



GEORGIA BUREAU OF INVESTIGATION

3121 Panthersville Road
P.O. Box 370808
Decatur, Georgia 30037-0808

March 12, 2009

Vernon M. Keenan
Director

Judicial Qualifications Committee
8206 Hazelbrand Road
Suite C
Covington, GA 30014

Re: Complaint regarding Lookout Mountain Judicial Circuit Superior Court
Judge Kristina Cook Connelly

Dear Commission Members:

Please accept this document as a formal complaint regarding Judge Kristina Cook Connelly. She has impugned the integrity of a Georgia Bureau of Investigation (GBI) agent by questioning his veracity in open court and in her chambers, as well as by calling him into her chambers to demean him and subject him to profane language. She has also engaged in similar conduct towards other law enforcement officers in her Circuit. As the Director of the GBI, I am compelled to bring this matter to your attention.

Background

In 2005, the Georgia Bureau of Investigation, the Drug Enforcement Administration and the Lookout Mountain Drug Task Force began an investigation. [REDACTED] The investigation focused on [REDACTED]. Chattooga County is one of the counties contained in the Lookout Mountain Judicial Circuit.

In May 2008, a confidential informant (CI) was interviewed as part of the [REDACTED] investigation regarding information provided by other defendants and witnesses regarding possible drug activities [REDACTED]. Drug Enforcement Administration (DEA) Special Agent Frank Ledford, Lookout Mountain Drug Task Force Agents (Task Force Agents) Mike Howard and David Gilleland were present during the CI's interview. GBI Special Agent Del Thomasson was present at the beginning of the interview; however he left the interview prior to any questions regarding possible drug activities by [REDACTED].

On August 8, 2008, [REDACTED] met with Task Force Agent Mike Howard.² [REDACTED] Agent Howard that Judge Connelly was upset with Agent Howard and others because of the [REDACTED].

¹ See March 2, 2009 Memorandum from Special Agent In Charge J.R. Grant to GBI Director Vernon M. Keenan at 1 (copy attached hereto as Exhibit A).

² See February 19, 2009 Witness Statement of Task Force Agent Mike Howard at 1 (copy attached hereto as Exhibit B).

Division of Forensic Sciences
P.O. Box 370808
Decatur, Georgia 30037-0808

Investigative Division
P.O. Box 370808
Decatur, Georgia 30037-0808

Georgia Crime Information Center
P.O. Box 370748
Decatur, Georgia 30037-0748

CI interview and the questions regarding possible drug activities by [REDACTED]. Agent Howard attempted to minimize these concerns without compromising the federal investigation. He explained to [REDACTED] that if the interview took place, the agents were bound to follow any and all leads resulting from that interview.

It is important to understand that Judge Connelly is *not* the target of a DEA investigation. Judge Connelly has not been interviewed regarding potential drug activity nor is there any information as of the date of this letter that implicates her in any potential drug activity. It is apparent, however, that Judge Connelly does not believe this as evidenced by her actions.

February 19, 2009

On February 18 and 19, 2009, Task Force Agents Howard and Gilleland attended the trial of *State v. Billy Ray Watkins*, Docket No. 08-CR-17792. Judge Connelly presided over the two-day trial. Agent Gilleland was the agent who assisted the prosecutor and remained in the courtroom for the entire trial. After Agent Howard finished testifying, Judge Connelly told him he was not excused and he remained in the courtroom for the rest of the day until court was adjourned.

On February 19, 2009 after she charged the jury, Judge Connelly directed Agent Howard to approach the bench. In the courtroom, she berated Agent Howard for not arresting one of the witnesses in the trial, a tipster named [REDACTED].³ According to Agent Howard, "Judge Connelly at one point stated in a loud and confrontational manner, why didn't you arrest [REDACTED] isn't it your job to arrest people who admit to smoking Meth?"⁴ She also accused him of having a relationship with [REDACTED] and asked if she was too pretty to arrest.

Once court was adjourned for the day, Judge Connelly ordered Agent Howard to meet her in chambers. She told him that she understood he had been involved in questioning the CI about her. Agent Howard explained that he had not conducted any interviews but simply transported the CI at the request of DEA Agent Ledford. He also told her that he and Agent Gilleland were asked to sit in during the CI interview because GBI Agent Thomasson had to leave. Judge Connelly became "visibly more upset" and told Agent Howard to get Agent Gilleland.⁵ Specifically, she ordered, "well go out there and get that sorry son of a bitch and bring him in here too."⁶

When Agent Gilleland arrived in Judge Connelly's chambers, he remained standing. Judge Connelly ordered, "sit your sorry ass down."⁷ She asked the agents about the CI interview and began using more "vulgar and profane language" and admonished them for participating in the interview. She said she was deeply disappointed that she could not trust the "local law

³ See Exhibit B at 2 (regarding details of *State v. Watkins* and [REDACTED] involvement in that case).

⁴ Exhibit B at 2-3; see Undated Memorandum of Task Force Agent Gilleland at 1 (stating same)(copy of Memorandum is attached hereto as Exhibit C).

⁵ Exhibit B at 3.

⁶ Exhibit B at 3.

⁷ Exhibit B at 3; see Exhibit C at 2 (stating Judge Connelly said to "sit his sorry ass down").

enforcement officers in her own county.”⁸ When Agent Gilleland tried to explain that they did not actively participate in the interview, she became “enraged” and called them “scum, son[s] of a bitch and lower than the scum that the agents brought before the court.”⁹ She also told them that she would never believe anything that they had to say. Finally she told them that she never wanted to see either of them again and yelled, “now get out!”¹⁰ The agents then left her chambers.

February 23, 2009

On Monday, February 23, 2009, Judge Connelly requested a meeting in her Chattooga County chambers with Lookout Mountain Drug Task Force Commander Larry Black and Walker County Sheriff Steve Wilson, who also serves as the Chairman of the Lookout Mountain Drug Task Force Control Board.¹¹ Chattooga County Sheriff John Everett was also present. Judge Connelly was “very irate and cursing continually during the entire conversation” using the words “fuck and God damn” because the agents had transported the CI to Catoosa County for the interview. Judge Connelly stated that the agents had brought up her name regarding drug use.¹² She advised the group that the agents should have notified Sheriff Wilson and Commander Black, who should have then notified her.

