

Summary of Meeting
Oct 30, 2012 with Charleston County Sheriff's Dept.
(by Dan Denton)

Re: Victims: Matthew Denton & Family
Defendant: Jeffery Thomas
D/A: 8-17-12

Meeting included Sheriff Cannon, Dep. Jim Wood and another female deputy/assistant (do not recall name), Asst. Solicitor Michael Nelson, Karl Twenge, Esq, Denton family attorney, and Denton family (parents - Dan & Cassy, 2 brothers – Andy & Noah).

Notably missing were Sgt. Grimsley or any other officers present or involved in crime scene investigation – despite fact that Major Brady confirmed in a phone call and I believe an email to me that Sgt. Grimsley would be present.

(Notes below not in order as discussed at meeting)

Dan:

Explained why family needs/deserves to know the facts, truth and see one responsible, and those involved in criminal investigation/prosecution, be held accountable for actions, despite fact that we know this will not bring our son back. (I spoke of how something deep down in a parent's soul cries out for justice and accountability for the violent death of a child, even after forgiveness.)

Summarized background leading to meeting: timeline of Karl contacting Sheriff's Dept (SD) and Victim Services within a week; calls with defense atty, Mike Coleman (offered quid pro quo - if Denton family helped his client in the criminal proceedings, Thomas would help us recover insurance policy limits, which he thought was \$300K); Karl's call with Sgt. Grimsley (Thomas impaired & smelled alcohol & not charged with DUI because he left scene, found flashlight on); Cassy's call to Sgt. Grimsley on Sept 11 or 12 (found out case dismissed; Grimsley stated: case was slam dunk; Thomas impaired & smelled of alcohol; upset hearing held when Sgt. out of town); Larry Todd's call to Dan 9-13 that case was contested, didn't know of alcohol evidence but didn't think it was relevant to leaving scene charge, will look into presentment to GJ.); Karl's call to Sheriff (will do internal investigation and meet with Solicitor's office to see about presentment to GJ); after hearing nothing for over 2 weeks, on 9-23 Dan emails Solicitor Wilson and Sheriff, asking questions about how investigation & prosecution handled and Dan got replies back from each they would be conducting internal investigations and let me know of any future action on case; hearing nothing for a month, on 10-24, Dan emails Solicitor & Sheriff again, providing Transcript of Prelim Hearing and pointing out lack of serious prosecution and listed unanswered questions; on 10-22 got call from Major Brady (Andy went on 1250 radio show day or 2 before) asking for meeting with atty and family; day before meeting, received email from SD with CPD reports (prepared early Oct at request of Nelson). Turned meeting over to Sheriff.

Sheriff:

Talks about long-standing jurisdictional problems on James Island – “overlapping,” “donut holes,” “patchwork,” “grossly inefficient,” jurisdiction issues, etc. - leading to confusion and delays over who was going to handle the crime scene.

GPS from 911 call dictated it was inside city.

Had no answer why there was a jurisdiction change of address in middle of investigation after crime scene secured and suspect in custody of CPD.

Even if CPD did not have jurisdictional responsibility, since they were first on scene and secured scene and had custody of suspect, Sheriff agreed they should have had reports to extent of their involvement. (No CPD reports prepared until Oct at Mike Nelson’s request – emailed to me day before meeting by SD at Nelson’s direction.)

CPD could have finished investigation if they wanted to, but SD wouldn’t deny request to take over scene.

Sheriff disputed my statement that most people that hit and run is because they have been drinking; he tried to explain that’s not necessarily true, bla, bla. (A former cop and attorney for 20 years told me DUI is by far the most common reason drivers hit and run.)

Grimsley in charge of scene; but Sheriff said it was not his place to give opinion about whether Thomas was impaired.

Alcohol not relevant to Leaving Scene charge.

When SD got to scene, Thomas was Mirandized; he refused field sobriety test.

DUI expert on scene found no probable cause for DUI, based on his interaction with suspect and time lapse.

Said its not illegal to drink and drive in SC – only illegal to be impaired. My wife argued its different when you kill someone riding a bike and was observed by an officer to be impaired and have smell of alcohol.

I asked why no reports by this expert.

Bombshell – SD had 11-pages of suppl reports prepared in early October and Sheriff acted as if he didn’t know the reports had not been provided to us before.

