

STATE GRAND JURY OF SOUTH CAROLINA

STATE OF SOUTH CAROLINA

Case No.

2013GS 47 02

FILED

v.

MAR 19 2013

JAMES R. PARKS

CLERK, STATE GRAND JURY

**INDICTMENT FOR
FURNISHING CONTRABAND
TO AN INMATE (2 counts) AND
COMMON LAW MISCONDUCT
IN OFFICE (4 counts)**

SANFORD MARION PARKER, JR. ,
a/k/a: "SAM PARKER"
Defendant.

At a session of the State Grand Jury of South Carolina, convened in Columbia, South Carolina, on March 19, 2013, the State Grand Jurors present upon their oath and charge as follows:

BACKGROUND

At times material to this Indictment:

1. On January 6, 2003, after having been elected by the citizens of Chesterfield County, SANFORD MARION PARKER, JR. (hereinafter referred to as PARKER) was sworn in as the elected Sheriff of Chesterfield County.
2. Upon assuming that Office, Sheriff PARKER was vested in Chesterfield County with the authority contained within Title 23 of the South Carolina Code of Laws including all aspects of enforcement of the laws of South Carolina.
3. This authority included operation of the Chesterfield County Detention Center (hereinafter referred to as "CCDC") and supervision over the inmates in CCDC, pursuant to South Carolina Code Section 24-5-10, et seq.
4. Election to this position, and assumption of this office, followed a 24 year career in

law enforcement.

5. Previously, PARKER graduated from the South Carolina Criminal Justice Academy on June 22, 1980, where he was certified as a Class I Law Enforcement Officer, having undergone a 426 hour course over approximately eight (8) weeks in the laws of South Carolina and their proper enforcement.
6. PARKER began his law enforcement career as a Police Officer for the Towns of Chesterfield and Cheraw in the mid-1970's, and later accepted employment at the Chesterfield County Sheriff's Office and the South Carolina Arson Control Team.
7. In 1991, he became employed by SLED as a Special Agent in the Pee Dee Region working as an investigator and a pilot for the Special Aviation Unit until 2002, when he retired.
8. While employed in law enforcement, PARKER was required, as were all Class I Officers, to undergo law enforcement training annually in order to remain certified.
9. Since 1979, PARKER has received annual training on the legal and proper performance of the duties of a law enforcement officer.
10. During the period between February 10, 2003 through February 14, 2003, Sheriff PARKER attended a training course for new sheriffs provided by the South Carolina Sheriff's Association, where he was provided information regarding the responsibilities of his new position, including, but not limited to: proper handling of evidence, proper administration of grants and grant funding, civil liability, and Criminal Justice Academy procedures.

IMPROPER SUPERVISION OF INMATES

11. Sheriff PARKER was responsible for the operations of the Chesterfield County Detention Center pursuant to South Carolina Code Section 24-5-10, et seq.
12. Typical inmates of the jail are those awaiting trial and those serving County sentences of less than 90 days. Other inmates include those who have already been convicted of a crime and sentenced to serve a period of incarceration in the South Carolina Department of Corrections (hereinafter referred to as "SCDC"), yet are placed in the custody of the CCDC under the "Designated Facilities Program" managed by and through SCDC. This program exists for the purpose of providing labor to assist the County in public works, and is pursuant to contract signed between SCDC and CCDC, and pursuant to South Carolina Code Section 24-3-30 and all other applicable laws.
13. Further, in addition to the restrictions contained within the above-referenced contract, Sheriff PARKER was required by law not to discriminate in the treatment of prisoners in his custody pursuant to South Carolina Code Section 24-5-90.
14. The transfer of inmates from SCDC to the custody of Sheriff PARKER, was accomplished pursuant to a contract between the S.C. Department of Corrections and Sheriff PARKER, signed annually by both Blake Taylor, SCDC Director of the Division of Compliance, Standards and Inspections and Sheriff PARKER, beginning on September 13, 2004.
15. Additionally, Robert Benfield, Risk Manager for the South Carolina Association of Counties, held required trainings at least annually since 2006 at the Chesterfield

County Armory and other Chesterfield County locations for all supervisors of inmates pursuant to the "Designated Facilities Contract". Although aware of the trainings, Sheriff PARKER did not attend until January 29, 2013, after this investigation began.