She said that Agents Howard and Gilliland were “liars and as sorry as the people they arrest.”¹³ Commander Black told her that the agents were honest, had taken an oath of office as police officers and took their oath very seriously. He further explained that both agents had a lot of respect for her.

Judge Connelly then began ranting about some lady on the internet (Teresa) that was telling lies about her. Judge Connelly then stated that a lot of people get killed and that she might start killing some herself.¹⁴ She said that people had been saying that she killed her “God Damn husband.”¹⁵

Sheriff Wilson asked her what she wanted done. Judge Connelly replied that the agents should be fired for not reporting the CI interview to their supervisors since her name was brought up in the interview.¹⁶ Judge Connelly abruptly ended the meeting and said she had to go pick up a car.

⁸ Exhibit B at 4.

⁹ Exhibit B at 4; *see* Exhibit C at 3 (Judge Connelly told agents that they were “scum, and Son Of Bitches, and lower than the scum that the agents brought before the court and that the Agents were to never be in the sight of the judge again.”).

¹⁰ Exhibit B at 4; *see* Exhibit C at 3 (Judge Connelly told agents that “the Judge was unable to believe anything that the Agents had to say.”).

¹¹ March 1, 2009 Statement of Commander Black at 1 (copy attached as Exhibit D).

¹² Exhibit D at 1.

¹³ Exhibit D at 1.

¹⁴ Exhibit D at 1.

¹⁵ Exhibit D at 1.

¹⁶ Exhibit D at 1.

Commander Black called DEA Agent Ben Scott and GBI Agent Thomasson and made them aware of Judge Connelly's bizarre behavior.¹⁷ He warned them about meeting in chambers with Judge Connelly.¹⁸

February 25, 2009

On February 25, 2009, GBI Agent Del Thomasson was present in Judge Connelly's courtroom to testify in a motion hearing in the case of *State v. William Milam*, Docket No. 08CR-17843.¹⁹ Agent Thomasson has worked as an agent for the GBI for over twenty-one years. He is an outstanding agent who has received the highest possible rating ("Exceeds Expectations") on his performance evaluations for the past five years. In my opinion, he is a superior, professional GBI agent in every aspect of his work.²⁰

When he was about to take the Oath prior to testifying, Judge Connelly asked him, "Do you know what it means to take the oath Agent Thomasson?" He responded in the affirmative. Judge Connelly then stated, "I'm relieved."²¹

When he finished his testimony and was stepping down from the witness stand, Judge Connelly blurted out in a loud angry voice, "Thomasson, in my office!" Agent Thomasson went to get his supervisor Assistant Special Agent in Charge (ASAC) Terry Pelfrey to go with him into her chambers. She then spoke louder and said, "Thomasson I said in my office." There were still several people in the courtroom.

Agent Thomasson activated an electronic audio recording device. The decision to utilize the recording device was made by his supervisors after learning of the previous encounters when law enforcement officers were ordered to Judge Connelly's chambers. Consequently, there is a recording of the meeting in Judge Connelly's chambers.²²

As evidenced by the recording and consistent with the other reports of conversations in her chambers, Judge Connelly used profanity. She impugned Agent Thomasson's integrity by calling him a liar. Specifically she said:

"I want you to know that I know what you have done, and I know what you are doing, and you are a fucking lying son of a bitch." . . .

¹⁷ Exhibit D at 2.

¹⁸ Exhibit D at 2.

¹⁹ March 2, 2009 Memorandum from GBI Agent Del Thomasson to Special Agent in Charge J.R. Grant (copy attached as Exhibit E).

²⁰ Agent Thomasson was the case agent in the cases known as Operation Meth Merchant. After the final defendant was sentenced, United States District Court Judge Harold Murphy, who presided over all of the judicial proceedings in Operation Meth Merchant, stated, "Prosecution of these cases has done more to eliminate a particular source than any other prosecution I have seen as a judicial officer or attorney." This is an example of Agent Thomasson's exemplary work.

²¹ Exhibit E at 1.

²² A copy of the audio recording is marked as GBI 257_001.WAV and attached hereto as Exhibit F.

"No I am telling him he's a liar and he's sorry."²³ . . .

Additionally, she accused him of leaking confidential information and abusing his badge. She said:

"He has leaked confidential information. He has abused his badge."

"He is no better than the crooks he deals with."

Judge Connelly also implicitly threatened Agent Thomasson, although denied this when questioned by ASAC Pelfrey.

Judge Connelly: he knows what he's done, he knows what he's doing, and he knows that he's playing a very dangerous game. A very dangerous game.

ASAC Pelfrey: Are you threatening this agent ma'am?

Judge Connelly: threatening him?

ASAC Pelfrey: Yes ma'am.

Judge Connelly: No, I'm telling him he's a liar and he's sorry.

ASAC Pelfrey: About what?

Judge Connelly: I didn't threaten. You can get out now. Get out of my office Get out of my office. Del, don't you ever speak to me again on the street. Don't you ever speak to me or any member of my family. Now get out of here! Get out of here!

The recording gives information about her tone of voice but it does not indicate her demeanor. According to Agent Thomasson, she was pointing her finger at his face when initially speaking to him before he excused himself out of the room. She also waved her hand and index finger towards the door when she told Agent Thomasson and ASAC Pelfrey to get out of her house.

Conclusion

Canon 3 of the Judicial Code of Conduct states that "Judges shall perform the duties of their office impartially and diligently." Just a brief review of the adjudicative responsibilities

²³ A transcript of the audio recording was prepared and it is attached as Exhibit G.

Judicial Qualifications Committee

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underlying Canon 3 reveals that Judge Connelly's treatment of Agent Thomasson and the other law enforcement officers violates the Code of Conduct.

