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Ex-Grand Jury Foreman Wants Investigation of DA

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HAZLEHURST — The foreman of Jeff Davis County's recently disbanded March Term grand jury has called for an investigation of Brunswick Circuit District Attorney Glenn Thomas Jr.

Hazlehurst resident Doy Clifton claims the grand jury of which he was foreman heard testimony linking Thomas with efforts to reduce charges against a county commissioner's son because of the position held by the teen-ager's father.

Clifton further contends that Thomas fired a member of the district attorney staff when the employee gave testimony about the case.

The jury alluded to the situation involving Thomas in presentments

Thomas, and he says he wants the matter investigated further.

Clifton has charged that Edwards was fired after he provided the grand jury with information on a case that Thomas had not wanted brought before the jurors.

The case involved a traffic accident in February in which a man was struck and killed by a small pickup truck on County Road 7. Accused of vehicular homicide in that case was Eddie McEachin, the teenage son of Jeff Davis County Commissioner Larry McEachin.

"The grand jury asked Mr. Edwards about the McEachin case," Clifton said Tuesday. "His reply was that he was not supposed to talk about that case to us, but would do so if ordered to by us."

"We ordered him to tell us about the case and about his reluctance to

read in open court on Sept. 22 in Hazlehurst. A part of those presentments was critical of Thomas.

The specific passage in the presentments, which was expunged from the record by Senior Judge Gordon Knox, stated:

"We the members of the Grand Jury would like to commend the Assistant District Attorney, Mr. Chris Edwards, for his handling of the presentments brought before this grand jury."

"We the members of the Grand Jury oppose the firing of the Assistant District Attorney, Mr. Chris Edwards, by Mr. Glenn Thomas, District Attorney, for reasons stated by Mr. Thomas."

"This Grand Jury is also displeased with the District Attorney in his reluctance to appear before the Grand Jury when requested on two occasions to explain this situation."

Clifton said Edwards then made statements that left questions in the minds of some members of the jury as to whether or not the District Attorney's Office needed to be investigated.

"Mr. Edwards said the DA had told him that the case involved the son of a county commissioner and required special handling," Clifton explained. "He said the case would be handled through accusation rather than by indictment."

"We instructed Mr. Edwards to draw up an indictment anyway, and he said 'The boss is not going to like this.'"

Under Georgia law, a charge can be pleaded through accusation rather than be brought before a grand jury for indictment if the defendant waives his right to a grand jury

occasions to explain this situation."

Edwards had turned in his resignation from the district attorney's staff effective June 30 but was fired by Thomas on June 17.

Immediately following the reading of the presentments in court, Thomas asked the court to allow him time to prepare a motion to expunge the passage criticizing him.

Under Georgia law, a grand jury cannot be critical of a public official except through criminal presentment or true bill indictment.

Knox granted the motion to expunge on the afternoon of Sept. 22, and when the presentments were filed with the Jeff Davis County clerk of court on Sept. 24, the critical passage had been deleted.

But Clifton has said that the critical passage raises certain questions that still must be answered by

hearing of the case.

However, the plea being made through accusation in the McEachin case was a plea of guilty to vehicular homicide in the second degree, which is a misdemeanor, rather than to the original charge of first-degree vehicular homicide, a felony.

Clifton said the grand jury made a full investigation of the facts of the case, including hearing extensive testimony from Jeff Davis County Sheriff Ed Wilson. In addition, Clifton said he spoke with Thomas about the case and was told by Thomas that there was not enough evidence in the case to convict McEachin of the more serious felony charge.

But according to Clifton and to Wilson himself, Wilson believed he had sufficient evidence to charge

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McEachin with the more serious offense.

"The district attorney and I have a difference of opinion on that," Wilson said when questioned about the evidence in the case Tuesday, "but the case has been plea-bargained under the First Offender Act and is concluded."

Clifton said the sheriff presented evidence to the grand jury proving that McEachin had left the scene of the accident on the Friday night that it occurred and was not apprehended until the vehicle McEachin had been driving was found the following Sunday by Wilson's department.

A traffic death in which the driver of the vehicle leaves the scene of the accident is classified under Georgia law as vehicular homicide in the first degree.

The jury later presented a true bill indictment against McEachin on the more serious of the two possible charges.

Clifton said the statement by Edwards that most concerned members of the jury was that the case required special handling because of the identity of the accused, so Clifton called Thomas to discuss the matter and request that he appear before the jury.

Clifton said Thomas told him that "he had never refused for Mr. Edwards to bring the case before the grand jury, but had simply told him the case was being handled through accusation and plea."

"He also said, 'He is not carrying out my instructions as I told him to, so I think I'll fire him right now.'"

Clifton further explained that, although he followed the procedure outlined by Thomas for requesting the district attorney's presence before the grand jury, Thomas never appeared to answer the jurors' questions.

"Mr. Thomas had told us when we first convened that if we needed him to appear for any reason, all we had to do was for one of us to call him," Clifton said. "He told us if we couldn't reach him, we should inform the clerk of court that we needed to talk to him and she would arrange it."

Clifton said that, although he personally asked Thomas to appear and later asked Jeff Davis County Clerk Eula Mae Edwards to pass on a message to Thomas that the jury wanted him to appear, all the jury got for its efforts were excuses that Thomas was trying to arrange it on his schedule.

Thomas, when contacted about Clifton's statements, refused to discuss on the record the matter of Edwards's firing or the McEachin case, but he said he had never re-

fused to appear before this particular grand jury or any grand jury at any time.

"They never made a formal request that I appear," Thomas said.

As to Edwards's firing, the former assistant district attorney, now in private practice in Glennville, refused to comment on the information provided by Clifton. "The grand jury has spoken," Edwards said. "I have nothing to add."

Clifton also expressed displeasure Tuesday at the way the presentments were handled by Knox following the granting of the motion to expunge.

"I told Judge Knox I would not want to see my signature on the edited version of our presentments, because they were not what I had originally signed," Clifton said.

"Judge Knox told me he would publish the presentments with my signature, and that I had no recourse in the matter because as of Sept. 22 I was no longer a seated member of the grand jury."

Clifton said he objected to Knox's handling of the presentments a second time.

"I told him we could handle this in the courts or in the newspapers," Clifton said. "Judge Knox replied that he was the court in this case, and that I would lose. I told him that left only the newspapers, and he said I wouldn't get very far there, either."