

UNDISCLOSED, The State v. Dennis Perry
Episode 20 - Election Time
December 10 , 2018

[00:41] Song Lyrics:

*Yeah, his hair is white... just like that Crown Vic that he drives.
His heart is just as big as the bright, wide Georgia sky.*

Rabia Chaudry: In 2008, Sheriff Bill Smith ran for election for the seventh time, and this was his campaign song. He was widely expected to win. After all, no one had defeated a Sheriff Smith in Camden County in 80 years.

But this election was turning into a harder fight than Sheriff Smith faced before. Tommy Gregory, the son of GBI Agent Joe Gregory, was running against him, and he faced more opposition than he ever had before.

Song Lyrics:

*I'm voting for a real man... loved by everyone.
I'm proud of my Sheriff, and everything that he's done.*

Rabia Chaudry: Hi, and welcome to Undisclosed. This is Episode 20 of our series on The State v. Dennis Perry. My name is Rabia Chaudry, I'm an attorney and author of Adnan's Story, and I'm here today with my colleagues Colin Miller and Susan Simpson.

Colin Miller: Hi, this is Colin Miller, I'm an Associate Dean and Professor at the University of South Carolina School of Law, and I blog at EvidenceProfBlog.

Susan Simpson: Hi, this is Susan Simpson, I'm an attorney in Washington, D.C., and I blog at TheViewFromLL2.

SHERIFF SMITH'S SCANDALS

[04:10] Colin Miller: To understand what ultimately happened in that 2008 election, there are two things we need to look at. The first is Bill Smith's scandals. The second is the racial politics of Camden County.

Let's start with the scandals. There were a lot of them, but often they were variations on a common theme. Take for example, the 2006 jet ski incident. A few inmates from the Camden County jail had been out riding jet skis out near Harriet's Bluff when one of them lost control and crashed into a dock, breaking his leg and hip.

You may be asking yourself, why were inmates riding about on jet skis? Well, there's a simple answer to that. The jet skis had been at a private dock out on Harriet's Bluff, and Sheriff Smith had wanted the jet skis taken over to the boat ramp, where they could be pulled out of the water. Somehow, there were a few inmates that were hanging around or otherwise available to get the job done, and off they went, when one of the inmates lost control and crashed.

[05:00] Susan Simpson: Another Bill Smith scandal was featured in NPR's 2008 series on civil forfeiture abuses, and featured Camden County as a case study of what not to do in a civil forfeiture program. And that scandal involved how Bill Smith was funding the inmate labor that he used to do personal projects.

Narrator:

His chief critic says he used them to build a weekend home, called "The Ponderosa." Steve Berry, a lawyer and novelist, sits on a Camden County Commission which sued Smith over control of the forfeiture money.

Steve Berry:

The Ponderosa is probably the pinnacle of the abuse. The Sheriff buys a piece of property in the center of the county. Little ol' house on it. Takes inmates out there. They rebuild the entire house... into a very nice party house.

Narrator:

The allegations in general that Sheriff Smith misused forfeiture money, and, in particular, that he used it to pay inmate labor, were serious enough that a Federal Grand Jury in Savannah is now looking into them.

Susan Simpson: There were sworn statements from deputies, inmates, and Smith's friends that inmates had been used to do all kinds of work on the property, but Bill Smith denied any wrongdoing. You can tell that Steve Berry's accusations bothered Sheriff Smith though, because he dedicated an entire verse of his campaign song to Steve Berry.

Song Lyrics:

*Well, Steve Berry, he's a hypocrite; a living contradiction.
Claims to be a writer; he must specialize in fiction.*

Susan Simpson: As far as scandals go involving the use of inmate labor to perform chores at private residences, The Ponderosa probably wasn't the biggest one for Bill Smith. The biggest scandal, or the one that got the most press coverage, would probably be what happened over at Cumberland Island.

[06:45] Rabia Chaudry: Cumberland Island is Georgia's largest barrier island, and Camden County's biggest tourist attraction. It is primarily known for its wild horses, and the ruins of sprawling mansions once owned by the Carnegie family. Cumberland is only accessible by boat, and has no paved roads or paths. Today, much of the island is federally owned, having been turned into the Cumberland Island National Seashore, so that the island could be, quote, "permanently preserved in its primitive state." There are a small handful of privately leased buildings still on Cumberland today, grandfathered in on limited leases that will one day revert back to the government, but there is no new construction permitted on the island.

Which is why it was extra strange when people began to notice that there were a bunch of inmates from the Camden County Jail who were spending their days on Cumberland Island, building an extension to a private residence.

In 2007, reporters from Jacksonville's Florida Times Union got wind that something was up on Cumberland Island, and they went to investigate.

Chris Viola:

Gordon, who was a writer for the paper, was writing a story about possibly using inmate labor at a house, on somebody's house, on Cumberland Island. We were invited by a lawyer in Camden County who had found out about this, and so we went with them to the island to see if this was going on.

Rabia Chaudry: That's Chris Viola. He was a photographer with the Times Union, and based out of Brunswick. He and reporter Gordon Jackson went out to the island with the attorney to check it out.

Chris Viola:

We were in a small boat. From the boat I could see a group of men working on this house, which was dockside, and they looked like they were dressed as inmates from the area.

Susan Simpson:

I think I've seen a photo- one of the photos that you might have taken. It was like, some of them were in plain clothes, and then some were--

Chris Viola:

Yeah, they were in the mix of- they were wearing the pants from jail and t-shirts, not all of them were fully clothed that way. Some people were in tank tops. I took some photos from the water, we were pretty far out, and then we docked at a nearby dock and walked up to the front of the house. The gate at the front of the house.

Rabia Chaudry: The two reporters scouted around for a better vantage point, while the attorney went up to the door to see if he recognized any of the inmates to talk to them.

Chris Viola:

There was a "No Trespassing" sign, so I didn't want to go onto their property, of course, so I kind of went around where it was still essentially wooded area, which was public property. I went around trying to see if I could get a better angle, and I was in the woods when I could hear that the- somebody, like a Sheriff's Deputy was talking to the reporter. Said, "Hey, Gordon, how are you?" Because they knew who we were- they hadn't seen me, so I just kinda stayed in the woods.

Rabia Chaudry: Eventually Chris Viola met back up with the others, and they headed back to the mainland.

Chris Viola:

After that, we went over to the office of the lawyer so we could use our computers

and put stuff up and everything, so I used my computer, I started working on my photos, and then two detectives from the Camden County Police Department came by and talked to the lawyer and told him that they had a report that somebody was trespassing and that somebody was on the island, and he said, "I was on the island over there, I was checking something out."

Rabia Chaudry: That's when Chris Viola knew something was up. That the Sheriff's Office was planning something. That day, while driving home, he was followed by Camden County patrol cars. And then a few days later, deputies came by to question him.

Chris Viola:

I thought that was pretty much it, and then later on we were- we received summons for a warrant hearing because we were being accused of having trespassed on the land of the guy that owned the house on Cumberland Island.

Colin Miller: The Times Union got lawyers for its reporters, and Chris Viola and Gordon Jackson appeared at the hearing to see if a warrant would be issued for their arrest.

Chris Viola:

I've covered a lot of stuff over there, and I've never seen a packed courthouse like that. The main witness to this thing was the person that owned the house. And, under oath, he essentially said that he knew that they were inmates, that he had paid for them, and that Bill Smith had known- that he talked to Bill Smith about doing this and everything.