First and foremost, it is significant that every one of these actions occurred while she was acting in her official capacity. By virtue of her office, she orders law enforcement officers to her chambers to berate, belittle, and curse them. Using words like "scum" and telling professional law enforcement officers that they are no better than those they arrest is utterly demeaning and inappropriate. Not only has she behaved this way in her chambers, but she has impugned Agent Thomasson's integrity in open court by questioning whether he knew what the oath meant.

I have been in law enforcement for over 37 years. During that time, I have had numerous interactions with judges and I have the utmost respect for the important work that judges do. Never in my years of law enforcement have I felt the need to make a complaint to the Judicial Qualifications Commission. Judge Connelly's conduct, however, must be addressed. I respectfully request that Judicial Qualifications Commission open a formal investigation regarding Judge Kristina Cook Connelly.

Sincerely,



Vernon M. Keenan
Director

VMK:lrd

JUDICIAL QUALIFICATIONS COMMISSION
State of Georgia

8206 Hazelbrand Road
Suite C
Covington, GA 30014
(770) 784-3189
Fax (770) 784-2454

COMPLAINT FORM

This form is designed to provide the Commission with information required to make an initial evaluation of your complaint.

PLEASE READ THE ENTIRE FORM AND THE ENCLOSED BROCHURE EXPLAINING THE COMMISSION'S FUNCTION, JURISDICTION AND PROCEDURES BEFORE ATTEMPTING TO COMPLETE THIS FORM.

PLEASE NOTE: COMPLAINT FORM MUST BE TYPED OR LEGIBLY HAND PRINTED, DATED AND SIGNED BEFORE IT WILL BE CONSIDERED.

I. Person Making Complaint

Name Keenan Vernon M.
Mr. (last) (first) (middle)
Ms.
Mrs.

Address 3121 Panthersville Road
Decatur, Georgia 30034

Telephone (Day) 404-244-2501 (Eve) 404-245-1846

II. Judge Against Whom Complaint is Made

Name Connelly Kristina Cook
(last) (first) (middle)

Address P.O. Box 179
Summerville, Georgia 30747

Judicial Office Held Superior County/Judicial Circuit Lookout Mountain Judicial Circuit
(i.e. Magistrate, Superior, Etc.)

IV. Additional Information (if available)

a. If your complain arises out of a court case, please answer the following questions:

1. What is the name and number of the case?

Case name: _____ Case Number _____

2. What kind of case is it?

- civil criminal domestic relations probate
 small claims traffic other (specify)

3. What is your relationship to the case?

- plaintiff/petitioner defendant/respondent
 attorney for _____;
 witness for _____;
 other (specify) Director of Georgia Bureau of Investigation

b. If you were represented by an attorney in this matter at the time of the judge's conduct, please identify the attorney:

Name N/A

Address _____

Phone _____

c. List and attach copies of any relevant documents which you believe support your claim that the judge has engaged in judicial misconduct or has a disability. (Note: These documents may not be returned to you and you should retain a copy for your records.)

(See attached Exhibits)

d. Identify, if you can, any other witnesses to the conduct about which you complain:

Name(s): (See attached Witness List)

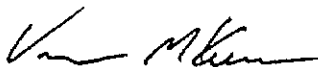
Addresses: _____

IN FILING THIS COMPLAINT, I UNDERSTAND THAT THE COMMISSION'S RULES PROVIDE THAT ALL PROCEEDINGS OF THE COMMISSION, INCLUDING COMPLAINTS FILED WITH THE COMMISSION, SHALL BE KEPT CONFIDENTIAL UNTIL THIS COMPLAINT HAS BEEN RESOLVED. I FURTHER UNDERSTAND THAT THIS RULE OF CONFIDENTIALITY ATTACHES AND BECOMES EFFECTIVE UPON THE FILING OF THIS COMPLAINT AND THAT ANY VIOLATION COULD RESULT IN A CITATION FOR CONTEMPT OF THE SUPREME COURT.

V. Under penalty of perjury, I declare that I have examined and understand this complaint form and to the best of my knowledge and belief, the above information is true, correct and complete and submitted of my own free will.

3-12-09

(Date)



(Complainant's Signature)

(Only signed complaints will be considered.)

Please note that the Commission only has authority to investigate allegations of judicial misconduct or permanent disability by persons holding state judicial positions. The Commission has no jurisdiction over and does not consider complaints against Federal Judges, lawyers, police, court personnel or District Attorneys. The Commission does not act as an appellate court and cannot review, reverse or modify a legal decision made by a judge in the course of a court proceeding. For example, the Commission does not investigate claims that a judge wrongfully excluded evidence; imposed an improper sentence; awarded custody to the wrong party; incorrectly awarded alimony or child support; incorrectly resolved a legal issue or believed perjured testimony.

You should also be aware that in the course of the investigation, the Commission may find it necessary to disclose your identity and the existence of this complaint to the involved judge. By filing this complaint, you expressly consent to any such disclosure.

If after reviewing this form and the accompanying brochure, you have further questions, the Commission will welcome your inquiry. Be assured that any complaint which lies within the jurisdiction of the Commission will be carefully considered.

Please return this form and direct all future communications to:

Judicial Qualifications Commission
Suite C
8206 Hazelbrand Road
Covington, GA 30014

If you need additional forms, permission is granted to make copies of this form.

