

INTRODUCTION

We, the members of the 34th Statewide Investigating Grand Jury, having received and reviewed evidence regarding violations of the Crimes Code occurring in Beaver County, Pennsylvania, pursuant to Notice of Submission of Investigation No. 33, do hereby make the following findings of fact and recommendation of charges.

FINDINGS OF FACT

The Grand Jury conducted an investigation into reported assaults and threats committed by George David, the elected Sheriff of Beaver County Pennsylvania. During the course of the eleven-month investigation, the Grand Jury heard evidence that George David assaulted or threatened at least two individuals between November 2011 and April 2012 and thereafter discouraged witnesses of an assault from reporting their observations truthfully.

Sheriff George David was first appointed to office by the Governor and served as Sheriff between 1996 and 1997. Thereafter, David became the Chief of Security for the Beaver County Jail. In 2008, David was elected as Sheriff of Beaver County and currently holds that office.

On Saturday, November 5, 2011, a volunteer for the re-election campaigns of several Beaver County officials, to include George David, reported to the democratic campaign headquarters to pick up campaign signs, brochures, sample ballots and other items to assist him with his campaign efforts. Upon arrival at campaign headquarters, the Volunteer approached George David to greet him and shake his hand. David looked at the Volunteer and was clearly irate. As the Volunteer reached his hand toward David, David said "you motherfucker, I heard you talk about me, shake my hand, I'll cut your fucking hands off and I'll eat them, I'll cut your hands off."

One witness, an elected row officer in Beaver County, recalled hearing David yell, "You have the nerve to try to shake my hand, and that's when I looked at the [Volunteer]. He's yelling, I'll cut it off and eat it before I shake your hand, I'll shove it down your throat. He was going ballistic." The Row Officer further recalled that the Volunteer looked shocked, terrified, and began stuttering.

David continued his tirade as others attempted to intervene to calm David. David remained irate and repeated similar threats to the Volunteer. David was within a foot of the Volunteer, who feared for his personal safety and scanned David's person to determine if he was carrying a firearm. Despite the best efforts of those witnesses attempting to intervene, David's rant continued until he was physically moved to a back room. David continued yelling from the back room. In the back room the threats continued. According to one eyewitness David stated, "My father always told me that when you see a snake, you cut the head off a snake."

The Volunteer is an employee of Beaver County. Following David's threats, the Volunteer wanted to report the incident to law enforcement and pursue criminal charges but chose not to as he feared retaliation and loss of employment. On June 19, 2012 an article appeared in the Beaver Countian, an online news outlet, describing the threats made to the Volunteer. Thereafter, county employees approached the Volunteer and warned him that "David is very vindictive and you're going to lose your job." During his testimony before the Grand Jury he described his fear both during the incident and to the present day, "[David's] a very powerful man. He walks with a very powerful circle of people and so he's capable of I think not only trying to take my job away from me but hurting me or my family, as well."

The Grand Jury finds a *prima facie* case that Sheriff George David committed terroristic threats and simple assault against the Volunteer.

On April 16, 2012, Sheriff David threatened and assaulted the owner and lead journalist with the *Beaver Countian*. Prior to the assault, the Journalist enjoyed a professional relationship with David and wrote several favorable articles about his office and individual deputies in David's employ. Because of the positive relationship he had with David, the Journalist learned of David's dislike of a reporter with the *Beaver County Times* and the Beaver County Prothonotary. According to the Journalist, David dislikes the *Times* Reporter because of unfavorable articles published about the Sheriff and his office. David dislikes the Prothonotary because he believes that she terminated his wife, once an employee of the Prothonotary's Office.

Leading up to the April 16th assault, the Journalist was investigating a controversy involving the procurement of uniforms for the Sheriff's deputies. Pursuant to the County Code, any purchase over \$18,500.00 is put out for bid. From at least 1998 through 2012, Central Services has put the purchase of uniforms for sheriff deputies out for bid because the uniform budget is typically \$35,000.00. That year, when Central Services notified the Sheriff of the company submitting the lowest bid, he objected and determined that uniforms for his deputies did not fall under Beaver County bid requirements. On April 16, 2012, the Journalist went to the Sheriff's office located in the Beaver County Courthouse and requested a uniform requisition form used by the deputies to request uniform items.

After requesting the form, a secretary informed the Journalist that Sheriff David wanted to see him in his office. The Sheriff was behind his desk along with two other deputies seated in his office. After providing the Journalist with the form, the office door was shut. David was clearly annoyed with the request and began getting louder. The meeting commenced at 4:00 in the afternoon and continued for approximately two hours. The Journalist spoke very little and

listened to the Sheriff rant extensively about courthouse staff, the Journalist, and the *Times* Reporter.

