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Legal Notices ThatsRacin MomsCharlotte **Jury acquits York coroner**

Prescription drug misdemeanor is only conviction, with probation, community service

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YORK - A jury found suspended York County Coroner Doug McKown not guilty of three drug charges

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Doug McKown

Circuit Court Judge Paul Burch sentenced McKown to a year's probation, 100 hours of community service and a \$743.75 fine.

"We're glad this is over," said McKown, speaking to reporters afterward

His attorney, Jack Swerling, said McKown, 39, hasn't decided yet whether to return to his position as coroner McKown was suspended by Gov Mark Sanford in July 2006, after his indictment on felony drug charges. McKown's conviction early today was on a misdemeanor charge

During closing statements, Swerling held up an evidence bag containing half a pill of Viagra found in McKown's home. He said the pill fragment — the basis of one of McKown's criminal charges -- symbolized the state's attack on McKown

"This was brought about to embarrass and to punish Doug McKown," Swerling said, arquing that other people would not have been prosecuted

Swerling contended the state's case was made through deals with drug users and dealers including McKown's former girlfriend, Erin Jenkins, who was charged with five drug-related offenses at the same time Mckown was arrested

Jenkins admitted Thursday that she lied during a pretrial hearing. Swerling claimed she did so because the dismissal of her charges depended on her testimony against McKown

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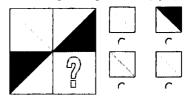
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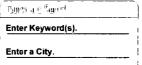
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Had he been convicted of all charges, McKown would have faced up to 25 years in prison

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McKown acquitted on 3 of 4 charges



McKown

YORK — A jury found suspended York Coun-By Charles D. Perry cperry@heraldonline com

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Suspended coroner found guilty of unlawful possession of prescription drug

Late Faday, after more than nine hours of deliberation, the jury asked a second time for the judge to clarify a charge against McKown

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See McKOWN • 8A

McKown

from 1A

conspiracy to distribute cocaine. Just after 10:15 p.m., they emerged with another question about the distribution charge.

Dunng closing statements earlier in the day, McKown's lawyer, Jack Swerling, accused local authorities of bargaining with drug dealers to make a filmsy case against McKown because he's a public official.

Swerling held up an evidence bag containing half a pill of Viagra found in McKown's home. He said the pill fragment — the basis of one of McKown's criminal charges — symbolized the state's attack on McKown.

"This was brought about to embarrass and to punish Doug McKown," Swerling said, arguing that other people would not have been prosecuted
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Andy Burnss • aburnss@heraldonline co. Doug McKown, left, listens in court Friday as the jury asked the judge for clarification about a

charge in the case. McKown's lawyer, Jack Swerling, is at right.

"He most certainly knew," Scott said of the deal. "He helped her do it. He got caught up in the lifestyle. Here he was a single man. He was 37 years old with this 27-year-old wild woman. She smoked, she drank and even used illicit drugs. "He was a big boy. He chose to

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Swerling argued that McKown called his friend because he was afraid of what Jenkins had done. But Scott said McKown's guilty

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McKown did not testify in his defense. Swerling told the jury than although McKown didn't sit on the witness stand, he maintained his innocence.

Had he been convicted of all charges, McKown would have faced up to 25 years in prison.

Charles D. Perry • 329-4068



Melissa Clierry • mcherry@heraldonline.com

Jack Swerling, left, attorney for Doug McKown, shows York County drug agent Mike Ligon a report in court Wednesday in York.





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2008-05-25 **Section:** local

Suspended York County coroner cleared of three drug charges

The defense attorney for suspended York County Coroner Doug McKown said his client hasn't decided whether to go back to his old job after a jury found him not guilty of three drug charges.

A York County jury deliberated nearly 12 hours before finding McKown not guilty Saturday of cocaine possession, cocaine distribution and conspiracy to distribute cocaine, The (Rock Hill) Herald reported.

The jury found McKown guilty of a misdemeanor charge of unlawfully possessing a prescription drug after authorities found half a Viagra pill in his home. He was sentenced to a year of probation, 100 hours of community service and a \$743 fine.

