

Seventeen people from Mansfield, Ohio had their drug convictions overturned and were released from federal prison after paid informant Jerrell Bray was discovered to have manufactured the evidence against them. Bray's controller, U.S. Drug Enforcement Agency Agent Lee Lucas, had sworn the evidence was true.

### The Mansfield cases began in 2005

Timothy Harris was found slain south of Mansfield on December 31, 2004. Richland County Sheriff's investigators believed his murder was drug related and the best way to catch his killer would be to squeeze drug dealers around Mansfield for information. Their efforts did not result in any solid leads, so in September 2005 the county asked the DEA for assistance. A joint DEA-Richland County task force was set-up, headed by 15-year DEA agent Lee Lucas. Small-time drug dealer Jerrell Bray had worked as an informant in Cleveland on cases with Lucas, and he became Lucas' informant in the Richland County operation that was code-named Operation Turnaround.

In November 2005 twenty-three people were arrested based on alleged drug deals set-up by Bray. Mansfield city officials held a press conference in which they announced that the arrests had cleaned up the city of its major drug dealers.

### Bray confesses to Mansfield frame-ups



Jerrell Bray

By May 2007 federal drug charges had been dropped against one of the defendants, seventeen had been convicted after a trial or a guilty plea, one was awaiting trial, and four had been acquitted.

That month Bray was charged with shooting a man during a drug deal in Cleveland. While jailed he admitted during an interview with a federal public defender that he and Lucas lied in affidavits and in their trial testimony to frame innocent people during Operation Turnaround.

### DOJ investigates Operation Turnaround

The U.S. Attorney's office was alerted, and the Department of Justice assigned AUSA Bruce Teitelbaum as a special prosecutor to investigate Bray's allegations. The picture of what transpired during Operation Turnaround emerged during the investigation.

## Mansfield, Ohio DEA Drug Sting Self-Destructs When Informant Admits Manufacturing Evidence

By James F. Love

Among other things Bray staged recorded phone calls that sounded like he was setting up a drug deal. Bray then staged transactions with stand-in friends and acquaintances making fake drug buys or sales, from or to Lucas or him. Bray and Lucas completed the process by identifying innocent people as the persons who made the fake drug transactions. In the cases that had a surveillance tape of the transaction, height, weight, facial and even voice mismatches between the person on the tape and the suspect were overlooked by officers not in on the scheme.

Geneva France had been convicted after a trial, and her case was one of the first reviewed. France was a mother of three with no criminal record when convicted in 2006 of dealing cocaine based on Lucas' identification of her as the person who sold him the drug. She was sentenced to ten years imprisonment. Twenty-two at the time of her arrest, Lucas identified her from a 6th grade elementary school photo taken when she was 11.

Within weeks of beginning their investigation, the U.S. Attorney's Office submitted a motion to vacate France's conviction and sentence. She was released on June 29, 2007, after spending 16 months in federal prisons in West Virginia and Kentucky. She said other prisoners ridiculed her claim of innocence and told her that she would serve her full ten-year sentence. When France was released the Bureau of Prisons gave her a bus ticket to Mansfield and \$68. When she arrived her youngest child did not recognize her and she had to start with nothing, since after her arrest her landlord had evicted her and thrown all her property into the street. Whenever France went somewhere, her youngest daughter would ask the person babysitting her, "Is Mommy coming back?"

Bray selected some of the innocent people to settle a personal grudge he had with the person. France went through her ordeal for the pettiest of reasons: Bray falsely fingered her as a drug dealer because she refused to go out on a date with him. Bray identified Mansfield businessman Dwayne Nabors as a cocaine dealer after he refused to allow Bray to use his car detailing business as a way for Bray to work himself into the neighborhood crowd.

Investigators also discovered that Bray was not only paid about \$24,000 for two months

of work as an informant in Mansfield, but he apparently stole additional thousands of dollars in drug "buy" money supplied to him during the course of Operation Turnaround.