In particular, the Sheriff demanded that the Journalist not pursue the story regarding the uniform controversy. The Sheriff yelled, "I just got that mother futching [*Times* Reporter] off my Goddamn ass. I don't need you on my mother futching ass too."¹ After the Journalist and one of the deputies present reminded the Sheriff of past favorable reporting, the Sheriff responded, "I don't give a futch about them other articles. I don't need him getting on my ass with this." An eyewitness to the tirade also recalled this statement with particularity. David became irate and during the two hour tirade that followed he flailed his arms, gestured wildly, and continued yelling about a variety of topics.

At one point, David removed a black jack from a top drawer in his desk and shouted that he "would beat that [*Times* Reporter] worse than I used to beat the niggers in Aliquippa," and slammed the black jack on the desk. The Journalist became scared as David kept screaming, "That [*Times* Reporter], I put up with so much of his fucking shit, him writing shit about me all the fucking time. I've had enough. Now I got you coming after me. I'm fucking sick of it." As the Sheriff's anger increased, the Journalist did not feel that he could leave his office and was in continual fear for his safety.

The incident reached a crescendo when the Sheriff began saying, "If I knew I was going to die today, I would blow their fucking brains out. If I knew I was going to die," referencing the *Times* Reporter and Prothonotary. Eyewitnesses to the incident also recall this statement with particularity. The Sheriff repeated the phrase and started screaming it as loud as possible. During his repetition of this phrase, David removed his service revolver from its holster. With

¹ The Grand Jury learned through the testimony of several witnesses that Sheriff George David attempts not to use profanity and in its place uses a word of his own creation, "futch." As his anger increases, the Sheriff typically drops the pretext and uses profanity.

the gun out, the Sheriff screamed to the Journalist, "You're on my fucking ass now. You start writing fucking shit like this I'll blow your fucking brains out too." Eyewitnesses to the incident recalled the Sheriff taking his gun out his holster and being shocked. The witnesses testified further that had they been the Journalist, they would have been extremely concerned and felt threatened.

Both deputies reacted when David removed his gun. One uncrossed his legs and leaned forward and the other covered his face with his hands and started shaking his head. The Journalist attempted to calm the Sheriff, which seemed to make him louder. David then reholstered his weapon and appeared to calm immediately. One deputy told the Sheriff that he needed to get home and they all left the office. As one of the deputies escorted the Journalist out of the office, the Journalist remarked, "Wow, I didn't even write anything yet." The deputy shook his head in response.

The deputies interacted immediately following the incident, remarking, "Did you just see what I saw? . . . He pulled his fucking gun out." Moments later the deputies commented that the Sheriff really lost it.

The Journalist was terrified that the Sheriff would follow him out of the courthouse and began running aimlessly and calling for someone to pick him up. As soon as he got home, the Journalist called the Beaver County Detectives, and warned the Prothonotary and *Times* Reporter. The Police Chief of Beaver Borough advised the Journalist to meet him at the station along with the Prothonotary.

Beaver Borough police officers, including the Chief, testified before the Grand Jury and described the Journalist's demeanor in detail. The Journalist was visibly shaken, crying, and unable to form complete sentences. The Chief testified, "You could tell it wasn't fake where he

was upset. It wasn't a show. Put it that way . . . It was definitely credible and we passed that back to the trooper. In fairness to him being new to that area, I just wanted to give him - - the guy wasn't there for attention. Something did happen that triggered this."

Following the incident there was an effort by the Sheriff's office to conduct their own investigation of the allegations. In particular, the solicitor for the Sheriff's office asked a deputy whether the Sheriff's gun came out and then admonished the deputy that the deputies "better get on the same page." Both deputies denied that anything inappropriate happened during the meeting and authored internal reports indicating the same. One deputy explained that he did so out of a fear of losing his job. Once the investigation was assigned to the Pennsylvania State Police, both deputies told a similar tale to the investigating Troopers, that nothing untoward occurred during the meeting.

During a conversation with the Sheriff, one of the deputies repeated one of the threatening comments made by the Sheriff during his tirade. The Sheriff responded by saying, "You don't need to repeat that again." The deputy understood that it was an instruction from the Sheriff to lie. In the weeks and months following this incident, the Sheriff repeatedly reiterated to at least one deputy that "it never happened." This was understood as an effort on the Sheriff's part to ensure that he maintained the deputy's loyalty and prevented the truth from being disclosed.

The Grand Jury finds a *prima facie* case that George David committed Simple Assault, Recklessly Endangering Another Person, Terroristic Threats, Intimidation of Witnesses or Victims, Official Oppression, and Obstructing Administration of Law or Other Governmental Function.