

STATE GRAND JURY OF SOUTH CAROLINA

STATE OF SOUTH CAROLINA)
)
)
v.)
)
)
GEORGE ALEXANDER)
UNDERWOOD,)
a/k/a "Big A";)
ROBERT ANDREW SPROUSE, and)
JOHNNY RICARDO NEAL, JR.,)
Defendants.)
)
)

Case No. 2019-GS-47-43

**INDICTMENT FOR:
CRIMINAL CONSPIRACY,
MISCONDUCT IN OFFICE,
USE OF OFFICIAL POSITION OR OFFICE
FOR FINANCIAL GAIN,
EMBEZZLEMENT, and
FORGERY**

At a session of the State Grand Jury of South Carolina, convened in Columbia, South Carolina, on December 11, 2019, the State Grand Jurors present upon their oath and charge as follows:

**COUNT ONE
CRIMINAL CONSPIRACY
(S.C. Code Ann. § 16-17-410)**

That GEORGE ALEXANDER UNDERWOOD, a/k/a "Big A"; ROBERT ANDREW SPROUSE, and JOHNNY RICARDO NEAL, JR., and other persons known and unknown to the Grand Jury, in Chester County, from on or about January 1, 2017 until on or about December 31, 2017, did wilfully, unlawfully, and feloniously unite, combine, conspire, confederate, agree and have a tacit understanding and agreement between two or more persons, for the purpose of cheating and defrauding the County of Chester, a political subdivision of the State of South Carolina, and accomplishing an unlawful

object or lawful object by unlawful means, including but not limited to violations of common law misconduct in office, § 16-13-210, and § 8-13-700, to wit:

While UNDERWOOD was the elected Sheriff of Chester County and SPROUSE and NEAL were supervisory Deputy Sheriffs of Chester County, UNDERWOOD, SPROUSE, and NEAL did combine and conspire to spend all or part of the workday and direct other deputies and staff to spend all or part of their workdays while on duty and being paid by the county, to construct improvements to a barn on UNDERWOOD's property, and to do other work for the personal benefit of UNDERWOOD.

All in violation of Section 16-17-410 of the Code of Laws of South Carolina, and such conduct involving public corruption and arising out of or in connection with a crime involving public corruption and such conduct not having been authorized by law.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

**COUNT TWO
MISCONDUCT IN OFFICE
Common Law**

That GEORGE ALEXANDER UNDERWOOD, a/k/a "Big A"; in Chester County, from on or about January 1, 2017 until on or about December 31, 2017, and while the elected Sheriff of Chester County, a public official, did willfully and dishonestly fail to properly and faithfully discharge the duties of his public office imposed upon him by law; to wit:

While Sheriff, UNDERWOOD spent time during the regular workday, and did have subordinate deputies and sheriff's office staff spend time during their regular

workdays while on duty and being paid by the county, constructing improvements to UNDERWOOD's barn and doing other work for UNDERWOOD'S personal benefit or on UNDERWOOD's personal property. Therefore, UNDERWOOD did, by malfeasance, misfeasance, and nonfeasance, commit acts and omissions in breach of his duty of good faith, honesty, and accountability to the public.

All in violation of the Common Law of South Carolina, and such conduct involving public corruption and arising out of or in connection with a crime involving public corruption and such conduct not having been authorized by law.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

**COUNT THREE
USE OF OFFICIAL POSITION OR OFFICE FOR FINANCIAL GAIN
ETHICS ACT VIOLATION
(S.C. Code Ann. § 8-13-700)**

That from on or about January 1, 2017 until on or about December 31, 2017, GEORGE ALEXANDER UNDERWOOD, a/k/a "Big A", did, in Chester County, while the elected Sheriff of Chester County, knowingly use his official office, membership, or employment to obtain an economic interest for himself; to wit:

UNDERWOOD used his position as elected Sheriff of Chester County to get free labor performed on his personal property and for his personal benefit by subordinate deputies and staff who depended on UNDERWOOD's good graces for their continued employment. From this activity UNDERWOOD received an economic benefit distinct from that of the general public of more than fifty dollars.