U.S. Attorney Greg White proceeded with the Mansfield prosecutions in spite of several signs there were problems with Operation Turnaround. One sign was the dismissal of Roosevelt Williams' indictment after his lawyer provided evidence Williams was in Chicago visiting a sick relative on the day he allegedly purchased more than 50 grams of crack cocaine from Lucas. Another sign was Williams' indictment even though a local undercover officer who knew Williams reported that Williams did not make the drug buy from Lucas that he witnessed.

Ronald Davis' home was searched after Bray swore in an affidavit that he was France's cocaine supplier. Two handguns, but no drugs were found during the search. Davis denied knowing France, but he was convicted of drug and firearm charges and sentenced to 11 years in federal prison. The legal basis for the search of Davis' home evaporated when it was discovered that Bray fabricated his claim that Davis supplied France with cocaine. In October 2007 the U.S. Attorney's office submitted a motion to vacate Davis' federal convictions.

Also in October 2007, the DOJ submitted a motion to vacate Nabors conviction. The motion, which was granted, stated the DOJ's investigation "calls into question the validity" of Nabors' conviction and states that he "should not remain incarcerated."

In January 2008 the DOJ submitted motions to vacate the convictions of 14 additional people convicted as a result of Operation Turnaround. The motions were granted on January 25 by US District Court Judge John Adams, and the men were ordered released. They were (Name, age, sentence):

- Marion Brooks, 36, 3 years, 10 months.
- Tyron Brown, 29, 8 years, 4 months.
- James Burton, 37, 11 years, 8 months.
- Frank Douglas, 28, 7 years.
- Robert Harris, 20, 5 years.
- Albert Lee, 31, 10 years.
- Nolan Lovett, 22, 5 years.
- Charles Matthews, 24, 5 years, 3 months.
- Jerry Moton, 30, 3 years, 1 month.
- Noel Mott, 31, 4 years, 3 months.
- Dametrese Ranshaw, 29, 3 years, 6 months.
- Johnny Robertson, 26, 5 years, 10 months.
- Arrico Spires, 35, 4 years, 9 months.
- Jim Williams, 31, 5 years 3 months.

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The men professed their innocence, but a number took plea deals for a lesser sentence after France was convicted and sentenced to ten years in prison. Federal prosecutors, however, refused to admit the men were innocent, instead stating that the evidence was too tainted to support their convictions. They had been incarcerated for 26 months since their November 2005 arrests. The seventeen wrongly convicted Mansfield defendants were incarcerated for a total of about 35 years.

### Fall-out from the Mansfield frame-ups

Lucas was considered a DEA "star" before the frame-ups in Mansfield were exposed. Before being based in Cleveland, he was assigned to the DEA office in Miami, Florida and had worked for the DEA in Bolivia. A private investigator in Miami provided special prosecutor Teitelbaum with a summary of his investigation into Lucas's work in Florida. Lucas's tactics are described as "questionable and unethical" in some of the Florida cases. Teitelbaum was also provided a 2003 FBI report that federal prosecutors in Cleveland told FBI investigators they were concerned that Lucas had lied in past cases.

**"Absolute power corrupts absolutely, and the war on drugs has done nothing but create an Orwellian power structure in which the innocent are only deemed so by the guilty."**

Comment on Cleveland *Plain-Dealer* website in response to a May 13, 2009 article about Lee Lucas' indictment.

Bray pled guilty in 2007 to two counts of perjury and five counts of deprivation of civil rights he committed during Operation Turnaround. He was sentenced to 15 years in federal prison. He will begin serving that sentence after he completes an 11-year state sentence for shooting a man during a Cleveland drug deal.

