

 ORIGINAL

FILED

OCT 17 2019

IN THE SUPERIOR COURT OF DOUGLAS COUNTY
STATE OF GEORGIA

Tammy M. Howard, Clerk
Superior & State Court
Douglas County, GA

In re April 2019 Grand Jury General Presentment

ORDER FOR PUBLICATION

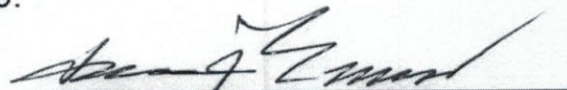
The April 2019 Grand Jury having made a General Presentment back to the court, the undersigned orders that this presentment is to be published in the Douglas County Sentinel, Atlanta Journal-Constitution, and Douglas County Happenings web page as directed by the Grand Jury under the authority of Ga. Code § 15-12-80.

The cost of said publication is to be born by the county.

The court also directs that a copy of said General Presentment is to be provided to the County Administrator.

The grand jury also directed that a copy of the presentment be sent to the Georgia Coroner's Association (Georgia Coroner's Training Council) as a complaint for that organization to investigate.

So ordered this October 17, 2019.



David Emerson
Chief Judge Superior Court
Douglas Judicial Circuit

cc: Ryan Leonard, District Attorney
Tammy Howard, Clerk of Court

ORIGINAL

IN RE SPECIAL COMMITTEE OF THE)
DOUGLAS COUNTY APRIL TERM 2019)
GRAND JURY)
_____)

FILED

OCT 15 2019

Tammy M. Howard, Clerk
Superior & State Court
Douglas County, GA

GENERAL PRESENTMENT

We, the Special Committee of the April Term 2019 Grand Jury, upon our authority as a legally assembled Special Committee of the Grand Jury,¹ recommend and petition for the Honorable David Emerson, Chief Judge of the Douglas Judicial Circuit, to publish the foregoing general presentment.² We show that the following as the results of our investigation.

I. SUMMARY OF COMMITTEE.

On July 19, 2019, Judge Emerson filed an order that directed Catrina Jordan, Foreperson of the April Term 2019 Grand Jury, to present a vote to the Grand Jury to investigate the Office of the Douglas County Coroner ("Coroner" or "Office"). On July 26, 2019, the Grand Jury voted to form an investigative committee ("Committee" or "Special Committee") to investigate the Coroner. The Committee was comprised of six (6) members of the Grand Jury. We were asked to investigate the Coroner's compliance with the requirements of the Child Fatality Review statute.³ We were asked to examine the records, accounts, property, and operations of the Coroner, including a review of the expenditures and budget compliance by the Coroner. The third area for our investigation was to examine the operations of the Office as to the conditions of the storage of bodies in the Old County Courthouse. We were then given authority to recommend the creation of a bill of indictment or special presentment, the publication of a general presentment, or to issue a report to Judge Emerson.

¹ O.C.G.A. § 15-12-71(b)(2).

² O.C.G.A. §§ 15-12-71(b)(3) & 15-12-80.

³ O.C.G.A. § 19-15-1, *et seq.*

As the Committee, we met several times a month from August 2019 until today, the last day of the April Term 2019 Grand Jury.⁴ We have collected a lot of documents to support our conclusions and recommendations. We interviewed many witnesses, and their testimony supports our conclusions and recommendations. We toured the Office, and our observations support our conclusions and recommendations. Our conclusions and recommendations are outlined, below.

II. CHILD FATALITY REVIEWS IN DOUGLAS COUNTY.

We, the Committee, found several irregularities in how child fatalities are reported in Douglas County. During our investigation of meeting minutes and upon speaking with Sam Newman, chairman of the Douglas County Child Fatality Review Board ("CFRB"), we discovered a lack of attendance at the CFRB meetings by the Coroner or any of her representatives. It was also stated in testimony by Ms. Newman that, for a time, the death of children ages zero to seventeen (0-17) were not reported in a timely manner. After the contempt hearing⁵ held for the Coroner, Ms. Newman stated that the last two deaths were reported as required and the Coroner was present at the CFRB meeting. Currently, we find that the coroner's office is in compliance with CFRB.

