the clerk's files or records contain any court orders concerning my mental health or capacity. If so, I authorize the clerk to reveal to the sheriff the court orders within any confidential court files or records that the sheriff may reasonably require in order to determine whether or not to issue a pistol purchase permit to me.

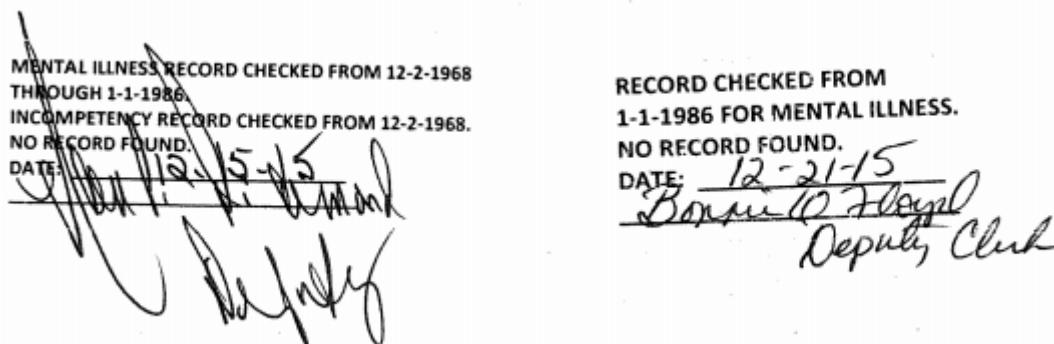
This Release may be treated as a motion in the cause for disclosure pursuant to G.S. 122C-54(d), which disclosure is necessary to enable the sheriff to determine my qualification to purchase or possess a handgun. I stipulate that a clerk may reveal to the sheriff any court orders pursuant to any specific or standing order entered in response to or anticipation of this motion.

I understand that further disclosure or redisclosure by the sheriff of any information disclosed to the sheriff pursuant to this Release is prohibited without my further written consent unless otherwise provided for by state or federal law. I understand that I may revoke this authorization at any time except to the extent that action has already been taken in reliance on this Release. Even without my express revocation, this Release will expire upon the satisfaction of the request or one year from the date below, whichever occurs first.

I authorize the sheriff to photocopy this Release after I sign it, and I authorize any clerk to whom a photocopy of this Release is presented to rely on the photocopy as being as effective as the original.

The consultants were advised by witnesses that Sheriff Brindell Wilkins regularly ignored these laws which required that criminal and mental health checks be conducted and documented before issuing permits to citizens for handgun purchases. Purportedly, Wilkins had stated to other GCSO employees that he did not want to make the citizens of Granville County have to wait for their handgun purchase permits to be approved. Accordingly, Wilkins subsequently directed that applications for handgun purchases be approved in many cases before the requisite mental health checks had been received by the GCSO. GCSO employees expressed that they were uncomfortable with the refusal to comply with state law mandates on the topic, and were unwilling to execute applicable paperwork by signing their own names. As a result, internal processes were altered with the paperwork signed off by Wilkins directly or, at the direction of the sheriff, GCSO administrative personnel simply utilized a rubber signature stamp bearing the sheriff's signature for those occasions when the sheriff himself was unavailable to sign.

The mental health background check process worked as follows. Per the request by the GCSO, personnel from the office of the Clerk of Court would research their records for the applicant and respond to the sheriff's office with the results of the mental health checks. In Granville County, results were received by the GCSO for two periods of time. A declaration would be provided for "Mental illness record checked for 12-2-1968 through 1-1-1986" and "Incompetency record checked from 12-2-1968." Another certification would be furnished for "Record checked from 1-1-1986 for mental illness." An example of these record checks and certifications is as follows:



The GCSO also performed criminal records checks on applicants for handgun purchase permits. Included in disqualifying factors for applicants that might be revealed during the criminal checks are scenarios such as the individual being a convicted felon, being a wanted person, being the subject of a domestic violence protective order, and being dishonorably discharged from the military. Pursuant to the law, sheriffs have a 14-day window of time to act on handgun purchase permit applications.