Witness List

Commander Larry Black
Agent Mike Howard
Agent David Gilleland

Lookout Mountain Drug Task Force
PO Box 466 or
101B South Duke St
Lafayette, GA 30728
(706) 638-5570

Special Agent Del Thomasson
Georgia Bureau of Investigation
Canton Regional Drug Enforcement Office
1225 Univeter Road
Canton, Georgia 30115
(678) 493-7625

Assistant Special Agent in Charge Terry Pelfrey
Georgia Bureau of Investigation
Canton Regional Drug Enforcement Office
1225 Univeter Road
Canton, Georgia 30115
(678) 493-7625

Walker County Sheriff Steve Wilson
P.O. Box 767
Lafayette, Georgia 30728
(706) 638-1909

Chattooga County Sheriff John Everett
35 West Washington Street
Summerville, Georgia 30747
(706) 857-3411

Exhibit List

- Exhibit A March 2, 2009 Memorandum from GBI Special Agent in Charge J. R. Grant to GBI Director Vernon M. Keenan
- Exhibit B February 19, 2009 Witness Statement of Lookout Mountain Drug Task Force Agent Mike Howard
- Exhibit C Undated Statement of Lookout Mountain Drug Task Force Agent David Gilleland
- Exhibit D March 1, 2009 Statement of Lookout Mountain Drug Task Force Commander Black
- Exhibit E March 2, 2009 Memorandum from GBI Agent Del Thomasson to Special Agent in Charge J.R. Grant
- Exhibit F DVD audio recording marked GBI 257_001.WAV
- Exhibit G Transcript of February 25, 2009 audio recording

Rule 20

Confidentiality and Exceptions

(a) The proceedings of the Commission, including, but not limited to, the fact of filing of complaints with the Commission, investigations to determine whether there is probable cause that judicial misconduct has occurred, conferences of the Commission with respect to matters pending before it, correspondence and other communications, information learned from any investigation by the Commission and all other papers and documents shall be kept confidential. Information obtained independently of any such complaint or investigation need not be maintained as confidential. Information obtained independently of any such complaint or investigation need not be maintained as confidential. Further, the requirement that participants maintain confidentiality shall cease at the time of the decision of the Commission on whether to initiate formal hearing against a judge, or at the time the complaint in question is resolved, closed, or otherwise settled through formal disposition. However, this confidentiality requirement shall not apply to notice of a formal hearing, a formal hearing, reports of the Commission to the Supreme Court recommending discipline, and decisions of the Commission made after a formal hearing that the judge with respect to whom the hearing was held was not guilty of misconduct justifying a recommendation of discipline. When, notwithstanding the rule of confidentiality set out in the first sentence of this subparagraph, the existence of a complaint filed with the Commission or any investigation of a judge whether or not based upon a complaint shall in some way become public, the Commission, at the request of the judge or upon its own motion if it considers such to be desirable, may make such statement with respect to the handling and status of the proceedings as the Commission may consider appropriate. When, in the exercise of its functions, the Commission has information concerning conduct of a member of the Bar which the Commission feels should be considered by the Disciplinary Board of the State Bar of Georgia for the purpose of determining whether such conduct constitutes a violation of the Code of Professional Responsibility, the Commission shall have the authority and it shall be its duty to refer the matter to the Board for such action as the Board may consider appropriate.

EXHIBIT

A



MEMORANDUM

TO: Director Vernon Keenan

THRU: Deputy Director Russell Andrews

THRU: Inspector Fred Stephens

FROM: Special Agent in Charge J. R. Grant

DATE: March 2, 2009

RE: Superior Court Judge Kristina Connelly,
Lookout Mountain Judicial Circuit

In 2005 the Georgia Bureau of Investigation, the Drug Enforcement Administration and the Lookout Mountain Drug Task Force began an investigation [REDACTED]. The investigation focused on [REDACTED] Chattooga County, Georgia.

In May 2008, an interview was conducted with a CI as part of the [REDACTED] investigation after defendants and witnesses in the investigation proved information in reference to the drug activities of attorney [REDACTED]. Present during the interview were DEA Special Agent Frank Ledford, Lookout Mountain Drug Task Force Agents Mike Howard and David Gilliland. GBI Special Agent Del Thomasson was present at the beginning of the interview however left the interview prior to the pertinent questions concerning [REDACTED]. The CI was asked about the drug activities of [REDACTED].

On August 8, 2008, [REDACTED] met with Lookout Mountain Drug Task Force Agent Mike Howard [REDACTED] advised Agent Howard that Judge Connelly was mad that the GBI was investigating [REDACTED]. During the meeting with Agent Howard, [REDACTED] referred to the CI interview previously mentioned.

In February 2009, Agents Mike Howard and David Gilliland of the Lookout Mountain Judicial Circuits Drug Task force were located in Chattooga County Superior Court for the trial concerning [REDACTED]. At the conclusion of the days testimony

Judge Connelly called the two agents into the Judge's chambers and questioned the agents in reference to the agents interviewing a CI and specifically asking the CI questions about [REDACTED] involvement with illegal drugs. During the questioning by the Judge, the Judge was verbally abusive to the agents. At one point, the Judge stated that the agents were scum, sons of bitches and lower than the scum the agents brought before the court. Judge Connelly went on to say that she (Connelly) would never believe anything they had to say. (See Agents Gilliland and Howards attached memos).

On Monday, February 23, 2009 Commander Larry Black, of the Lookout Mountain Drug Task Force, and Sheriff Steve Wilson, of Walker County and the Chairman of the Lookout Mountain Drug Task Force Control Board, met with Judge Connelly at in the Judge's Chamber's in Chattooga County. Also present was Chattooga County Sheriff John Everett. Judge Connelly stated that Agents Howard and Gilliland were as sorry as the people they arrest. The Judge advised that the agents had transported a CI to Catoosa County to be interviewed by the Drug Enforcement Administration and the Georgia Bureau of Investigation. Judge Connelly stated that the agents [REDACTED]. Judge Connelly advised the group that the agents should have notified Sheriff Wilson and Commander Black and that Sheriff Wilson and Commander Black should have notified Judge Connelly. Judge Connelly then verbally attacked Sheriff Wilson using abusive and profane language.

Judge Connelly began referring to a woman placing lies about the Judge on the Internet. The Judge then stated that many people get killed and that she (Connelly) might start killing some herself.

Sheriff Wilson asked Judge Connelly what the Judge wanted the Task Force Supervisors to do. Judge Connelly advised that the agents should be fired for not reporting the interview with the CI to the Task Force supervisors since the agents asked the CI about [REDACTED]. (See Commander Black's attached memo).