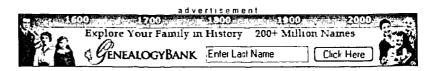
That conviction won't keep McKown, 39, from returning to the job he was suspended from in July 2006 after he was indicted for the felony drug charges. Authorities arrested McKown in May 2006 after they said he was videotaped watching his girlfriend sell cocaine. His attorney **Jack Swerling** said prosecutors were only going after McKown because he was a public figure and he had no idea his girlfriend was making a drug deal until it was over.



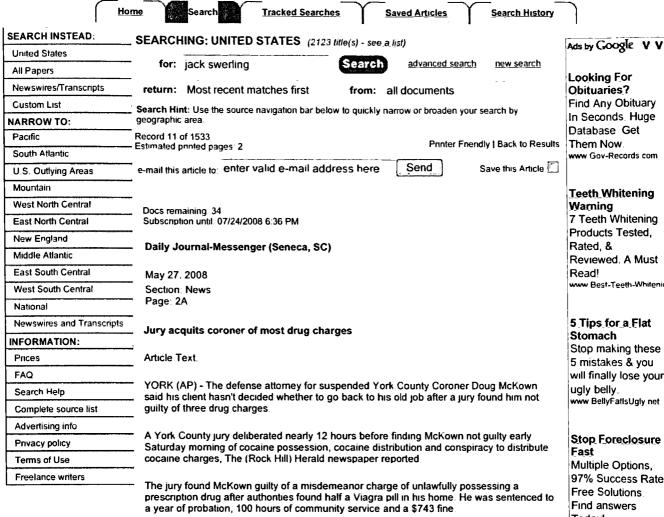
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McKown, speaking to reporters afterward, said: "We're glad this is over." Authorities arrested McKown in May 2006 after they said he was videotaped watching his live-in girlfriend sell cocaine

Swerling said McKown will decide later if he will return as coroner.

That conviction won't keep McKown, 39, from returning to the job he was suspended from in July 2006 after he was indicted for the felony drug charges. Defense attorney Jack

Swerling said prosecutors were only going after Mckown because he was a public figure and he had no idea his girlfriend was making a drug deal until it was over.

Swerling said the only evidence the state had was testimony secured through making deals with drug users and dealers, including Erin Jenkins, who was told that five drug charges against her would be dismissed once she took the stand. Jenkins testified that McKown cut, weighed and bagged cocaine for a deal.

"That Bible, if she put her hand on it again, would burst into flames," Swerling said

Prosecutor Dale Scott told jurors to note on the videotape how McKown reacted after the deal was over when he saw what he recognized as a van used by local undercover drug agents

"He most certainly knew. He helped her do it. He got caught up in the lifestyle. Here he was a single man.

He was 37 years old with this 27-year-old wild woman. She smoked, she drank and even used illicit drugs," Scott said

"He was a big boy. He chose to be a part of that. Now, he blames Erin Jenkins for everything." McKown did not testify.

McKown was first appointed coroner in December 1994, and was elected to a full term in 1996 The Republican was re-elected in 2000 and 2004.

If he had been convicted of all charges, McKown would have faced up to 25 years in

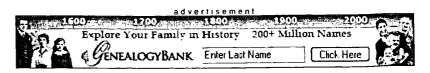
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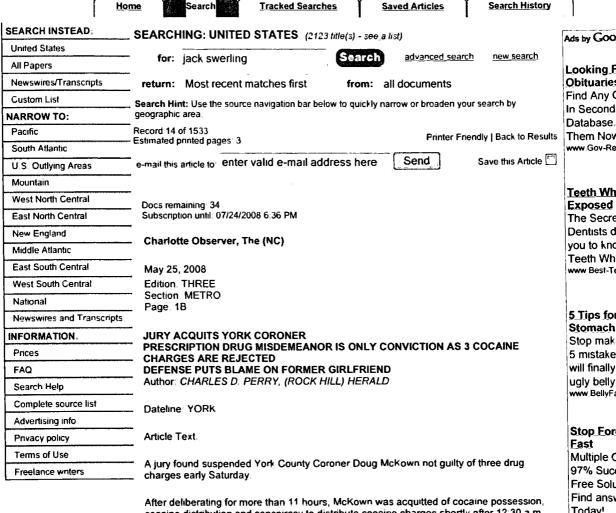
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Multiple Options, 97% Success Rate Free Solutions. Find answers Today! Foreclosure Consultations Swerling contended the state's case was made through deals with drug users and dealers, including McKown's former girlfriend, Erin Jenkins, who was charged with five drug-related offenses at the same time Mckown was arrested