[10:38] Colin Miller: Because of the Camden County Sheriff's Office's pursuit of criminal charges against them, the Times Union reporters had inadvertently broken the story wide open. The Cumberland Island homeowner had to testify against them, under oath, and in doing so, confirmed everything they'd been on the island to investigate in the first place.

Susan Simpson:

So, because y'all got charged with trespassing, you'd actually get the details you'd need.

Chris Viola:

Yeah, exactly, because he had to say why we were trespassing and everything, and so, he goes, "Did anybody actually see them?" They supposedly saw us outside, I believe, but no one really saw us go into the property, and we never did.

The case against Chris Viola and Gordon Jackson was dismissed.

Chris Viola:

The Judge goes, "There's no reason to give you a warrant because you never trespassed," essentially, is what they said, so, that was it.

Susan Simpson:

And this guy was not going to lie under oath for Bill Smith, apparently.

Chris Viola:

That was the kind of thing that we thought, oh, well, he's not gonna lie. Right? He's under oath, and it was one of those things that was like, oh, ok. He's up there essentially saying everything that we would have probably, if we would have asked them straight up, they'd have never told us.

Today, Chris Viola can laugh about how, as a journalist, someone tried to arrest him for his reporting is something of a badge of honor. But this hadn't been a toothless threat from the Camden County Sheriff's Office.

Susan Simpson:

Were you ever scared, though, that it might actually happen?

Chris Viola:

I was, I was scared of a lot of things about that part, especially.

In the end, the Camden County Sheriff's Office stayed away from the Times Union reporters, and nothing happened. But Chris Viola had that worry, in the back of his head, that something might. After all, more than one Camden County Sheriff's Office has been credibly accused of planting evidence on suspects.

[12:21] Rabia Chaudry: These were some of the scandals that Bill Smith was facing, going into the 2008 election. But to understand Camden County politics, and the politics of the sheriff's race in particular, we need to step back a bit, and take a broader look at racial issues in Camden County, more generally.

Susan Simpson: Like I've mentioned before on the show, when I first started looking at the Swain case, one of the things that surprised me was how everyone just assumed this wasn't a racially motivated crime. A young white man, going into an African American church, and killing an older couple with no apparent motive... In the modern context, it just sounds like a hate crime. In 1985, though, in Camden County, most people involved in the case didn't think that.

But it's worth noting, not everyone ruled out that possibility so quickly. Mike Ellerson, who was 15 in 1985, and by chance had been in Waverly the night the Swains were killed, well, he had a different reaction than the investigators did.

Mike Ellerson:

I'm sitting there listening, and I'm scared because I think he asked the question, well, is he in jail? No, he's gone. So, I'm scared, thinking there's a guy running around killing black people.

Still, Mike Ellerson's view was very much the minority. And going by newspaper coverage of the case back in the time, throughout all the articles, there's this underlying message of: Well, of course it wasn't a hate crime, Camden County doesn't have racial problems. Black and white people alike respected the Swains, the Sheriff was quoted as stressing in interviews, meaning: This couldn't be a hate crime. GBI Agent Joe Gregory has a similar recollection.

Susan Simpson:

It seems like no one really thought it might be a hate crime. Did that cross your mind at all, or it was just not part of...

Joe Gregory:

No, ma'am, it didn't. No. It didn't.

Susan Simpson:

Why:

Joe Gregory:

Because there was absolutely no problems like that in the county, and everybody you talked to that knew Harold Swain said that was not the problem. Unless it was just totally at random. Some guy that figured that was a black church and he was gonna kill some people. That's the only way it could have been a race thing.

[14:22] Susan Simpson: The idea that racism isn't a problem in Camden County is something I kept encountering a lot. From old news articles, from witness interviews, from just chatting to people I met down there. Blacks and whites got along just fine in Camden County, I'd have people tell me. It's just not really an issue here. I'd give them my most skeptical look, but they wouldn't budge on the story.

Rabia Chaudry: And it's a story that's been told for a long time in Camden County. Take, for example, an article written in 1973, on a protest that occurred following the shooting of an unarmed black man. Some of the citizens of Camden County had gone to Atlanta, to try to meet with the governor about the incident.

In calling for [a] meeting with [Governor Jimmy] Carter, [national field director of the Southern Christian Leadership Conference Joseph] Hammond also claimed that blacks had been thrown out of a Camden County business establishment at gunpoint, and that the sheriff's department had refused to arrest anyone. ...

A spokesman for local police denied any incidents of racial discrimination or turmoil, saying "we've never had any problem with blacks that amounts to anything. Our relations with blacks have always been good. There are always a few that you can't satisfy, but that's true for whites too."

Another article on the same incident gave more details on that Camden County business establishment that discriminated against black customers. Which, it turns out, was altogether more sinister story than what that first article may have suggested:

"The Camden citizens' group ... claimed blacks have been refused service in a local business store by a white man who has already killed two black men, unarmed, within the last two years, and has not yet been arrested."

Susan Simpson: When I talked to former Camden County Sheriff's Deputy Mike Ellerson, he told me that even though at fifteen, his first reaction had been to worry that the Swain murders had been racially motivated, it hadn't been due to any direct experiences he'd had, personally.

Mike Ellerson:

Yeah as a young black guy, yeah, you think about that stuff. Because I grew up in

downtown St. Mary's -- I never dealt with any racial issues growing up down there. Except I have seen the KKK drive around twice. Hoods and everything on the back of the truck, sitting there- in the mid 70s.

I got this kind of answer a lot. But I still sort of struggled to understand it. Ellerson grew up seeing the KKK in the streets. But, still, to him, he never dealt with race issues growing up.

Susan Simpson:

I have had a lot of people tell me that there is no racism here and no racial issues here, and they seem to believe what they're saying, but talking to people and going around, I'll hear stories, and I know absolutely that's not true, so why is everyone... I don't think they're lying...

Mike Ellerson:

They'll say there's no racial issues because there's been no conflicts.

Rabia Chaudry: It's not that there was no racial divide in Camden County. There was one, and it was obvious to everyone. Camden County remains a deeply segregated part of the south.

Mike Ellerson:

Everybody knew... like, St. Mary's is still separated. Church Street in St. Mary's is a division of black and white. That street separates black and white. From Church Street North, blacks live. Church Street South, I've only known maybe a couple of blacks that live beyond that point.

Susan Simpson:

Still, today.

Mike Ellerson:

Still today. But, like I said, there was no *conflict*.

And this racial divide wasn't just a matter of informal customs. There were very formal rules, enforced by as a matter of law. Take the St. Mary's swimming pool. There was a pool in town, not far from where Ellerson grew up, but he couldn't use it.

Mike Ellerson:

We used to have to go all the way to State Park, which was miles away. And we'd ride from downtown St. Mary's all the way to State Park. I'd have to say, that's every bit of about a ten mile or more ride on a bike. But, to keep from doing that, we would actually swim down at the river, and in different ponds, and stuff like that. Because it was frustrating. All the other kids, the white kids, could swim in the pool. And blacks couldn't swim in the pool, and you had to go far to do this and that, so...

Mike Ellerson and his friends did get to swim in the pool eventually, though. Not because someone put an end to the discrimination, but because they found a way around it. At night, he and his friends would cut behind the block and sneak up to the pool through the woods.

Mike Ellerson:

It would be like 9 or 10 o'clock at night. And we'd hop the fence and get in the pool and swim. And we never knew if the police was coming. We did know that if we did see the police drive up, we could get away from them. But there was a guy across the road, he had a porch light. And it seemed like when the porch light would come on, the police was coming. So it's more or less he must have had a scanner, or whatever, and letting us know to get out of the pool. And I know the guy, a white guy. Very nice guy. He's dead and gone now, but me and his son are pretty good friends. And we laugh about it. But, yeah. The porch light would come on, and we'd get out the pool and go.

