

**IN THE SUPERIOR COURT OF CHATHAM COUNTY
STATE OF GEORGIA**

PETER DELATORRE,)
MICHAEL DELATORRE,)
ROBERT VON LOEWENFELDT, and)
LAWRENCE HARRIS,)
)
Plaintiffs,)

vs.)

WILLIE C. LOVETT, former Chief of Police,)
Savannah-Chatham Metropolitan Police)
Department)
PETE LIAKAKIS, former Chatham County)
Commission Chairman)
RUSSELL ABOLT former County Manager,)
Chatham County,)
MICHAEL BROWN, former City Manager,)
City of Savannah,)
JULIETTE TOLBERT, Assistant Chief of Police,)
Savannah-Chatham Metropolitan Police)
Department,)
MAALIK KHAALIS, former Sergeant,)
Savannah-Chatham Metropolitan Police)
Department and Chatham-Savannah Counter-)
Narcotics Team,)
WILLET WILLIAMS, former Star Corporal,)
Savannah-Chatham Metropolitan Police)
Department,)
FLOYD SAWYER, former officer, Savannah-)
Chatham Metropolitan Police Department,)
JAMES WILLIAMS, former Corrections Officer,)
Coastal State Prison,)
RODNEY GERIDO, former Sergeant, Savannah-)
Chatham Metropolitan Police Department,)
CEDRIC PHILLIPS, former Captain, Savannah-)
Chatham Metropolitan Police Department)
ERIC HENDERSON, former Sergeant, Savannah-)
Chatham Metropolitan Police Department,)
GREG RAMSEY, Lieutenant, Savannah-Chatham)
Metropolitan Police Department,)
HENRY "HANK" WILEY III, former Director of)
Internal Affairs, Savannah-Chatham Metropolitan)
Police Department, and)
ANDRE OLIVER, former Lieutenant, Savannah-)
Chatham Metropolitan Police Department,)
)
)
)
Defendants.)

Civil Action Number: SPCV15-_____ -AB

JURY TRIAL REQUESTED

COMPLAINT

COME NOW the above-named Plaintiffs, by and through counsel, and file this, their Complaint, against Willie C. Lovett (former Chief of the Savannah-Chatham Metropolitan Police Department (“SCMPD”)), Pete Liakakis (former Chatham County Commission Chairman), Russell Abolt (former County Manager of Chatham County, Georgia), Michael Brown (former City Manager of Savannah, Georgia), Juliette Tolbert (Assistant Chief of Police, SCMPD), Malik Khaalis (former Sergeant with SCMPD and the Chatham-Savannah Counter-Narcotics Team (CNT)), Willet Williams (former Star Corporal, SCMPD), Floyd Sawyer (former Officer, Savannah-Chatham Metropolitan Police Department), James Williams (former Corrections Officer, Coastal State Prison), Rodney Gerido (former Sergeant, SCMPD), Cedric Phillips (former Captain, SCMPD), Eric Henderson (former Sergeant with SCMPD), Greg Ramsey (Lieutenant, Savannah-Chatham Metropolitan Police Department), Henry “Hank” Wiley (former head of Internal Affairs, SCMPD), and Andre Oliver (former Lieutenant, SCMPD), respectfully showing the Court the following:

INTRODUCTION

1.

This civil action, brought to recover damages under the Georgia Racketeer Influenced and Corrupt Organizations Act (O.C.G.A. § 16-14-1 *et seq.*) (hereinafter “Georgia RICO” or “RICO”), arises from the takeover of an otherwise legitimate organization, the Savannah-Chatham Metropolitan Police Department (“SCMPD”), and infiltration of the Counter Narcotics Team (“CNT”), by corrupt officers, who in turn used their positions both in the Department, and while assigned to CNT, to serve their own illicit purposes.

2.

These corrupt officers, led by the Chief of Police, engaged in “unlawful conduct, and the illegal use of force, fraud, and corruption” to control a network of “highly sophisticated, diversified, and widespread activity” including “such illegal endeavors as...the importation and distribution of narcotics and other dangerous drugs.”¹

3.

Chief Lovett, with the assistance of his co-conspirators, seized control of the Department in order to channel their criminal activities through an institution whose primary purpose was to *disrupt* criminal activity.

4.

In the process, these racketeers subverted, corrupted, and undermined the legitimacy of good police work. They compromised the safety and welfare of both their fellow officers and the public they were sworn to protect. This Complaint shows how four honorable police officers, the Plaintiffs herein, were threatened, transferred, and ultimately forced out of the Department by corrupt officers, in order to prevent the Plaintiffs from rooting out the criminal activity of the corrupt enterprise.

5.

SCMPD is a joint enterprise sponsored by Chatham County, Georgia and the City of Savannah, Georgia. Each respective government utilizes a manager as the chief individual responsible for overseeing all operations of the County or the City. As is shown in this

¹ Statement of Findings and Purpose, Organized Crime Control Act of 1970, Pub. L. No. 91-452, 84 Stat. 922, 922-23 (1970). Georgia’s RICO statute is modeled on the Federal statute. *Wylie v. Denton*, 323 Ga. App. 161, 166, n. 7, 746 S.E.2d 689, 694 (2013). *See also, Fitzgerald v. Chrysler Corp.*, 116 F.3d 225, 227 (7th Cir. 1997) (POSNER, J.) (describing the “prototypical RICO case” as one in which “a person bent on criminal activity seizes control of a previously legitimate firm and uses the firm’s resources, contacts, facilities, and appearance of legitimacy to perpetrate more, and less easily discovered, criminal acts than he could do...without channeling his criminal activities through the enterprise that he has taken over”).

Complaint, rather than effectively, honestly, and ethically overseeing the operations of the SCMPD, the managers of both the County and the City were key participants in the furtherance of the criminal activity of the corrupt enterprise. Each manager had opportunities to end the corruption, but rather than take the steps to end the corruption, the managers aided, abetted, and actively supported the corruption of SCMPD and CNT.

JURISDICTION AND VENUE

6.

This Court has jurisdiction pursuant to the Georgia Civil Practice Act, including O.C.G.A. §§ 9-10-91 and 9-10-30. This Court also has jurisdiction over this action pursuant to O.C.G.A. § 15-6-8(1), and Ga. Const. art. VI, § 4, ¶ 1.

7.

Venue is proper under the Georgia Civil Practice Act, O.C.G.A. § 9-10-30, *et seq.*

8.

This action is timely filed within the applicable statutes of limitation.

PARTIES

9.

Plaintiffs are former police officers who were, at all times material to this Complaint, employed by the Savannah Chatham Metropolitan Police Department (hereinafter “SCMPD”).

10.

Plaintiff Peter Delatorre is a citizen of the state of Georgia, Bryan County, and submits himself to the jurisdiction to this Court. Peter Delatorre held the rank of Advanced Police Officer in the Savannah-Chatham Metropolitan Police Department until he was constructively discharged in November 2012.

11.

Plaintiff Michael Delatorre is a citizen of the state of Georgia, Chatham County, and submits himself to the jurisdiction to this Court. Michael Delatorre held the rank of Advanced Police Officer in the Savannah-Chatham Metropolitan Police Department until he was constructively discharged in November 2013.

12.

Plaintiff Robert von Loewenfeldt is a citizen of the state of South Carolina, Horry County, and submits himself to the jurisdiction to this Court. Von Loewenfeldt was hired by the Chatham County Police Department and served in the Savannah-Chatham Metropolitan Police Department at the rank of Sergeant until he was constructively discharged in March 2013.

13.

Plaintiff Lawrence Harris is a citizen of the state of Georgia, Effingham County, and submits himself to the jurisdiction to this Court. Plaintiff Harris held the rank of Advanced Police Officer in the Savannah-Chatham Metropolitan Police Department until he was constructively discharged on January 5, 2011.

14.

Defendant Willie Clinton Lovett is a citizen of Georgia who is temporarily residing in a federal prison in West Virginia. Defendant Lovett can be served with process c/o Inmate Register No.: 18961-021, USP Hazelton, U.S. Penitentiary, 1640 Sky View Drive, Bruceton Mills, WV 26525.

15.

Defendant Lovett became Chief of Police in April 2010 and held that position until he abruptly retired on September 27, 2013. At all times material to this Complaint, Defendant

Lovett was an employee, agent, and representative of the Department whose duties and responsibilities were to represent the interests of the Department, the City of Savannah, and Chatham County. At all material times, Defendant Lovett appeared to be acting within the scope of his apparent authority.

16.

Defendant Pete Liakakis is an individual residing at 17 East Perry Street, Savannah, GA 31401. Defendant Liakakis served as Chairman of the Chatham County Commission from January 2005 until January 2013. At all material times, Defendant Liakakis appeared to be acting within the scope of his apparent authority.

17.

Defendant Russell Abolt is an individual residing at 110 Olde Towne Road, Savannah, GA 31410. Defendant Abolt was the County Manager for Chatham County, Georgia from 1988 until May 2014. At all material times, Defendant Abolt appeared to be acting within the scope of his apparent authority.

18.

Defendant Michael Brown is an individual residing at 1 Sir Lancelot Court, Savannah, GA 31405. Defendant Brown was the City Manager for the City of Savannah from 1995 until May 2010. At all material times, Defendant Brown appeared to be acting within the scope of his apparent authority.

19.

Defendant Tolbert is an individual residing at 63 Crestwood Drive, Savannah, GA 31405. Defendant Tolbert is presently the Assistant Chief of Police for the SCMPD. At all material times, Defendant Tolbert appeared to be acting within the scope of her apparent authority.

20.

Defendant Khaalis is an individual residing at 5 Fontenot Court, Savannah, GA 31405 who was previously employed as a Sergeant with SCMPD. At all material times, Defendant Khaalis appeared to be acting within the scope of his apparent authority.

21.

Defendant Willet Williams is an individual residing at 1521 Pendleton Street, Savannah, GA 31405 who was previously employed as a Star Corporal with SCMPD. At all material times, Defendant Williams appeared to be acting within the scope of his apparent authority.

22.

Defendant Floyd Sawyer is an individual residing at 740 South Main Street, Apt. 42, Hinesville, Georgia 31313 who was previously employed as an officer with SCMPD. At all material times, Defendant Sawyer appeared to be acting within the scope of his apparent authority.

23.

Defendant James Williams is an individual residing at 1463 East 40th Street, Savannah, GA 31404 who was previously employed as a corrections officer at Coastal State Prison. At all material times, Defendant James Williams appeared to be acting within the scope of his apparent authority.

24.

Defendant Gerido is an individual residing at 115 Marsh Edge Lane, Savannah, GA 31419 who was previously employed as a Sergeant with SCMPD. At all material times, Defendant Gerido appeared to be acting within the scope of his apparent authority.

25.

Defendant Cedric Phillips is an individual residing at 291 Rathlin Road, Richmond Hill, GA 31324 who was previously employed as a Captain with SCMPD. At all material times, Defendant Phillips appeared to be acting within the scope of his apparent authority.

26.

Defendant Eric Henderson is an individual residing at 3812 Renwick Village Drive, Savannah, GA 31410 who was previously employed as a Sergeant with SCMPD. At all material times, Defendant Henderson appeared to be acting within the scope of his apparent authority.

27.

Defendant Greg Ramsey is an individual residing at 112 Saint Andrews Way, Savannah, GA 31410. Defendant Ramsey is currently a Lieutenant at SCMPD. At all material times, Defendant Ramsey appeared to be acting within the scope of his apparent authority.

28.

Defendant Henry "Hank" Wiley is an individual residing at 7 Mainhouse Lane, Savannah, GA 31419 who was previously employed as a Captain with SCMPD. At all material times, Defendant Wiley appeared to be acting within the scope of this apparent authority.

