



WAYNE COUNTY SHERIFF'S OFFICE

Special Investigation
October 3, 2016

Justin P. Wilson, Comptroller





**STATE OF TENNESSEE
COMPTROLLER OF THE TREASURY**

JAMES K. POLK STATE OFFICE BUILDING, SUITE 1600

505 DEADERICK STREET

NASHVILLE, TENNESSEE 37243-1402

PHONE (615) 401-7907

FAX (615) 532-4499

**Justin P. Wilson
Comptroller of the Treasury**

October 3, 2016

Sheriff Ric Wilson
Wayne County Sheriff's Office
1016 Andrew Jackson Drive
Waynesboro, TN 38485

Dear Sheriff Wilson:

The Office of the Comptroller of the Treasury, in conjunction with the Tennessee Bureau of Investigation, conducted a special investigation of selected records of the Wayne County Sheriff's Office, and the results are presented herein.

Copies of this report are being forwarded to Governor Bill Haslam, the State Attorney General, the District Attorney General, certain state legislators, and various other interested parties. A copy is available for public inspection in our office and may be viewed at <http://www.comptroller.tn.gov/ia/>.

Sincerely,

Comptroller of the Treasury

JPW/RAD

SPECIAL INVESTIGATION

Wayne County Sheriff's Office

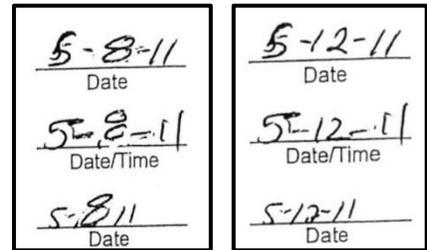
The Office of the Comptroller of the Treasury, in conjunction with the Tennessee Bureau of Investigation, investigated allegations of malfeasance related to the Wayne County Sheriff's Office (WCSO).

INVESTIGATIVE RESULTS

- **Former WCSO Chief Deputy Gerald Baer misappropriated WCSO funds totaling at least \$7,700**

During the period July 27, 2008, through November 8, 2013, former WCSO Chief Deputy Gerald Baer misappropriated at least \$7,700 from WCSO. Mr. Baer used two schemes to perpetrate the misappropriation:

- Mr. Baer misappropriated at least \$3,400 by taking cash on numerous occasions from the WCSO's confidential drug funds for his personal use. Mr. Baer concealed the misappropriation by using correction fluid or other means to alter and fabricate over 100 documents employing several methods, including:



- adding signatures to documents to indicate falsely that authorized informants received confidential funds;
- adding copies of thumbprints to documents to indicate falsely that authorized informants received confidential funds; and
- placing signatures of other WCSO deputies on documents to indicate falsely that they witnessed the payments of confidential funds to authorized informants.

WCSO deputies and confidential informants stated that their signatures on fraudulent forms prepared by Mr. Baer were not authentic. **(Refer to Exhibits 1 & 2 at the end of this report.)**

- Mr. Baer used a WCSO fuel card issued to him to make unauthorized fuel purchases totaling at least \$4,200 for his personal benefit. He made some of these personal fuel purchases in Florida and in other states. **(Refer to Exhibit 3 at the end of this report.)** In addition, Mr. Baer, who also served as an alderman for the City of

Waynesboro, made some fuel purchases with the WCSO fuel card while traveling on City of Waynesboro business. Mr. Baer subsequently claimed and received reimbursement from the city for the related mileage.

Mr. Baer's fraudulent financial activity was not authorized by the Wayne County Sheriff.

Mr. Baer admitted to Comptroller investigators that he took cash from WCSO confidential funds without authorization for his personal use. He also admitted that he used a department fuel card for his personal benefit, including while on a trip to Walt Disney World. Mr. Baer stated that he was financially stressed and that he used cash that he took from WCSO to pay his everyday living expenses. Mr. Baer resigned his position as chief deputy of the WCSO on May 18, 2016, after speaking with investigators.

A schedule summarizing the misappropriated funds is shown below:

Summary of Misappropriated Funds by Gerald Baer	
Method of Misappropriation	Amount
Fuel purchases	\$4,283
Cash taken from confidential drug funds	<u>3,440</u>
Total Misappropriation	<u>\$7,723</u>

This matter was turned over to the local district attorney general. On September 29, 2016, the Wayne County Grand Jury indicted the former chief deputy, Gerald Baer, on two counts of Theft over \$1,000, 111 counts of Forgery, and one count of Official Misconduct.