Susan Simpson: The pool in St. Mary's wasn't the only place where this was happening. One day, while down in Camden County, chasing down rumours related to the Topix War of 2007, I met a woman named Ashley Casey, who grew up in Woodbine.

Ashley Casey:

I grew up in Woodbine. And we used to swim at the Stardust Lodge when we were little. You could pay \$1.50 to swim there if you were white. But if you were black, you were not allowed to swim there. And if a black person walked in, they would tell them the pool was full and they didn't have no room, even if there was one or two swimming in the pool.

Susan Simpson:

What if it was empty:

Ashley Casey:

If it was empty, he would always say there was something wrong with it. And then he claimed, he would tell us it's because the black peoples' hair would mess up the filtration system.

But Ashley was telling me that this happened to her when she was in high school, and she wasn't that much older than me at all. I was shocked. This was in the late '90s, when this went on. And Ashley told me that the only reason it ended was because the NAACP got involved.

Ashley Casey:

So when I was around 15, they contacted 'em and told 'em that that was illegal, he couldn't do that -- so he filled in the pool and he covered it and it was

completely covered by grass and dirt because he said if he was gonna let black people swim there he was gonna close it.

[20:27] Rabia Chaudry: To get more perspective on what was going on in Camden County, Susan talked to Dr. Marcia Chatelain, Associate Professor of History and African American Studies at Georgetown University. You'll remember Dr. Chatelain from our Freddie Gray series and in the past on our Addendums. But if Susan had been surprised about the disconnect between description and reality when it came to racial issues in Camden County, what she described was familiar to Marcia.

Dr. Marcia Chatelain:

It wasn't that surprising to me because I think that one of the lost parts of the narrative about how race works in America is the ways that communities sometimes broker an uneasy peace between communities, and so part of the bargain of, "you have this territory and we have this territory, these are the rules of engagement", is that you do not disparage the community. And so it's interesting to think about, you know, throughout the 60's where there were communities being targeted with violence, houses are being firebombed, civil rights activists are being killed for trying to get people to register to vote or to integrate schools, and there's a narrative that, "Everything's fine here."

Racism in Camden County didn't end with the bulldozing of the Stardust pool, of course. News stories about racist incidents in Camden County are a semi-regular occurrence. Like this one, from 2014:

News Reporter:

Talking publicly for the first time about the picture of Deputy Chad Palmer in blackface in an official jail uniform, Sheriff Jim Proctor says it might have been offensive, but he thinks it was a one time mistake.

Sheriff Jim Proctor:

It was extremely insensitive. It is what it is. I do not believe that Chad Palmer is a racist.

This Camden County problem with ... insensitivity, should be noted, was not just limited to a single deputy at the Sheriff's Office.

New Reporter:

Deputy Chad Palmer is apparently the only one who got caught. The Sheriff said today that other people at that Halloween party were also wearing insensitive costumes.

[22:20] Colin Miller: Nor was this problem limited to law enforcement. Earlier this year in fact, the Georgia state representative for most of Camden County, made national news.

CBS News Reporter:

Good morning. State Representative Jason Spencer was already a controversial figure here. He had previously tried to get wearing burkas banned in public, and had threatened a black lawyer who opposed confederate statues. Now, despite this latest bigoted performance, he vows to stay in office and insists he was tricked.

Jason Spencer, State Representative for the Woodbine district, appeared on Sacha Baron Cohen's show, *Who Is America?*, after he was invited to take part in a training program where Spencer was told he'd learn self-defense techniques taught by a former Mossad agent.

[23:00] Sacha Baron Cohen, *Who is America?*:

Erev tov. My name, Captain Erran Morad. Today, we learn defense from radical Islam terror.

Representative Spencer fell for Sacha Baron Cohen's awkward make-up and ludicrous back story, and thought he was actually taking a self-defense course. With cameras rolling around him, he said all kinds of things, supposedly as part of a self-defense technique.

Representative Jason Spencer, *Who is America?*:

*All you damn sand n***s over in the Middle East, we are tired of you coming to America, and we are tired of you trying to threaten us! We will cut off your dick (grunts)!*

[23:32] Susan Simpson: A few days after the *Who Is America?* Episode came out, Spencer did end up resigning from the Georgia legislature. Although, it's worth noting, there were people I talked to in Camden County, both white and black, who offered up partial defenses of Spencer's conduct. It was a mortifying thing to have had happened, of course, but Jason Spencer wasn't a racist, they told me -- really, truly he wasn't.

Everybody who knows him understands, they said, that's just who he is: the most gullible guy you'll ever meet.

I told Marcia about some of what I'd seen in Camden County, and how I had a hard time reconciling some of it.

Susan Simpson:

But they honestly didn't feel like there was much racial hostility at the Camden County Sheriff's Office. But at the same time, like 2014, you've got deputies getting in trouble, going in blackface to parties.

Dr. Marcia Chatelain:

(Laughing) Right. So ... exactly. So, I think that also, we have to remember how seductive these fictions are for people's everyday survival. There's also sometimes, in these communities, these kind of comparisons -- "Well, we're not this town, one over, where X,Y, and Z happened." Or, "Blackface was them just joking around, but that's the officer who was really nice to me this one time." And so I think that kind of dissonance gets mediated in people's everyday experiences of, "Well, I still have to survive here" or "This hasn't happened to me yet", but I also think that there is the narrative that people are probably sharing with you, and then the conversations that are happening behind closed doors.

THIOKOL

To get a better understanding of Camden County, and the dynamics that shaped both the Swain case and Bill Smith's elections, we're going to step away from both for a bit, and go back in time once again, to before the Swain murders. Back to 1971. And for this story, I talked to a woman whose made it her mission to make sure that this part of Camden County's history isn't forgotten.

Jannie Everette:

My name is Jannie Everette, I'm the CEO, President, and Founder of Thiokol Memorial Project. This project began in ... basically in 2013, with the discovery of my nieces and nephews not knowing the Thiokol history, and that reminded me that I had to remember the people from Thiokol that had been left out of history.

[27:21] Rabia Chaudry: You heard last episode about the Gilman Paper Company, but Thiokol was, at one time, the other major employer in Camden County. Before Thiokol came in, it had been the paper mill that had dominated industry in Camden County.

Jannie Everette:

Well, men worked in pulpwood. They would go out and cut down the trees and loading them onto these long trucks and take them down to Gilman Paper where they made the trees into paper products.

The women did not work in pulpwood, which meant their opportunities for paid employment were limited. They were in the fields, gathering produce, or at CPAC, processing seafood, or leaving home to work in the tourism industry.

Jannie Everette:

They worked at CPAC, where they were paid according to the poundage of the seafood they cleaned, like peeling shrimp or whatever. They worked cleaning cabins at Jekyll Island and Amelia Island, and I would see the women leave home on Sunday afternoon and they would come back on Friday afternoon. The whole week they would stay away cleaning cabins, so they would get \$10 a week.

It was tough, back-breaking work. For mothers working at the cabins, it meant being separated from their kids for most the week. The only other major employer in the region, the Gilman Paper Company, had certain restrictions on who it would hire.

Jannie Everette:

You couldn't be black like me. You had to be a lighter shade, and you had to know someone.

Some of the Gilman employees were African-American, but it was not a universally available opportunity.

Jannie Everette:

Well I know one thing. If you weren't a certain shade of black or you didn't know somebody, you couldn't get in there.