29.

Defendant Andre Oliver was an individual who resided at 117 Mallard Drive, Savannah, GA 31415. Defendant Oliver was employed as a Lieutenant with SCMPD. At all material times, Defendant Oliver appeared to be acting within the scope of this apparent authority.

30.

On June 24, 2014, Defendant Oliver took his own life. Plaintiffs have searched, but can find no evidence that Defendant Oliver's estate has been probated. Therefore, the Plaintiffs

reserve the right to amend this complaint to substitute the Estate of Andre Oliver as a defendant upon the creation of said estate either by the heirs of Defendant Oliver or by the Plaintiffs. For the sake of clarity and completeness, the allegations against Defendant Oliver have been included in this Complaint. The claims stated against Defendant Oliver herein are the claims which will be asserted against the estate upon its creation.

FACTUAL ALLEGATIONS

RICO Culpable Person(s)

31.

While the precise number of racketeering participants and co-conspirators has fluctuated over the past decade, all Defendants named above have participated in the criminal activity of the corrupt enterprise, to wit: SCMPD, at times material to this action.

Willie C. Lovett

32.

Defendant Willie Lovett joined the Savannah Police Department in August 1973. On or about 1981, Lovett was promoted to Sergeant. In 1998, Lovett was promoted to the rank of Major. In 2005, Lovett became Assistant Chief. He served in this capacity, and at times as Acting Chief, until being named Chief of Police in 2010.

33.

In 2010, Lovett was one of ten (10) to fifteen (15) applicants for the position of Chief of Police.

34.

The following individuals comprised the SCMPD Public Policy Committee (PPC) who voted in 2010 to hire Defendant Lovett as Chief of Police: Defendant Abolt, Defendant Brown, Defendant Liakakis, and Savannah Mayor Otis Johnson.

35.

On October 27, 2010, Chief Lovett changed the Promotional Process pursuant to SCMPD General Order # PNL-003. A copy of said General Order is attached hereto as Exhibit "A" and incorporated herein.

36.

In effecting this change, Chief Lovett began receiving all the files of all applicants for promotion within SCMPD including those who passed the assessment and those who had not.

37.

As Chief of Police, Defendant Lovett revised and lowered the "passing score" of the assessment each time it was administered. Lovett made these changes to allow himself to promote individuals who otherwise would not have been eligible for promotion.

38.

Defendant Lovett ensured that he personally had authority over all promotional decisions within the department.

39.

Rather than making decisions about promotions based upon the best interest of the public, Defendant Lovett predicated those decisions upon personal loyalty to him. For example, when interviewing candidates for the position of Major, Defendant Lovett would ask only two questions, one of which was: "On a scale of 1-to-10, how loyal are you?" or words to that effect.

40.

On August 5, 2014, a federal grand jury returned an indictment against Defendant Lovett, for extorting cash payments in exchange for protection of an illegal gambling business. A copy of said indictment is attached hereto as Exhibit "B" and incorporated herein.

41.

On November 21, 2014, Defendant Lovett was convicted by a jury in the Federal Court for the Southern District of Georgia for the following offenses: conspiracy to obstruct the enforcement of state criminal laws, two counts of extortion, two counts of making false statements, and commercial gambling.

Pete Liakakis

42.

Defendant Pete Liakakis served as Chatham County Commission Chairman from 2005 until 2013. During that time, Defendant Lovett twice was named Interim Chief of Police and was sworn in as Chief of Police in April 2010.

43.

On at least four occasions in 2009 and 2010, former SCMPD Major Mark Gerbino met with Defendant Liakakis at Olympia Café on Savannah's Bay Street. During these meetings, Gerbino informed Liakakis that Defendant Lovett was engaged in corrupt activities. Despite actual notice of corruption and his sworn responsibility to the citizens of Chatham County, Liakakis took no action to remove Lovett from his position.

44.

In 2010, Defendant Liakakis served on the committee that voted to make Defendant Lovett police chief. Rather than acting in the best interest of the public, Liakakis, with

knowledge of the ongoing corruption of Lovett, took the substantial step to aid and assist in the ongoing corruption by promoting Lovett to police chief.

Russell Abolt

45.

Russell Abolt served as Chatham County Manager from 1988 until May 2014. During that time, Lovett rose through the ranks of SCMPD, was twice named Interim Chief of Police and was sworn in as Chief of Police in April 2010. During his tenure as County Manager, Abolt ignored repeated warnings that Lovett was corrupt and actively lobbied have Lovett named permanent Chief of Police.

46.

On or about October 2009, a group of high-ranking SCMPD officers, including Lieutenant Michael Wilson and Training Director Gary Taylor, requested to meet with Defendant Abolt. During this meeting Abolt was warned against naming Lovett Chief of Police. Abolt ignored that warning and continued to advocate that Lovett be named Chief of Police.

47.

In 2010, Defendant Abolt served on the committee that voted to make Defendant Lovett police chief. Rather than acting in the best interest of the public, Defendant Abolt, with knowledge of the ongoing corruption of Defendant Lovett, took the substantial step to aid and assist in the ongoing corruption by promoting Lovett to police chief.

48.

On or about May 2010, Major Mark Gerbino met with Defendant Abolt in Abolt's office to warn him that Lovett was corrupt. Gerbino gave Abolt details of Lovett's corruption.

49.

Within minutes of leaving Defendant Abolt's office, Gerbino received a phone call from Defendant Lovett. Lovett demanded to know why Gerbino had just gone to Abolt's office and told Abolt that Lovett was corrupt.

50.

Gerbino immediately returned to Defendant Abolt's office and confronted Abolt about calling Defendant Lovett. Abolt did not deny that he had divulged to Lovett that Gerbino had said Lovett was corrupt.

51.

Despite actual notice of corruption and his responsibility to the citizens of Chatham County, Defendant Abolt took no action to remove Defendant Lovett from his position. Rather, Abolt took the substantial step to aid and assist in the ongoing corruption by alerting Defendant Lovett of the meeting with Gerbino and providing Lovett with the information Gerbino had divulged.

52.

On September 24, 2010, CNT Director Roy Harris sent a memorandum and supplemental report to Defendant Abolt. This memo and report contained considerable investigative detail regarding the activities of Defendants Khaalis and Willet Williams.

53.

Rather than act in the best interest of the public by intervening to stop the ongoing corruption, Defendant Abolt, took the substantial step to aid and assist in the ongoing corruption by alerting Defendant Lovett of the existence of the Roy Harris Memo and providing Defendant Lovett a copy of said memo.

Michael Brown

54.

Michael Brown served as Savannah City Manager from 1995 to May 2010. During his tenure as City Manager, Brown received specific information and multiple warnings that Lovett was corrupt.

55.

Michael Berkow was police chief at SCMPD from November 2006 to October 2009. During that time, Defendant Lovett served as Assistant Chief. On several occasions Berkow requested permission to fire Lovett due to suspicion of corruption. However, Brown told Berkow that elected officials in the City of Savannah protected Lovett, and Brown refused to allow Berkow to fire Lovett.

56.

In 2010, Defendant Brown served on the committee that voted to make Defendant Lovett police chief. Rather than acting in the best interest of the public, Brown, with knowledge of the ongoing corruption of Defendant Lovett, took the substantial step to aid and assist in the ongoing corruption by promoting Lovett to police chief.

57.

At some time in early 2010, Major Mark Gerbino met with Defendant Brown and specifically informed him that Lovett was corrupt. Brown told Gerbino that Defendant Lovett was protected by elected officials and that Lovett could not be fired. Despite actual notice of corruption and his responsibility to the citizens of Savannah, Defendant Brown took no action to remove Lovett from his position.

Malik Khaalis

58.

Defendant Malik Khaalis first joined SCMPD on January 10, 2000.

59.

As early as 2004, Khaalis was assigned to the Counter Narcotics Team (CNT), an interagency effort of SCMPD, the Chatham County Sheriff's Office, the Garden City Police Department, the Bloomingdale Police Department, the Pooler Police Department, the Port Wentworth Police Department, the Tybee Island Police Department, the Thunderbolt Police Department, the Chatham County Board of Education Police Department, and the Richmond Hill Police Department.

60.

Defendant Khaalis' position at CNT was as a Narcotics Agent.

61.

As alleged more fully below, Defendant Khaalis used his position as a Narcotics Agent to protect individuals who participated in the trafficking of illegal drugs.

62.

Defendant Khaalis personally benefitted from the assistance he provided to drug traffickers.

63.

On January 22, 2014, an indictment was issued against Defendant Khaalis in Chatham County Superior Court for false statements and violation of oath by public officer. Said indictment relates directly to the criminal activity of the corrupt enterprise at SCMPD. A copy of said indictment is attached hereto as Exhibit "C" and incorporated herein.

James Williams

64.

Defendant James Williams worked as a Corrections Officer at Coastal State Prison in Savannah, Georgia, from June 1999 through September 2007. James Williams worked as a uniformed security officer for the Georgia Ports Authority from September 4, 2007 through July 25, 2008. Shortly thereafter, James Williams then returned to his position at Coastal State Prison and worked there until on or about June 2010.

65.

In June 2008, Plaintiff Peter Delatorre, working in his capacity as a CNT agent, arrested a man at Victory Drive and Abercorn Street for possessing crack cocaine. That man agreed to work for CNT as a confidential informant.

66.

The CNT confidential informant was taken to Coastal State Prison, where the informant's former drug supplier, Percy "Piggy" June Anderson was already incarcerated. See Exhibit "D," CNT Supplemental Report No. 081203021, attached hereto and incorporated herein.

67.

While incarcerated at Coastal State Prison, the confidential informant learned that Defendant James Williams, a guard at the prison, was working with Anderson to smuggle multiple kilograms of cocaine into the prison by placing the drugs in the bottom of cans of paint.

68.

The confidential informant identified Defendant James Williams as having sold multiple ounces of cocaine to Anderson on two occasions during the first half of 2008 while the confidential informant was present. These purchases took place at James Williams' home,

located at 1463 East 40th Street in Savannah, Georgia. The confidential informant said he and Anderson were escorted home by corrupt SCMPD officers driving marked police vehicles after purchasing the drugs.

69.

CNT agents were given two important reasons to believe the confidential informant was truthful:

- 1) The confidential informant was given two polygraph tests wherein he was questioned on the information he gave CNT agents about police corruption. The tests showed the informant to be truthful.
- 2) A SCMPD police report shows that on July 28, 2005, Anderson was driving Defendant James Williams' vehicle when he was pulled over and arrested for possession of cocaine and marijuana with intent to distribute. James Williams was a passenger in the vehicle at the time of the arrest. Defendant Willet Williams arrived at the scene of the arrest, and James Williams was allowed to leave.

70.

In January 2009, CNT Agent Mark Lupus obtained cell phone records for Defendant James Williams. These records were dated from October 8, 2008 through November 28, 2008 and showed that eight (8) convicted drug dealers had connected to James Williams' cell phone (912-272-6461) during that time. Said convicted drug dealers were Kenneth Emerson-Smith, Shawn March, Dwon Moultrie, Jawyan Pringle, Derrick Brown, David Hudson, Dijon McCall, and Freddie Pope.

71.

Defendant James Williams listed known and convicted drug dealers as his contacts on Coastal State Prison employment forms. According to information in the Chatham County Sheriff's Office's Phoenix Electronic Records Management System, known and convicted drug dealer Kevin Wade provided James Williams' cell phone number during an encounter with police.

72.

The CNT confidential informant told Plaintiff Peter Delatorre that Defendant James Williams had a brother who was an SCMPD officer. Defendant James Williams' brother is Defendant Willet Williams, a former SCMPD Star Corporal.

Willet Williams

73.