Approximately 150 firearms purchase applications were reviewed by the consultants for compliance with applicable laws regulating gun purchases in North Carolina. Findings from the review of the handgun purchase permit applications filed from 12/1/2015 (when the new law went into effect requiring mental health checks) through 10/11/2017 are as follows:

- Over 100 handgun purchase permits were identified as having been issued by the GCSO before receiving complete (both 1968-1986 and post-1985) mental health and incompetency checks.
- Of the over 100 handgun purchase permits issued before the GCSO had received complete mental health checks, approximately 90 of these permits were issued less than 14 days after the applicants filed their handgun purchase permit applications with the GCSO.
- Handgun purchase permits were issued by the GCSO to at least 13 applicants on the same day they filed their handgun purchase permit applications with the GCSO. Required mental health information had not been acquired for any of these applicants at the time their permits were issued.
- Handgun purchase permits were issued by the GCSO to an additional 7 applicants one day after they filed their handgun purchase permit applications with the GCSO.

Required mental health information had not been obtained on any of these applicants at the time their permits were issued.

Other troubling items were noted during the review of the GCSO handgun purchase permit applications. Several applicants had, in fact, been previously involuntarily committed for mental health issues, or at least had references to mental illnesses.

A review of the applications also revealed that several other handgun purchase permits were issued to individuals with questionable criminal history issues.

This topic is a matter that was turned over to state and federal criminal authorities to conduct such further investigation as they deemed appropriate. With such referral of the matter, the consultants' further efforts to comprehensively examine this issue was suspended. The issue, to the consultants' understanding, was reviewed by United States Bureau of Alcohol, Tobacco, Firearms and Explosives ("ATF") agents.

In addition to issues involving handgun purchase permits, the consultants' inquiry has considered several other matters involving firearms. For example, employees of the GCSO advised that Sheriff Wilkins had directed firearms to be returned to convicted felons (who under the law were not permitted to possess firearms) and that seized firearms had been given to other individuals despite the absence of court orders or other authorizations to return the weapons. Concerns with GCSO evidence collection procedures and the administration of the GCSO evidence storage room appear to have impacted the seizure, storage, inventory, and chain of custody of firearms seized by GCSO deputies. The operation of the evidence room has received substantial attention following Wilkins' suspension from the Sheriff's Office, particularly in light of the move to the new GCSO facilities. The consultants are aware that this is also an issue in which the GCSO Advisor has had substantial input.

North Carolina sheriffs are given certain statutory duties designed to keep firearms out of the hands of individuals deemed ineligible by law to purchase or possess a firearm. The consultants reviewed certain information that called into question whether Sheriff Wilkins faithfully discharged this statutory duty and, as a result, County Attorney Wrenn made state and criminal investigators aware of the issue.

Orders of Destruction of Firearms

During the pendency of the investigations being undertaken by the consultants, information also surfaced that court orders had been issued for the destruction of numerous seized firearms that had been seized in the course of law enforcement activities. When cases involving seized firearms are concluded, the court typically issues orders directing what is to be done with the seized weapons. The court has several options, including destruction of the firearms, returning them to their owners, authorizing the sale of the firearms, or authorizing them to be put in service by law enforcement agencies. When a destruction order is issued, the sheriff's office is responsible for carrying out the actual destruction of the weapons, with participation/observation by a representative of the county clerk's office to witness the process. Since 2011, approximately 42 disposal orders were issued directing that firearms be turned over to the GCSO for action. However, preliminarily it was determined that no firearms had been destroyed by the GCSO since 2011.

This issue was separately examined by GCSO Advisor Bailess. Mr. Bailess attempted to determine the disposition of the firearms that were the subject of the 42 court orders mentioned above. The investigation has concluded that dozens of the firearms ordered for destruction by the court appear not to have been destroyed and the current whereabouts of many of the missing firearms could not be ascertained. Of the 42 firearms in question, 11 were located in GCSO custody, 3 were determined to be in the custody of the Oxford Police Department awaiting transfer to the GCSO, 1 firearm was determined to be in the custody of the Oxford Police Department but could not be located by that agency, and 4 are believed to be in the custody of other law enforcement agencies. It was determined that the other 23 firearms should still be in the custody of the GCSO, but the firearms cannot be located and remain unaccounted for. One of the firearms that cannot be accounted for by the GCSO was documented as having been signed for by GCSO Deputy Sheriff Boyd on 3/11/15, when the weapon was purportedly transferred from the Oxford Police Department to the GCSO.