Mike Nelson, realizing from my questions that SD has not sent us the new reports, showed his copy to Karl. (I believe Nelson genuinely assumed SD sent us the reports. Later, Nelson told me he asked for the suppl reports after he got the file in Sept and sent a list of questions to CPD and SD. Nelson told me his list of questions closely matched the questions I listed on the Timeline/Summary sent to SD before the meeting.)

Included in the SD suppl reports was one by DUI expert Dep. Craven, dated 10-5-2012. Report states that: he spoke to Thomas to determine if he was DUI; he did not observe any obvious signs of impairment as they were talking; suspect said he was traveling on Riverland and “struck a bicyclist” (did not give details or explanation, such as bike suddenly swerved in front of car); when asked about drinking, suspect stated he had “a few” on the beach 3-4 hours prior to incident; he refused FST because of his emotional state, but stated he would submit to a blood draw; Craven did not believe suspect was DUI at time of collision; he was placed under arrest for leaving the scene. (No explanation of why blood test not given, after consent given.)

Michael Nelson

(He apparently questioned Dep. Craven as part of his own investigation.) Thomas made statement earlier he was at a party at beach house; he identified himself as DNR officer during questioning by Craven and asked if he should call his captain. (Fact he id'd himself as DNR officer is not in Craven's report; Nelson was forthcoming when he realized SD was not.

(The CPD Internal report by Sgt “Yogo” states Thomas identified himself and DRN officer and his gun was taken; he smelled of alcohol but not questioned because scene turned over to SD)

Someone asked where Thomas worked, and I think it was Nelson that stated he worked at Sante Cooper. (Grimsley's report, p. 30 of Fatality Report states: Occupation – Reserve DNR Officer.)

Nelson and Sheriff confirmed there is no evidence or reports that Thomas told anyone he had taken drinks between leaving scene and returning.

I asked Nelson about the Prelim Hearing and if he had any comments about my harsh criticisms in my email to Solicitor (on Oct 24) about lack of any real prosecution (no arguments or objections made by Larry Todd, etc.) that led to dismissal and I offered Nelson the chance to explain how I was mistaken about my conclusions from reading the Prelim Transcript. Nelson did not try to dispute my criticisms and stated that Solicitor's office “could have done better.” (He still offered no explanation why Todd laid down on the prosecution and allowed the charge to be dismissed with no argument or objection, after the judge asked if he had any.)

Discussed Judge Gosnell's conclusions, not challenged by Todd, that accident not fault of Thomas, which was irrelevant, and Nelson said Leaving Scene charge is a “no-fault” statute.

Nelson said decision will be made in 1-2 weeks about getting a GJ indictment for Leaving the Scene. He said he thought there is insufficient evidence to get a conviction for reckless (or vehicular) homicide and he could not ask GJ for indictment on that charge.

At one point, Noah asked Nelson directly, “You do understand how all this looks and why we feel this way?” Nelson replied that he has reviewed everything and fully understands.

Sheriff (nor Nelson) could not give satisfactory answer why a blood test not given after Thomas consented.

Sheriff gave BS answer about totality of circumstances that led to conclusion of no probable cause for DUI, stressing problem with time lapse from incident and questioning of Thomas (In my mind the totality of circumstances begged for the test to be given). I argued that we have a guy that admitted to striking a bicyclist from behind; leaves scene; comes back and admits he stuck my son and offered no explanation, such as bike swerved in his lane he admits he's been drinking; my dead son is in the ditch; he refuses a FST but consents to a blood test; and decision is made there was no probable cause to give blood test ... ?

(Google search will show that blood test for alcohol accurate up to 3-4 hours of consumption.)

I pointed out that Grimsely's report states Thomas was impaired, smelled of alcohol and the sole reason Felony DUI was not charged, was because he left scene. I think Sheriff mentions again, that was not Grimsley's place to give such opinion.

When my wife asked a question, Sheriff gratuitously and insensitively tells her that nothing they can do now will bring our son back. (As if we didn't already painfully know. Of course, he wants us to back off so the incompetent, uncaring way the case was handled by his Dept will not be further exposed.)

After the meeting, in the hallway, Sheriff accuses us of conjuring up a conspiracy by telling me and my sons, "for you to believe this was some big conspiracy, can't you imagine how many people would have had to be involved?" We never mentioned or accused anyone of a conspiracy (only incompetence and uncaring). My son, Andy, replied that we never said anything about a conspiracy, but everything about this case from time his brother was killed up to time of case being dismissed was handled wrong.