



**AG LUTHER STRANGE FILES DOCUMENT TO BEGIN
IMPEACHMENT OF SUMTER COUNTY SHERIFF**

(MONTGOMERY) – Attorney General Luther Strange has begun proceedings for the impeachment of Sumter County Sheriff Tyrone Clark Sr. This morning, the Attorney General’s Special Prosecutions Division filed an Information* of Impeachment and Prayer for Ouster in the Alabama Supreme Court pursuant to Alabama Code § 36-11-4 through § 36-11-5. The Sumter County District Attorney initiated this matter, and the Sumter County Grand Jury issued a report of impeachment against the sheriff in April. That report was sent to the Office of Attorney General to review the referral and take appropriate action.

The document charges Clark with willful neglect of duty, specifying nine alleged violations, and with corruption in office, specifying three alleged violations.

The specifications of willful neglect of duty include:

- Willfully neglecting his duty to secure and supervise inmates under his custody, by making an inmate, who had an extensive criminal history for drug-related offenses, an inmate trustee, allowing him to freely move about the jail and administration buildings and to leave the jail, sometimes without law enforcement supervision;
- Willfully neglecting his duty to prevent the introduction of contraband into the jail and supervise the inmates housed there, by aiding the inmate trustee in bringing in contraband such as controlled substances, cell phones and cigarettes, ordering officers not to search him when he would return to the jail, and arranging for him to be free from oversight;
- Willfully neglecting his duty to supervise inmates and prevent them from possessing a deadly weapon, by allowing the inmate trustee to have access to firearms;
- Willfully neglecting his duty to preserve the process by which prisoners are committed to jail, by allowing the inmate trustee to process prisoners;
- Willfully neglecting his duty to maintain custody of another inmate, allowing a criminal convicted of a violent offense to leave the jail for extended periods;
- Willfully neglecting his duty to maintain custody of a third inmate by failing to swear out an arrest warrant, apprehend or arrest the inmate after he escaped from the jail;

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- Willfully neglecting his duty to supervise inmates and secure the jail by giving the inmate trustee access to an unsecured room in which he had sexual intercourse with female visitors who were not searched or monitored;
- Willfully neglecting his duty to supervise inmates and secure the jail by providing an environment that allowed the trustee inmate to engage in second-degree human trafficking;
- Willfully neglecting his duty to properly appoint and supervise deputies by appointing a deputy sheriff who was allowed to patrol on his own but who had not been certified as a law enforcement officer.

The specifications of corruption in office include:

- Using his official position to benefit himself by employing inmates to work at his personal home;
- Using his official position to benefit himself by operating an undocumented work release program in which inmates worked for individuals or businesses on the condition that a portion of their wages be paid to the sheriff;
- While serving in his official capacity, attempting to use his position to coerce a female employee into having sexual intercourse with him.

No additional information about the charges or the evidence against Clark may be released at this time, other than what is contained in the information document.

Under the Alabama Constitution, the Alabama Supreme Court will consider the charges against Clark. By statute, both the State and Clark may present evidence and compel witnesses to testify before the Court at trial. If Clark is found guilty of the allegations, he will be removed from office. Any possible criminal proceedings must be brought separately.

*An information is merely an accusation. The sheriff is presumed innocent unless and until he is found guilty and removed from office.

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Please note: a copy of the information follows.

IN THE SUPREME COURT OF ALABAMA

STATE OF ALABAMA)
)
) Case No. _____
v.)
)
)
TYRONE CLARK, SR.,)
Defendant.)

INFORMATION OF IMPEACHMENT AND PRAYER FOR OUSTER

To the Honorable Chief Justice and Associate Justices
of the Supreme Court of Alabama:

Comes now the State of Alabama by and through its
Attorney General, under Ala. Code § 36-11-4 & -5, and
charges by way of information that the Defendant, Sheriff
Tyrone Clark, Sr., did, throughout his present term of
office beginning in January 2015, willfully neglect his
duty and engage in corruption while in office, in violation
of Ala. Code § 36-11-1 and Ala. Const. art. VII, § 173 &
174, as charged below:

**CHARGE ONE
WILLFUL NEGLECT OF DUTY**

Sheriff Clark has, during his present term of office,
been guilty of willful neglect of duty based on
Specifications 1 through 9 below.

SPECIFICATION 1:

Sheriff Tyrone Clark, while serving in his official capacity, willfully neglected his duty to secure and supervise inmates in his custody under Ala. Code § 14-6-1 when he made Rodney Coats, an inmate in the Sumter County Jail, a trustee. Coats had an extensive criminal history for drug-related offenses, and he was placed in jail under these criminal charges: Trafficking in Cocaine, Trafficking in Methamphetamine, Possession of a Controlled Substance, Possession of Marijuana First Degree, Receiving Stolen Property Second Degree, Certain Persons Forbidden to Possess a Pistol, Assault First Degree, and Possession of Drug Paraphernalia. His bond for these charges totaled \$675,000.00.

When he made Coats a trustee, Sheriff Clark gave Coats privileges, including allowing him to move freely about both the Jail and Administration Buildings of the Sumter County Sheriff's Office and allowing Coats to leave the Jail, sometimes without law enforcement oversight.

This occurred against the peace and dignity of the State of Alabama.

SPECIFICATION 2:

Sheriff Tyrone Clark, while serving in his official capacity, willfully neglected his duty to prevent the introduction of contraband into the Jail and supervise the inmates housed therein under Ala. Code §§ 14-6-1 and 13A-10-37 and -38. Specifically, Sheriff Clark aided Rodney Coats in bringing contraband into the Sumter County Jail by ordering the Sumter County Detention Officers not to search Coats when he would return to the Jail after being outside of the Jail and free of law enforcement oversight. This contraband included controlled substances, cell phones, and cigarettes.