Problems with regard to the handling and documenting of evidence (discussed above) are believed to be substantial contributors to the inability to reconcile the ultimate handling of these firearms and their current location. Additional details and a more in-depth analysis of the missing firearms is contained in the separate report prepared by Advisor Bailess.

5118 Antioch Road Incident

The consultants also learned that on June 15, 2011, a fire occurred at a rural residence located at 5118 Antioch Road, largely destroying the residence. When a volunteer fireman responded to a 911 call regarding the fire, the fireman discovered the driveway gate locked and a rifle lying in the driveway of the residence. The occupant of the house was not present. There were various other suspicious circumstances that were observed on the property indicating that quite possibly the location had been used in some fashion in furtherance of drug trafficking activity.

Various GCSO personnel ultimately responded to the scene to investigate. A search warrant was subsequently obtained to conduct a thorough search of the property. A police canine was also brought to the scene that alerted on a bag containing a large quantity of cash. Deputies were in the process of completing their investigation pursuant to the search warrant when, ultimately, Sheriff Wilkins arrived at the scene. At some point after he arrived and was briefed regarding the cash that was discovered, Sheriff Wilkins took possession of the bag of cash, instructed one of the deputies to take pictures of him with the cash, and ultimately placed the bag of cash in the vehicle that he had driven to the location and eventually left the scene with that cash. There is no indication that the large amount of cash was ever processed for deposit into the GCSO's evidence vault. A substantial amount of cash (over \$160,000) was deposited the next day into a GCSO bank account. But a number of law enforcement witnesses questioned whether the amount that was deposited constituted all of the cash that was taken into evidence there at the scene, as no formal count was conducted prior to Sheriff Wilkins taking possession of the cash.

Additionally, a number of witnesses have advised that there were also various items of personal property that the Sheriff Wilkins subsequently took possession of from this location where the search warrant was executed and/or directed the relocation of such seized property by GCSO personnel to his personal residence. Much of the seized materials, which included a riding mower, a trailer, numerous pieces of lawn maintenance equipment and a large number of other tools, fitness equipment, and firearms and ammunition, were removed from the crime scene by Wilkins in a trailer that he brought to the location. Reportedly, much of it was never logged into the GCSO's evidence logging system.

Subsequent research by Granville County Sheriff's Office (GCSO) investigators identified the owner of the house at 5118 Antioch Road, Oxford, NC. The owner was interviewed and advised that he rented the house to a man whom he identified. The renter then told investigators that an individual, identified here as AR, was staying in the Antioch Road house. During the search of the residence, more than 200 grams of cocaine were also found on the premises. On 6/20/2011, an arrest warrant was taken out for AR by GCSO Sergeant Chad Coffey. Coffey charged AR with several drug offenses, including trafficking, possession with intent to sell, manufacture, and deliver 244 grams of cocaine, and maintaining a dwelling as a place to sell cocaine. AR had apparently fled and was not able to be arrested at the time the arrest warrant was issued on 6/20/2011. Coffey entered the arrest warrant for AR into the National Crime Information Center (NCIC). On 2/3/2015, AR was located. Coffey was contacted and ultimately advised that the GCSO did not want to extradite AR back to Granville County to face the charges against him. The investigating GCSO deputy at the Antioch scene stated in an interview his belief that Coffey certainly would have spoken with Granville County Sheriff Brindell Wilkins, and the decision not to extradite AR would have been made by Wilkins. Another NCIC entry on 3/20/2015 informed that the GCSO had received a call from the Texas Border Patrol that AR had again been located. A notation in the NCIC entry said, "per Chad," the GCSO would not extradite AR. On 8/24/2015, AR was stopped yet again. The NCIC entry for that encounter stated that, "Per S1 (the call sign for the sheriff)," the GCSO would not extradite AR back to Granville County to answer to the charges against him. On that date, Border Patrol also advised that AR was living in Mexico. All three NCIC notifications about AR were related to border stops. The investigating GCSO deputy commented that he did not understand why AR was not extradited, in light of the seriousness of the matter, and stated that he had seen the GCSO extradite individuals for less serious offenses. The investigating deputy also stated that he doubted that Wilkins consulted the Granville County District Attorney's

office about whether to extradite AR. The District Attorney's Office would be integrally involved in any extradition efforts. The deputy simply stated that Wilkins was the sheriff and felt he could do whatever he wanted to do without input from the District Attorney's Office.