As a result, many black women in Camden County had only one real job opportunity available to them: that of homemaker.

Jannie Everette:

These men were working in the sun and they were providing, but they were working themselves to death because they had this great resource sitting at home or in the kitchen somewhere, you know, taking care of the children.

Jannie's comments made me think of something we'd seen from the case file in Dennis Perry's case. In Harold Swain's health records, there was only one major incident that was recorded. It was for exhaustion, due to being overworked.

But then the Space Race began. Man's quest for the moon would also bring change in Camden County.

[29:45] Colin Miller: In 1961, Thiokol came to town. Thiokol, a chemical manufacturing company based in Utah, optioned a large tract of land in Camden County, and began plans to construct a factory there, where they would manufacture solid fuel rocket boosters for NASA's space program.

Jannie Everette:

On February 27, 1965, they tested the world's most powerful engine. That test reached 3 million pounds thrust. And that same technology was used in 1969 to put a man on the moon.

It wasn't Thiokol that manufactured the engines on the Apollo 11, though. Thiokol lost the contract with the US Government when the space program shifted to using only liquid fuel engines to fuel its rockets.

But Thiokol still had the newly-built plant in Camden County, and soon Thiokol had found a new use for it, all thanks to the Vietnam war.

Jannie Everette:

Thiokol went on to negotiate for the U.S. Army contract with the munitions, which they made history again because they brought together men and women, working together, in a workforce, making equal pay. And it was a phenomenal thing.

The Thiokol munitions plant produced things like 81mm mortars, as well as trip flares.

Jannie Everette:

They call them magnesium trip flares, and a lot of times, peoples described them as the thousand lights, because in combat, they would string the wire along the

floor of jungle, and as the enemy approached, if they tripped this wire, the flare would go up and light up and then they could see them.

And so with munitions replacing space rockets, Thiokol continued to operate in Camden County. Jannie Everette's mother was one of the new employees hired by Thiokol.

Jannie Everette:

'Cause I remember her going to this manpower program. The big thing was they had to go to the manpower program and be trained for this new "secret job" they had.

Susan Simpson:

Secret job (laughing)?

Jannie Everette:

Yeah, yeah, you know, I'm like ... what's the secret? Like, "No, I have to be trained." So she was studying this, that, and the other. But they actually ... we spoke with the teacher, and she said Thiokol told her that the women were illiterate, so the first thing they did was give them a comprehension test. And the women aced the test. See, that's the whole thing, the beauty of it -- the men had a perfectly good resource to help support their family, but they were killing themselves because of how American society, the parody in society, right? You had women that had college degrees that couldn't work without the permission of their husbands. Their job was to watch the house and the kids. But, after The Civil Rights Act, the women in the field, they took off their hats and laid down the hoe, and Mama, she folded up her apron and left the kitchen, you know. Some of them said, "Oh, wow, I can get a real job!"

Thiokol paid an hourly wage, starting at \$1.80. Compared to the \$10 a week that women earned by staying and working out at the cabins all week, away from their families, it was the kind of job opportunity that could change lives for the better.

And as the plant expanded, Thiokol began hiring hundreds of people from Camden County and surrounding regions.

Jannie Everette:

It was mostly women and mostly people of color, but the men were mostly the supervisors over the women. And then as the women trained up, then ... and

they had a union. They had a union for the upper management, and so that's when the women got some of the lead jobs.

Thiokol offered an opportunity that, for many people in Camden County, had been unmatched by anything else available. But that opportunity ultimately came with a cost.

Jannie Everette:

I can remember, it was kind of dreary that day, and I went off to school, me and my sisters and brothers.

[33:55] Rabia Chaudry: It was February 3rd, 1971. Jannie Everette was still a child at the time. That morning, her mother had gone off to work at Thiokol as usual, and Jannie and her siblings went to their school down in St. Marys, a sturdy, cinder block building about 15 miles from the Thiokol plant.

Jannie Everette:

But we were in school, and I was in the school lunchroom, and I was talking to Denise Williams. I was sitting down and then I went to rise from the seat, from the lunchroom seat, and it was ... something went shake. And I was, "Ooh", and then it was "Whoomp", and I was like, "Whoa ...", you know, I mean the floor under you, it was like it was moving. And then a few minutes later, you know people were kinda like, "What is it, what is it?" We didn't know, it was uncertain. Then the announcement came that Thiokol had exploded.

There had been three explosions that day, each bigger than the last. Looking at pictures of the plant from that day, the scale of the explosion is almost hard to comprehend.

Jannie Everette:

I mean, it blew out the windows in downtown Kingsland. Rattled dishes and woodbine, but it rocked the coast from Savannah to Gainesville. People in Brunswick felt this thing. 56 thousand trip flares is ... I mean, you know, that magnesium did not play.

That day at school, Jannie Everette remembers, some of the boys took off running for the Gilman Hospital, thinking that's where the injured people would be taken. But the Gilman hospital only had 38 beds -- and though the boys running to the hospital didn't know it yet, that would only be a fraction of what was needed in Camden County that day. Camden County couldn't handle it alone. Most the victims would need to be transported to hospitals elsewhere.

[37:44] Colin Miller: That morning, at the Thiokol plant, a fire had broken out in building 132, where scores of workers were working on an assembly line manufacturing trip flares. The fire, in and of itself though, wasn't cause for alarm. Fires happened a lot of mornings. It was no big deal.

Jannie Everette:

Well, the trip flares, No one knew that ... like the magnesium. They thought, and Thiokol told them and they thought also, that the material was C2, that it was highly flammable. And so they were accustomed to fires, they they didn't know that this thing was C7 explosive. So every day, 3-4 times a day, they had fires. And so the women would yell, "Fire. Fire", evacuate the building, and the men would come in, put out the fire, and give the all clear. So, they didn't go far away from the building, they just went outside of the building.

The materials used on the flare assembly line were supposed to be a class 2 hazard. Highly flammable, but not especially dangerous beyond the normal problems fires tend to cause.

But the material used in the trip flares was not a class 2 hazard. It was class 7, which under the Army's contract, was defined as a material that, quote, "most of the entire quantity [] will explode virtually instantaneously when a small portion is subject to fire."

The people working in the Thiokol munitions plant did not realize the danger they were in every time one of those fires broke out. Like the one that happened on February 3rd, 1971.

Susan Simpson:

So it was a normal fire...

Jannie Everette:

It was a normal fire. My mother said it started at one end of the assembly line, you know, that spark. And then the fire just rolled all the way down the L, and, she said, it did something strange that morning, because it went to the end of the L, past her, and then it just howled overhead. It was howling. And she said she got up and she fell back.

Jannie Everette's mother was not alarmed yet. She was just heading outside, to wait by the doors, for the men to go in and put out the fires.

Jannie Everette:

They had never had an explosion, and they never went that far away from the building when they had a fire. She said she fell down backing out of the door, then when she got outside the building, the first explosion threw her into a pit, so she was stuck in there, you know, then the next explosion blew her out of it. And then the big blast had her, she just said she was flying through the air. You know, no control over her body and everything had turned black and she just went BAP! And she said when she hit the ground it stunned her so bad she was numb. She thought... you know, can you imagine? You can't see anything and then your whole body's numb, and she thought she was dead, see like - after thought, after death, you know - and she couldn't hear, you know, so she prayed. And she said she just prayed and prayed and prayed, and then like a light wind came through and she was wiping her face, 'cause she realized she had fallen into the swamp.