On Wednesday, February 25, 2009, GBI Special Agent Del Thomasson was located in Chattooga County Superior Court. Judge Connelly was the presiding judge in a motion to suppress hearing. As Agent Thomasson took the witness stand to testify, Judge Connelly asked Agent Thomasson if he knew what it meant to take an oath. When Agent Thomasson responded in the affirmative, Judge Connelly stated, "I am relieved".

At the conclusion of the hearing Judge Connelly advised Agent Thomasson to get into her chambers. When Agent Thomasson did not immediately comply because Agent Thomasson was asking his supervisor, ASAC Terry Pelfrey to accompany him into the Judges chambers, Judge Connelly again in a loud voice ordered Agent Thomasson into her chambers. Once Agent Thomasson and ASAC Pelfrey were in Judge Connelly's chambers, Judge Connelly began to use profane and abusive language towards Agent Thomasson. Judge Connelly called Agent Thomasson a liar.

The agents then left the chambers.

Upon the agents return from lunch on Wednesday, February 25, Assistant District Attorney Norton advised Agent Thomasson, ASAC Pelfrey and Task Force Agent Alan Miles that Judge Connelly had ordered the three to not be armed in the courthouse during the trial. Judge Connelly also ordered that the three witnesses remain in the hallway outside the courtroom and not use the Law Library or Witness Room with the other witnesses.

On Thursday, February 26, 2009, prior to Agent Thomasson's testimony, Assistant District Attorney Norton stated to Agent Thomasson that Judge Connelly advised Assistant District Attorney that she may not allow Agent Thomasson to testify as the first witness as Assistant District Attorney desired. Assistant District Attorney Norton called Agent Thomasson as the first witness in the trial despite Judge Connelly's comments. (See Agent Thomasson and ASAC Pelfrey's attached memo.)

EXHIBIT

B

February 19, 2009

WITNESS STATEMENT

On or about August 4, 2008 Agent Mike Howard was approached at Agent Howard's office by [REDACTED]. On this occasion, [REDACTED] told Agent Howard that Lookout Mountain Superior Court Judge Kristina Connelly was upset with Agent Howard and others regarding information that [REDACTED] had received from a federal confidential informant, stemming from interviews of potential co-conspirators in a federal case against [REDACTED].

[REDACTED] stated essentially that Judge Connelly had learned, directly or indirectly from the CI, [REDACTED], that [REDACTED] was taken by local Drug Task Force agents to the Catoosa County Sheriff's Department to be interviewed by Federal Agents, [REDACTED].

Agent Howard attempted to minimize [REDACTED] concerns, without compromising the federal investigation, by telling him that IF the interview did take place, per standard operating procedure, agents were duty bound to follow any and all tips and leads regarding possible criminal activity, and that anything less would be a dereliction of duty. Agent Howard also told [REDACTED] that it would have been simply an inquiry, and not an accusation of criminal wrongdoing at this stage. [REDACTED] then left Agent Howard's office and the matter was not discussed again with Agent Howard, by anyone, until February 2009.

On Wednesday February 18 and Thursday February 19, 2009 Agents Mike Howard and David Gilleland appeared in the Chattooga County Superior Court to testify in the case of the State of Georgia vs [REDACTED] concerning the manufacture and sale of Methamphetamine. [REDACTED] was convicted on all counts indicted and subsequently sentenced by Judge Kristina Cook Connelly.

After testifying during the first day of the trial, as Agent Howard was exiting the courtroom, Judge Connelly advised Agent Howard that he was not yet excused and should remain for the duration of the trial. Agent Howard then waited outside the courtroom for the remainder of the day until court was adjourned.

As the Assistant DA Bruce Roberts emerged from the courtroom at the end of the day, he told Agent Howard that he wasn't sure why Judge Connelly wanted Agent Howard to stay for the remainder of court, but suspected that it had something to do with the testimony from Morgan alleging that [REDACTED] with Morgan and Watkins during the incident.

Agent Howard explained to Mr. Roberts that [REDACTED] was not a contract CI for either the Lookout Mountain Drug Task Force, nor the Chattooga County Sheriff's Office therefore, was not under agents' direct control. Agent Howard further explained that [REDACTED] whom Agent Howard had only talked to on the night of the incident and has not talked to since, and [REDACTED] had been instructed, prior to taking Morgan to [REDACTED] residence, to not violate any laws while assisting law enforcement in the case.

During the course of the trial, Agent Gilleland remained in the courtroom as the prosecuting agent to assist the Assistant District Attorney Bruce Roberts in the prosecution of the case. Agent Howard was sequestered, per standard procedure, along with other witnesses in the case, outside the courtroom, unable to hear other witness testimony.

At one point in the trial, one witness ([REDACTED]) testified that he and [REDACTED] in the case ([REDACTED]), traveled to [REDACTED] residence on the night of the incident to pick up some Methamphetamine that [REDACTED], in exchange for some pills that [REDACTED] had furnished [REDACTED] earlier the same date, to assist in the "cook". [REDACTED] apparently testified that while at [REDACTED] residence, [REDACTED] went into [REDACTED] residence and smoked Methamphetamine with [REDACTED] before leaving the residence with some finished Meth still in [REDACTED] possession.

When the two ([REDACTED]) left the residence and traveled back toward downtown Summerville, Deputy Mark Sheppard, per Agent Howard's instructions, conducted a traffic stop on [REDACTED]'s vehicle, and arrested [REDACTED] after officers located approximately ¼ gram of Methamphetamine in [REDACTED] shoe. This information was covertly relayed to Agent Howard by [REDACTED] while on the scene of the traffic stop, and [REDACTED] learned during the subsequent investigation and discovery stage of [REDACTED] case that [REDACTED] provided the information leading to [REDACTED] arrest.

Immediately following [REDACTED] arrest in the early morning hours of June 1, 2008 Agents Howard and Gilleland interviewed [REDACTED] at the scene of the traffic stop. Agents asked [REDACTED] specifically whether [REDACTED] had been given any of the Methamphetamine and whether [REDACTED] used any or had any in her possession. [REDACTED] and stated that [REDACTED] had let [REDACTED] out at the residence to pick up the Meth, and that [REDACTED] waited in the vehicle for [REDACTED] to return. [REDACTED] further stated that [REDACTED] was asked by [REDACTED], during the course of the traffic stop, to hide the "dope" on [REDACTED] person, but [REDACTED] refused to take it from [REDACTED] per Agent Howard's earlier instructions.