This done in violation of the §8-13-700 of the Code of Laws of South Carolina; such conduct involving public corruption and arising out of or in connection with a crime involving public corruption and such conduct not having been authorized by law.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

**COUNT FOUR
EMBEZZLEMENT
S.C. Code Ann. § 16-13-210**

That GEORGE ALEXANDER UNDERWOOD, a/k/a "Big A", in Chester County, on or about January 1, 2017 until on or about December 31, 2017, while UNDERWOOD, as the elected Sheriff of Chester County, was responsible for the safekeeping, transfer and disbursement of public funds, did embezzle and convert to his own use ten thousand dollars or more (\$10,000) of the public funds, with the intention to defraud the citizens of Chester County, to wit:

While Sheriff of Chester County, and thus responsible for the funds entrusted to him for operation of necessary police services as well as for the employment of the deputies and staff subordinate to him, UNDERWOOD did have Sheriff's Office deputies and staff performing services for him and on his property for his personal benefit during the work hours of those deputies and staff, and thus did convert to his own use the wages paid from public funds to those deputies and staff.

All in violation of section 16-13-210 of the South Carolina Code of Laws, and such conduct involving public corruption or arising out of or in connection with a crime involving public corruption and such conduct having not been authorized by law.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

**COUNT FIVE
CRIMINAL CONSPIRACY
(S.C. Code Ann. § 16-17-410)**

That GEORGE ALEXANDER UNDERWOOD, a/k/a "Big A"; and ROBERT ANDREW SPROUSE, and other persons known and unknown to the Grand Jury, in Chester County, on or about some time in April 2017, did wilfully, unlawfully, and feloniously unite, combine, conspire, confederate, agree and have a tacit understanding and agreement between two or more persons, for the purpose of cheating and defrauding the County of Chester, a political subdivision of the State of South Carolina, and accomplishing an unlawful object or lawful object by unlawful means, including but not limited to violations of common law misconduct in office, § 16-13-10, and § 16-13-210, to wit:

While UNDERWOOD was the elected Sheriff of Chester County and SPROUSE was the supervisory Chief Deputy Sheriff of Chester County, UNDERWOOD and SPROUSE did combine and conspire to have public funds of Chester County be spent to pay for each of their spouse's travel expenses for a trip to a police conference in Reno, Nevada.

All in violation of Section 16-17-410 of the Code of Laws of South Carolina, and such conduct involving public corruption and arising out of or in connection with a crime involving public corruption and such conduct not having been authorized by law.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

**COUNT SIX
EMBEZZLEMENT
S.C. Code Ann. § 16-13-210**

That GEORGE ALEXANDER UNDERWOOD, a/k/a "Big A", in Chester County, on or about some time in April of 2017, while UNDERWOOD, as the elected Sheriff of Chester County, was responsible for the safekeeping, transfer and disbursement of public funds, did embezzle and convert to his own use less than ten thousand dollars (\$10,000) of the public funds, with the intention to defraud the citizens of Chester County, to wit:

While Sheriff, UNDERWOOD did obtain payment from the public funds of Chester County for travel expenses of his spouse for a trip to a police conference in Reno, Nevada, and such an expenditure was an improper personal use of public money.

All in violation of section 16-13-210 of the South Carolina Code of Laws, as amended; and such conduct involving public corruption or arising out of or in connection with a crime involving public corruption and such conduct having not been authorized by law.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

**COUNT SEVEN
EMBEZZLEMENT
S.C. Code Ann. § 16-13-210**

That ROBERT ANDREW SPROUSE, in Chester County, on or about some time in April of 2017, while SPROUSE, as the Chief Deputy Sheriff of Chester County, was responsible for the safekeeping, transfer and disbursement of public funds, did embezzle and convert to his own use less than ten thousand dollars (\$10,000) of the public funds, with the intention to defraud the citizens of Chester County, to wit:

While Chief Deputy Sheriff of Chester County, SPROUSE did obtain payment from the public funds of Chester County for travel expenses of his spouse for a trip to a police conference to Reno, Nevada, and such an expenditure was an improper personal use of public money.