Defendant Willet Williams used his position at SCMPD, including access to marked police units, to participate in drug trafficking operations in Chatham County for his own benefit.

74.

Defendant Willet Williams first joined Savannah Police Department in 1991. Willet Williams was eventually promoted to Star Corporal, a rank equivalent to that of a Sergeant. As a star corporal, Defendant Willet Williams had supervisory responsibilities within the department.

75.

As detailed above, a CNT confidential informant identified Defendant Willet Williams as providing police escorts in marked SCMPD units to Anderson and the CNT informant on two occasions during the first half of 2008. These escorts were provided after Anderson purchased multiple ounces of cocaine at Defendant James Williams' home.

76.

The confidential informant identified Defendant Willet Williams after seeing Williams in a January 2009 news clip on WTOG-TV. The CNT informant also identified Willet Williams from a photo lineup provided by CNT agents.

77.

The confidential informant identified Defendant Willet Williams as a member of a criminal organization that included multiple SCMPD officers and individuals within local government that was “selling high grade (sic) marijuana, cocaine, and ecstasy pills in large amounts.”

78.

The same confidential informant said the criminal organization was comprised of SCMPD officers who had not been arrested during the “Savannah 11” investigation.

79.

The “Savannah 11” investigation was conducted by the FBI from 1994 to 1997 and resulted in 11 Savannah Police Department officers convicted on federal corruption, drug and gun charges. See Exhibit “E” attached hereto, *A Sad Day For Law Enforcement*, Savannah Morning News, Sept. 13, 1997.

80.

The confidential informant told CNT agents that corrupt officers inside the Savannah Police Department were not charged during the “Savannah 11” investigation. The informant said these officers had been promoted in the department and now held positions of power.

Floyd Sawyer

81.

From a photo lineup of randomly selected officers, the same CNT confidential informant on or about February 2009 identified Defendant Floyd Sawyer, who was a SCMPD officer at the time, as being present in the marked police vehicle with Defendant Willet Williams during the second of the two 2008 drug buys at Defendant James Williams' home.

82.

On or about June 2011, Defendant Sawyer was fired from SCMPD for appearing in a rap video. See Exhibit "F", *Officer Fired For Appearing In Rap Video*, WTOC News, July 1, 2011.

83.

In that video, Defendant Sawyer is seen in a ski mask, slamming a man against his SCMPD squad car with its flashing lights on, then taking the man's money from his pocket. Throughout the video, for a song entitled "You don't want this life," rappers are seen performing in front of Sawyer's squad car. See <https://www.youtube.com/watch?v=e1bo7oykbxk>, retrieved September 30, 2015.

84.

The video was discovered by CNT Agent Todd Desautels of the Chatham County Sheriff's Department, sometime in January or February 2010 as Desautels was investigating a narcotics trafficking organization. The prime targets of that organization were Hezekiah Murdock and Josh Varner.

85.

CNT agents experienced several problems investigating the Murdock/Varner drug network, as Varner seemed to be alerted every time CNT gained a court order to monitor his phones.

86.

Defendant Khaalis showed a special interest in targets associated with the Murdock/Varner investigation, repeatedly approaching CNT's intelligence agents Don Wood and Cameron Kovach, and civilian CNT employee Nancy Wheless requesting information on the investigation, in violation of CNT protocol, as Khaalis was not the primary case agent on the investigation.

87.

On May 11, 2010, CNT executed arrests on multiple members of the Murdock/Varner drug organization. During these arrests, Khaalis began grabbing suspects' cell phones and searching the phones for information. He was repeatedly told to stop touching the phones but refused. See Exhibit "D"

88.

On July 13, 2011, a federal grand jury indicted Defendant Sawyer for violation of 18 U.S.C. § 1951 (Extortion Under Official Right), 18 U.S.C. § 924(c) (Possession of a Firearm in Furtherance of a Crime of Violence), 21 U.S.C. § 846 (Conspiracy to Possess with the Intent to Distribute), 18 U.S.C. § 924(c) (Possession of a Firearm in Furtherance of a Drug Trafficking Crime), and 18 U.S.C. § 1001 (False Statements to Federal Agents). A copy of said indictment is attached hereto as Exhibit "G" and incorporated herein.

89.

According to the indictment, on or about May 22, 2010, Defendant Sawyer “in his capacity as an SCMPD Officer, obtained and/or attempted to obtain purported Oxycontin pills and a cell phone from an individual with that individual’s consent, which was induced by the wrongful use of threatened force, violence, fear, and under the cover of official right.”

90.

On January 20, 2012, Sawyer pleaded guilty to the extortion count and was sentenced to federal prison.

Rodney Gerido

91.

Defendant Rodney Gerido worked for SCMPD from 1994 until on or about July 2011. From at least 2004 until December 1, 2010, Gerido was assigned to CNT.

92.

On April 16, 2009, while assigned to CNT, toll records obtained by the United States Drug Enforcement Administration (“DEA”) show Defendant Gerido and Defendant Willet Williams were in contact by telephone six times between the hours of 5:16 p.m. and 5:42 p.m., as CNT agents performed surveillance on Willet Williams’ brother, Defendant James Williams, who was suspected of corruption and drug trafficking.

93.

In January 2010, Defendant Khaalis began attempting to obtain information on a woman who had known associations with Defendant Gerido, local drug dealers, and a target of a major CNT investigation.

Juliette Tolbert

94.

Defendant Juliette Tolbert, in her role as an SCMPD Major, assisted Defendant Lovett in intimidating and punishing Plaintiffs Peter Delatorre, Michael Delatorre, and Lawrence Harris in retaliation for investigating corruption, and to influence and/or intimidate those Plaintiffs into silence about the corruption they uncovered.

95.

Defendant Tolbert imperiled the physical safety and emotional well being of Plaintiffs Peter Delatorre, Michael Delatorre and Harris by refusing to take action when these Plaintiffs met with her on or about October 2010.

96.

These plaintiffs explained the details of their investigation into Defendants James Williams, Willet Williams, Khaalis and Gerido. These Plaintiffs told Defendant Tolbert they feared for their lives if they had to work alongside armed officers whom they knew to be corrupt and had reported as being corrupt.

97.

In addition, in her role as an SCMPD Major, Defendant Tolbert assisted Defendant Lovett in intimidating and punishing Plaintiff von Loewenfeldt in retaliation for investigating corruption and to influence and/or intimidate Plaintiff von Loewenfeldt into silence about the corruption he uncovered.

98.

Further, Tolbert failed to take any action in 2010 after she admitted to Plaintiff von Loewenfeldt that she knew Defendant Lovett's actions against von Loewenfeldt were unfair, unethical, and illegal.

99.

In November 2013, Plaintiff Michael Delatorre attended an exit interview with Tolbert before leaving the department. During that meeting, Tolbert told Michael Delatorre that she knew that Lovett's actions as police chief were "wrong." But she said she felt she could do nothing about Lovett's bad acts while they were occurring.

Cedric Phillips

100.

Defendant Phillips was hired by the Savannah Police Department September 17, 1991. He was suspended from the police department for two days on January 19, 1993 for untruthfulness. He received a written reprimand December 2, 1995 for failing to appear in court. He was suspended from the police department for two days on April 10, 1997 for failing to locate parties involved in an automobile accident, locate witnesses to the accident, examine or record vehicle damage, record accident information, exchange information among parties to the accident, and check for parties drivers' licenses and insurance.

101.

Censures ceased being recorded in Phillips' Internal Affairs file after Lovett was promoted to SCMPD Major in December 1998.

102.

On September 1, 2008, Dean Fagerstrom, who was then head of SCMPD Internal Affairs, sent an email to Internal Affairs employee James Dale and to Defendant Oliver. Fagerstrom wrote, "The below incident occurred in 2006 and all documents were removed. Please assign a number to this incident for record-keeping purposes, thanks."

103.

Attached to the email is a City of Savannah Disciplinary Action Log which describes Phillips violating "SCMPD Rule and Regulation GO# ADM-004, Section I, General Rules of Conduct, Paragraph A Conduct Unbecoming, Number 2 (h) and Paragraph C, Respect, and Paragraph H, Truthfulness, and Paragraph K, Divulging Information." According to the Disciplinary Action Log, Phillips made disrespectful physical gestures toward a female subordinate officer and then lied about it. He received a written reprimand.

104.

Below a description of the policy violation, the Disciplinary Log reads, "Removed from file on 11/28/06 with instructions by Charles Hall and Assistant Chief Lovett." See Exhibit "H," attached hereto and incorporated herein by reference.

105.

In February 2012, Lovett promoted Phillips to SCMPD Captain. This happened weeks after Phillips committed simple battery on a citizen, while acting under color of law. The citizen had refused to unlock the door at a fitness center on Victory Drive for Phillips, who wanted to exercise but didn't have his key. Phillips responded by telling the citizen he was a police officer and shoving the citizen.

106.

In February 2013, Lovett assigned Phillips as commander of SCMPD's newly formed drug unit. Phillips was the sole officer in that unit. As SCMPD drug squad commander, Phillips commanded only himself until he resigned "not in good standing" January 24, 2014. Phillips resigned during an SCMPD Internal Affairs investigation that was launched after Lovett abruptly retired September 27, 2013.

107.

In Defendant Lovett's November 2014 corruption trial in Federal Court for the Southern District of Georgia, prosecutors described Cedric Phillips as Lovett's "crony," his "henchman."

108.

In a recording from an FBI submitted as evidence in Lovett's trial, the then-police chief can be heard reassuring Randall "Red" Roach, the owner and operator of an illegal gambling outfit that help is on the way. Roach called Lovett during the May 2013 W.W. Law Festival for help with an irate man who called 911 after losing money to Roach's illegal "Razzle Dazzle" gambling game.

109.

That irate man was an FBI informant, sent in to prove that illegal gambling was going on and to show, by calling 911, that Roach's illegal activities were protected by SCMPD. In the FBI phone recording, Lovett is heard reassuring Roach. "I've got Captain [Cedric] Phillips on his way out there.... He'll get there shortly." Phillips arrived. Despite obvious evidence of illegal gambling, no one was arrested.

110.

From January 1, 2005 until Plaintiff von Loewenfeldt was constructively discharged in March 2013, von Loewenfeldt vocally questioned the actions of Defendant Cedric Phillips. The actions of Defendant Phillips were against department policy and were in furtherance of a criminal enterprise.

111.

Defendant Phillips' actions included:

- 1) Sitting in unmarked vehicles with his lights off, in precincts to which he was not assigned during duty hours; and
- 2) Arriving at crime scenes in precincts to which he was not assigned to interfere with those investigations.

112.

During one 2012 encounter, Plaintiff von Loewenfeldt asked Defendant Phillips why Phillips was being promoted to Lieutenant despite recently shoving a civilian, unprovoked and acting under color of law, when the citizen refused to open the door to a locked Victory Drive fitness center so that Phillips could exercise. Phillips reply to von Loewenfeldt was, "I've got it like that."

113.

On or about September 1, 2010, Defendant Phillips began making inquiries about the CNT investigation into Defendant Khaalis' corruption, telling former SCMPD Detective Darryl Fullmer that CNT agents were, "trying to accuse Khaalis of things." Phillips told Fullmer that rumors were spreading in SCMPD that Plaintiffs Michael and Peter Delatorre had botched a drug investigation and were trying to blame Khaalis for their failure.

Eric Henderson

114.

Defendant Eric Henderson was an officer assigned to SCMPD Tactical Reaction and Prevention Unit (“TRAP”). He was, among other duties, responsible for managing the TRAP vehicle fleet.

115.

On information and belief, Defendant Henderson used unmarked TRAP vehicles to distribute multiple ounces of powder and crack cocaine on Savannah’s Westside and to protect drug dealers on Savannah’s Westside from arrest.