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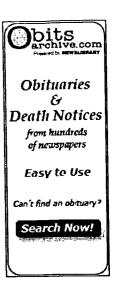
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Caption¹ McKown **PHOTO**

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stemming from half a pill of Viagra found in his home on May 12, 2006

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Coroner acquitted on 3 of 4 drug charges

McKown: 'We're glad this is over'

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CHARLES D PERRY The (Rock Hill) Herald

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asked about six hours prior

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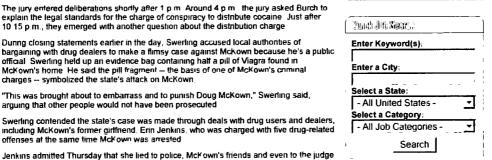
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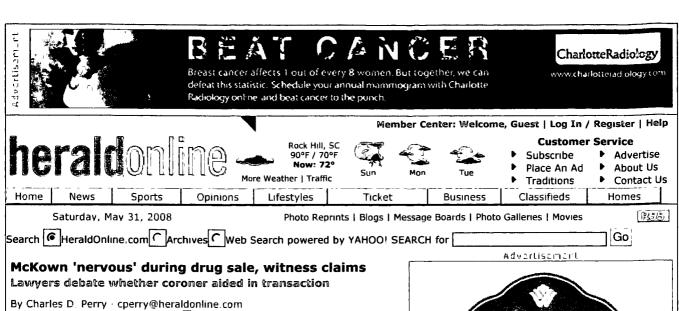
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Updated 05/22/08 - 12:45 AM | Comment on this story

YORK -- Whether suspended York County Coroner Doug McKown helped his former girlfriend sell drugs outside a York convenience store two years ago emerged as the central question in his trial Wednesday.

Prosecutors tried to paint McKown as a man leading a double life.

"There was two Doug McKowns," prosecutor Dale Scott told the jury "There was Doug McKown the coroner, and there was the Doug Mc- Kown who participated in drug deals, lived with a girl 10 years younger than him, rode around on a motorcycle."

But McKown's lawyer, Jack Swerling, countered that his client is not guilty. Swerling charged that the case relies heavily on information from people who got deals from prosecutors.

"The only person who is suffering any consequences is Doug McKown," Swerling said. "And he's been suffering for two years."

Before trial testimony began, Circuit Court Judge Paul Burch ruled that the search warrant that led county drug agents to the cocaine in McKown's Clover home was legal Swerling had argued that the



Melissa Cherry

Doug McKown's attorney Jack Swerling, left, shows York County drug agent Mike Ligon a report in court Wednesday

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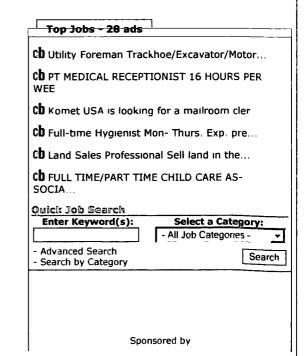
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warrant should be tossed because it did not indicate that police would find drugs.

Agents found cocaine at five places in McKown's home and half a pill of Viagra during the May 2006 search, according to testimony. McKown is accused of four drug-related offenses.

A video of the drug sale was shown to jurors Wednesday, although it had been edited because of Burch's concern about its relevance. The unedited version includes a conversation about what prosecutors allege was an Ecstasy deal involving McKown, whose charges involve cocaine and Viagra

In the video, McKown and his then-girlfriend, Erin Jenkins,, arrive at a gas station. Police informant Sherell Brown, who was wired for the transaction, says on the tape that McKown is staying at the pump while Jenkins approaches Brown's vehicle.

Brown testified that she and Jenkins were friends who sold drugs to each other. She said she agreed to work with police to set up the cocaine deal to help her husband, whom police caught transporting marijuana in April 2006.

Marvin Brown, head of the county's drug unit, testified Wednesday that narcotics officers will help people accused of lesser drug charges land deals with prosecutors if they assist in cases involving more dangerous drugs, such as cocaine

The roots of the McKown case go back to April 27, 2006, the night police stopped Sherell Brown's husband, Chad Wolfe, according to court testimony. After Wolfe was arrested, Marvin Brown said Wolfe agreed to "go up the ladder," meaning he would call the people he was delivering the marijuana to.