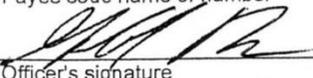
ADDITIONAL ISSUES

Our investigation revealed significant deficiencies in financial processes that contributed to the former chief deputy's ability to perpetrate his misappropriation without prompt detection. These financial process deficiencies included:

- WCSO officials failed to separate incompatible financial duties or to provide increased oversight when appropriate. The former chief deputy maintained custody of confidential funds, made payments to informants, prepared confidential funds documents, reconciled the confidential funds, and was the only official who reviewed confidential funds forms.
- WCSO officials did not require and retain adequate supporting documentation for disbursements using confidential funds. Many forms were incomplete or were completed incorrectly.
- WCSO officials did not adequately oversee, document, or account for all fuel purchases.

The sheriff indicated that he has corrected these deficiencies.

Exhibit 1

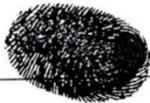
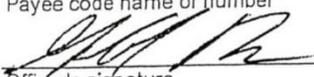
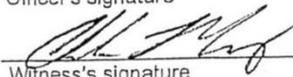
C.	CI signature redacted		5-8-11 Date
	Payee code name or number		
			5-8-11 Date/Time
	Officer's signature		
			5-8-11 Date
	Witness's signature		
	Original: Filed with fund custodian	Copy: Retained by agent	
16	The University of Tennessee Municipal Technical Advisory Service ■ Drug Fund Manual		

Duplicated signatures

Duplicated fingerprints

Correction fluid used on dates

Exhibit 2

C.	CI signature redacted		5-12-11 Date
	Payee code name or number		
			5-12-11 Date/Time
	Officer's signature		
			5-12-11 Date
	Witness's signature		

Only transactions related to Mr. Baer are shown.

Fuelman

FLEET MANAGEMENT REPORT

Provided By:
Fuelman of Alabama/Atlanta
(800) 877-0800

Account #
FLEET # 189385
Name: WAYNE COUNTY GOVERNMENT
MATCHING STATEMENT # NP30191924
Page: 1 of 4

WAYNE COUNTY GOVERNMENT
ATTN: STEPHANIE
PO BOX 795
WAYNESBORO TN 38485

FLEET MANAGEMENT REPORT FOR 5/30/2011 – 6/5/2011

SUMMARY OF TRANSACTIONS THIS REPORTING PERIOD FOR ALL VEHICLES IN YOUR FLEET

PRODUCT	QUANTITY	BASE PRICE	FED TAX	ST TAX	OTH TAX	OTH CHARGES	TOTAL
UNL	635.711	\$2,031.98	\$1.81	\$7.53	\$3.44		\$2,044.76
PREM	4.400	\$15.41	\$0.01	\$0.00	\$0.00		\$15.42
Total	640.111	\$2,047.39	\$1.82	\$7.53	\$3.44	\$20.60	\$2,080.78

This report is for information only.
Please see remittance copy on the statement for the total payment amount.

TOTAL MILES: 7,208

EXCEPTION CODES:

- 10 Veh has exceeded its daily transaction limit
- 11 Odometer entry is out of sequence

Transaction Detail for Customer NO. 189385 – WAYNE COUNTY GOVERNMENT; 5/30/2011 – 6/5/2011

DATE	TIME	SITE	DRIVER	ODOMETER	MPG	FUEL TYPE	QTY	NET PRICE	TAXES	TOTAL AMT	EXCEPT CODE**
WAYNE 2 – WAYNE 2											
06/04	16:17	890771	BAER, G	555	0.0	UNL	10.800	3.08150	0.31486	\$36.67	
06/04	18:24	890755	BAER, G	555	0.0	UNL	13.748	3.07030	0.32486	\$46.68	
WAYNE 2 – WAYNE 2 (continued)											
06/04	22:50	883859	BAER, G	555	0.0	UNL	15.700	3.21020	0.20540	\$53.63	10
				Miles:	----	40.248				\$136.98	

SITE LEGEND

SITE #	SITE NAME	ADDRESS	CITY	STATE
676184	Quik Mart 34	2577 Nashville Hwy	Columbia	TN
687833	Roadhouse Express	501 Hwy 13 S	Collinwood	TN
883859	Vestavia Shell	1488 Montgomery Hwy	Vestavia	AL
890755	Pilot Travel Center #374	2209 Highway 71	Marianna	FL
890771	Pilot Travel Center #087	I-10 And Us 301 S	Baldwin	FL
924607	Quik Mart 13	Us Hwy 64	Waynesboro	TN

Site legend indicates that Mr. Baer bought fuel in Alabama and Florida during this billing cycle.