16. The Designated Facilities Contract provided that Sheriff PARKER was required to, among other things:

- a. Abide by all policies and procedures set forth in the Designated Facilities Manual, which includes provisions that: inmates may not use any form of telephonic communication while on work detail; inmates are prohibited from possessing or using computers, communication devices, or devices capable of taking pictures or recording sound; inmates must be supervised by appropriate personnel at all times; and inmates are not to leave work areas to go to any other location (such as a store, restaurant, etc.).
- b. Be responsible for the supervision of the inmates while housed at the Designated Facility, and to ensure proper accountability for the inmates to guarantee public safety.
- c. Ensure that no inmate is transported in a privately owned vehicle for any reason.
- d. Not loan, trade, or permit inmates to perform work for private enterprises, or private individuals, except as part of legal public service duties.
- e. Not allow inmates to enter into private business transactions or other moneymaking activities, and ensure that all services and labor performed

- are not for the personal benefit of any inmate, employee, or other individual.
- f. Ensure that all inmates wear a standard uniform that includes stripes and is of such a design and color as to easily identify each wearer as an inmate.
 - g. Ensure that the inmate is not permitted to have conjugal visits.
 - h. Ensure that all inmates are supervised by appropriate personnel at all times and that the inmates are either at the CCDC, at a work site, or en route to and from a work site only.
 - i. Ensure that inmates are not allowed to leave work areas to go to any other location.
 - j. Ensure that no inmate is allowed to operate a motorized vehicle that requires the driver to be licensed and/or the vehicle to display a license tag.

INMATE MICHAEL LEE

- 17. Inmate MICHAEL LEE was convicted of felony arson and sentenced to a fifteen (15) year prison term in SCDC.
- 18. On March 15, 2007, Inmate MICHAEL LEE was transferred to the CCDC under the "Designated Facilities Program" and placed in the custody of the Chesterfield County Sheriff's Office.
- 19. While housed within Chesterfield County, Inmate MICHAEL LEE was allowed to:
 - a. Live and sleep, often unsupervised, outside of the confines of the CCDC in a dormitory like environment within the Chesterfield County Sheriff's Armory;

- b. Possess keys to the armory, the entrance gate, and Sheriff's Office vehicles;
- c. Possess items which are not permissible for inmates, including but not limited to: televisions, clothes, drugs, alcohol, a photo ID obtained from the Chesterfield DMV, refrigerator, grill, iPad personal computer, and other personal items not enumerated herein.
- d. Drive Sheriff's Office vehicles on the roads of Chesterfield County, notwithstanding the fact that he was not licensed to drive by the State of South Carolina;
- e. Have access to firearms;
- f. Have unsupervised visits with at least one female visitor for sexual relations;
- g. Have unlimited visitation with family and friends;
- h. Dine at restaurants in South Carolina as well as in North Carolina;
- i. Take shopping trips in various counties throughout South Carolina and North Carolina;
- j. Possess cash, credit and debit cards, and a private bank account, with on-duty Sheriff's deputies either taking him to the bank during business hours or running those errands on his behalf;
- k. Have personal mail delivered to him at the Sheriff's Office or Armory;
- l. Engage and participate in various social functions throughout Chesterfield County;

- m. Host dinners and parties in the Armory;
- n. Use the internet for email, Facebook, and online shopping, etc.;
- o. Wear personal clothing;
- p. Attend church services outside of the Designated Facility;
- q. Eat meals at the Sheriff's home with and without other law enforcement;
- r. Go on recreational activities with the Sheriff and his family;
- s. Spend holidays with the Sheriff and his family;
- t. Travel in private aircraft piloted by a Sheriff's Deputy to Mount Pleasant, South Carolina, for a family visit.

20. In return for these privileges, MICHAEL LEE, a trained engineer:

- a. Refurbished the Sheriff's Armory;
- b. Worked at Sheriff PARKER's home and on his personal property;
- c. Gave gifts to Sheriff PARKER's family;
- d. Prepared meals for Sheriff PARKER and his family; and
- e. Assisted Sheriff PARKER and his wife with decorating and cooking for private parties.

21. MICHAEL LEE remained in the Custody of the Chesterfield County Sheriff's Office until August 17, 2012 when, at the request of Sheriff PARKER, MICHAEL LEE was returned to SCDC.

INMATE WILLIAM SKIPPER

22. Inmate WILLIAM SKIPPER was convicted of felony drug trafficking and sentenced

to a seven (7) year prison sentence in SCDC.

23. On April 8, 2009, WILLIAM SKIPPER was transferred to CCDC from SCDC under the "Designated Facilities Program" and placed in the custody of the Chesterfield County Sheriff's Office. He remained in the custody of CCDC until his release on February 1, 2012.