All in violation of section 16-13-210 of the South Carolina Code of Laws, and such conduct involving public corruption or arising out of or in connection with a crime involving public corruption and such conduct having not been authorized by law.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

**COUNT EIGHT
FORGERY
S.C. Code Ann. § 16-13-10**

That GEORGE ALEXANDER UNDERWOOD, a/k/a "Big A", in Chester County, on or about some time in April of 2017, did wilfully, unlawfully, and feloniously, falsely make, forge, or counterfeit any writing or instrument of writing; and did cause or procure

to be falsely made, forged, or counterfeited any writing or instrument of writing; and did wilfully act or assist in the false making, forging, or counterfeiting of any writing or instrument of writing; and did utter or publish as true any false, forged, or counterfeited writing or instrument of writing; and did willingly act or assist in any of the above, with an intention to defraud any person; to wit:

UNDERWOOD did cause and procure an altered Expedia receipt for airline travel to be submitted to the Chester County finance offices for authorization of payment, when the receipt was altered to remove any reference to the fact that it included payment for approximately \$2600 in expenses for UNDERWOOD's wife and the wife of his Chief Deputy.

All in violation of section 16-13-10 of the South Carolina Code of Laws, and such conduct involving public corruption or arising out of or in connection with a crime involving public corruption and such conduct having not been authorized by law.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

**COUNT NINE
FORGERY
S.C. Code Ann. § 16-13-10**

That ROBERT ANDREW SPROUSE, in Chester County, on or about some time in April of 2017, did wilfully, unlawfully, and feloniously, falsely make, forge, or counterfeit any writing or instrument of writing; and did cause or procure to be falsely made, forged, or counterfeited any writing or instrument of writing; and did wilfully act or assist in the false making, forging, or counterfeiting of any writing or instrument of

writing; and did utter or publish as true any false, forged, or counterfeited writing or instrument of writing; and did willingly act or assist in any of the above, with an intention to defraud any person; to wit:

SPROUSE did cause and procure an altered Expedia receipt for airline travel to be submitted to the Chester County finance offices for authorization of payment, when the receipt was altered to remove any reference to the fact that it included payment for approximately \$2600 in expenses for his wife and the wife of the Sheriff Underwood.

All in violation of section 16-13-10 of the South Carolina Code of Laws, and such conduct involving public corruption or arising out of or in connection with a crime involving public corruption and such conduct having not been authorized by law.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

COUNT TEN
MISCONDUCT IN OFFICE
Common Law

That GEORGE ALEXANDER UNDERWOOD, a/k/a "Big A"; in Chester County, on or about some time in April of 2017, and while the elected Sheriff of Chester County, a public official, did willfully and dishonestly fail to properly and faithfully discharge the duties of his public office imposed upon him by law; to wit:

While Sheriff, UNDERWOOD did cause the county to pay for unauthorized travel expenses for his wife and his Chief Deputy's wife, for his personal benefit and the personal benefit of his Chief Deputy. Therefore, UNDERWOOD did, by malfeasance,

misfeasance, and nonfeasance, commit acts and omissions in breach of his duty of good faith, honesty, and accountability to the public.

All in violation of the Common Law of South Carolina, and such conduct involving public corruption and arising out of or in connection with a crime involving public corruption and such conduct not having been authorized by law.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

**COUNT ELEVEN
MISCONDUCT IN OFFICE
Common Law**

That ROBERT ANDREW SPROUSE, in Chester County, on or about some time in April of 2017, and while the Chief Deputy Sheriff of Chester County, a public official, did willfully and dishonestly fail to properly and faithfully discharge the duties of his public office imposed upon him by law; to wit:

While Chief Deputy Sheriff, SPROUSE did cause the county to pay for unauthorized travel expenses for his wife and the Sheriff's wife, for his personal benefit and the personal benefit of Sheriff Underwood. Therefore, SPROUSE did, by malfeasance, misfeasance, and nonfeasance, commit acts and omissions in breach of his duty of good faith, honesty, and accountability to the public.

All in violation of the Common Law of South Carolina, and such conduct involving public corruption and arising out of or in connection with a crime involving public corruption and such conduct not having been authorized by law.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

**COUNT TWELVE
MISCONDUCT IN OFFICE
Common Law**

That GEORGE ALEXANDER UNDERWOOD, a/k/a "Big A"; in Chester County, on or about January 1, 2015 until on or about December 31, 2017, and while the elected Sheriff of Chester County, a public official, did willfully and dishonestly fail to properly and faithfully discharge the duties of his public office imposed upon him by law; to wit:

While Sheriff, UNDERWOOD did cause payment from other entities and businesses for off-duty but official police security work to be routed through a Chester County detention center account in order to avoid oversight, withholding, and taxes, and did personally receive money routed through this account for off-duty security work he did not in fact do, including money that had been invoiced to the other entity or business for the work of subordinate officers that instead was paid to Sheriff UNDERWOOD. Therefore, UNDERWOOD did, by malfeasance, misfeasance, and nonfeasance, commit acts and omissions in breach of his duty of good faith, honesty, and accountability to the public.