Wolfe called Stephen Carroll and Angie Maley and told them his car was broken down and he needed a ride. They picked up Wolfe, and officers stopped the vehicle. Carroll and Maley were arrested on charges of possession with intent to distribute marijuana, carrying a pistol unlawfully and possession of cocaine. Wolfe went home and never was charged, though Marvin Brown said Wolfe was supposed to turn himself in.

Later, Sherell Brown and her employer, Maley, met with Marvin Brown to talk about dropping the marijuana charges against Maley, Carroll and Wolfe in exchange for her help in a cocaine deal with Jenkins

Sherell Brown called Jenkins on the night of May 3, 2006, to set up the deal, according to testimony. The buy was set up for the next day.

Swerling noted that Sherell Brown and others were offered deals in exchange for their cooperation.

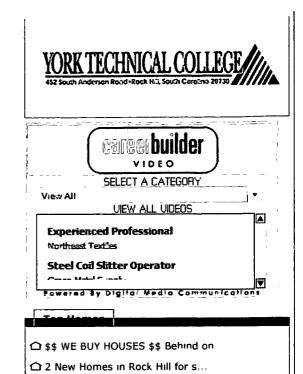
Although Sherell Brown wasn't charged, Swerling noted, she was an admitted drug dealer who wanted help. The charges against Maley and Carroll were dismissed.

Jenkins, charged with five drug-related offenses, was accepted into drug court after she gave police a statement about McKown. If Jenkins completes the drug-court program, her charges will be dismissed

Drug agents testified that on the day of the deal, Jenkins arrived at McKown's house, and they went to the convenience store together.

Sherell Brown testified that McKown stopped at the gas pumps while Jenkins approached Brown's vehicle. Jenkins asked Brown to make the deal at a York bar, but Brown refused So, Jenkins got into the Nissan Pathfinder that Brown was driving. Jenkins sold the cocaine, packaged in a plastic bag at the bottom of a cigarette pack, to Brown for \$150

After the sale, McKown pulled up and Brown got out of the vehicle and hugged him.



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"How would you describe his demeanor?" prosecutor Dale Scott asked Brown in court Wednesday.

"Nervous," Sherell Brown said. "He was very standoffish."

Swerling countered that nowhere in the taped drug deal does McKown get involved. He took issue with Sherell Brown's implication that both McKown and Jenkins wanted to do the deal somewhere else.

"You added 'they,'" he said to Brown on the stand "One does not assume responsibility for the other."

Later, Swerling questioned drug agent Mike Ligon, who recorded the video and testified that McKown looked "very uncomfortable." How could Ligon make that determination, Swerling asked, from 75 feet away?

The trial has featured heated exchanges between attorneys Swerling requested a mistrial after prosecutor Scott asked Marvin Brown if he believed a statement written by Jenkins was accurate

Brown said he believed Jenkins and Swerling vehemently objected, arguing that one witness is not allowed to vouch for the credibility of another. Burch denied Swerling's request for a mistrial.

McKown, 39, was suspended from office in July 2006 after he was indicted on three drug charges. A fourth charge, conspiracy to distribute cocaine, was first mentioned in court this week.

Jenkins is expected to testify today.

Charles D. Perry • 329-4068

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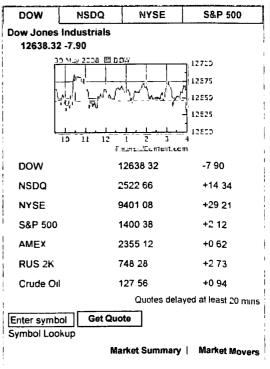
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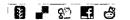
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Coroner's Former Girlfriend Says He **Did Drugs With Her**

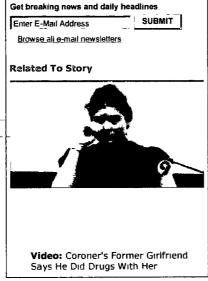
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POSTED: 6.15 pm EDT May 22, 2008 UPDATED: 7:01 pm EDT May 22, 2008



ROCK HILL, S.C. -- Erin Jenkins said her ex-boyfriend Doug McKown knew about her drug activity, took part in it and did cocaine himself.

