



# Press Release

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## **District Attorney Scott Anderson Files Lawsuit Against Outgoing Morgan County Sheriff to Preserve Jail Food Funds** *Asks for Injunction and Return of Taxpayer Money Not Spent to Feed Inmates*

DECATUR, Ala. – Morgan County District Attorney Scott Anderson, 8<sup>th</sup> Judicial Circuit, filed a lawsuit today asking for a court injunction to prevent outgoing Sheriff Ana Franklin from spending money she improperly took from the county jail food fund. The suit, filed in Morgan County Circuit Court, also demands that Franklin repay any of the money she has spent from the jail fund not used to feed inmates.

“This is taxpayer money that was designated to pay for feeding the inmates in the Morgan County jail,” Anderson said today in announcing the complaint. “Our goal in filing this lawsuit today is to preserve what money that is left in the fund and make sure it is used for its intended purpose.”

Sheriff Franklin set up a bank account separate from the existing jail food fund when she originally took \$160,000 from the jail food account. This was an individual personal account in her name only and which she labeled “food account.” She invested \$150,000 of those funds in an automobile dealership that eventually went bankrupt. In anticipation of a contempt proceeding before a federal judge, Sheriff Franklin deposited sufficient funds so that the balance in the account totaled \$160,000. She represented to the federal court that she had re-deposited the funds she took from the food account. In response, the judge found her in contempt of the federal court order and also fined Franklin \$1,000. Anderson’s lawsuit

contends the \$160,000 was not returned to the original jail account, and that funds spent from the account Franklin set up weren't spent to feed inmates.

"Sheriff Franklin told the federal court the money she took from the jail food account has been returned," Anderson said. "Actually, the sheriff put the money into a personal savings account that only she controls, and there is no indication that the money taken from that account was used to buy or prepare food for the inmates. In our view, that's a misappropriation of taxpayer dollars."

Morgan County's sheriff-elect, Hartselle Police Chief Ron Puckett, said in a statement he was in full agreement with the district attorney's lawsuit to preserve the jail food money. Puckett was elected in November and will take office Jan. 15. Franklin did not seek re-election.

"I want to assure Morgan County residents that our office will be a good steward of their money," Puckett said. "That means jail funds that are designated for the operation of the jail and the feeding of inmates will be used to operate the jail and feed inmates. That includes any money the District Attorney is able to preserve or recoup."

In 2015, Franklin removed \$160,000 from the Morgan County jail food account. Of that money, she invested \$150,000 in Priceville Partners LLC, an automobile dealership that declared bankruptcy in March 2016. That led to a finding by the federal court that Franklin had violated the court order, and she was fined \$1,000.

Anderson said he is concerned that Franklin, before she leaves office next month, will spend whatever is left from the \$160,000 she took from the jail food fund.

His lawsuit asks the court to:

- Freeze any funds currently remaining in any food account the sheriff maintains.
- Order an accounting of any and all jail food accounts.
- Order the sheriff to reimburse the county and state for any money that was spent improperly.

"Sheriff Franklin is leaving office, and taxpayers deserve assurance that she won't spend or take with her money that rightfully should go to defraying the costs of feeding inmates," Anderson said. "Taxpayers also are owed back every penny of the money that was taken from the jail fund and spent on anything other than for which it was intended.

"We are asking the court to make sure that happens."

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