To improve the Office, the Committee, through the Grand Jury, recommends as follows:

1. Ms. Godwin, County Coroner, is to be present or send a representative of the Coroner's Office to each CFRB meeting.
2. Ms. Godwin is to report the death of a child age zero to seventeen (0-17) in Douglas County to the CFRB within 48 hours and include any specific information requested by the CFRB.⁶
3. It is recommended by the Committee that a process/document be created for the Office to include the name, date, age, sex, height, and/or any other pertinent information about the

⁴ After today, the April Term 2019 Grand Jury will adjourn, and any actions performed thereafter would not have lawful effect.

⁵ The Contempt Citation was resolved by consent of the parties on August 1, 2019. *See In re Renee Godwin*, 19CR00685.

⁶ *See* O.C.G.A. § 19-15-3.

deceased.⁷ Such information should be included in a logbook or ledger, and that information recorded prior to other death certificates being signed by the deputy and coroner.

4. Compliance with the logbook or ledger is to be monitored for a quarter of one (1) year, followed by semi-annually for one (1) year, and then annually as consistency is established with the coroner's office and the CFRB.

III. OFFICE PRACTICES AND PROCEDURES.

We, the Committee, found that several of the practices and procedures of the Office require attention and revision. The second order of business addressed by the Grand Jury committee was the operations of the Office.

We reviewed evidence that the Douglas County District Attorney ("DA") had received from complaining citizens, as well as internal Office documents, and public information.⁸ Using this information, we spoke with the administrator of the Old County Courthouse, and other witnesses knowledgeable with the procedures and history of the Coroner. We find that several of the Office practices and procedures are irregular, and should change. We find that during her tenure as Coroner, Ms. Godwin has on several occasions seemingly abused her office,⁹ and allowed for unethical or unprofessional¹⁰ to occur in the Office.

To improve the Office, the Committee, through the Grand Jury, recommends as follows:

1. A new policy should be put in place where the hiring of family members¹¹ is prohibited when under the direct management.
2. It is recommended that the original emails by Bill Peacock to the local funeral homes in reference to bidding on the placement of indigent bodies be presented and investigated by the upcoming grand jury and the email addresses verified for accuracy.

⁷ See Appendix 2.

⁸ This includes news stories

⁹ This conclusion is only a reflection of the evidence that we received.

¹⁰ Either as legacy practices or new practices.

¹¹ By blood or marriage within a single nuclear family.

3. Private contract Vending is prohibited. We are requesting documentation for Ms. Godwin showing the approval of the vending machines outside of the Office. Until that time, the machines presently located are to be removed immediately.
4. The grand jury has agreed that Larry Bussey's Duties are redundant to those of the Coroner. Therefore, it's recommended his position be dissolved.
5. We recommend the vehicle issued to Mr. Bussey be returned to the county immediately.
6. The grand jury recommends that the transport and investigation of a body be one (1) fee and not separated according to how many times the body is transported.
7. The grand jury recommends that whomever is on call be in possession of the coroner's van to transport bodies including the coroner
8. The current Coroner admitted under oath that the reason she applied for the position is because she has compassion for people. She also admitted that she does not have any leadership experience, any management experience of how to run an office. It is recommended that the Georgia Coroners Association remove the current Coroner from her position¹² and appoint a fill in for the duration of Ms. Godwin's term due to the lack of knowledge of the responsibilities of a corner.
9. It is recommended that the job responsibilities of a coroner for Douglas County be revisited. This position should entail having management skills, knowledge of cleaning, and upkeep of a morgue.¹³
10. No employee of the County coroner's office should have other employment that would cause a conflict of interest, or create personal gain/benefit.
11. The corner is to review the accuracy of the death certificates prior to signing off on them.
12. It is recommended that a current visible on-call schedule be posted in the Office at all times.
13. We would recommend for the Coroner's budget to be revisited/adjusted and proofs of purchase presented for verification and accuracy.
14. Visitor logs for the Office and viewing of the bodies in the Morgue are to be updated, clear to read and current at all times.
15. If possible, two to three (2-3) training locations are to be considered for training of the Coroner's Office employees. This should include the Coroner.