By chance, one woman had happened to drive her husband's truck to work that day. He was a volunteer firefighter, and the truck had a radio.

Jannie Everette:

And that one radio call brought 15 cities. I mean, you know, Miss Dorothy was calling people, the Sheriff Willie Smith was calling people, so when the Camden County Sheriff calls you - we used to call him the High Sheriff - when he calls, you answer.

A massive rescue effort was mobilized, and the injured were taken to hospitals in every direction. The death toll would eventually rise to 29, with many more seriously injured.

LAWSUIT

[41:40] Rabia Chaudry: As you might expect, after the Woodbine disaster, there was litigation.

Jannie Everette:

The surviving workers and the families of the diseased workers sued Thiokol. Thiokol was covered under protection of Workman's Comp. They got permission to sue the federal government. The federal government lost five times.

Because of worker's compensation laws in Georgia, Thiokol was not liable to the employees for any amounts beyond what was set out in the Worker's Comp statutes. So the victims sued the federal government, based on the government's failure to inform Thiokol about how dangerous the materials used in the trip flares had been.

The government had known how explosive the magnesium was. They'd even written a memo about it, a few months before the explosion in Woodbine. But that memo had never made it to Thiokol. It was later found in a desk drawer of a soldier who'd forgotten to send it before he'd been deployed to Vietnam.

Jannie Everette:

It was an acute failure of communication.

And so the Thiokol workers never knew, until it was too late, how dangerous those assembly fires had really been all along.

The Thiokol lawsuits dragged on, appeal after government appeal, but were finally settled in 1986. After 15 years of dragged-out litigation though, the total amounts were much less than you'd expect. An estimate on the amount of total recovery, for all victims injured at Thiokol and the families of all those who had died, was only somewhere around \$15 million in today's dollars. And not all victims had been so lucky.

Jannie Everette:

And they got paid minimum. And some people didn't get paid at all. Miss Dorothy Monak never got a dime. She was severely injured that day. Her husband was killed, and he was the engineer. Did not get a dime. Mr. Connelly - Yvonne Connelly was killed - never got a penny.

It took 15 years for the government to finally settle the Thiokol disaster claims. But that was not the end of Thiokol's problems.

Jannie Everette:

But 15 years, almost to the day, 1986, Thiokol was the contractor over Challenger. And it blew up, on national TV, with children watching, because their teacher, a teacher was on board They couldn't hide from that.

It was Thiokol that made the O-rings for the Challenger space shuttle. The ones that failed during a launch in January of 1986, leading to the disaster. And this disaster was not one that could not be lost to history.

THE MEMORIAL

[44:30] Susan Simpson: Last summer, while down in Camden County, Jannie Everette invited me to come by the Thiokol museum. It's in a little building off of US-17 in downtown Kingsland, and on display are photographs and artifacts that've been collected, to document the disaster at Woodbine, and to remember the people who've lost their lives there.

The day Jannie invited me to come to the museum, they were hosting a family day -- an opportunity for families to visit the museum and learn for themselves about a piece of their family history, and for survivors of the disaster to come together and tell their stories. When I arrived, there were about 30 people crowded in the museum's one-room exhibit hall, listening to Jannie Everette speak about the lives of the Thiokol workers.

Jannie Everette:

When you talk to some of the survivors, how people was telling them "why are you going out there to work?", you know, "why do you want?...stay home with your children". These people were brave. It took courage. They wanted a better life, and they wanted a better life for us.

Later, Jannie Everette told me more about how the museum had come to be.

Jannie Everette:

My nieces and nephews, they left me that Christmas, to babysit them. So they were surfing on the net, right, and he says "Auntie, there was an explosion at Woodbine?" I said "What you children back there watchin'? What you doin'?" and he's goin' on "What's a Thiokol?" I said "Oh!" I jumped right up.

That's when Jannie had found out that her younger relatives had never before heard about the explosion, even though they'd grown up in Camden County. Even though their own grandmother had survived the explosion.

Despite the scale of the disaster, what happened in Woodbine has largely been forgotten, and entirely written out of textbooks.

Susan Simpson:

Do you think it's at all because most of the victims were black and female that it's been ignored so much?

Jannie Everette:

Well I think it was a discount, or a miscalculation, on their part. Because, from what happened, or me, myself witnessing the lives of these people, I know how extraordinary they are, or were, in our way of life. But I think a lot of times people discount the value of another person. If we had the communications capabilities of mass communications, and media and everything, we would have had more interest in it. The story just is untold.

And that's why Jannie Everette founded the Thiokol Memorial Project in 2015, and since then has kept it going, more or less through sheer determination. Her background though is not in museum management, so there's been plenty of learning opportunities along the way. Like the time she realized that an artifact that had been given to the museum for display had been just a bit too genuine.

Jannie Everette:

It's like, you see that 81 over there? We had a white one in here, and it wasn't inert. It was really loaded. A guy brought it from Alabama here and donated it. And so Mr. Jim that worked at the plant...and, you know, and I picked it up, and I said "Oh, this seems kind of heavy". You know, 'cause I came in...they left it here with the people in the office, and I was lookin'... he came in and looked at it, and I was lookin' at it, and then he left. Well before he got to St. Mary's, he called me back. He said "Jannie, I'm concerned." I said, "Say no more." I hang the phone up, call the fire department, "Listen, I got somethin' over here, it might be, uh, might gonna explode." And he said "The fire department don't handle anything that goes bang. Call the police."

That 81mm mortar round was safely disposed of. The one on display today at the museum is a safer version.

Today, the Thiokol Memorial Project has a museum space, and plans to increase awareness of Thiokol through public memorials, but the project has not always had the support of local government. At times, it's even faced resistance to its goal of spreading awareness about the Thiokol disaster. Part of that is because not everyone in Camden County has understood the point of it. Some people see it as no more than a dreary monument to an unfortunate event that happened decades ago, and is better off less remembered.

Jannie Everette:

What happens is, I told them, this is not a pity party. This is not...we're not mourning the death of our people, we're embracing the spirit in which they lived. What we learned from witnessing their life.

What Jannie Everette has tried to do at the Thiokol Museum is to show people how what happened at Thiokol had broader impacts on Camden County, and throughout the nation as a whole. At the museum, she catalogued the many ways in which the Thiokol disaster, although unseen and uncredited, ushered in progress for many of our modern institutions. For instance, how Thiokol exposed just how unprepared everyone had been in 1971, when it came to emergency response procedures.

Jannie Everette:

The funeral homes were over all the ambulances, OK. Like take for instance this county. They called them right along racial lines, OK, if you were black, you call the Butler Funeral Home. He had one ambulance. If you were white, you call Wainwright Funeral Home. He had two ambulances. When Thiokol blew up, we didn't have but three ambulances in the whole county, and whatever vehicles that the workers could commandeer on site. That's how this emergency response began.

The ambulances available to Camden County in 1971 offered no medical care, and no EMTs. Just transport for the sick and injured, to whichever building it was that they needed to go to.

Jannie Everette:

Yeah, it was like a taxi cab service. You called Butler Funeral Home, you know, God bless you, they'd pick you up, take you to the hospital, right? OK. If the ambulance was tied up, they'd pick you up in the hearse. Take you down to Gilman Hospital, if you make it, they'd put you in the hospital, if not, they put you back in the hearse, take you to the funeral home.

The Thiokol disaster had shown everyone just how inadequate this entire ambulance system was. And that led to reform. Much needed reform.

Jannie Everette:

So after this explosion, Jacksonville got \$300,000. They put the ambulances, they got new ambulances, they put them under the city and the county. They put EMT people on the ambulances. Then they taught America how to do it. So there's lessons learned in everything.