24. While housed within Chesterfield County, WILLIAM SKIPPER, was allowed to:

- a. Live and sleep, often unsupervised, outside of the confines of the CCDC in a dormitory like environment within the Chesterfield County Sheriff's Armory;
- b. Possess keys to the armory, its outside fence, and Sheriff's Office vehicles;
- c. Possess items which are not permissible for inmates to possess, including but not limited to: televisions, clothes, alcohol, driver's license obtained from the Chesterfield DMV, etc.;
- d. Drive Sheriff's Office vehicles on the roads of Chesterfield County;
- e. Have access to firearms;
- f. Have unsupervised visits with female visitors;
- g. Dine at restaurants throughout the State of South Carolina and some in North Carolina;
- h. Take shopping trips in various counties throughout South Carolina and North Carolina;
- i. Have mail sent directly to the Sheriff's Office or Armory;
- j. Engage and participate in various social functions throughout Chesterfield

County;

- k. Have dinners and parties in the Armory;
- l. Wear personal clothing;
- m. Go to church with the Sheriff's Office employees;
- n. Travel with a deputy to North Carolina to visit his father and pick up his tools;
- o. Eat meals at Sheriff PARKER's home with and without other law enforcement officers;
- p. Go to the lake with Sheriff PARKER and the Sheriff's family;
- q. Spend holidays with his own family; and
- r. Take HVAC materials belonging to Chesterfield County for his personal use upon release given by Sheriff PARKER.

25. In return for these privileges, WILLIAM SKIPPER, a licensed General Contractor and HVAC repairman:

- a. Designed and refurbished the Sheriff's Armory;
- b. Purchased (with Chesterfield County funds) HVAC equipment using his license and performed repairs throughout the County on behalf of Sheriff PARKER;
- c. Performed work at Sheriff PARKER'S home and on his personal property;
- d. Built a recreational building for Sheriff PARKER at his home; and
- e. Assisted Sheriff PARKER and his wife with decorating and entertaining for parties.

26. In addition to the above-referenced actions, Sheriff PARKER also directed or authorized Deputy Sheriffs or even regular citizens to transport both MICHAEL LEE and WILLIAM SKIPPER out of Chesterfield County and, on occasions, out of the state of South Carolina.
27. Most of the trips around this State and North Carolina, including those to Sheriff PARKER'S house, included the supervision of on-duty deputies with the CCSO.

CONVERSION OF PUBLIC PROPERTY AND RESOURCES TO PERSONAL USE

28. Sheriff PARKER was entrusted with the safekeeping and proper use of County property provided him for the purpose of carrying out his obligations to the citizens of Chesterfield County. This property included surplus state and federal property given under strict contracts for official use only by the department. Sheriff PARKER also received federal funds for the housing of federal inmates in CCDC.
29. Chesterfield County purchased an aluminum boat, motor and trailer from the South Carolina Federal Property Agency through the South Carolina Budget and Control Board, using a Chesterfield County Sheriff's Department check for \$2200.00 signed by Sheriff PARKER.
30. Included with the purchase was a reminder of the agreement signed with the County stating that the surplus property would be used only for official purposes.
31. The agreement also stated that the property would not be loaned, traded or torn down without permission by the South Carolina Federal Property Agency.
32. The boat was titled and registered to the Chesterfield County Sheriff's Office.

33. This boat, notwithstanding its intended purpose for official use only, was instead used for recreation by Sheriff PARKER and outfitted as a shrimp boat.
34. The motor was traded to Allan's Marine in Florence for credit towards a new outboard Evinrude motor, with the balance of \$6,549.55 paid by Chesterfield County and signed for by Sheriff PARKER.
35. This boat was used for the private purpose of shrimping trips on the coast of South Carolina for the enjoyment of Sheriff PARKER and his friends and various employees.
36. In addition to the above-referenced fishing boat, Sheriff PARKER also had the use of various other county vehicles and machinery, including, but not limited to: a John Deere farm vehicle known as a "Gator", a five-ton military truck, an enclosed trailer, and a four-wheeler. All of these items were purchased with public funds for public purposes, yet Sheriff PARKER converted them to his private use, and he stored them at his home for his own personal benefit.