¹² Pursuant to O.C.G.A. § 45-16-65(7). A copy of this General Presentment to be sent to the Georgie Coroner's Association as a form of a complaint necessary to invoke the Georgia Coroner Association's jurisdiction to investigate the Coroner.

¹³ We the Committee have determined that the position requires mortician experience or having worked as a funeral director prior to running for the Office of Coroner.

IV. THE STORAGE OF BODIES.

We, the Committee, found that the storage of bodies in the Douglas County Morgue¹⁴ was unacceptable for the citizens of Douglas County, and the practices and procedures thereof require change and revision. We were empowered by the Grand Jury to make findings on the conditions of the storage of bodies in the Old County Courthouse, and to make recommendations about the storage of bodies.

We reviewed evidence that the DA had received from complaining citizens, as well as internal Office documents, and public information.¹⁵ Using this information, we spoke with the administrator of the Old County Courthouse. We find that during 2018 on two different occasions there was an odor that radiated from the Douglas County Morgue¹⁶ area at the Old County Courthouse. Our conclusion is that the odor passed through the vents up to the museum and classes that were being held on the first floor of the building. The odor originated from decaying bodies that were housed in the Morgue. One way that the odor traveled was through the HVAC system located immediately adjacent to the Morgue. Since this incident, there has been no smells reported. This area needs to be improved to create a calm, clean, peaceful environment for families to come view the bodies of their loved ones.

To improve the Office, the Committee, through the Grand Jury, recommends as follows:

1. Due to the activity on the first floor of the building, the Coroner is not to have decaying bodies in the Morgue for storage. This disrupts the Museum where children visit as well as the adult classes held in the same area.

¹⁴ For purposes of the General Presentment, all references to this area, and the "cooler" are referenced as "Morgue." The room where the Morgue is located is in the basement of the Old County Courthouse, sequestered away from the publicly accessible portion. It shares functionality with the HVAC system; our photographs of the Morgue are included in the Appendix.

¹⁵ This includes news stories.

¹⁶ For purposes of the General Presentment, all references to this area, and the "cooler" are referenced as "Morgue." The room where the Morgue is located is in the basement of the Old County Courthouse, sequestered away from the publicly accessible portion. It shares functionality with the HVAC system; our photographs of the Morgue are included in the Appendix.

2. The cameras outside of the Morgue need to be in working order. The tape needs to be filed away for at least one year¹⁷ in case there's a need for viewing.
3. The walls need to be cleaned and painted or covered.
4. There needs to be a hand washing area and a MSDS book stating cleaning requirements for the metal tables in the Morgue, the floors and/or any other surface to be cleaned in the immediate area.
5. The doors to the Morgue need to be painted or replaced, and there needs to be a sign on the door that says "Douglas County Morgue".
6. Equipment needs to be purchased for the Morgue that will allow the lifting of bodies to the top and bottom shelves. These shelves are to be stable, sturdy and up to standard for housing bodies.
7. The county Morgue needs to be up kept annually to include lighting replacement, cleaning, painting touch-ups or facility repairs by the safety/inspections department.

V. CONCLUSION.

The Committee has come to the following conclusions and recommendations after reviewing vast troves of evidence. Our investigation, in our belief, has addressed all areas for which we were empowered. It is the recommendation of the Committee that the Grand Jury vote to publish the instant General Presentment for the Citizens of Douglas County. The Committee recommends that more investigation occurs in this matter, because of the time constraints created by the end of the Grand Jury term. We especially recommend that further proceedings review the Coroner's testimony in regards to: (1) signing that she had pronounced the death of people upon bodies she did not physically see it; (2) placing vending machines without permission; (3) hiring Bussey without permission; (4) not fulfilling her job responsibilities as Coroner while working full-time in another County during the day at another job for six (6) months at the same time she is on call as the Coroner.

Respectfully submitted this 11th of October, 2019.

¹⁷ Or, if County Record Retention Policy dictates longer, than for the longer of the periods.