116.

During early 2011, Plaintiff Michael Delatorre was assigned to TRAP. Michael Delatorre was assisting Detective Steven Kohles. Kohles had developed a confidential informant – a retired military member who volunteered to be an informant for SCMPD because he wanted to remove drugs from his neighborhood so that he would know his family was safe when he passed away.

117.

Plaintiff Michael Delatorre, Kohles and SCMPD Officer Luis Molina took this confidential informant to make his first controlled drug buy on a Friday evening in early 2011. The confidential informant seemed eager to help and joked with the officers as they drove to the rear of the old Sam’s Club at 3609 Ogeechee Road to make arrangements for the buy. Defendant Henderson was waiting at the rear of the building when Michael Delatorre, Kohles, Molina and the confidential informant pulled up.

118.

The confidential informant's demeanor changed completely when he saw Defendant Henderson. He did not follow officers' instructions and did not successfully purchase illegal drugs during the operation.

119.

After the failed operation, Michael Delatorre, Kohles and Molina drove the confidential informant home. Michael Delatorre asked him what happened. The informant replied that Henderson was a major drug dealer on Savannah's Westside. The informant gave dates, locations and times he'd seen Henderson make drug sales, along with descriptions of the vehicles Henderson was driving at the time.

120.

Several of the vehicles the informant described were unmarked TRAP vehicles. Henderson had unrestricted access to these vehicles. This access was granted because Henderson had technical support responsibilities within the TRAP unit.

121.

Before reaching the informant's home, Michael Delatorre informed his immediate supervisor, Sgt. Cameron Kovach, to report what the informant told him. Kovach instructed Michael Delatorre to take the information to CNT. After returning the informant to his home, Michael Delatorre immediately drove to CNT headquarters and met with CNT Director Everett Reagan.

122.

Upon hearing what the informant had told Michael Delatorre, Reagan said he would not investigate the informant's claims. Reagan told Michael Delatorre that he would not to do so

because political friction with Lovett, the result of investigating corrupt SCMPD officers, led Reagan's predecessor, Roy Harris, to resign his post.

123.

Roy Harris testified during Defendant Khaalis' August 2015 criminal trial that he resigned because Lovett "gutted" CNT in late 2010, in the wake of the corruption investigation into Malik Khaalis, Willet Williams and James Williams. Roy Harris testified that Lovett removed experienced, ethical SCMPD officers – including Plaintiffs Michael Delatorre, Peter Delatorre and Larry Harris – from CNT and replaced these officers with Lovett's "stooges."

124.

Roy Harris testified that CNT had been built into a first-class agency. "It appeared to me that Chief Lovett was willing to destroy that to get back at me because he was mad at me for investigating his officers without his knowledge," Harris testified. "I turned in my resignation and the bleeding stopped. No one else was pulled out of CNT."

Greg Ramsey

125.

Defendant Greg Ramsey is a Lieutenant with SCMPD who has been employed by the Savannah Police Department, and later SCMPD, since at least 1989, before city and county police departments merged.

126.

As alleged more fully below, Defendant Ramsey sought to cover up an investigation into criminal activity by Defendant Eric Henderson that was conducted by Plaintiff von Loewenfeldt.

Hank Wiley

127.

In order to manipulate and control the Internal Affairs investigation into Defendants Willet Williams and Khaalis, Defendant Lovett installed Defendant Hank Wiley as head of Internal Affairs in June 2010. Wiley was known to be an officer who was loyal to Lovett and participated in Lovett's corruption.

128.

On November 16, 2010, Defendant Lovett ordered Defendant Wiley to prepare Internal Affairs reports clearing Defendants Willet Williams and Khaalis of any allegations wrongdoing. Wiley took a substantial step to assist in the furtherance of the criminal conspiracy by preparing the requested reports despite clear and convincing evidence that Williams and Khaalis violated SCMPD policy. See Exhibit "I," the MDBI report, attached hereto and incorporated herein.

129.

Defendant Lovett ordered Defendant Wiley to include in Defendant Khaalis' Internal Affairs report that the Savannah City Attorney's Office had reviewed the report and found no evidence of illegal activity by Khaalis.

130.

Defendant Wiley included the statement in the report, but said statement was false and known to be false by both Defendant Lovett and Wiley. Neither Wiley nor Lovett had any contact with the City Attorney's Office. No one from the City Attorney's office had reviewed Khaalis' Internal Affairs file at the time, and no one from the City Attorney's office cleared Khaalis of wrongdoing.

Andre Oliver

131.

Under Defendant Wiley's tenure as Internal Affairs commander, Internal Affairs Investigator Defendant Andre Oliver twice called Plaintiffs Michael Delatorre and Peter Delatorre to Internal Affairs and questioned about their investigation into Defendants Willet Williams and Khaalis. These interviews took place on or about June 2010 and on or about February 2011. In each of these interviews, Defendant Oliver berated Plaintiffs Michael and Peter Delatorre for investigating Defendants Willet Williams and Khaalis.

132.

On January 4, 2011 Defendant Oliver launched an Internal Affairs investigation into Plaintiff Harris for his role in the investigation of Defendant Willet Williams and Defendant Khaalis. During a January 4, 2011 interview, Oliver berated Plaintiff Harris for calling Lovett "dirty and corrupt." As a result of this Internal Affairs investigation, Plaintiff Harris was constructively fired January 5, 2011.

The Enterprise

133.

Savannah-Chatham Metropolitan Police Department (elsewhere in this Complaint, "SCMPD"), was created in 2003 by vote of the Chatham County Commission and City Council of Savannah. Joint operations of the merged departments began on January 1, 2005. SCMPD is a governmental entity and constitutes an "enterprise" as that term is defined in O.C.G.A. § 16-14-3(6).

134.

Defendants' shared purpose for gaining control of the enterprise was to exploit a public service for private gain. Defendants have engaged in an open and ongoing pattern of violation of state laws during the last five years, by using the resources, facilities, and imprimatur of law enforcement to further their own criminal goals.

Pattern of Racketeering Activity

135.

Plaintiffs reallege and incorporate by reference herein the allegations set forth in the paragraphs above and below, as if fully restated herein.

136.

Defendants engaged in an ongoing pattern of racketeering activity as defined by O.C.G.A. 16-14-3(8), by repeatedly protecting criminal activity and by thwarting investigative efforts by honest police officers. This activity constitutes a pattern because it consists of two or more acts, which occurred over a significant period of time, that is longer than two years, but with each predicate act occurring less than four years apart.

Pen Registers Evidence Drug Involvement

137.

CNT Agent Eric Broome (Broome) in 2009, while working on DEA assignment, obtained Trap and Trace orders (pen registers) for Defendant James Williams' personal telephone, Defendant Willet Williams' two personal telephones, Defendant Willet Williams' SCMPD work telephone, Defendant Gerido's CNT telephone, Defendant Khaalis' personal telephone, and Defendant Khaalis' CNT telephone. These pen registers were maintained by federal court order for 12 months.

138.

Said pen records showed that the phones of some or all of these defendants (James Williams, Willet Williams, Rodney Gerido, and Malik Khaalis) were used to contact drug trafficking entities and/or individuals known to the DEA in the United States and Mexico. CNT databases also showed links between some or all of these phone numbers and drug organizations known to operate in and around Savannah. See Exhibit D.

139.

Also in 2010, Agent Broome obtained pen registers on a phone number known to belong to Kenneth Gibbons, a “bounty hunter” in the Chatham County area. The pen registers showed that Gibbons called Joshua Varner, a suspected high-level drug dealer and the subject of a CNT Title III Wire Tap, about 5 p.m. on January 27, 2010. At that same time, CNT agents in the wire room heard Varner receive an incoming call advising him to “drop” his phone, which is code to indicate that law enforcement was monitoring the phone line.

140.

Phone records the DEA obtained on Defendant Khaalis’ phone show that just before Gibbons called Varner, Defendant Khaalis called Gibbons.

141.

Because repeated CNT attempts to monitor Varner’s line had been unsuccessful, DEA and CNT agents suspected that someone inside CNT was leaking information to Varner, Murdock and their associates. Specifically, these agents suspected Defendant Khaalis.

142.

DEA and CNT agents subsequently kept the Varner wiretap secret – restricting the knowledge that the wiretap was being sought to just a few agents – until a briefing at 12:30 p.m.

on January 27, 2010. Agents reported that, during the briefing, Defendant Khaalis looked shocked when he heard that Varner's phone was being tapped.

143.

After the briefing ended, about 3 p.m. on January 27, 2010, Defendant Khaalis left his assigned post in the wire room and did not return until about 5 p.m., minutes before Varner received the call to "drop" his phone. See Exhibit D.

Installation of Willie Lovett as Chief of Police

144.

As is more fully discussed above, PPC members (City Manager, County Commission Chair, City Manager, and Mayor), who were on actual notice of Lovett's corruption, took the substantial step to assist the ongoing corruption by voting to make Defendant Lovett Chief.

Hot Boys Investigation

145.

In 2012, Plaintiff von Loewenfeldt was part of a group of officers that came to be known as the Tactical Investigation Unit (hereinafter, "TIU").

146.

During that time, TIU targeted a car theft ring known as the "Hot Boys," a group of individuals in their late teens and early twenties whose modus operandi was to steal cars from rental companies in order to commit other crimes.

147.

One of the subjects targeted by Plaintiff von Loewenfeldt, and TIU, was Devontae Hinton, a Hot Boy. Despite TIU efforts, Hinton repeatedly evaded arrest.

148.

Officers discovered that Hinton was able to disappear when arrest was imminent because his mother, Wanda Jones, had a "special friend" in SCMPD, whom she referred to as "my boobo.".

149.

Ms. Jones identified the "special friend" as Defendant Henderson a SCMPD officer.

150.

Ms. Jones' cell phone was later confiscated and preliminary investigation matched calls and text messages between Defendant Henderson and Jones on dates and at times when TIU officers were closing in to arrest Hinton.

151.

When Plaintiff von Loewenfeldt attempted to report this information to Defendant Ramsey, Defendant Ramsey instructed Plaintiff von Loewenfeldt to keep quiet, so as to not ruin the name of a good officer.

152.

Defendant Ramsey's instructed Plaintiff von Loewenfeldt to refrain from reporting evidence of Defendant Henderson's illegal activity to Internal Affairs.

153.

Upon information and belief Defendant Lovett stated in a meeting that Plaintiff von Loewenfeldt deserved to be fired for his handling of Defendant Henderson and the Hot Boys investigation. This communication made by Defendant Lovett, the Chief of Police, knowing that it would be relayed directly or indirectly to Plaintiff von Loewenfeldt, a Sergeant with SCMPD, was a violation of O.C.G.A. § 16-10-32 and/or 16-10-93(a).

154.

Despite strong evidence of corruption, Lovett promoted Defendant Henderson to the rank of Sergeant in June 2013. At that same time, Plaintiff Michael Delatorre's fellow officers had just voted him SCMPD's 2013 "Detective of the Year." However, despite being qualified and applying for a promotion to Sergeant, Michael Delatorre was not promoted.

155.

Plaintiff Michael Delatorre was also elected SCMPD "Law Enforcement Officer of the Year" in 2005 and elected "CNT Agent of the Year" in 2010. Michael Delatorre received no fewer than eight official commendations while assigned to CNT from 2004 to 2010. He has 2,500 hours of specialized law enforcement training in 40 different areas, including bomb threat assessment, death investigations, terrorism, gang investigations, meth lab safety and high-risk warrant service. He was never promoted to Sergeant.

TRAP Investigation

156.