FALSIFYING RECORDS TO CRIMINAL JUSTICE ACADEMY

37. Consistent with the obligations of the Office of Sheriff and various Chapters of Title 23 of the South Carolina Code of Laws, Sheriff PARKER must appoint deputies properly on record with and properly trained by, or with approval from, the South Carolina Criminal Justice Academy.
38. Class I law enforcement officers must successfully complete a course of training with the Criminal Justice Academy and be "regularly on the payroll of the State or

- any of its political subdivisions”, pursuant to South Carolina Code Section 23-23-10.
39. Reserve officers are appointed annually by the Sheriff, and must be on record with the South Carolina Criminal Justice Academy, complete certain training requirements, and have a recorded log of at least 20 hours per month or 60 hours per quarter pursuant to South Carolina Code of Laws Title 23, Chapter 28.
40. Sheriff PARKER signed an application for Reserve Officer Training Implementation in 2008. Since that time he has signed applications for approval as a reserve department where he is required to list his reserve officers, yet indicated he has no reserve officers.
41. Sheriff PARKER currently maintains a roster of various deputies who are purported to be Class I officers who are no longer on the payroll and do not work regular hours, or any recorded hours, for Chesterfield County. Nonetheless, Sheriff PARKER does not refer to them as “Reserve Officers” in documentation filed with the South Carolina Criminal Justice Academy.
42. Sheriff PARKER also claimed as “Reserve Deputies” persons who were allowed to patrol in Chesterfield County, yet never underwent the training or certification required by the Criminal Justice Academy, and were not on record with the Academy. Further, these persons were allowed to wear sheriff’s office uniforms and badges, which improperly conveyed that they possessed the authority to enforce the law within Chesterfield County.

IMPROPER DISTRIBUTION OF FIREARMS AND AMMUNITION

43. Consistent with the obligations of the Office of Sheriff, Sheriff PARKER has been provided with, and has access to, firearms of varying types and purposes in order to assist him in the performance of the law enforcement duties of his office.
44. Additionally, Sheriff PARKER has access to firearms which have been confiscated, seized, and/or forfeited to his Office during the course of his Office's business, the disposition of which is governed by the law of South Carolina as stated in South Carolina Code Section 16-23-405.
45. Irrespective of the obligations placed on him as Sheriff and the plain language of the statute, Sheriff PARKER has, on multiple occasions, provided firearms to non-law enforcement personnel for private, non-duty related reasons.
46. These firearms include, but are not limited to:
- a. An M-14 semi-automatic rifle, manufactured by US Rifle with serial number #1242369, provided to the Chesterfield County Sheriff's Office by the U.S. Department of Justice 1033 program, which Sheriff PARKER provided, with ammunition, to a friend in the community with no law enforcement training or law enforcement experience.
 - b. An XM-15 Bushmaster rifle, serial number L316199, purchased by the Chesterfield County Sheriff's Office for use by the SRT Team, which Sheriff PARKER gave to a friend in the community with no law enforcement training or law enforcement experience.
 - c. A Remington Model 700 sniper rifle, serial number G7104998, purchased

as a package by the Chesterfield County Sheriff's Office for \$2,209 with a Leopold scope, sling, bi-pod and a threaded barrel for use by a sniper on the SRT team, which Sheriff PARKER gave, with ammunition, to a friend in the community with no law enforcement training or law enforcement experience.

- d. A Browning .22 handgun bearing serial number 655AV28999 and received as a result of a seizure, which Sheriff PARKER gave to a friend who worked with Chesterfield County Public Works and who had no law enforcement training or law enforcement experience.
- e. A Glock model 21 .45 semi-automatic handgun bearing serial number LET580, purchased by the Chesterfield County Sheriff's Office from Craig's Firearm Supply, Inc. for \$489.00, which was given to a Class III deputy no longer with the department as payment for his work rewiring Sheriff PARKER's house.
- f. A Glock .40 pistol, unknown serial number, which Sheriff PARKER provided to a local minister and Sheriff's office chaplain, who had no law enforcement training or law enforcement experience.

47. Each of these transfers lacked a legitimate purpose related to Sheriff PARKER'S duties and obligations as Sheriff, and they were primarily conducted for private and personal reasons.

WHEREAS, THE GRAND JURY CHARGES:

COUNT ONE
Furnishing Contraband to Inmates
(S.C. Code Ann. §24-3-950)

48. The allegations of paragraphs one (1) through forty-seven (47) of this Indictment are realleged and incorporated by reference as if fully set forth herein.

49. In Chesterfield County, on or between March 15, 2007 and August 17, 2012, Sheriff PARKER did allow South Carolina Department of Corrections inmate MICHAEL LEE to possess items defined and published as contraband by the South Carolina Department of Corrections.

50. This was done in violation of SC Code of Laws Section 24-3-950, as amended; such conduct involving public corruption and arising out of or in connection with a crime involving public corruption and such conduct not having been authorized by law.

Against the peace and dignity of the State and contrary to the statute in such case made and provided.

COUNT TWO
Furnishing Contraband to Inmates
(S.C. Code Ann. §24-3-950)

51. The allegations of paragraphs one (1) through forty-seven (47) of this Indictment are realleged and incorporated by reference as if fully set forth herein.