[51:00] Susan Simpson: Though I hadn't realized it at first, the Thiokol disaster had touched the Swain case as well. Harold and Thelma Swain's niece, Teresa, the wife of Lawrence Brown, had survived the explosion. I had gone to Springfield, Georgia, where Teresa lives, with Jennifer Whitfield, Dennis's attorney over at GIP. We'd been hoping to learn more from Teresa about Lawrence Brown, and where he'd been in the years after the Gilman Paper Company hitman incident had happened. But when Teresa mentioned being at Thiokol on the day of the disaster, I'd wanted to know more about that.

Teresa told us about how, on the day of the explosion, Thelma Swain had been working out in her garden, as she'd loved to do. When Thelma Swain had felt the earth move beneath her, she'd known immediately what it was. She would later tell Teresa that, when the ground had shook, and she'd heard the booms from the explosions, the first thought she had was: Lord, who died there today?

Thelma Swain hadn't known it then, but her niece Teresa was one of the workers there at Thiokol. Teresa and her best friend, Bertha Mae, had actually been supposed to have had the day off, but at the last minute, they'd decided to go into work anyway. She and Bertha Mae both worked in the cure room of Building 132, where they mixed chemicals. And Teresa had several cousins who were also working in Building 132 that day, but they were down on the assembly line, making trip flares. Teresa told me that was why she was still in the building when the explosion happened. One of her cousins had stepped away to the bathroom, before the fire started, and Teresa was trying to find her, to warn her. Suddenly, everything, all around her, was just fire. And when she turned around again, that's when she saw her best friend, Bertha Mae, engulfed in flames. Teresa began to run, and reached the bathroom door, and swung it open. Her cousin was there. "Run", she yelled. "The building is on fire".

The last thing Teresa remembered was the feeling of her hand on that doorknob as the door was blown away from her, and then she was flying through the air.

When Teresa came to, she found herself lying by the roadside, hundreds of feet from where Building 132 had once been. Her feet were on fire. And another worker had fallen nearby, but she was less injured, and was able to help Teresa put the fire out.

She was taken to Jacksonville and hospitalized, but she recovered, though it took some time, as she'd been badly injured. Teresa's friend, Bertha Mae Hill, had also survived

the initial blast, but had third degree burns over much of her body. Six weeks after the explosion, she died, becoming the disaster's 29th and final victim.

Teresa eventually recovered and was released from the hospital, but she never returned to Thiokol. She told me that on the day of the explosion, she'd told the Lord that if he got her out that day, she'd never go back. Instead, she and Lawrence Brown had left Camden County and ended up in Miami, though Teresa couldn't quite remember why they had gone there, or remember what Lawrence Brown was doing while they were there. But they'd been there for a time, before returning back to Georgia.

And as for the Swain case, well, Teresa told me there wasn't much she could help us with. She'd been in Springfield when it happened, she said, and she had never known anything about it, beyond what she'd heard from investigators.

The day that Jennifer Whitfield and I had gone to Springfield had spoken to Teresa Brown, the person we'd really been hoping to talk to was actually Teresa's daughter, Lafane. When Teresa and the man she'd eventually marry, Lawrence Edward Brown, had left for Miami, Lafane had stayed in Camden, with the Swains. From there, the Swains had raised Lafane as if she was their own. Teresa told me the Swains had always wanted children but couldn't have them, and when she'd left Lafane with them, Lafane had become the daughter they'd never had.

I had a lot of questions for Lafane, but one big question in particular. It had to do with a story I'd heard in Waverly. I'd first heard it from Ms. Lavinia -- the 10th and missing church witness. But when Lavinia had told me this story, it had confused me at first. Lavinia had suddenly started talking about how, after the murders, she'd been worried that someone else might be in danger too. Someone had given the killer directions to the church, she told me.

Lavinia:

He's got to go back and get her, because he don't want her to know, he don't want her to be able to identify him.

Susan Simpson:

So, who is 'she'?

Lavinia:

The daughter that they raised.

Susan Simpson:

Lafane?

Lavinia:

Lafane. Was home alone.

Susan Simpson:

She was. She gave directions to someone, do you think?

Lavinia:

That person had apparently been to the house and asked something about Harold Swain, and she said, seemingly she told him he was at the church. And so when that happened, and I thought about it, I said "Oh, if she gave him directions to the church, he's gotta go back and get her, because she's seen him." And I haven't seen her since.

Susan Simpson:

She moved to Springfield.

Lavinia:

Illinois?

Susan Simpson:

No, Savannah? It's almost Savannah.

When I spoke to Gwen Owens, the church witness who was not called to testify at Dennis Perry's trial, I heard the same story again. A white man had gone to the Swain's house, and spoken to Lafane, and asked for directions. Where could he find Harold? At the church, Lafane told him.

Gwen Owens had no first-hand knowledge of this, but it was what she'd always heard -- to her, it was a commonly accepted fact. A white man had come to the Swain's house and asked Lafane if Harold Swain was there, and Lafane had told him no, he's at Rising Daughter.

Over the years, Lafane has given a few brief statements to police and investigators, but none of her statements have ever mentioned anything like the story I was told by

Lavinia and Gwen Owens. Was this just another baseless rumor? Or could it actually be true?

I don't know the answer. As far as I know, Lafane is the only one who does, and I wasn't able to speak to her. The subject of Harold and Thelma's murder is too painful, and understandably she does not want to relive it. So I asked a relative to pass along one question to her for me: I'd heard this rumor, I said, and I just wanted Lafane to let me know if it wasn't true. Had a white man come to the house to ask for directions about where to find Harold? The relative passed on the question, but Lafane declined to answer, and asked me not to contact her again.

So, for now, I have to leave it at that.

I do wonder though if there's more to that story. And I wondered more about a rumor I heard while at the Thiokol Museum, talking to Jannie and a few women who'd survived the Thiokol blast.

[57:44] Susan Simpson:

Do you recall the case when Harold and Thelma Swain were killed?

Woman 1:

Yeah, down on North End. The guy went in... bible study, bible study. Killin' him, kill his wife. Why did they said it was he killed him?

Woman 2:

I never did know, I don't think they ever say why he killed them. (crosstalk). Where's Jannie?

Jannie Everette:

...They was lookin' for the girls, from Miami. Yup, then they thought (inaudible)...

Susan Simpson:

Wait, what is this?

Jannie Everette:

They were lookin' for a girl. The girl came home to her community, but the girl didn't go to bible study that night. So they were lookin' for her when they killed them.

Susan Simpson:

Could you tell me that story again? I've not heard this part of it.

Jannie Everette:

The people that were in the church, The Swains, yeah, the daughter had come home and some drug dealers came lookin' for her, right, and they killed the family. The family was in the church, and she wasn't there that night.

Susan Simpson:

Who did you hear this from?

Jannie Everette:

When I... I don't know where I was at. But I heard it from, you know, different people givin' accounts of what was going on at the church at the time. You know, in the community at the time. But they said actually this girl was being protected, she was supposed to be being protected, but she came home.

Jannie Everette and the other women had known nothing more about the rumors they'd heard. And maybe that's all it is, a rumor. But the story Jannie knew reminds me so much of the story Jeff Kittrell told investigators back in 1985. Because, according to Jeff Kittrell, the Swains had been hit due to a drug dealing relative, a man he had known as Ed Brown. Only, Ed Brown had been in witness protection maybe, or was hidden away somewhere -- Jeff Kittrell wasn't sure exactly, all he knew is that Brown couldn't be found. And so they'd gone for Brown's family instead. And that's why the Swains had been murdered, according to Jeff Kittrell. And also, according to the rumor that Jannie Everette heard.