Due in large part to the passage of time since the events in 2011, and other concerns, the consultants determined that it would be difficult, if not impossible, to adequately reach any meaningful and comprehensive determination of whether all of the seized money was subsequently deposited and seized equipment properly accounted for, and why prosecution of the charged individual was not pursued. But all these scenarios raise serious questions regarding the adequacy of policies and/or procedures pertaining to the documentation and storage of evidence, as well as the handling of cash, and non-prosecution decisions. However, due to a number of factors, including most notably the passage of time since this 2011 event, and indictments of key participants on other charges, it was apparent to the consultants that it would be inefficient from a resource allocation perspective for the consultants to endeavor to completely run to ground these concerns.

Training/LEO Certification Process

The consultants received information about issues involving the training program for law enforcement officers in the GCSO. The consultants learned that the North Carolina (NC) Sheriff's Education and Training Standards Commission of the NC Department of Justice, Sheriffs' Standards Division, mandates that those law enforcement officers in NC sheriff's offices receive at least 24 hours of in-service training each year, including firearms training, to maintain their law enforcement certification. This certification is necessary for officers to carry weapons and have the legal authority to execute many of their job responsibilities. Failure to obtain the annual 24 hours of training and required firearms training could readily result in a deputy losing his or her certification and eligibility for employment as a law enforcement officer in the State of North Carolina.

Substantial questions were raised by witnesses interviewed by the consultants regarding whether former Granville County Sheriff Brindell Wilkins and former Chief Deputy Sherwood Boyd, who were documented as having attended such classes/training, in fact never (or at least virtually never) attended such in-service classes or firearms training conducted for GCSO personnel. Witnesses stated that he/she had not observed Wilkins or Boyd at any training classes over a period of many years. They commented that they believed most of the deputies in the GCSO would have the same perspective, that they never saw Wilkins or Boyd participate in GCSO training.

The consultants were aware that technically under North Carolina law the sheriff himself was not legally required to maintain such law enforcement certification. (Although the same cannot be said for then Chief Deputy Boyd.) Nonetheless, maintaining such certification provided substantial bona fides to the sheriff, as well as providing him opportunities in the future to work elsewhere in law enforcement. Most importantly, any determination that such certification was fraudulently obtained would also adversely impact public confidence in the functioning of the critical law enforcement agency.

Witnesses provided documents, including sheets that GCSO Firearms Instructor Chad Coffey had posted in the office showing the scores of all GCSO deputies who participated in firearms training from highest to lowest. The names of Wilkins and Boyd were not on any of the lists provided that Coffey had allegedly posted following firearms training days.

The consultants were advised that firearms records, including the scores achieved by deputies on qualification courses of fire, are documented on Form F-9As. These forms require signatures of the deputy participating in the training, the firearms instructor conducting the training, and the head of the agency employing the deputy attending the training. The consultants were further advised that Wilkins and Boyd maintained their law enforcement certifications despite never being observed at firearms training (perhaps with the exception of joining in cook-outs attended by many of those who had earlier in the day undergone the training/certification process). These witnesses also stated that Wilkins and Boyd were by and large never seen at any of the other in-service training courses, such as legal updates, simulated firearms training, or other training classes that were part of the GCSO program to comply with

training required to maintain law enforcement certification, and to maintain their skills with regard to the use of deadly force.