After all testimony in the case had ended and the prosecution and defense had rested, Judge Connelly charged the jury and sent the jury members out to deliberate. During this time period while waiting on the jury to return and conducting other miscellaneous court business, Judge Connelly directed Agent Howard to approach the bench. Judge Connelly then began admonishing Agent Howard, in open court, as to why [REDACTED] was not arrested. Judge

Connelly at one point stated in a loud and confrontational manner, why didn't you arrest [REDACTED], isn't it your job to arrest people who admit to smoking Meth? Judge Connelly then asked Agent Howard if [REDACTED] was too pretty to arrest and whether he had "some kind of relationship with [REDACTED]".

Agent Howard attempted to explain to Judge Connelly that on the night of the incident, [REDACTED] was interviewed and agents had no evidence to warrant an arrest of [REDACTED]. Judge Connelly then stated that there was a witness (meaning [REDACTED]) who testified under oath that [REDACTED] had indeed smoked Methamphetamine that night.

Agent Howard responded by saying that Agent Howard had been sequestered during the course of the trial and therefore had not heard that testimony. In addition, Agent Howard knew that an arrest [REDACTED] based on [REDACTED] testimony would be questionable at best, due to the only evidence to warrant an arrest being the uncorroborated testimony of a co-conspirator who had a strong motive for revenge against [REDACTED]. Judge Connelly let the matter rest at this point.

A short time later, after adjourning court for the day, Judge Connelly left the courtroom and instructed Agent Howard to meet her in chambers. Agent Howard complied with Judge Connelly's request and followed her into her chambers. At this time, Judge Connelly advised Agent Howard that she had received some information that Agent Howard had been involved in questioning an informant, [REDACTED].

Agent Howard replied by saying that she had been misinformed and that Agent Howard had [REDACTED] simply transported the CI, accompanied by another agent, to the Catoosa County Sheriff's Department at the request of DEA S/A Frank Ledford for an interview by S/A Ledford and GBI S/A Del Thomasson. Agent Howard further explained that upon arrival at the Catoosa County Sheriff's Department, S/A Thomasson had to leave due to an emergency situation at home and Agents Howard and Gilleland were asked by S/A Ledford to sit in and simply witness the interview.

Upon hearing this and becoming visibly more upset, Judge Connelly asked Agent Howard who the other agent was that accompanied him with the CI. Agent Howard told Judge Connelly that it was Lookout Mountain Drug Task Force Agent David Gilleland. Knowing that Agent Gilleland was still in the courtroom, Judge Connelly stated "well go out there and get that sorry son of a bitch and bring him in here too!" Agent Howard complied with this request and went back to the courtroom and accompanied Agent Gilleland back to the judge's chambers.

As Agent Howard and Agent Gilleland entered Judge Connelly's chambers, Agent Howard sat down in a chair in front of Judge Connelly's desk and Agent Gilleland attempted to remain standing behind the adjacent chair. At this point, Judge Connelly stated to Agent Gilleland "sit your sorry ass down!"

At this point, Judge Connelly asked agents if they were the ones interviewing [REDACTED] involvement in illegal drugs. Judge Connelly then began using more vulgar and profane language, strongly admonishing both Agent Howard and Agent Gilleland for participating in the interview. Judge Connelly stated that she was deeply disappointed that she couldn't trust "local law enforcement officers in her own county.

Agent Gilleland then attempted to explain that he and Agent Howard were there only as observers and did not actively participate in the interview. Agent Gilleland further explained that S/A Thomasson had been called away due to a family emergency, necessitating their staying in the interview room with S/A Ledford.

Judge Connelly, at this point, became enraged and called Agent Gilleland and Agent Howard scum, son of a bitches and lower than the scum that the agents brought before the court and that she would never believe anything they had to say. Judge Connelly then stated to Agents Gilleland and Howard that she never wanted to see either of them again and ended the meeting by yelling "now get out!", at which time the agents left Judge Connelly's chambers with no further comment.

Agent Mike Howard: 02/19/09

On Wednesday February 18, 2009 Agent Mike Howard testified in a case made by Agent David Gilleland (The State Of Georgia vs. [REDACTED] [REDACTED]) after testifying in the case Agent Howard was told by the court that he was not excused in the case and to stand by.

During the trial testimony State Witness [REDACTED] testified that he ([REDACTED]) and [REDACTED] had smoked Methamphetamine while at the suspect [REDACTED]'s residence.

On Thursday February 19, 2009 after all testimony in the case had been heard the case was turned over to jury for deliberating the case.

Judge Connelly was informed that [REDACTED] had been picked up on the attachment issued by the court after [REDACTED] had not appeared on the subpoena [REDACTED] had been mailed. Judge Connelly then had [REDACTED] brought to the court. Judge Connelly also asked to have ADA Bruce Roberts called to court on the matter.

After ADA Roberts arrival in court and some questions about the subpoena being mailed and contact with [REDACTED] by the D.A.'s Office. Judge Connelly then asked Agent Howard about the statements made by [REDACTED] under oath about the [REDACTED] smoking methamphetamine with [REDACTED] on the night of the incident.

Judge Connelly asked Agent Howard if it was his job to arrest people who admit to drug use. At that time Agent Howard was unaware of the statements made by [REDACTED]. At one point Judge Connelly asked Agent Howard if [REDACTED] was too pretty to arrest and then asked if there was some type of relationship between Howard and [REDACTED].

Agent Howard then explain that the testimony was the first time that the Agents had heard that ██████████ had smoked Methamphetamine and that the Agents had question ██████████ the night of the traffic stop about ██████████ possession of Methamphetamine or using Methamphetamine and was told that ██████████ did not have any Methamphetamine and had not used any Methamphetamine. Agent Howard also explained that the only contact that Agent Howard had with ██████████ was on the night of the incident.