The 29-year-old took the stand in the drug trial of the 39-year-old former York County coroner on Thursday. Both are charged with possession and distribution of cocaine and conspiracy



Jenkins testified that McKown knew exactly what was going on May 4, 2006, when undercover drug agents video taped her selling cocaine to an informant in a gas station parking lot. Jenkins said McKown had even prepared the drugs for sale earlier at their home.

"Who cut the cocaine?" asked prosecutor Dale Scott.

"Doug did," Jenkins answered:

"Who weighed that cocaine?"

"Doug did."

"Who bagged it?"

"Doug did," she said.

But that's not what Jenkins told police nearly two years ago when she first gave them a statement about their drug activity

"I said it was all my fault," Jenkins said. "My drugs, my problem, and Doug wasn't involved.

Thursday she said that wasn't true. McKown's defense attorney Jack Swerling lit into Jenkins on the stand. As tears flowed, she claimed she'd lied to police, taking the blame to protect McKown.

"How do we know when you're lying?" Swerling asked.

"I'm telling the truth today," Jenkins responded.

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Swerling told the jury that in a deal made with prosecutors for her testimony, all the charges against Jenkins will be dropped and she'll have a clean record when the trial is over.

"I'm not up here lying to save myself," she responded.

Jenkins also admitted she'd lied in the courtroom on Tuesday when she said the cocaine in McKown's house was hers. On Thursday she claimed it was both hers and McKown's

Jenkins said she was scared on the witness stand

"It was my first time up here, and you scare me," she said to Swerling "You were intimidating and overbearing."

She repeated that she was telling the truth now.

McKown got emotional when Jenkins admitted that he had often tried to get her to quit using drugs. Swerling said he did that because he loved her and cared about her.

Jenkins nodded and said that was true, but added that McKown still did drugs with her all the time

She admitted to a two-year cocaine addiction where she drove to Charlotte once a week to buy the drug She said she's clean now, but suffering because she has to testify against a man she still cares deeply about.

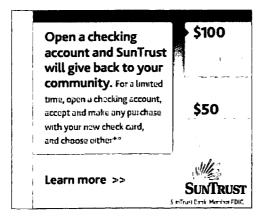
"This is the worst day of my life. I don't want to get him in trouble. I still consider him a friend," Jenkins said.

Late Thursday, the prosecution rested its case. The defense called several longtime friends of McKown who've known him since grade school.

They testified that the night after the videotaped drug bust, McKown and Jenkins joined them at the beach. They both appeared upset and explained to their friends what had happened.

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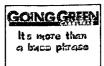
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Local News

Ex-girlfriend testifies in York Co. coroner's trial 7:14 AM Mides

07:14 AM EDT on Friday, May 23, 2008

By MARK BOONE / WCNC

E-mail Mark: MBoone@WCNC.com



Wideo Ex says McKown knew about drugs

YORK COUNTY, S.C. -- The York County coroner packaged cocaine and helped sell the drugs, his former girlfriend said Thursday.

Erin Jenkins, 29, testified in the trial of Doug McKown.

McKown was suspended from his public office after his arrest in May 2006. He could face more than 17 years in prison if convicted on four drug charges.

"I wish he didn't know what I was doing, but he did," Jenkins said.

Investigators with the York County Multi-jurisdictional Drug Enforcement Unit have said Jenkins was videotaped in a May 4, 2006, drug sting.

McKown drove Jenkins to a convenience store and stood nearby, scanning the parking lot of the convenience store where she allegedly sold 3.5 grams of cocaine.

The coroner spotted a van used by undercover agents and became nervous, Jenkins said Thursday.

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"He was talking about how detrimental that this would be to his career and that he could lose his job," she said.

• Trial begins for suspended York Co. coroner

The couple returned to McKown's home near Chester and flushed more cocaine down a toilet, Jenkins said.

Eight days later, investigators raided McKown's home near Clover and allegedly found cocaine in five locations in the house.

Jenkins, testifying in a pre-trial hearing on Wednesday, said the cocaine belonged to her.

She told jurors Thursday the drugs were shared with McKown.

In a heated exchange, defense attorney Jack Swerling asked Jenkins about the inconsistent testimony.