A review was conducted of numerous records provided by the GCSO Training Coordinator, in response to requests made by the consultants. Of note were purported signatures of Wilkins and Boyd on sign-in sheets that were typically filled in by the participating law enforcement officer. In the case of Wilkins and Boyd, these signatures often appeared to be forgeries (with the caveat that these signatures have not been examined by handwriting experts). Furthermore, the names of Wilkins and Boyd were frequently written in as the last two names on class rosters and sign-in sheets (sometimes on rosters that were otherwise in alphabetical order), and in some cases there were sign-in sheets with only Wilkins and Boyd's names inserted between sheets containing the names of several GCSO deputies taking a training class.

The consultants also learned that the Sheriff's Standards Division would conduct annual audits of the GCSO training records to assess compliance with the in-service training requirements. During these audits, GCSO deputies would be randomly identified, and the GCSO would have to provide documentation of the deputies' training history for the year in question to confirm that the deputies were in compliance with the standards required for retention of their law enforcement certification. The records analysis showed that on at least one occasion (audit of the 2014 training records) Andy Stone, the Central Field Representative for the NC Department of Justice, Sheriff's Standards Division, selected Chief Deputy Boyd as one of the GCSO deputies whose training records would be audited. Boyd's Form F-9A firearms qualification record was in the package of documents provided to Stone for his review. The Form F-9A indicated that Boyd had completed all his firearms training requirements for that year, and the form was signed by Coffey as the GCSO Firearms Instructor, and Wilkins as the Agency Head for the GCSO. Additional GCSO training records for that year (class rosters, sign-in sheets, etc.) purportedly indicated that Boyd participated in enough training to satisfy Stone that Boyd had completed the required training in both firearms and other subjects to maintain his law enforcement certification. There was no indication in the records reviewed that Stone questioned the authenticity of training records for Boyd or suspected that the records may have been falsified to cover up the fact that Boyd did not attend the training.

The review of related records revealed that Wilkins regularly signed In-Service Compliance Reports, Form F-2100s, certifying that all officers listed had satisfactorily completed the in-service training program and had "done so consistent with the minimum requirements established by the Commission." Wilkins and Boyd were listed on the In-Service Compliance Reports and shown to have completed all in-service training and firearms requirements necessary to maintain their law enforcement certification.

Substantial additional investigative work was undertaken by the consultants with regard to these allegations, revealing significant possible evidence of impropriety with regard to attendance by certain executive managers, and the handling of certifications pertaining to law enforcement continuing education and proficiency assessment. However, these matters are not being further detailed in this report because the issue was turned over to state law enforcement authorities for their consideration and the determination of appropriate action, if any.

At a minimum, the alleged fraudulent activity, if substantially established, would create so-called "*Brady/Giglio* problems" for individuals involved (named after United States Supreme Court precedents requiring certain disclosures by prosecutors to defendants, and creating the potential to wreak havoc in criminal prosecutions of matters investigated by the GCSO, due to the potential impeachment of law enforcement witnesses).

Finally, an affidavit filed in the course of state criminal proceedings on April 30, 2021, confirmed evidence that fraudulent documents had been created affirming attendance at training programs when such was not the case. On that occasion, State Bureau of Investigation (SBI) Assistant Special Agent in Charge Scott Faircloth stated in his affidavit that, in the course of the SBI's investigation, an interview had been conducted of an individual who worked with former deputy Chad Coffey during 2012 and 2013 with regard to GCSO training. The witness, who assisted in teaching so-called In-Service Training, had acknowledged that he had created documents necessary to show that Wilkins and Boyd had attended various in-service training courses, when in fact they had not. As set forth in the Faircloth affidavit, according to the witness "Coffey informed him that was how their participation in training was to be handled."

An additional substantial problem with regard to the practice of top managers circumventing training certification processes is that it creates a culture of selective compliance with state mandates within an organization. Subsequent to the commencement of further investigation with regard to this issue by state authorities after referral of the Consultants' findings, the County has been advised by District Attorney Freeman that a number of other GCSO deputies have become "*Brady/Giglio* impaired" because it appears that they had participated, to varying degrees, in fraudulent activity regarding training certification. That group includes former Sheriff Charles Noblin, who has acknowledged that he also signed a Form F-9A attesting that he had attended firearms training that he himself had not attended. Noblin has recently resigned his position as sheriff. Indictments have been issued in connection with the training matter against former Sheriff Wilkins (fourteen felony counts), former Chief Deputy Boyd (fourteen felony counts), former Deputy Chad Coffey (twenty-eight felony counts), and Deputy Keith Campbell (four felony counts).