After the Jury returned with the guilty verdict and Judge Connelly had sentenced ██████████, Agent Howard was told report to Judge Connelly's chambers after being in chambers for a short time Agent Howard returned to the courtroom and told Agent David Gilleland that Judge Connelly had requested that Agent Gilleland join Agent Howard in the Judge's chambers.

Once in the Judge's office Agent Gilleland was to the sit his sorry ass down. After sitting down The Agents was asked if the Agents had carried ██████████ to Catoosa County to met federal agents.

Agent Howard told the Judge that Agents Howard and Gilleland had transported ██████████ to the Catoosa County Sheriff's Office at the request of DEA Agent Frank Ledford for the ██████████ to be interviewed by Agent Ledford and GBI Agent Del Thomason.

Judge Connelly then asked Agent Howard and Agent Gilleland if the Agents were present during the questioning of ██████████

The Agents told Judge Connelly that the Agents were due to GBI Agent Thomason having a family emergency.

Judge Connelly then asked Agents if the Agents had been present when the [REDACTED] was asked about the use of cocaine by [REDACTED]

The Agents replied Yes and then was told with Profane language that the Agents was scum, and Son Of Bitches, and lower than the scum that the Agents brought before the court and that the Agents were to never be in the sight of the judge again.

At one point the Agents was told that the Judge was unable to believe anything that the Agents had to say. The Agents was then told to get out of the judge's office.

Agent David Gilleland

LMJCDTF 910

STATEMENT

LARRY C. BLACK

March 1, 2009

LOOKOUT MOUNTAIN JUDICIAL CIRCUIT DRUG TASK FORCE, LAFAYETTE,
GEORGIA

On Monday February 23rd, 2009 Commander Larry C. Black and Sheriff Steve Wilson traveled to Summerville Georgia to meet with Judge Kristina Connelly at her office at 12 noon. Judge Connelly had called Sheriff Wilson and arranged this meeting.

Shortly after 12 noon Judge Connelly left the courtroom and advised Sheriff Wilson and Commander Black and Chattooga Sheriff John Everett to come into her office. Once inside Judge Connelly was very irate and cursing continually during the entire conversation.

Judge Connelly stated that DTF Agents Mike Howard and David Gilleland were liars and as sorry as the people they arrest. She further stated that she didn't want to ever see either one of them again. Judge Connelly advised that the two agents had met with an informant [REDACTED] and taken the informant to Ringgold to meet with the DEA and the GBI for an interview and the officers [REDACTED]. Judge Connelly stated that the Agents should have come to Sheriff Wilson and Commander Black and Wilson and Black in turn should have notified Judge Connelly.

Judge Connelly then verbally attacked Sheriff Wilson about the [REDACTED] case from the mid 1990's, continually cursing the Sheriff with FUCK and GOD DAMN. Judge Connelly was visibly upset and shaking at this point.

Commander Black told Judge Connelly that both DTF Agents were honest and had an oath as a police officer and took their oath very seriously. Black told the Judge that both Agents had a lot of respect for her. Judge Connelly continued cursing and saying that she would not believe anything either Agent said. Black then told Judge Connelly that each Agent had a number of pending cases to try and Judge Connelly stated that she would hear all the cases, then added that the Agents got a conviction in court the previous day.

Judge Connelly told all three officers that she would not quit, nobody was gonna make here quit. The judge then started ranting about some lady on the Internet (Teresa LNU) that was trying to tell lies about the judge. Judge Connelly then stated that a lot of people get killed and that she might start killing some herself. Judge Connelly stated that for four years people had been saying that she killed her God Damn husband.

Sheriff Wilson asked Judge Connelly what she wanted us to do and she replied that the Agents should be fired for not reporting to their supervisors the Interview [REDACTED] with the GBI and DEA [REDACTED]. Judge Connelly then abruptly stopped the meeting and

said she had to go pick a car up. Commander Black immediately got up from his chair and exited the room.

Commander Black, Sheriff Wilson, and Sheriff Everett immediately called District Attorney Buzz Franklin and met with him a short time later in Sheriff Everett's office. Each officer expressed concern for the bizarre behavior of Judge Connelly to the District Attorney. The group decided to contact Senior Judge Bo Wood and make him aware of the incident.

Commander Black will ask Sheriff Summers for permission to immediately file a complaint with the State of Georgia Judicial Qualifications Commission.

Commander Black then called Ben Scott, DEA Chattanooga, and Del Thomasson, GBI Canton, and made them aware of the incident and warned them about meeting in chambers with Judge Connelly.

Larry C. Black. 03/01/09



MEMORANDUM

TO: Rusty Grant
Special Agent in Charge
Canton Regional Drug Enforcement Office

FROM: Del Thomasson
Special Agent
Canton Regional Drug Enforcement Office

DATE: March 2, 2009

RE: Meeting Judge Kristina Connelly
Chattooga County Superior Court
February 25 – 26, 2009

On Wednesday, February 25, 2009, at approximately 10:00 a.m., I was in Superior Court in Summerville, Chattooga County, Georgia under subpoena regarding Georgia Bureau of Investigation (GBI) case number 75-0181-31-08.

At approximately 11:30 a.m., I was called to the witness stand to testify in a Motion to Suppress a statement made by both defendants in this investigation. Assistant District Attorney Alan Norton was the Prosecutor. Superior Court Judge Kristina Connelly presided over the hearing. Two defense attorneys from the Public Defenders Office were in the courtroom with their defendants. The Chattooga County Sheriff was present as well as several others including Agent Dwayne Brown with the Lookout Mountain Judicial Circuit Drug Task Force. As I was about to take the Oath of Affirmation before testimony, Judge Connelly asked me "Do you know what it means to take an oath Agent Thomasson?" I responded in the affirmative. The Judge then stated, "I'm relieved."