Charles Metcalf pled guilty on May 14, 2009 to one misdemeanor count of violating the civil rights of Nabors. Metcalf, 46, is a 14-year veteran of the Richland County Sheriff's Department. He falsely testified during Nabors July 2006 trial that the drug buy allegedly involving Nabors was not videotaped. He also testified, as did Lucas, that Nabors bought the drugs. When the surveillance video of the "transaction" surfaced, it clearly showed Nabors was not the buyer. Metcalf's plea agreement was sealed, and he faces a maximum of one-year in prison during his sentencing scheduled for November 5, 2009.

Lucas was indicted by a federal grand jury in Cleveland a day before Metcalf pled guilty. The 18-count indictment charges Lucas with perjury, making false statements and violating the civil rights of three people. The indict-



Lee Lucas

ment alleges Lucas failed to monitor Bray, he concealed evidence from federal prosecutors, he lied in testimony given during two trials, and he made false and misleading statements in his internal DEA reports that summarized details of Operation Turnaround. Lucas' trial is scheduled for January 2010.

Lowestco Ballard was one of the people arrested by Lucas who was acquitted after a trial. When told by a reporter that Lucas had been indicted, Ballard exclaimed, "Are you serious? Is this for real? I can't believe it. It's wonderful how the inconsistencies finally came out."

White, 58, was appointed a U.S. Magistrate in Detroit in February 2008. He has described himself as essentially being duped into authorizing the Mansfield prosecutions. Prior to being appointed the U.S. Attorney for northern Ohio in 2003, White was the Lorain County, Ohio prosecutor for 22 years. White oversaw the prosecutions of Nancy Smith and Joseph Allen, whose 1994 child rape convictions in Lorain were overturned in June 2009 after 15 years of wrongful imprisonment. (See p. 6 in this issue.)

As of September 2009 at least nine federal civil rights lawsuits have been filed as a result of Operation Turnaround. The lawsuits allege malicious prosecution and violation of constitutional rights by the defendants, who include Richland County, the Richland County Sheriff's Department, and several officers.

#### Sources:

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Deputy Charles Metcalf, who worked with DEA agent Lee Lucas, pleads guilty to lying at drug trial, *Cleveland Plain Dealer*, May 14, 2009.  
Lawsuits spring from bungled drug probe, *Mansfield News Journal*, May 21, 2009.  
Lee Lucas' credibility is subject of subpoenaed records from three defense attorneys, *Cleveland Plain Dealer*, June 1, 2009.

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## Jerrell Bray Claims Lee Lucas Agreed To Use DEA For Bray's Personal Revenge

When Jerrell Bray told federal public defenders about how he and Lee Lucas framed innocent people for drug deals in Mansfield, Ohio during Operation Turnaround, he also explained how he wound up working with Lucas in Mansfield.

In 1991 the 18-year-old Bray, Michael Frost and Dennis Kliment made a drug deal for cocaine that they discovered was sugar. When they confronted the people who ripped them off, a gunfight erupted. Bray was wounded, Kliment was killed, and Frost fled uninjured.

Bray pled guilty to involuntary manslaughter in Kliment's death, but he didn't reveal Frost's identity. He made a deal with Frost that he would take the fall alone if Frost looked out for Bray's family. Bray didn't think Frost kept his end of the bargain, so when he was paroled in 2004 he wanted to get revenge on Frost.

In early 2005 Bray and Lucas crossed paths in Cleveland. The two men and a Cleveland police officer assigned to a DEA task force agreed to a deal. Lucas and the officer would 'do whatever it takes' to get Frost off the street in exchange for Bray agreeing to assist them in arranging drug deals.

Frost was arrested after Bray set-up a buy of \$3,200 worth of crack from him. In August 2005 DEA Special Agent Robert Cross filed an affidavit describing the crack cocaine ring led by Frost. The details mainly came from Bray. Frost pled guilty to conspiracy to distribute cocaine and was sentenced to 11-years in prison.

Bray held up his end of the bargain with Lucas by framing innocent people in Mansfield during Operation Turnaround.

#### Source:

DEA snitch Jerrell Bray says he decided to come clean, *Cleveland Plain Dealer*, July 30, 2007.

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