[1:00:09] Rabia Chaudry: Camden County is and was a segregated part of America, but there was one thing in the county that, for decades, reliably crossed racial lines. And that was support for the Sheriffs Smith. Chris Viola, the Florida Times Union photographer, wasn't originally from the south, and he remembered how counterintuitive some of the political dynamics in Camden County had initially seemed.

Chris Viola:

In this, in Georgia, he's not gonna have the support of the black community or somethin' like that, is the stereotype you'd think, but the support was pretty wide-ranging, you know what I mean. And it was everybody.

Camden County is 40% African American, and having African American electoral support was critical to Sheriff Smith's electoral success, and had been for his father before him. And, well, they'd largely had it.

Jannie Everette:

Willie Smith... people loved him.

[1:00:55] Susan Simpson: To give me an example of why he'd been so popular, Jannie told me a story about how Sheriff Willie Smith had responded when, after the Thiokol disaster, there'd been an incident with some people who'd come into town and tried to take advantage of the families of some of the Thiokol workers.

Jannie Everette:

But the most powerful person in the county was the sheriff. I mean when those people came in and started takin' advantage of the Black workers' families that had been killed, and he found out about it, they even published it in the newspaper: "Get out of my county!" He told them, "Get out!"

Willie Smith was extremely popular in Camden County, but he managed to keep a much lower media profile than his either his father or son succeeded in doing. One of the few articles on him outside of the local media comes from a profile was run on him in 1972, when Willie Smith was then in his 29th year as Sheriff. The article said:

Being sheriff of Camden County has made the lean quiet-talking man one who attempts to solve puzzles. He fits people into their environment. If they don't fit, he asks the people involved to help him with his puzzle. Sheriff Smith gave an example: "If I see a man driving down the road, I try and fit him to the car. If he's driving an expensive car and wearing a cheap outfit, he fit." I asked. "Well, what if he doesn't fit?" "Then I stop him and find out why he doesn't fit."

The article made me think of something else that Jannie Everette had told me, about a woman she'd known who once who had moved to Camden County.

Jannie Everette:

And she used to come through here, and she liked it. So when she hit the lottery, she quit her job, came here, bought a house in Laurel Island, right, the gated community, she bought a brand new jag and everything, they was pulling her over all the time, over here in that McDonald's drive, that vehicle she had, she

kept complainin' to the mayor, and then finally one day I saw her, she said, I said, "Where've you been?" She says, "I sold the house in Laurel and I moved to Macintosh County in the woods." She said, "I am tired of being stopped. Driving While Black."

But Sheriff Willie Smith and Sheriff Bill Smith were popular among black voters, and it was well known that Bill Smith relied heavily on black political support in order to be successful elections. In fact, it was so well-known, that last year, it ended up being the cause for a murder conviction being overturned.

[1:03:20] Colin Miller: In 2007, Dr. Noel Chua went on trial in Camden County, charged with felony murder for prescribing painkillers to a patient that he knew struggled with addiction issues, and who died due to an overdose from the drugs that Dr. Chua had prescribed. Ultimately, Dr. Chua was convicted and sentenced to life in prison.

It was a difficult trial for the prosecution for a number of reasons, though, and not just because of the somewhat novel theory of felony murder liability. Dr. Chua was also known to be a close friend and ally of Sheriff Smith's, which meant that jury selection was going to be a tricky business. To help then-assistant district attorney Jackie Johnson -- no relation to John Johnson -- Camden County Commissioner and frequent Bill Smith opponent wrote a memo. The memo provided the prosecutor with notes on the individuals on the jury pool, and an assessment of their allegiance to Bill Smith.

Steve Berry's memo read,

These notes are a composite of several people viewing the list. If it says "Bill Smith supporter" that means either they are close to Bill; visit the office regularly; and/or either ask or have had favors done for them. ... Also, in your voir dire, be aware of the auxiliary deputy badges that are out there. Some 170 have been issued by Bill for a variety of reasons and the holders of those would be most grateful to the Sheriff. Find out if anybody is holding one of those and avoid them too.

The memo from Commissioner Berry also noted that the prosecutor would have to be vigilant against jury tampering:

Also, make sure the judge puts the fear of God into the final 12 [jurors]. Since you'll select them this week and start the trial next week, there's time for people to approach them. [Sheriff] Bill [Smith] [and deputies] Charlie [Easterling], and

[Jim] Proctor are masters of this. They know how to do it without leaving a trail. Once you have them sequestered you're fine, but it's before then than bothers me. The judge needs to make clear the penalty for that because it's a 100% certainty that it will happen.

As disturbing as it was for the county commissioner to be informing the prosecutor that jury tampering by the sheriff was 100% certain, it was the final instruction in the jury selection memo that was relevant to Dr. Chua's appeal. It said:

Personally, I would avoid blacks on this jury. I understand you have some constitutional concerns there that have to be kept in mind, but try and avoid them. Bill has lots of ties there and they would be the easiest for him to get to.

Dr. Chua's defense learned of this document not long after the Georgia Supreme Court had upheld his conviction, but was not able to obtain the full memo for three years. It was withheld on the grounds of being privileged attorney work product. After years of litigation under the Open Records Act, the document was finally given to Chua's defense. Before Chua could use this memo to raise a challenge to his conviction -- because, yes, there are constitutional concerns with this memo, to say the least -- Chua's conviction was quickly overturned and a plea bargain was entered to let Dr. Chua walk out of prison. As a result, Dr. Chua was freed before discovery could ever be done into whether DA Jackie Johnson had been truthful in her claims that she had no knowledge whatsoever of the memo's existence.

[1:06:08] Rabia Chaudry: And that brings us back to the Swain case, and how racial issues in Camden County impacted the response from law enforcement, both back in 1985, and, later on, when the case was reopened.

But you may remember, way back from Episode 1 of this Season, in the Unsolved Mysteries episode, Sheriff Smith talked about his family's friendship with the Swains.

Sheriff Smith, *Unsolved Mysteries*:

Harold and Thelma were personal friends of mine and my family's.

And no, it's not that strange in Camden County for any citizen to know the sheriff. The sheriff knows everyone, or at least Sheriff Smith did. But there was more to that here. Again and again in the case record, there's this rejection of the idea that the Swain murders were a hate crime for a very specific reason:

Susan Simpson:

But the responses to me have this weird undercurrent of... no, this isn't racist, because if it was, a white person wouldn't be targeting these black people.

Dr. Marcia Chatelain:

Right. And I think that this is actually really powerful because of the Swains' position as leaders of a church community. And it falls in line with some stuff that emerges in the late 19th century and the early 20th century about very small groups of African Americans who are able to negotiate with whites for power in order to allow for schools to open, or for resources to come into Black communities that, you know, what we call, what us historians call brokerage politics, are really powerful in a time where African Americans have no recourse from the government, from law enforcement, from the courts. They have very very limited resources, so there are these people who emerge in the community who broker deals.

[1:07:45] Rabia Chaudry: Harold Swain worked with Sheriff Bill Smith, and his father before him. He also helped support the sheriff politically, and turn out support for him during elections. Harold Swain ran for public office, and had some success.