As I finished my testimony and the hearing ended, as I was stepping down from the witness stand, Judge Connelly blurted out in a loud angry voice, "Thomasson, in my office!" I continued to walk away from the front area of the courtroom to the back door of the courtroom to summons Assistant Special Agent in Charge Terry Pelfrey to go into the Judge's office with me. Judge Connelly then spoke louder "Thomasson I said in my office." The courtroom still had several people in it. I told Judge Connelly I was going to get a supervisor and I would be there momentarily. Judge Connelly responded "Wonderful." By this time, I had already activated an electronic audio surveillance

device as instructed by Special Agent in Charge Rusty Grant.

Once in the Judge's office with Assistant Special Agent in Charge Pelfrey and Chattooga County Sheriff John Everett who had been summoned into the office by Judge Connelly, the recording of the meeting with Judge Connelly speaks for itself. What is not said is Judge Connelly's demeanor when talking to agents. The Judge was pointing her finger at my face while initially speaking to me before I excused myself out of the room. She also waved her hand and index finger towards the door at the time both myself and ASAC Pelfrey were told to get out of the Judge's office. Prior to leaving the office, the door to the office was opened by Agent Thomasson and as Agent Thomasson and ASAC Pelfrey left the office, agents observed the Judge's secretary as well as a court reporter and an unknown female in the Judge's secretary's office.

At the lunch hour, Assistant Special Agent in Charge Pelfrey and I were in Pelfrey's vehicle attempting to contact SAC Rusty Grant and Inspector Stephens with information regarding the happenings in the Judge's office on this date. It was at this time Judge Connelly and an unknown white male walked past Pelfrey's vehicle on the sidewalk near where Pelfrey's vehicle was parked. It was at this time Judge Connelly said loudly "There's my boy" as she looked at me in the vehicle.

Once agents were back at court at 1:00 p.m. for a 1:15 start of court, Assistant District Attorney Norton met agents in the outer hall of the courtroom, at which time Norton told agents Judge Connelly wanted Agents Pelfrey and myself as well as Agent Alan Miles of the Lookout Mountain Drug Task Force disarmed and we were not to be armed in the courthouse during this trial. We were also instructed to stay in the public hallway at the back of the courtroom and we were not to be in the Law Library at the rear of the Judge's Bench or in the witness area at the rear of the Judge's Bench. The court ended on February 25, 2009 without further testimony by me.

On Thursday, February 26, 2009 at 8:45 a.m., I was back in court for my testimony, which was to begin at 9:00 a.m. Assistant District Attorney Norton met me in the hallway and told me Judge Connelly had asked Norton who was the first witness, to which Norton responded "Agent Thomasson." According to Norton, Judge Connelly responded to Norton that Norton needed to go to "Plan B because Norton would have to wait on Agent Thomasson awhile." Norton called on Agent Thomasson to testify first regardless of the Judge's instruction.

As ADA Norton was finishing redirect of my testimony, Judge Connelly screamed out at me from the bench as I was attempting to answer a question to the Jury, "Just answer the question Agent Thomasson!" I did so, and then was excused by Judge Connelly for the remainder of the trial after my testimony was completed.

This entire incident was demeaning and intimidating to me as an Agent with the Georgia Bureau of Investigation. I feel that the Judge's behavior stems directly from the Federal and Drug Investigation being conducted in Chattooga County [REDACTED]

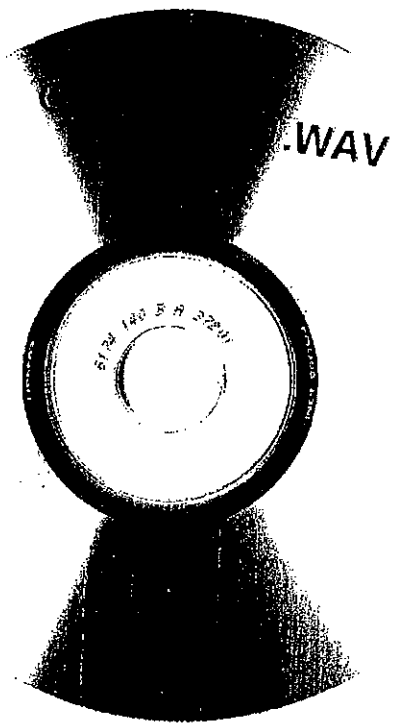


EXHIBIT # F

Conversation from the electronic audio surveillance device activated by Agent Thomasson as instructed by Special Agent in Charge Rusty Grant on Wednesday, February 25, 2009.

LEGEND:

Del Thomasson – DT
Judge Kristina Connelly – Judge
Terry Pelfrey – TP

DT – Yes ma'am! I'll get my Supervisor to go with me ma'am. Thank you.

DT – (Inaudible)

Knock on Door.

Judge – (Inaudible) Do you have a name?

TP – My name is Terry Pelfrey.

Judge – Sit down. Shut the door.

TP – Yes ma'am.

Judge – Now. I don't know if you've met Sheriff Everett.

DT – I have.

Judge – I want you to know that I know what you have done, and I know what you are doing, and you are a fucking lying son of a bitch.

DT – Ma'am, we'll see you later.

Judge – No, you sit down.

DT – No ma'am.

TP – (Inaudible)

Judge – I know what he's done, I know what he's doing. He has leaked confidential information. He has abused his badge.

TP – Ma'am.

Judge – He is no better than the crooks he deals with.

TP – Ma'am. If you will reduce that to writing, I will be more than happy to deliver that to the Director of the FBI.

Judge – I don't care what you do with him. He's your boy, you can have him.

TP – But I will listen to any complaints you have with any...

Judge – He knows what my complaint is.

TP – and, but we're not going to

Judge – he knows what he's done, he knows what he's doing, and he knows that he's playing a very dangerous game. A very dangerous game.

TP – Are you threatening this agent ma'am?

Judge – Threatening him?

TP – Yes ma'am.

Judge – No, I'm telling him he's a liar and he's sorry.

TP – About what?

Judge – I didn't threaten. You can get out now. Get out of my office. Get out of my office. Del, don't you ever speak to me again on the street. Don't you ever speak to me or any member of my family. Now get out of here! Get out of here!

(Inaudible)