In 2011, SCMPD TRAP officers unsuccessfully attempted a series of drug busts on Savannah's Westside. Plaintiff Michael Delatorre was assigned to TRAP at the time.

157.

Drug busts in other parts of town, meanwhile, yielded results.

158.

TRAP officers suspected that someone within the Department, most likely within TRAP itself, was leaking information about imminent raids to drug dealers. The target of their investigation was Defendant Henderson.

159.

For example, during a 2012 briefing before a series of drug busts, Defendant Henderson walked into the briefing room and, upon noticing a list of the target locations, immediately begins texting this information on his cell phone. All officers had been told prior to the briefing that no phones could be used while the briefing was taking place.

160.

Supervisors told Defendant Henderson to stop texting, but he continued, and was expelled from the briefing room.

161.

Although Defendant Henderson had been told to have no further involvement with these imminent busts, Defendant Henderson arrived at the site of one of drug busts. Without consulting any of the present officers, Defendant Henderson allowed a potential suspect, who was being detained, to leave.

162.

Upon information and belief, Defendant Henderson was able to thwart at least ten attempts by TRAP officers to seize illegal drugs.

James Williams Investigation

163.

In June 2008, Plaintiff Peter Delatorre received information from a confidential informant pertaining to an on-going investigation by CNT into a sophisticated drug supply ring located within Chatham County. This investigation continued until August 2010. See Exhibit D.

164.

The initial subject of the investigation was the informant's drug supplier, Percy June Anderson (aka Pig/Piggy); however, the informant also identified two individuals who also participated in the distribution of the drugs. The informant identified Defendant Willet Williams, officer for SCMPD, as a participant the trafficking. Defendant Willet Williams' brother, Defendant James Williams, was also a subject of the investigation.

165.

As the investigation continued, CNT officers began to suspect that a member of the narcotics unit was providing information to individuals under investigation, including Defendant James Williams, Defendant Willet Williams, Hezekiah Murdock and Josh Varner.

166.

The CNT investigation team identified this individual as Defendant Malik Khaalis.

167.

On June 9, 2010 Defendant Khaalis voluntarily took a polygraph exam administered by an FBI polygrapher.

168.

To polygrapher's first question, "Did you warn Willet Williams his brother was under investigation by CNT?" Defendant Khaalis answered "No." The result: Deception Indicated.

169.

To polygrapher's second question, "Did you ever use your official position to protect anyone involved in the trafficking of illegal drugs?" Defendant Khaalis answered "No." The result: Deception Indicated.

170.

Plaintiff Peter Delatorre returned to CNT on July 4, 2009. DEA agents instructed Plaintiff Peter Delatorre to tell Defendant Khaalis that the “investigation [into Defendants James Williams and Willet Williams] was over.”

171.

On July 27, 2010, SCMPD Internal Affairs office received summaries of witness interviews concerning Defendant Khaalis’ illegal activities.

172.

Later that same day, July 27, 2010, Defendant Wiley, SCMPD Internal Affairs, briefed Defendant Lovett on the Khaalis and Williams matter.

173.

After the July 27, 2010 briefing, Defendant Lovett instructed Defendant Wiley to take Defendant Khaalis off Administrative Leave and return him to active duty.

174.

Defendant Khaalis’ Administrative Leave ended on August 13, 2010 and he was assigned to a Patrol Division precinct effective August 16, 2010.

175.

In mid- 2010, CNT Director Roy Harris inquired with Internal Affairs officers Defendant Wiley and Defendant Oliver as to whether there was a pending IA investigation into Defendant Khaalis.

176.

At that time, Defendants Wiley and Oliver told Roy Harris that there was no investigation into Defendant Khaalis. This statement was false, was given with the intent to deter proper law

enforcement investigation into Defendant Khaalis, and was made in violation of O.C.G.A. § 16-10-20.

177.

There was in fact a pending IA investigation into Defendant Khaalis at the time of Director Harris' request. SCMPD Sergeant Tim Thompson secretly confirmed the existence of the IA investigation when he handed Roy Harris a piece of paper that listed the IA Case Number for the investigation of Defendant Khaalis.

178.

On September 10, 2010, individuals from federal law enforcement agencies, along with CNT Director Harris, met with Defendant Lovett and informed him of Plaintiffs Peter and Michael Delatorre's investigation within CNT and its implication of Defendant Khaalis.

179.

On or about September 10, 2010, in Chatham County, Defendant Lovett made a false statement to Roy Harris, in violation of O.C.G.A. 16-10-20, to wit: "I have never seen the Internal Affairs memo on Malik Khaalis."

180.

On September 24, 2010, CNT Director Harris sent a detailed memorandum to Chatham County Manager Defendant Abolt. This memo and report contained considerable investigative detail regarding the activities of Defendants Khaalis and Willet Williams.

181.

Upon receipt, Defendant Abolt directed his agent, Chatham County Attorney Jonathan Hart, to hand-deliver the detailed memo and supplemental report directly to Defendant Lovett.

182.

On October 5, 2010, Jonathan Hart delivered the memo and report to Defendant Lovett.

183.

On or about October 29, 2010, Defendant Lovett, in Chatham County, did knowingly intimidate Peter Delatorre, Michael Delatorre, Lawrence Harris, and other SCMPD employees, by ordering the transfer of those officers out of CNT, with the intent to hinder or delay the communication of information related to the commission of a criminal offense to other law enforcement officers investigating corruption within CNT, in violation of O.C.G.A. §§ 16-10-93(a) and/or 16-10-32.

184.

While on Administrative Leave, Defendant Khaalis was allowed to sit for the SCMPD Sergeant's test. Defendant Lovett promoted Defendant Khaalis. Plaintiffs Michael Delatorre, Peter Delatorre, and Robert von Loewenfeldt were eligible for promotion but were passed over.

185.

On January 22, 2014, Defendant Khaalis was indicted by the Chatham County Grand Jury on charges of violating O.C.G.A. § 16-10-20 (False Statements) and O.C.G.A. § 16-10-1 (Violation of Oath by Public Officer).

186.

The following acts, described in detail above and below constitute a pattern of racketeering activity in that they were committed in furtherance of one or more incidents, schemes, or transactions that had the same or similar intents, results, accomplices, victims or methods of commission or otherwise were interrelated by distinguishing characteristics.

Plaintiffs Injured By Reason of RICO Violations

187.

Plaintiffs reallege and incorporate by reference herein the allegations set forth in the paragraphs above and below, as if fully restated herein.

Peter Delatorre

188.

On October 29, 2010, officers Michael Eric Broome, Lawrence Harris, Michael Delatorre, and Peter Delatorre were transferred out of CNT unit. Said orders were special orders that came directly from Defendant Lovett.

189.

In early October 2010, Michael Eric Broome, Lawrence Harris, Michael Delatorre, and Peter Delatorre heard a rumor that they were going to be transferred out of CNT. Thus, prior to receiving the written orders on October 29, 2010, all four officers requested a meeting with Defendant Tolbert. At this meeting, the officers expressed their fear of personal safety and the possibility of retaliation by Defendant Khaalis and other officers assigned to Precinct #3 (Central) and Precinct #2 (Downtown) who had been implicated by the investigation.

190.

Out of fear for his personal safety, Plaintiff Peter Delatorre requested a transfer to Precinct 4 (Southside).

191.

Out of fear for his personal safety, Plaintiff Lawrence Harris requested a transfer to Precinct 2 (Downtown).

192.

Defendant Tolbert acknowledged she had received information about the investigation on Defendant Khaalis. However, Defendant Tolbert lied to Peter Delatorre and told him he had no reason to worry. Further, Defendant Tolbert refused to stop the transfers from occurring or to assign Peter Delatorre or Larry Harris to a safe precinct.

193.

Even after protest and concern for their personal safety, Plaintiffs Peter Delatorre and Harris were assigned to Central Precinct Patrol.

194.

On October 29, 2010, Plaintiff Peter Delatorre notified Sgt. Armando Tamargo of his concern for his own safety and fear of retribution. On November 1, 2010, Plaintiffs Peter Delatorre and Harris met with Lt. Charles McAuliffe to again express fear of punishment for participating in a criminal investigation of fellow officers, and deterrence from future reporting of similar activity.

195.

On December 1, 2010, pursuant to a special order from Chief Lovett, Defendant Gerido was transferred from CNT to Central Precinct, the same precinct as Plaintiffs Peter Delatorre and Harris. Cpl. Gerido was one of the officers who had previously been investigated in relation to the Delatorre's investigation of CNT.

196.

During the week of December 19, 2010, Plaintiff Peter Delatorre was offered a position on the Robbery Unit. Transferring into the Robbery Unit would have advanced Plaintiff

Delatorre's career and improved his personal safety. Defendant Lovett denied the transfer in order to harm Plaintiff Peter Delatorre economically and in an effort to force him to quit his job.

197.

During this same period, Plaintiff Peter Delatorre requested a transfer to the Crime Suppression Unit (CSU).

198.

On January 27, 2011, Peter Delatorre discovered that Officer John Garcia, an officer with lesser qualifications than Delatorre was selected. Officer Garcia had only two (2) years of tenure with the Department.

199.

Plaintiff Peter Delatorre sought an explanation regarding a less-qualified officer's selection for the position. He learned that "command staff above Capt. Herron," stated Delatorre "would remain on patrol for an unknown amount of time before a transfer would be considered." Sgt. Brown explained that Delatorre "would know why this happened."

200.

Transferring to CSU would have advanced Plaintiff Peter Delatorre's career and improved his personal safety. Defendant Lovett denied the transfer to CSU in order to harm Plaintiff Peter Delatorre economically and in an effort to force him to quit his job.

201.

On January 7, 2011 Chatham County District Attorney's Office, Assistant District Attorney (ADA), Jerry Rothschild, contacted Plaintiff Peter Delatorre. ADA Rothschild requested all files and evidence relating to Defendant Willet Williams.

202.

On January 10, 2011 Plaintiff Peter Delatorre was told to report to Internal Affairs (IA) by Defendant Oliver.

203.

On February 8, 2011 Plaintiff Peter Delatorre attended an IA investigatory interview with Defendant Oliver.

204.

At one or both meetings, Defendant Oliver informed Peter Delatorre the Defendant Lovett objected to being referred to as “dirty” and “corrupt.”

205.

In or around September 2011, Defendant Willet Williams was transferred to Central Precinct “C-Watch” as a Star Corporal. This was the same precinct and shift to which Plaintiff Peter Delatorre was assigned. Defendant Lovett ensured that Defendant Williams would be one of the officers supervising Plaintiffs Peter Delatorre and Harris.

206.

Defendant Lovett knowingly and intentionally placed Defendant Willet Williams in a supervisory role over Plaintiffs Peter Delatorre and Harris in an attempt to intimidate them into quitting their jobs and to eliminate any chance of promotion.

207.

Plaintiff Peter Delatorre immediately notified his first line supervisor, Sgt. Eddie Grant, of the problem and his fear for safety.

208.

Defendant Willet Williams was aware Plaintiff Peter Delatorre was a person who named him as a subject of the previous investigation. Delatorre was forced to go on calls with Willet Williams, and Delatorre feared Willet Williams would intentionally put Delatorre's life in danger.

209.

Prior to being placed over Plaintiffs Peter Delatorre and Harris, Defendant Willet Williams had been assigned to Downtown Precinct where he supervised and monitored Eric Broome, until Officer Broome left the department.

210.

On September 6, 2011, Plaintiff Peter Delatorre attended a meeting with Captain Ben Herron who claimed to be unaware of the problem, but promised to contact Defendant Tolbert.

211.

On September 7, 2011, Captain Ben Herron falsely advised Plaintiff Peter Delatorre he need not worry about Willet Williams.

212.