52. In Chesterfield County, on or between April 8, 2009 and February 1, 2012, Sheriff PARKER did allow South Carolina Department of Corrections inmate WILLIAM SKIPPER to possess items defined and published as contraband by the South

Carolina Department of Corrections.

53. This was done in violation of SC Code of Laws Section 24-3-950, as amended; such conduct involving public corruption and arising out of or in connection with a crime involving public corruption and such conduct not having been authorized by law.

Against the peace and dignity of the State and contrary to the statute in such case made and provided.

COUNT THREE
Misconduct in Office
(Inmate Supervision)
(Common Law)

54. The allegations of paragraphs one (1) through forty-seven (47) of this indictment are realleged and incorporated by reference as if fully set forth herein.

55. In Chesterfield County, on or about the time period beginning April 2007 through August 15, 2012, Sheriff PARKER, a public official, did willfully and intentionally engage in acts of misconduct by committing acts and omissions in the form of malfeasance, and misfeasance, and nonfeasance, in breach of his duties to the public of good faith, honesty, and accountability in his role as Sheriff of Chesterfield County, by failing to properly supervise inmates MICHAEL LEE and WILLIAM SKIPPER, allowing them to engage in acts and possess items which are proscribed by the laws and regulations of the state of South Carolina and the rules governing the supervision and use of inmates.

56. This was done in violation of the common law of South Carolina; such conduct involving public corruption and arising out of or in connection with a crime involving

public corruption and such conduct not having been authorized by law.

Against the peace and dignity of this State and contrary to the common law in such case made and provided.

COUNT FOUR
Misconduct in Office
(conversion of public property)
(Common Law)

57. The allegations of paragraphs one (1) through forty-seven (47) of this Indictment are realleged and incorporated by reference as if fully set forth herein.

58. On or about the period between January, 2003 and February 28, 2013 , Sheriff PARKER, a public official, did willfully and intentionally engage in acts of misconduct by committing acts and omissions in the form of malfeasance, and misfeasance, and nonfeasance, in breach of his duties to the public of good faith, honesty, and accountability in his role as Sheriff of Chesterfield County, by converting public property to his own personal use including, but not limited to, those items described in the preceding paragraphs of this Indictment.

59. All in violation of the Common Law of South Carolina and such conduct involving public corruption or arising out of or in connection with a crime involving public corruption and such conduct having not been authorized by law.

Against the peace and dignity of the State and contrary to the common law in such case made and provided.

COUNT FIVE
Misconduct in Office
(failure to maintain records of law enforcement)
(Common Law)

60. The allegations of paragraphs one (1) through forty-seven (47) of this Indictment are realleged and incorporated by reference as if fully set forth herein.

61. On or about the period between January 6, 2003 and February 28, 2013, Sheriff PARKER did willfully and intentionally engage in acts of misconduct by committing acts and omissions in the form of malfeasance, misfeasance, and nonfeasance, in breach of his duties to the public of good faith, honesty, and accountability in his role as Sheriff of Chesterfield County, by failing to properly discharge his duties regarding supervision, record keeping and accountability to the public in ensuring that only properly classified and trained law enforcement officers were serving in Chesterfield County.

62. All in violation of the Common Law of South Carolina and such conduct involving public corruption or arising out of or in connection with a crime involving public corruption and such conduct having not been authorized by law.

Against the peace and dignity of the State and contrary to the common law in such case made and provided.

COUNT SIX
Misconduct in Office
(distribution of firearms and ammunition)
(Common Law)

63. The allegations of paragraphs one (1) through forty-seven (47) of this Indictment

realleged and incorporated by reference as if fully set forth herein.

64. On or about the period between January 6, 2003 and February 28, 2013, Sheriff PARKER did willfully and intentionally engage in acts of misconduct by committing acts and omissions in the form of malfeasance, misfeasance, and nonfeasance, in breach of his duties to the public of good faith, honesty, and accountability in his role as Sheriff of Chesterfield County, by failing to properly discharge his duties regarding the supervision, accountability and distribution of equipment, firearms and ammunition belonging to or coming in the lawful possession of the Chesterfield County Sheriff's Office.

65. All in violation of the Common Law of South Carolina and such conduct involving public corruption or arising out of or in connection with a crime involving public corruption and such conduct having not been authorized by law.

Against the peace and dignity of the State and contrary to the ^{Common Law} ~~statute~~ in such case made and provided. TR

A TRUE Bill
David J. Gault
FOREMAN

Alan Wilson
ALAN WILSON
ATTORNEY GENERAL