All in violation of the Common Law of South Carolina, and such conduct involving public corruption and arising out of or in connection with a crime involving public corruption and such conduct not having been authorized by law.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

**COUNT THIRTEEN
MISCONDUCT IN OFFICE
Common Law**

That JOHNNY RICARDO NEAL, JR.; in Chester County, on or about January 1, 2015 until on or about December 31, 2017, and while the a sheriff's deputy in Chester County, a public official, did willfully and dishonestly fail to properly and faithfully discharge the duties of his public office imposed upon him by law; to wit:

NEAL did personally receive money routed through this account for off-duty security work he did not in fact do, including money that had been invoiced to the other entity or business for the work of subordinate officers that instead was paid to him. Therefore, NEAL did, by malfeasance, misfeasance, and nonfeasance, commit acts and omissions in breach of his duty of good faith, honesty, and accountability to the public.

All in violation of the Common Law of South Carolina, and such conduct involving public corruption and arising out of or in connection with a crime involving public corruption and such conduct not having been authorized by law.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

**COUNT FOURTEEN
USE OF OFFICIAL POSITION OR OFFICE FOR FINANCIAL GAIN
ETHICS ACT VIOLATION
(S.C. Code Ann. § 8-13-700)**

That on or about January 1, 2015 until on or about December 31, 2017, GEORGE ALEXANDER UNDERWOOD, a/k/a "Big A", did, in Chester County, while the elected Sheriff of Chester County, knowingly use his official office, membership, or employment to obtain an economic interest for himself; to wit:

UNDERWOOD received money for off-duty but official police security work that he did not in fact do, including money that he received instead of the subordinate officers for whose work the business or entity had actually been invoiced. From this activity UNDERWOOD received an economic benefit distinct from that of the general public of more than fifty dollars.

This done in violation of the §8-13-720 of the Code of Laws of South Carolina; such conduct involving public corruption and arising out of or in connection with a crime involving public corruption and such conduct not having been authorized by law.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

**COUNT FIFTEEN
USE OF OFFICIAL POSITION OR OFFICE FOR FINANCIAL GAIN
ETHICS ACT VIOLATION
(S.C. Code Ann. § 8-13-700)**

That on or about January 1, 2015 until on or about December 31, 2017, JOHNNY RICARDO NEAL, JR., did, in Chester County, while a deputy sheriff in Chester County, knowingly use his official office, membership, or employment to obtain an economic interest for himself; to wit:

NEAL received money for off-duty but official police security work that he did not in fact do, including money that he received instead of the subordinate officers for whose work the business or entity had actually been invoiced. From this activity NEAL received an economic benefit distinct from that of the general public of more than fifty dollars.

This done in violation of the §8-13-720 of the Code of Laws of South Carolina; such conduct involving public corruption and arising out of or in connection with a crime involving public corruption and such conduct not having been authorized by law.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

**COUNT SIXTEEN
MISCONDUCT IN OFFICE
Common Law**

That ROBERT ANDREW SPROUSE; in Chester County, from on or about January 1, 2018 until on or about December 31, 2018, and while the Chief Deputy Sheriff of Chester County, a public official, did willfully and dishonestly fail to properly and faithfully discharge the duties of his public office imposed upon him by law; to wit:

While Chief Deputy Sheriff, SPROUSE did have subordinate deputies and sheriff's office staff spend time during their regular workdays while on duty and being paid by the county, constructing improvements such as a barn on his property and doing other work for his personal benefit. Therefore, SPROUSE did, by malfeasance, misfeasance, and nonfeasance, commit acts and omissions in breach of his duty of good faith, honesty, and accountability to the public.

All in violation of the Common Law of South Carolina, and such conduct involving public corruption and arising out of or in connection with a crime involving public corruption and such conduct not having been authorized by law.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

A True Bill



FOREPERSON

Alan Wilson

ALAN WILSON (scw)
ATTORNEY GENERAL