On September 12, 2011, during a third in-person meeting, Captain Herron confirmed having discussed the matter with Defendant Tolbert. Captain Herron informed Plaintiff Peter Delatorre that Tolbert's opinion was that Delatorre had no need to be alarmed or concerned, unless charges were brought against Defendant Willet Williams.

213.

At this meeting, on September 12, 2011, Plaintiff Peter Delatorre presented a transfer request for Southside Precinct, which Captain Herron signed. Captain Herron assured Delatorre he would give the transfer order to Defendant Tolbert.

214.

The transfer request was delayed for one month, while Plaintiff Peter Delatorre was forced to work alongside Defendant Willet Williams, fearing for his life.

215.

Plaintiff Peter Delatorre scheduled several meetings with Major Tolbert. At each meeting, Defendant Tolbert told Plaintiff Peter Delatorre she would discuss the issue with Defendant Lovett and get back to him. Delatorre followed up with Tolbert several times, and eventually Tolbert told him she would let him know when she heard back from Defendant Lovett.

216.

Upon information and belief, Defendant Tolbert conspired with Defendant Lovett to delay and deny Plaintiff Peter Delatorres' transfer to the Southside Precinct. Lovett and Tolbert denied said transfer in an intentional effort to intimidate Delatorre and to cause him to resign from SCMPD based upon fear for his personal safety.

217.

During his tenure at the Savannah Police Department, the merged SCMPD, and CNT, Plaintiff Peter Delatorre was voted SCMPD "Officer of the Year" by his fellow officers and was also voted CNT "Agent of the Year." In 2004, he was nominated by his fellow officers to receive a National Association of Chiefs of Police "Top Cop" Award and was selected by the National

Association of Chiefs of Police for that honor. In 2010, he received a national Organized Crime Drug Enforcement Award for Excellence. Despite this, and despite being eligible for promotion, Delatorre was not promoted to Sergeant in either April 2011, or February 2012.

218.

During this time, Defendant Gerido, whom Plaintiff Peter Delatorre investigated for corruption, was promoted to Sergeant. Defendant Khaalis, whom Delatorre investigated for corruption, was also promoted to Sergeant during this time.

219.

On November 2012, having been removed from CNT, assigned to work under the supervision of corrupt officers, having been denied transfers and career advancement, and while being in constant fear for his life and safety, Plaintiff Peter Delatorre had no choice but to resign from SCMPD.

220.

Plaintiff Peter Delatorre was the intended victim of Defendant Lovett's multiple violations of O.C.G.A. § 16-10-32 and/or § 16-10-93(a). Plaintiff Peter Delatorre's transfer out of CNT arose directly out of the commission of these predicate acts. Plaintiff Peter Delatorre's failure to be promoted arose directly out of the commission of these predicate acts. Plaintiff Peter Delatorre's inability to advance his career via special assignments arose directly out of the commission of these predicate acts. Plaintiff Peter Delatorre's constructive termination arose directly out of the commission of these predicate acts.

221.

Threatening honest police officers was a foreseeable consequence of a scheme to operate a corrupt department.

222.

Plaintiff Peter Delatorre suffered economic harm as a direct result of the acts of the Defendants including, but not limited to: loss of pay when he was transferred out of CNT; loss of pay when he was wrongfully passed over for promotion and/or special assignments; loss of his accrued hours of sick time and when he was constructively terminated; temporary periods of unemployment; decrease in pay from his income at SCMPD, and his new employer.

223.

Plaintiff Peter Delatorre has also suffered emotional harm as a direct result of the acts of the Defendants described herein.

Michael Delatorre

224.

Plaintiff Michael Delatorre was also the victim of Defendant Lovett's multiple violations of O.C.G.A. § 16-10-32 and/or § 16-10-93. Plaintiff's transfer out of CNT into a hostile precinct arose directly out of the commission of this predicate act.

225.

Shortly before he was transferred from CNT to SCMPD, Plaintiff Michael Delatorre had been selected for a CNT assignment with Homeland Security Investigations, a position which offered a significant annual pay raise, experience working in federal law enforcement and opportunities for career advancement. As a result of Defendant Lovett's hostile transfer, Delatorre was unable to take the assignment.

226.

In April 2011, Defendant Lovett promoted Defendant Gerido to Sergeant. The promotion came despite Gerido coming under scrutiny in the CNT corruption probe in 2009 and 2010.

Plaintiffs Michael Delatorre, Peter Delatorre and Robert von Loewenfeldt were eligible for promotion but were passed over.

227.

When he was promoted, Defendant Gerido was moved from Precinct 3 to Precinct 4, where he was Plaintiff Michael Delatorre's direct supervisor. Delatorre feared for his personal safety as he worked under an officer who he had investigated for corruption.

228.

Defendant Lovett knowingly and intentionally placed Defendant Gerido in a supervisory role over Plaintiff Michael Delatorre in an attempt to intimidate him into quitting his job and to eliminate any chance of promotion.

229.

On April 11, 2011, Officer Kelvin Frazier was promoted to the rank of Sergeant, and placed in command of Michael Delatorre in Precinct 4. On July 27, 2011 Frazier pleaded guilty in U.S. District Court, Southern District of Georgia to misprision (i.e. having knowledge of a crime and taking affirmative acts to conceal it) for covering up Defendant Sawyer's May 22, 2010 "shakedown" in a Savannah nightclub of an FBI agent posing as a drug dealer. Frazier was sentenced to nine months in a federal prison, a little less than four months after Lovett promoted Frazier to the rank of Sergeant.

230.

On or about May 2011, Plaintiff Michael Delatorre was one of three SCMPD officers selected as finalists for a special assignment with the DEA. The DEA interviewed the finalists, but Lovett insisted that he, not DEA agents, select which officer received the assignment. Michael Delatorre was not selected.

231.

Said special assignment would have advanced the career of Plaintiff Michael Delatorre. Defendant Lovett knowingly and intentionally denied said transfer to injure Delatorre economically and to deter and/or intimidate him from making any further attempts to root out corruption at SCMPD.

232.

In March of 2013, Savannah's FBI Violent Crimes Task Force requested Plaintiff Michael Delatorre be assigned to the task force. Delatorre underwent a federal background check to obtain Top Secret FBI clearance. FBI Senior Supervisory Resident Agent Gene Kowell selected Michael Delatorre believing he had Lovett's permission to select whichever SCMPD officer he wanted assigned to the task force. Kowell selected Michael Delatorre while Lovett was on vacation.

233.

Lovett returned from vacation, found Michael Delatorre had been selected, and insisted that candidates for the assignment go through a formal application and interview process. After interviews were completed, the FBI again selected Michael Delatorre.

234.

Lovett refused to approve the transfer and met with Kowell, giving Kowell a list of officers he wanted Kowell to choose from for the position. At Lovett's insistence, an email was sent to all SCMPD officers offering them the chance to apply for the FBI slot. A second round of applications was completed and Michael Delatorre was selected once again. Lovett denied the transfer.

235.

Said task force assignment would have advanced the career of Plaintiff Michael Delatorre. Defendant Lovett knowingly and intentionally denied said transfer to injure Delatorre economically and to deter and/or intimidate him from making any further attempts to root out corruption at SCMPD.

236.

During the final three years of his career at SCMPD, Plaintiff Michael Delatorre was eligible for promotion to Sergeant. In 2013, Delatorre's fellow officers voted him SCMPD's "Detective of the Year."

237.

However, Plaintiff Michael Delatorre was passed over for promotion in April 2011, February 2012 and June 2013. During this time, three corrupt officers were promoted by Defendant Lovett: 1) Defendant Gerido in April 2011, 2) Defendant Khaalis in February 2012, and 3) Defendant Henderson in 2013.

238.

In November 2013 having been removed from CNT, assigned to work under the supervision of a corrupt officer, having been denied transfers and career advancement, and while being in constant fear for his life and safety, Plaintiff Michael Delatorre had no choice but to submit his resignation from SCMPD.

239.

Plaintiff Michael Delatorre was the intended victim of Defendant Lovett's multiple violations of O.C.G.A. § 16-10-32 and/or § 16-10-93(a). Delatorre's transfer out of CNT arose directly out of the commission of these predicate acts. Delatorre's failure to be promoted arose

directly out of the commission of these predicate acts. Delatorre's inability to advance his career via special assignments arose directly out of the commission of these predicate acts. Delatorre's constructive termination arose directly out of the commission of these predicate acts.

240.

Plaintiff Michael Delatorre suffered economic harm as a direct result of the acts of the Defendants including, but not limited to: loss of pay when he was transferred out of CNT; loss of pay when he was wrongfully passed over for promotion and/or special assignments; loss of his accrued hours of sick time and when he was constructively terminated; temporary periods of unemployment; decrease in pay from his income at SCMPD, and his new employer.

241.

Plaintiff Michael Delatorre has also suffered emotional harm as a direct result of the acts of the Defendants described herein.

Robert von Loewenfeldt

242.

In January 2005, Plaintiff von Loewenfeldt was promoted to Sergeant by former Chief of Police Flynn. Later that year, Defendant Lovett became interim Chief of Police.

243.

In 2006, Plaintiff von Loewenfeldt applied for a position as the Detective Sergeant over the Auto Theft Unit, and was awarded the position.

244.

In the summer of 2010, Plaintiff von Loewenfeldt was assigned to a newly formed task force created to locate and arrest 20 specific people responsible for the shootings. In just ten (10) days, von Loewenfeldt's team arrested all twenty people and solved several of the shootings.

245.

Plaintiff von Loewenfeldt suggested to Major Mark Gerbino (the head of the Criminal Investigation Division) this team remain intact and focus its efforts onto the top 100 wanted people in Savannah. Major Gerbino agreed. However, two days later von Loewenfeldt was sent back to the Downtown Precinct by Defendant Lovett.

246.

On various occasions during his employment at SCMPD Plaintiff von Loewenfeldt would receive an assignment which advanced his career only to have that assignment be overruled by Defendant Lovett. On several occasions, von Loewenfeldt would receive the new assignment and have it be overruled by Lovett within twenty-four hours. It was only after the “Hot Boys” investigation that von Loewenfeldt understood that Lovett was seeking to punish and intimidate him.

247.

On or about February 2011, Major Gerbino was moved from the Criminal Investigations Division to head up SCMPD’s Special Operations Unit. Plaintiff von Loewenfeldt’s bomb squad fell under that unit. Immediately after Gerbino was transferred, Defendant Lovett told Gerbino to “find a reason” to fire von Loewenfeldt – because he, “didn’t know his place.”

248.

Knowing that Plaintiff von Loewenfeldt was an asset to SCMPD, Gerbino found excuses to give to Defendant Lovett in order to avoid firing von Loewenfeldt.

249.

Plaintiff von Loewenfeldt continued to work with the bomb squad. During this time he applied for and received numerous grants on behalf of SCMPD and the City of Savannah. He also received numerous commendations, awards, and recognition.

250.

Despite these successes –and despite holding training certifications in no fewer than 61 different areas of law enforcement, areas as diverse as underwater bomb disarmament, homicide investigations, blood splatter analysis, underwater IED location, and response to terrorist bombings – despite holding a Top Secret Security Clearance – Plaintiff von Loewenfeldt was never promoted, and his career did not advance.

251.

Defendant Lovett did not allow Plaintiff von Loewenfeldt to advance in his career, transferred him inexplicably, and ordered him fired due to von Loewenfeldt's investigations into Defendant Henderson and his questioning of the actions of Defendant Phillips.

252.

In March 2013, Plaintiff von Loewenfeldt realized no matter how hard he worked, how much grant money he brought the city of Savannah, or how effectively he supervised an office that saw the greatest reduction in crime, his attempts to advance his career under Defendant Lovett's regime would always be frustrated and that his job would be constantly at risk.