Readers are cautioned that this report is simply intended to advise the Granville County Board of Commissioners with regard to processes and facts developed in the course of this internal investigation, as well as to discuss recommendations and actions taken to remedy certain identified control weaknesses. All citizens carry a presumption of innocence until proven guilty beyond a reasonable doubt through established legal processes.

REPORT BY ROB BAILESS ON EFFORTS MADE AT SHERIFF'S OFFICE

Rob Bailess spoke on efforts taken to rectify problems found in the investigation. Mr. Bailess said he is a retired Special Agent with Drug Enforcement Administration (DEA) with 23 years of experience, his wife is from Granville County, and they reside here. He then talked about the review policies and procedures to bring the Asset Forfeiture Program into compliance and help rebuild relationships and trust within the department and with other agencies. He noted that former Sheriff Noblin has been gracious and open to implementing initiatives and saw the need for change. He talked about the rebuilding process that has taken place over the last 13-14 months as they worked on rebuilding the culture and foundation at Sheriff's Office. He reported that the Asset Forfeiture Program has been brought into compliance by implementing protocols and standard operating procedures for asset forfeiture and interdiction, and relationships have been rebuilt with state and federal agencies and others. He said he had received support throughout the program and worked extensively with Finance Director Steve McNally and Internal Auditor Monique Heggie. He also talked about leadership development and law enforcement partnerships and how they are working to rebuild confidence and trust and also about the process of acquiring National Accreditation. He said he believes the Sheriff's Office is in a good place and the County and its citizens will benefit from these efforts in the years to come. He thanked the Board for support of the efforts made.

After the presentation by Mr. Bailess, County Attorney Wrenn reiterated that everything negative that was heard tonight happened before Sheriff Wilkins left office, the major issues have been addressed, and the issues are historical and not current.

BOARD WENT INTO CLOSED SESSION

Upon a motion by Commissioner David T. Smith, seconded by Commissioner Russ May, and unanimously carried, the Board went into closed session as allowed by G.S. 143-318.11(a)(3) for a matter of attorney-client privilege to receive the Cherry Bekaert report.

Upon a motion by Commissioner David T. Smith, seconded by Commissioner Zelodis Jay, and unanimously carried, the Board returned to regular session at 9:53 p.m.

BOARD APPROVED WAIVING ATTORNEY-CLIENT PRIVILEGE FOR THE CHERRY BEKAERT, LLP REPORT OF FINDINGS REGARDING THE INVESTIGATION OF THE GRANVILLE COUNTY SHERIFF'S OFFICE

County Attorney Wrenn asked for a motion to waive the attorney-client privilege associated with the Cherry Bekaert report.

Upon a motion by Commissioner Tony W. Cozart, seconded by Commissioner Jimmy Gooch, and unanimously carried, the Board waiving the attorney-client privilege with respect to, and to release, the Cherry Bekaert, LLP report of findings titled *Risk Advisory Report, Internal Review and Assessment of Financial Activities Related to Drug Interdiction Operations Conducted by Granville County Sheriff's Office*

County Attorney Wrenn said that reports and related information will be posted to the Granville County website tomorrow and made available to the public.

The following reports were placed on the County's website on November 2, 2021:

County Investigation Report

- [Review of Certain Policies and Procedures Pertaining to the Granville County Sheriff's Office](#)

Risk Advisory Report by Cherry Bekaert, CPA

- [Internal Review and Assessment of Financial Activities Related to Drug Interdiction Operations Conducted by the Granville County Sheriff's Office](#)

United States Department of Justice

- [Department of Justice Notice of Restrictions Regarding Equitable Sharing Program](#)
- [Granville County Sheriff's Office Response to Department of Justice Notice](#)
- [Department of Justice Release from Restrictions Regarding Equitable Sharing Program](#)