Sheriff Clark also protected Coats from "shake downs" performed by the Sumter County Jail Staff, as well as "drug sweeps" at the Jail by outside law enforcement agencies, by removing him from the Jail or instructing Jail staff to leave Coats alone.

Furthermore, Sheriff Clark allowed Coats to receive visitors at the Sumter County Sheriff's Office Administrative Building who were not searched or subjected to any security measures before meeting with Coats. These visitors were also allowed to access the Sumter County

Sheriff's Office Administrative Building through an entrance that was not monitored by surveillance cameras.

This occurred against the peace and dignity of the State of Alabama.

SPECIFICATION 3:

Sheriff Tyrone Clark, while serving in his official capacity, willfully neglected his duty under Ala. Code § 14-6-1 to supervise the inmates in the Sumter County Jail and prevent inmates from possessing a deadly weapon under Ala. Code § 13A-10-36 by allowing Rodney Coats to have access to firearms, even though Coats had pending charges for Assault First Degree and Certain Persons Forbidden from Possessing a Handgun.

This occurred against the peace and dignity of the State of Alabama.

SPECIFICATION 4:

Sheriff Tyrone Clark, while serving in his official capacity, willfully neglected his duty under Ala. Code § 14-6-16 to safely preserve the process or order by which prisoners are committed to jail by permitting Rodney Coats, himself an inmate, to process prisoners.

This occurred against the peace and dignity of the State of Alabama.

SPECIFICATION 5:

Sheriff Tyrone Clark, while serving in his official capacity, willfully neglected his duty under Ala. Code § 14-6-1 to maintain custody of inmate Ronald James. Sheriff Clark gave James, who was serving a 10-year sentence, split to serve 14 months, for the violent offense of Burglary Second Degree, a "jail pass." This allowed James to leave the custody of the Sumter County Jail for extended periods of time, endangering the safety of the victim involved in the case for which James was incarcerated, as well as endangering the safety of the residents of Sumter County.

This occurred against the peace and dignity of the State of Alabama.

SPECIFICATION 6:

Sheriff Tyrone Clark, while serving in his official capacity, willfully neglected his duty under Ala. Code § 14-6-1 to maintain custody of inmate James Markell Bell. Sheriff Clark also failed to swear out an arrest warrant,

apprehend, or arrest Bell after Bell escaped from the Sumter County Jail in violation of Ala. Code § 13A-10-32.

This occurred against the peace and dignity of the State of Alabama.

SPECIFICATION 7:

Sheriff Tyrone Clark, while serving in his official capacity, willfully neglected his duty to supervise jail inmates and secure the Jail under Ala. Code § 14-6-1 by giving inmate Rodney Coats access to an unsecured room in the administration building, where Coats had sexual intercourse with female visitors. The visitors were never searched, and the entrance to the room was not monitored by cameras or otherwise.

This occurred against the peace and dignity of the State of Alabama.

SPECIFICATION 8:

Sheriff Tyrone Clark, while serving in his official capacity, willfully neglected his duty to supervise jail inmates, secure the Jail, and enforce the law under Ala. Code §§ 14-6-1 and 36-22-3 when he provided an environment in the Administration Building that allowed Rodney Coats to

engage in Human Trafficking in the Second Degree, in violation of Ala. Code § 13A-6-153(a)(2).

This occurred against the peace and dignity of the State of Alabama.

SPECIFICATION 9:

Sheriff Tyrone Clark, while serving in his official capacity, willfully neglected his duty to properly appoint and supervise deputies under Ala. Code § 36-22-3 when he appointed Johnny Archibald a deputy sheriff and directed Archibald to patrol on his own, even though Archibald had not been certified as a law enforcement officer by the Alabama Peace Officers Standards and Training Commission, in violation of Ala. Admin. Code 650-X-2-.01.

This occurred against the peace and dignity of the State of Alabama.

**CHARGE TWO
CORRUPTION IN OFFICE**

Sheriff Tyrone Clark has, during his present term of office, been guilty of corruption in office based on Specifications 1 through 3 below.

SPECIFICATION 1:

Sheriff Tyrone Clark, while serving in his official capacity, used his official position or office to benefit

himself by personally and privately employing inmates of the Sumter County Jail, namely Rodney Coats and Glenn Brown, in violation of Ala. Code §§ 14-5-11 and 36-25-5. Among other things, Sheriff Clark directed Coats and Brown to perform work at his personal home.

This occurred against the peace and dignity of the State of Alabama.

SPECIFICATION 2:

Sheriff Tyrone Clark, while serving in his official capacity, used his official position or office to benefit himself by operating an undocumented work release program, wherein he allowed inmates from the Sumter County Jail to be released for the purpose of working for individuals and/or businesses on the condition that the inmates pay Sheriff Clark a portion of their wages, in violation of Ala. Code §§ 36-22-16 and 14-8-37.

This occurred against the peace and dignity of the State of Alabama.

SPECIFICATION 3:

Sheriff Tyrone Clark, while serving in his official capacity, attempted to use his official position or office

to coerce a female employee to have sexual intercourse with him.

This occurred against the peace and dignity of the State of Alabama.

Respectfully submitted this 30th day of June, 2016.

LUTHER STRANGE
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CERTIFICATE OF SERVICE

In lieu of service under Ala. R. App. P. 31, the State respectfully requests that the Court serve Sheriff Tyrone Clark directly, as set forth in Ala. Code § 36-11-9.

**LUTHER STRANGE
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