253.

Based upon his treatment by Defendant Lovett, Plaintiff von Loewenfeldt was forced to resign his position with SCMPD and move to another law enforcement department, and in March 2013, von Loewenfeldt tendered his resignation.

254.

Plaintiff von Loewenfeldt was the victim of witness intimidation, O.C.G.A. § 16-10-32 and/or § 16-10-93(a) and was injured by an inability to advance in his career, inexplicable transfers, and orders that he be fired, and being constructively terminated in 2013.

255.

Plaintiff von Loewenfeldt suffered economic harm as a direct result of the acts of the Defendants including, but not limited to: loss of pay when he was wrongfully passed over for promotion and/or special assignments; loss of his accrued hours of sick time and when he was constructively terminated; temporary periods of unemployment; decrease in pay from his income at SCMPD, and his new employer.

256.

Plaintiff von Loewenfeldt has also suffered emotional harm as a direct result of the acts of the Defendants described herein.

Lawrence Harris

257.

Similar to Plaintiffs Peter Delatorre and Michael Delatorre, Plaintiff Harris was transferred out of CNT in retaliation for the investigation into Defendants Willet Williams, James Williams, and Khaalis.

258.

While at CNT, Plaintiff Harris worked next to Defendant Khaalis, and was a witness to his strange behavior. Further, Harris participated in the investigation into Defendants Willet Williams, James Williams, and Khaalis along with Plaintiffs Peter and Michael Delatorre.

259.

In mid- to late-2010, Plaintiff Harris was deposed by the Federal Bureau of Investigation, along with CNT Agent Broome regarding Defendant Khaalis' unusual behavior in the CNT "wire room."

260.

On October 29, 2010, Plaintiff Harris was told he would be transferred out of CNT. There is a policy or procedure for officers leaving CNT that, when they came back to SCMPD from CNT, they are allowed to select the precinct to which they will be assigned.

261.

Plaintiff Harris requested the Downtown precinct. Against his wishes, and in violation of policy or procedure, Harris was assigned to Central Precinct. Further, he was assigned to patrol, a demotion, not in rank, but in prestige and career advancement.

262.

While Plaintiff Harris was at Central Precinct, Defendant Lovett assigned Defendant Willet Williams to supervise and/or monitor Harris.

263.

On November, 1, 2010, Plaintiff Harris reported to Central Precinct. After his assignment in Central Precinct, Harris spoke to Sgt. Don Thompson, and Harris discussed his fear for his safety given his role in investigating SCMPD corruption and Khaalis's position as an officer assigned to Central Precinct.

264.

During his assignment, there were numerous times that Plaintiff Harris was dispatched to calls in which no backup arrived. When Harris did get backup, he had to identify who the backup

officer was to make sure he didn't have to worry for his life. This anxiety jeopardized his life and took his attention away from the task at hand.

265.

In 2010, Officer Harris passed the assessment but was not selected for Sergeant.

266.

On or about November to December 2011, while visiting the Chatham County courthouse, Plaintiff Harris had a conversation with IA investigator Gilbert Walker. Harris had worked with Officer Walker previously and discussed the issues with his safety openly with Officer Walker.

267.

On or about January 2011, Defendant Oliver and Sgt. Lenny Gunter called Plaintiff Harris into IA for an interview. Harris was not told why he was being questioned by IA. The interview was audio recorded, and Harris was informed he was bound to answer all the questions.

268.

During the interview, Defendant Oliver asked Plaintiff Harris if he ever said Defendant Lovett was corrupt and if he believed Lovett was corrupt.

269.

Plaintiff Harris, knowing Defendant Lovett to be corrupt, answered "yes" to both questions. Further, Harris informed Defendant Oliver that Defendant Khaalis should have been in federal prison instead of allowed to take the Sergeant's exam.

270.

Defendant Lovett or agents of Lovett instigated the IA complaint into Plaintiff Harris as retaliation for his role in investigating Defendants Willet Williams, James Williams, and Khaalis and to intimidate Harris into silence about the corruption within SCMPD.

271.

Immediately following the IA interrogation by Defendant Oliver, Plaintiff Harris saw plain-clothes officers following him while he was off-duty.

272.

Specifically, while Plaintiff Harris was shopping at Lowe's he noticed Defendant Oliver and another unknown plain clothes officer in one of the aisles. Harris saw them on several aisles throughout the store during his visit. The two Officers did not speak to him. Lt. Oliver and the other officer remained inside the Lowe's until after Harris left. Harris remained in his car, and noticed they left directly after he left the store without a purchase.

273.

Plaintiff Harris was trained in surveillance techniques and became suspicious and concerned for his safety. Harris knew the other officers were following him, and he questioned how long they have been following him. Harris was worried they had been to his home.

274.

Having informed IA that he knew Defendant Lovett was corrupt and that he had said Lovett was corrupt, Plaintiff Harris knew that he would be fired. Having been tailed by Defendant Oliver and another officer, Harris was in fear for his life and safety.

275.

Thus, on January 5, 2011 Plaintiff Harris was forced to resign his position with SCMPD. Plaintiff Harris was unable to find employment for three (3) months, and cashed in his pension to pay for his on-going expenses.

276.

On April 21, 2011, Plaintiff Harris was hired by Bryan County Police Department. On July 8, 2014, Plaintiff Harris obtained employment with Chatham County Sherriff's Office and is currently assigned to CNT.

277.

Plaintiff Lawrence Harris was the victim of Defendant Lovett's multiple violations of O.C.G.A. § 16-10-32 and/or § 16-10-93(a). Harris' transfer out of CNT into a hostile precinct arose directly out of the commission of these predicate acts. The IA investigation into Harris arose directly out of the commission of these predicate acts. The constructive termination of Harris arose directly out of the commission of these predicate acts.

278.

Plaintiff Lawrence Harris suffered economic harm as a direct result of the acts of the Defendants including, but not limited to: loss of pay when he was transferred out of CNT; loss of pay when he was wrongfully passed over for promotion and/or special assignments; loss of his accrued hours of sick time and when he was constructively terminated; temporary periods of unemployment; decrease in pay from his income at SCMPD, and his new employer.

279.

Plaintiff Lawrence Harris has also suffered emotional harm as a direct result of the acts of the Defendants described herein.

Individual Racketeering Activities (Predicate Offenses)

280.

Plaintiffs reallege and incorporate by reference herein the allegations set forth in the paragraphs above and below, as if fully restated herein.

281.

The crimes for which Defendant Lovett was indicted and convicted, which are detailed above, including but not limited to paragraphs 40 – 41, are RICO predicate offenses pursuant to O.C.G.A. § 16-14-3(9)(A)(xxix).

282.

The actions of Defendant Lovett, while employed at SCMPD, in threatening, punishing and intimidating Plaintiff Peter Delatorre in retaliation for his investigation into Defendants James Williams, Willet Williams, and Khaalis and to prevent said Plaintiff from reporting the corruption he uncovered which are detailed above, including but not limited to paragraphs 123 – 124, 131 – 132, 163 – 185, and 188 – 223, are RICO predicate offenses pursuant to O.C.G.A. §§ 16-14-3(9)(A)(xiv), 16-14-3(9)(A)(xxiii), 16-14-3(9)(B).

283.

The actions of Defendant Lovett, while employed at SCMPD, in threatening, punishing and intimidating Plaintiff Michael Delatorre in retaliation for his investigation into Defendants James Williams, Willet Williams, and Khaalis and to prevent said Plaintiff from reporting the corruption he uncovered which are detailed above, including but not limited to paragraphs 123 – 124, 131 – 132, 163 – 185, 188 – 223, and 224 – 241, are RICO predicate offenses pursuant to O.C.G.A. §§ 16-14-3(9)(A)(xiv), 16-14-3(9)(A)(xxiii), 16-14-3(9)(B).

284.

The actions of Defendant Lovett, while employed at SCMPD, in threatening, punishing and intimidating Plaintiff Larry Harris in retaliation for his investigation into Defendants James Williams, Willet Williams, and Khaalis and to prevent said Plaintiff from reporting the corruption he uncovered which are detailed above, including but not limited to paragraphs 123 – 124, 131 – 132, 163 – 185, 188 – 223, and 257 – 279, are RICO predicate offenses pursuant to O.C.G.A. §§ 16-14-3(9)(A)(xiv), 16-14-3(9)(A)(xxiii), 16-14-3(9)(B).

285.

The actions of Defendant Lovett, while employed at SCMPD, in threatening, punishing and intimidating Plaintiff von Loewenfeldt in retaliation for his investigation into Defendant Henderson and the Hot Boys and to prevent said Plaintiff from reporting the corruption he uncovered and in threatening, punishing and intimidating Plaintiff von Loewenfeldt in retaliation for his stating and/or reporting to other law enforcement officers that Defendant Phillips was corrupt and to prevent said Plaintiff from reporting said corruption which are detailed above, including but not limited to paragraphs 145 – 154 and 242 – 256, are RICO predicate offenses pursuant to O.C.G.A. §§ 16-14-3(9)(A)(xiv), 16-14-3(9)(A)(xxiii), 16-14-3(9)(B).

286.

The actions of Defendant Lovett, while employed at SCMPD, in promoting corrupt police officers, including but not limited to Defendants Khaalis, Henderson, and Gerido which are detailed above, including but not limited to paragraphs 104 – 106, 218, 226, and 229, are RICO predicate offenses pursuant to O.C.G.A. § 16-14-4(c).

287.

The actions of Defendant Lovett in calling Major Mark Gerbino and threatening him, which are detailed above, including but not limited to paragraphs 48 – 50, are RICO predicate offenses pursuant to O.C.G.A. §§ 16-14-3(9)(A)(xiv) and 16-14-3(9)(A)(xxiii).

288.

The actions of Defendant Lovett in making a false statement that he had never seen the IA memo on Defendant Khaalis which are detailed above, including but not limited to paragraphs 163 – 179, are RICO predicate offenses pursuant to O.C.G.A. § 16-14-3(9)(B).

289.

The substantial steps taken by Defendants Liakakis, Abolt, and Brown in making Defendant Lovett police chief while having knowledge of his corruption which are detailed above, including but not limited to paragraphs 34, 43 – 47, 54, 56, and 144, constitute a conspiracy to violate Georgia RICO, pursuant to O.C.G.A. § 16-14-4(c).

290.

The actions of Defendant Abolt in telling Defendant Lovett that Major Mark Gerbino had divulged details of Lovett's corruption which are detailed above, including but not limited to paragraphs 48 – 51, is an act in furtherance of the conspiracy, pursuant to O.C.G.A. § 16-14-4(c).

291.

The actions of Defendant Abolt in informing Defendant Lovett about the Roy Harris memorandum which are detailed above, including but not limited to paragraph 52 – 53 and 180 – 182, are acts in furtherance of the conspiracy pursuant to O.C.G.A. § 16-14-4(c).

292.

The actions of Defendant Brown in blocking then Chief Michael Berkow from firing Defendant Lovett which are detailed above, including but not limited to paragraph 55, is an act in furtherance of the conspiracy pursuant to O.C.G.A. § 16-14-4(c).

293.

The actions of Defendant Brown in refusing to fire Defendant Lovett as police chief after being told of his corruption by Major Mark Gerbino which are detailed above, including but not limited to paragraph 57, are actions in furtherance of the conspiracy pursuant to O.C.G.A. § 16-14-4(c).

294.