United States Department of Treasury

- [Department of Treasury Notice of Restrictions Regarding Equitable Sharing Program](#)
- [Granville County Sheriff's Office Response to Department of Treasury Notice](#)
- [Department of Treasury Release from Restrictions Regarding Equitable Sharing Program](#)

PUBLIC COMMENTS

Baba Kerr, 7089 Bayberry Drive, Oxford, NC, urged the Board to put out their best efforts to reach failing students in the public schools. He said as a teacher of 40 years, he was flabbergasted by the failing rates. He asked the Board to fund programs such as after school to help students. He urged the Board to have more public sessions with parents and teachers to ensure that these voices are heard and also mentioned an Academy for Parents so parents are taught and can help their children. He asked that parents and teachers meet more in public meetings to discuss and get to the root of the problem of failing students.

Reverend Gerald Latta, 1979 Sadler Avenue, Creedmoor, NC, thanked the Board for allowing him the opportunity to address the concern about the office of the Sheriff. He said he heard the report of findings given tonight and is aware of what was said and as the President of the Granville County NAACP (National Association for the Advancement of Colored People) Chapter, and that his address was not political. He said he stood on behalf of some of the concerned citizens of Granville County. He commended the Board for efforts to resolve the ongoing decision-making of the appointment of the next Sheriff. He quoted Albert Einstein, "Insanity is doing the same thing over and over again and expecting a different result." He referred to the last three years as insanity and asked the Board to listen to the whole community of Granville County and not some and urged them to do what is best for the whole community for a fresh start and new beginning. He then yielded his remaining time to LaHoma Romocki.

Dr. LaHoma Smith Romocki, 2625 Brassfield Road, Creedmoor, NC, said she is a longtime resident of Granville County and thanked the Board for the resolution for her father for his 90th birthday. She said tonight she was present as Chair of the Democratic party and asked to what extent should the political party of the Sheriff factor into the discussion of who should be appointed to the seat. She said in 2018, Granville County elected a Democrat to a seat and when he was indicted, Sheriff Charles Noblin Jr., a Democrat who had worked in the Sheriff's Office for 18 years, was appointed as Sheriff. She noted that they were told we did not want to give an unfair advantage to an incumbent and then in July 2021 former Sheriff Noblin made a mockery by changing political party and the news made front-page headlines. She expressed her concerns and asked that if the political party of the Sheriff does not matter,

then why is the Granville County Republican party now saying it does matter. She asked the Board to carefully consider our candidate's party affiliation for a partisan race.

Scotty Brooks, 104 Smith Street, Oxford, NC, expressed his concerns regarding the Office of Sheriff, noting that our small town has been the subject of ridicule and scandal and referred to it as an episode of Dukes of Hazard. He said that after hearing the report tonight, it seemed we were hearing a crime drama and the situation is worse than he thought. He said that in regard to those that pick a Sheriff, the picker is broke. He referred to the process as picking from an apple tree and that not all trees yield good fruit, rotten apples have been picked, and one bad apple spoils the rest. He urged the Board to pick someone that was not working at the Granville County Sheriff's Office during what he called "recent criminal activity" as the next appointed Sheriff.

EMERGENCY SERVICES COMMITTEE APPOINTMENTS PULLED FROM AGENDA

County Manager Felts requested that the Emergency Services Committee appointments be pulled and put on a future agenda.

BOARD APPOINTED CYNTHIA YANCEY (DISTRICT 4) TO THE JUVENILE CRIME PREVENTION COUNCIL

Upon a motion by Commissioner Tony W. Cozart, seconded by Commissioner Timothy Karan, and unanimously carried, the Board appointed Cynthia Yancey (District 4) to the Juvenile Crime Prevention Council.

BOARD PRESENTATIONS

Commissioner May said that November 11, 2022 is Veterans Day and there are a few events in the County and asked everyone to remember our Veterans.

Chair Hinman thanked those that stayed the duration of the meeting.

COMMISSIONERS ADJOURN

Upon a motion by Commissioner Zelodis Jay, seconded by Commissioner Jimmy Gooch, and unanimously carried, the Board adjourned at 10:14 p.m.

Respectfully submitted,
Debra A. Weary, NCMCC, CMC
Clerk to the Board