Dr. Marcia Chatelain:

And so this is the type of ways that races lived in America that isn't the drama that we associate with boycotts and sit-ins and the Civil Rights Movement. But the ways that people negotiate everyday survival because they're afraid for their jobs, they're afraid for their safety, they're afraid for the livelihood of their children, and so I think that Camden County in many ways illustrates the ways that people kind of have these unwritten rules, and operate within those unwritten rules. But when something happens like the tragedy at this church, it opens up the layers and these quiet rules are exposed.

The Swain murder went unsolved for many years. This was not something that went unnoticed -- it wasn't as though this horrific crime had simply been forgotten. People still cared, they wanted it solved. It was a blight on Sheriff Smith's record that left him exposed to uncomfortable questions about who really was served by his rule over Camden County.

[1:09:03] Susan Simpson: That's probably why, while investigating the Swain case, I began to hear these stories, mostly second-hand from people who knew people at the sheriff's office, about how this case had become something of a political liability for

Sheriff Smith. An albatross around his neck, one person had described it. There were a lot of stories, but they were indirect. But over the years, it seems. people at the sheriff's office around Bill Smith had told other people, and those people would eventually tell me, about how the sheriff's office had felt pressure to solve the Swain case. About how, after all these years, there'd been a fear that voter patience was running thin. The message that had been received by the sheriff's office, at least as it was relayed to me, was simple: solve the Swain case, or face opposition at the next election.

But when I talked to the people who'd been having these discussions with Sheriff Smith, people outside of the sheriff's office, I got a slightly different picture. Their discussions with Sheriff Smith had not been posed as threats, but more like warnings. Or maybe even well-intentioned political advice. Do something about the Swain case, they told him. Try to solve it. Do something or this will be a problem.

[1:10:09] Colin Miller: Because this kept coming up in every election. A thorn in Sheriff Smith's political side he couldn't quite shake. People would say, well, he's got all this money from seized drug money, and he's so good at finding drug dealers, but why can't he solve this murder that happened in our community? And Smith's opponents would harp on it, hold it up as an example of his failure at the law enforcement part of his job.

But then, at the turn of the century, Sheriff Smith had solved it. He'd taken money from the seized assets fund to pay for Dale Bundy to come back to the Sheriff's Office. And within one week, Bundy identified the prime suspect. Within three weeks, Bundy had found two eyewitnesses to ID that suspect, and he'd found Jane Beaver, who would tell him that his suspect had confided in her about his plans to commit the murder.

And then.... nothing. For a year and a half, there was almost no movement in the case. No additional evidence of any significance that was obtained against Dennis Perry. It wasn't until January of 2000 that things exploded into life again. Based solely on the evidence that had been obtained a year and a half prior, Dennis Perry was suddenly indicted and arrested and charged with the murders. Butch Kennedy, former deputy at the Camden County Sheriff's Office, remembers that to him, the timing had seemed convenient.

Susan Simpson:

When'd you find out that Dennis Perry was charged?

Butch Kennedy:

In the paper. I think it was in the paper. I know it was an election time (chuckles).

Susan Simpson:

Oh, it was? Election time for who?

Butch Kennedy:

Bill Smith.

Susan Simpson:

Did you wonder if there was a correlation there, or...?

Butch Kennedy:

Well when you have a bitter taste in your mouth, sometimes, yes.

Susan Simpson:

What would be the correlation though? Like... would solving this case help Bill in the election? Or...?

Butch Kennedy:

Yeah. Yeah!

Perhaps the timing was just a coincidence, but if so, it couldn't have served Sheriff Smith's interests any better. In Camden County, it had always been the primary election that mattered the most, not the general. Which meant that, in winter and spring of 2000, right when candidates would be deciding whether or not to run that year, Sheriff Smith had been given the giant feather for his cap. The Swain case was solved. If it was a strategy, it would be an effective one.

Mike Ellerson:

That's one way to get a buttload of votes, is if you shock the interest of people and let them know, I'm here for you... is, crank open a case, bring it back to life, and people will feel somewhat secure that you tried to do something. Because I mean, it lingered on what, like 15 years or whatever, somewhere in there?

[1:12:41] Susan Simpson: No one ran against Sheriff Smith in the 2000 election. But then, before the next election cycle came around, something changed. Since his first election, and his daddy's first election, and his granddaddy's first election, Bill Smith had always run as a Democrat. But in 2003, perhaps reading the prevailing political winds in southern Georgia, Bill Smith bailed on the Democrats and joined the Republican party.

The next election, in 2004, Sheriff Smith faced a Republican challenger during the primary, but he fought off the competition and held on to his sheriff's star. But in 2008, Sheriff Smith was facing more challenges than he had in any previous cycle.

With heavy news coverage of his most recent scandals popping up in local and even national media, the opposition forces grew stronger. And the Swain case was no longer an unmitigated political victory for Sheriff Smith. In 2000, following Dennis Perry's arrest, and in 2004, following Dennis Perry's conviction, Bill Smith had been able to play up his success in solving the Swain case to his advantage. But in 2008, at least in terms of media exposure, it was now a liability, with articles written about how shoddy the Camden County Sheriff's Office had been in handling the evidence in the case. And Sheriff Bill Smith, now a Republican, and not a Democrat, was facing an election with new dynamics at play. Most African American voters were voting on the Democratic ticket, not the Republican.

(Sheriff Bill Smith's campaign song starts playing in the background).

Plus there was a little issue from a prior fiscal year, with Bill Smith overspending his budget by \$1 million, which would ultimately force the sheriff's office to force all employees to take time off without pay, just so they could keep the lights on. Oh, and not to mention, there was also the little matter of the 18-month long ongoing FBI and GBI investigation into Sheriff Smith's use of inmate labor.

All of this combined was enough to finally topple the Smith dynasty. In an unexpected upset win, Tommy Gregory defeated Bill Smith, and became the new sheriff of Camden County.

(Bill Smith's campaign song continues playing in the background)

Bill Smith may be gone from Camden County, but his legacy, it is safe to say, is in no danger of going anywhere anytime soon. And that legacy includes what the Sheriff's Office did in Camden County, to make sure Dennis Perry would be convicted. Next time, on Undisclosed.

[1:15:09] Susan Simpson: That's all for Episode 20 of Undisclosed, the State vs. Dennis Perry. Next week will be the 21st and final episode in this series. There's also a special addendum this week, so send us your questions with the hashtag #udaddendum.

Mital Telhan is our executive producer. Our logo was designed by Ballookey, and our theme music is by Ramiro Marquez and Patrick Cortez. Audio production is done by Rebecca LaVoie of Partners in Crime Media, and host of the Crime Writers On podcast.

You can find case-related materials on our website at undisclosed-podcast.com. Transcripts of this episode and prior episodes are also available, prepared by our transcribing team Brita Bliss, Erica Fladell, Dawn Loges, and Skylar Park.

And special thanks to Jannie Everette for speaking to me for this episode. If you'd like to learn more about Thiokol, check out the memorial project's website at Thiokolmemorial.org, and while you're there, consider making a donation. Currently, the Thiokol Memorial Project is raising funds to dedicate Interchange 7 in Camden County as a Thiokol memorial.

Jannie Everette:

What we're tryin' to do is have the interchange dedicated to the 30 people that gave their life in production of munitions in support of our troops defending the national cause during the Vietnam war. The dedication at Harris Bluff is actually because that formerly was the old Thiokol road, now it's called Harris Bluff Road, was the only roadway to and from the Thiokol chemical plant. And that's, down that road is where they lost their lives. And we would really like to dedicate that interchange, were looking for sponsors for the interchange initiative.

You can donate to the project at thiokolmemorial.org/donate. Thanks so much for listening to this episode, and catch you next week for the final episode of Season 3.