The actions of Defendant Khaalis, while employed at SCMPD, in possessing illegal drugs, trafficking illegal drugs, selling illegal drugs, protecting individuals who trafficked in illegal drugs, tampering with evidence, and in using a cellular phone while committing said offenses which are detailed above, including but not limited to paragraphs 58 – 62, 86 – 87, 93, 137 – 143, and 163 – 185, are RICO predicate offenses pursuant to O.C.G.A. §§ 16-14-3(9)(A)(i), 16-14-3(9)(A)(xvi), and 16-14-3(9)(B).

295.

The crimes for which Defendant Khaalis were indicted, which are detailed above, including but not limited to paragraphs 63 and 185, are RICO predicate offenses pursuant to O.C.G.A. § 16-14-3(9)(B).

296.

The actions of Defendant James Williams, while employed at Coastal State Prison in possessing illegal drugs, trafficking illegal drugs, selling illegal drugs, protecting individuals

who trafficked in illegal drugs, and in using a cellular phone while committing said offenses which are detailed above, including but not limited to paragraphs 64 – 72, 137 – 143, and 163 – 185, are RICO predicate offenses pursuant to O.C.G.A. §§ 16-14-3(9)(A)(i) and 16-14-3(9)(B).

297.

The actions of Defendant Willet Williams, while employed at SCMPD, in possessing illegal drugs, trafficking illegal drugs, selling illegal drugs, protecting individuals who trafficked in illegal drugs, and in using a cellular phone while committing said offenses which are detailed above, including but not limited to paragraphs 73 – 80, 92, 137 – 143, and 163 - 185, are RICO predicate offenses pursuant to O.C.G.A. §§ 16-14-3(9)(A)(i) and 16-14-3(9)(B).

298.

The actions of Defendant Sawyer, while employed at SCMPD, in possessing illegal drugs, trafficking illegal drugs, selling illegal drugs, protecting individuals who trafficked in illegal drugs, and in using a cellular phone while committing said offenses which are detailed above, including but not limited to paragraphs 81 – 85, are RICO predicate offenses pursuant to O.C.G.A. §§ 16-14-3(9)(A)(i) and 16-14-3(9)(B).

299.

The crimes for which Defendant Sawyer was indicted and convicted, which are detailed above, including but not limited to paragraphs 88 – 90, are RICO predicate offenses pursuant to O.C.G.A. § 16-14-3(9)(A)(xxix).

300.

The actions of Defendant Gerido, while employed at SCMPD, in protecting individuals who trafficked in illegal drugs and in using a cellular phone while committing said offenses

which are detailed above, including but not limited to paragraphs 91 – 93, 137 – 143, and 227 – 228, are RICO predicate offenses pursuant to O.C.G.A. §§ 16-14-3(9)(A)(i) and 16-14-3(9)(B).

301.

The actions of Defendant Tolbert, while employed at SCMPD, in assisting Defendant Lovett in threatening, punishing and intimidating Plaintiffs Peter Delatorre, Michael Delatorre, and Larry Harris in retaliation for their investigation into Defendants James Williams, Willet Williams, and Khaalis and to prevent said Plaintiffs from reporting the corruption they uncovered which are detailed above, including but not limited to paragraphs 94 – 99, 188 – 223, 224 – 241, and 257 – 279, are RICO predicate offenses pursuant to O.C.G.A. §§ 16-14-3(9)(A)(xiv), 16-14-3(9)(A)(xxiii), 16-14-3(9)(B).

302.

The actions of Defendant Phillips, while employed at SCMPD, in interfering with criminal investigations and participating in Defendant Lovett's protection of illegal gambling operations which are detailed above, including but not limited to paragraphs 100 – 113, are RICO predicate offenses pursuant to O.C.G.A. §§ 16-14-3(9)(A)(xvii), 16-14-3(9)(B).

303.

The actions of Defendant Henderson, while employed at SCMPD, in possessing illegal drugs, trafficking illegal drugs, selling illegal drugs, protecting individuals who trafficked in illegal drugs, using a cellular phone while committing said offenses, assisting in harboring a fugitive, and conspiracy to commit theft by taking motor vehicle which are detailed above, including but not limited to paragraphs 114 – 122, 145 – 154, and 156 – 162, are RICO predicate offenses pursuant to O.C.G.A. §§ 16-14-3(9)(A)(i), 16-14-3(9)(A)(ix) and 16-14-3(9)(B).

304.

The actions of Defendant Ramsey, while employed at SCMPD, in interfering with the investigation into Defendant Henderson and protecting the illegal activity of Henderson which are detailed above, including but not limited to paragraphs 125 – 126 and 145 – 154, are RICO predicate offenses pursuant to O.C.G.A. § 16-14-3(9)(B).

305.

The actions of Defendant Wiley, while employed at SCMPD, in violating his oath of office by clearing Defendants Willet Williams and Khaalis in IA investigations, making false statements that the City Attorney's Office had reviewed the IA report and found no illegal activity by Khaalis and Willet Williams, making false statements that there was no IA investigation into Khaalis, wrongfully taking corrupt officers off administrative leave and returning them to active duty, and in refusing to fire, suspend, or discipline corrupt officers, which are detailed above, including but not limited to paragraphs 127 – 130, 175 – 177, 188 – 223, and 257 – 279, are RICO predicate offenses pursuant to O.C.G.A. § 16-14-3(9)(B).

306.

The actions of Defendant Oliver, while employed at SCMPD, in violating his oath of office by clearing Defendants Willet Williams and Khaalis in IA investigations, making false statements that there was no IA investigation into Khaalis, and in threatening, punishing and intimidating Plaintiffs Peter Delatorre, Michael Delatorre, and Larry Harris in retaliation for their investigation into Defendants James Williams, Willet Williams, and Khaalis and to prevent said Plaintiffs from reporting the corruption they uncovered which are detailed above, including but not limited to paragraphs 131 – 132, 175 – 177, 188 – 223, and 257 – 279, are RICO predicate offenses pursuant to O.C.G.A. §§ 16-14-3(9)(A)(xiv), 16-14-3(9)(A)(xxiii), 16-14-3(9)(B).

307.

The above acts of racketeering activity committed by Defendants have the same or similar methods of commission in that they involve threatening, punishing and intimidating police officers in retaliation for investigating corruption within the department and in that they involve taking direct and indirect action to prevent police officers from reporting corruption when it is uncovered within the department.

308.

The acts of racketeering activity committed by Defendants have the same or similar objective: eliminate or silence honest police officers that interfere with the corrupt activity which occurs within the department.

309.

The acts of racketeering activity committed by Department have the same or similar victims, as all Plaintiffs were SCMPD officers who attempted to investigate and report illegal activity within the Department.

310.

Defendants have intimidated and threatened witnesses, made false statements, violated their oaths of office, and obstructed investigations for a period of time longer than two years, beginning prior to 2010 and continuing at least until 2013.

COUNT I — Violation of O.C.G.A. 16-14-4(a) by SCMPD Defendants

311.

Plaintiffs reallege and incorporate by reference herein the allegations set forth in the paragraphs above and below, as if fully restated herein.

312.

Defendants Lovett, Tolbert, Khaalis, Willet Williams, James Williams Sawyer, Gerido, Phillips, Henderson, Ramsey, Wiley, and Oliver have unlawfully acquired and maintained, both directly and indirectly, interests in, and control of, an enterprise, to wit: SCMPD through a pattern of racketeering activity and proceeds derived therefrom, as described in this Complaint.

313.

SCMPD is an “enterprise” within the meaning of the Georgia RICO Act. Each of the Defendants is a “person” within the meaning of the Georgia RICO Act.

314.

Plaintiffs have been injured by reason of Defendants’ violations of O.C.G.A. 16-14-4(a) and are entitled to recover three times the actual damages sustained.

315.

In addition, the actions of Defendants Lovett, Tolbert, Khaalis, Willet Williams, Sawyer, Gerido, Phillips, Henderson, Ramsey, Wiley, and Oliver show willful misconduct, malice, fraud, wantonness, oppression and an entire want of care that raises the presumption of conscious indifference to consequences and specific intent to cause harm, entitling each Plaintiff to receive punitive damages sufficient to deter, penalize, or punish said Defendants in light of the circumstances in this case.

COUNT II — Violation of O.C.G.A. 16-14-4(b) by SCMPD Defendants

316.

Plaintiffs reallege and incorporate by reference herein the allegations set forth in the paragraphs above and below, as if fully restated herein.

317.

Defendants Lovett, Tolbert, Khaalis, Willet Williams, James Williams Sawyer, Gerido, Phillips, Henderson, Ramsey, Wiley, and Oliver did unlawfully, while employed by and associated with an enterprise, to wit: SCMPD, conduct and participate, both directly and indirectly, in said enterprise through a pattern of racketeering activity as described herein.

318.

SCMPD is an “enterprise” within the meaning of the Georgia RICO Act. Each of the Defendants is a “person” within the meaning of the Georgia RICO Act.

319.

Plaintiffs have been injured by reason of Defendants’ violations of O.C.G.A. 16-14-4(b) and are entitled to recover three times the actual damages sustained.

320.

In addition, the actions of Defendants Lovett, Tolbert, Khaalis, Willet Williams, Sawyer, Gerido, Phillips, Henderson, Ramsey, Wiley, and Oliver show willful misconduct, malice, fraud, wantonness, oppression and an entire want of care that raises the presumption of conscious indifference to consequences and specific intent to cause harm, entitling each Plaintiff to receive punitive damages sufficient to deter, penalize, or punish said Defendants in light of the circumstances in this case.

COUNT III — Conspiracy to Violate O.C.G.A. § 16-14-4 by All Defendants

321.

Plaintiffs reallege and incorporate by reference herein the allegations set forth in the paragraphs above and below, as if fully restated herein.

322.

Defendants Lovett, Liakakis, Abolt, Brown, Tolbert, Khaalis, Willet Williams, Sawyer, Gerido, Phillips, Henderson, Ramsey, Wiley, and Oliver have conspired together to violate O.C.G.A. § 16-14-4(a) and/or (b), in violation of O.C.G.A. § 16-14-4(c).

323.

The nature of the above-described acts, violations of state law in furtherance of a conspiracy give rise to the inference that Defendants not only agreed to the objectives of the enterprise, but by conspiring to violate O.G.G.A. 16-14-4(a) and (b), were also aware that their on-going fraudulent and otherwise illegal acts have been and are a part of an overall pattern of racketeering activity.

324.

SCMPD is an “enterprise” within the meaning of the Georgia RICO Act. Each of the Defendants is a “person” within the meaning of the Georgia RICO Act.

325.

Plaintiffs have been injured by reason of Defendants’ violations of O.C.G.A. 16-14-4(c) and are entitled to recover three times the actual damages sustained.

326.

In addition, the actions of Defendants Lovett, Liakakis, Abolt, Brown, Tolbert, Khaalis, Willet Williams, Sawyer, Gerido, Phillips, Henderson, Ramsey, Wiley, and Oliver show willful misconduct, malice, fraud, wantonness, oppression and an entire want of care that raises the presumption of conscious indifference to consequences and specific intent to cause harm, entitling each Plaintiff to receive punitive damages sufficient to deter, penalize, or punish said Defendants in light of the circumstances in this case.

WHEREFORE, Plaintiffs pray for the following:

- 1) For compensatory damages according to proof;
- 2) Judgment in an amount equal to three times the actual damages sustained by Plaintiffs, pursuant to O.C.G.A. 16-14-6(c);
- 3) For a judgment against the Defendants for punitive damages in an amount left to the enlightened conscience of the Court or jury;
- 4) For costs of suit incurred herein;
- 5) For attorney's fees in the trial and appellate courts and costs of investigation and litigation reasonably incurred, pursuant to O.C.G.A. §§ 10-1-370, 16-14-6; and,
- 6) For any such other or further relief as the Court deems just and proper.

Respectfully submitted, this 1st day of October, 2015.



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