"How do we know when you are lying?" Swerling asked.

"I am telling the truth today," Jenkins replied.

"But you told the judge the other day you told him the truth," the attorney said.

"You know what. That was my first time up here. You scare me," she told Swerling.

Jenkins, who said she has not used drugs in two years, testified she made weekly trips to Charlotte for several years to buy cocaine, which she shared with McKown and sold to friends.

She refused to name the friends when asked by Swerling.

"I was not dealing. I was not in it to make money whatsoever," Jenkins said.

Prosecutors rested their side of the case late Thursday.

Two of McKown's friends testified that he repeatedly tried to help Jenkins quit her drug habit. They insisted McKown had nothing to do with cocaine.

Jurors could hear closing arguments in the trial Friday afternoon.



Jenkins admitted Thursday that she lied to police, McKown's friends and even to the judge during a pre-trial hearing

"Erin Jenkins, from the minute she got on the stand, lied," Swerling said. He claimed she did so because the dismissal of her charges depended on her testimony against McKown. "That Bible," he said, "if she put her hand on it again, would burst into flames."

State prosecutor Dale Scott disputed Swerling's contention that McKown was being unfairly pursued by law enforcement. He said Jenkins was the initial focus of an investigation by county drug agents, but McKown showed up at a deal on May 4, 2006. That deal was video-recorded by police.

"He most certainly knew," Scott said of the deal. "He helped her do it. He got caught up in the lifestyle. Here he was a single man. He was 37 years old with this 27-year-old wild woman. She smoked, she drank and even used illicit drugs."

"He was a big boy. He chose to be a part of that. Now, he blames Erin Jenkins for everything."

On Thursday, Jenkins testified that McKown cut, weighed and bagged cocaine for the deal. She said he drove her on a motorcycle to make the sale at a York convenience store then panicked after seeing a van that he thought resembled those used by county drug agents during undercover operations.

She said McKown was so frightened that he called one of his friends who worked with the drug unit and told him about the van and the deal.

Swerling maintained Friday that McKown didn't know about the cocaine sale until after it was over. He said McKown pumped gas that day while Jenkins made the deal in an SUV with a friend turned police informant. Jenkins only mentioned the deal after she sold the drugs and got back on the motorcycle with McKown, Swerling said.

Swerling argued that McKown called his friend because he was afraid of what Jenkins had done.

But Scott said McKown's guilty reaction to the van was obvious on the video recorded by the drug unit.

"You saw his face," Scott told the jury. "The life, the blood, literally drained out of his face " $\,$

Scott also took issue with Swerling's focus on the Viagra pill.

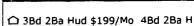
"They want you to focus on the Viagra charge," Scott said. "But this case is not about Viagra. It's about a public official who was elected to serve the people of York County, but instead he chose to violate the laws of this state "

But Swerling portrayed McKown as a doting boyfriend who desperately wanted to Jenkins to kick her daily cocaine habit. He said McKown finally told her to move out because she wouldn't stop using drugs.

"He loved her," Swerling said. "He wanted to help her. She wouldn't help herself."

McKown did not testify in his defense. Swerling told the jury that although McKown didn't sit on the witness stand, he maintains his innocence.

Swerling highlighted a comment made by Marvin Brown, head of the county's drug unit, that narcotics officers will "go up the ladder." That means the officers will help people accused of lesser drug charges land deals with prosecutors if the defendants assist in cases involving more dangerous drugs, such as cocaine.



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But offering deals to move up to McKown doesn't fit this mold, Swerling said, because McKown's not part of the drug world.

So, why did police target McKown? Swerling asked. "Because he's a public

McKown faces up to 25 years in prison if convicted of all charges.

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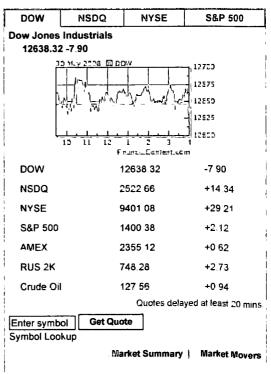
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probably cut up more than I should have just to keep from crying," he said. "Right now, I've got to finish this job that I was elected to do. I'm serious about that, and I always have been."

Until his suspension, McKown, 39, had been York County's coroner since he was appointed to the post in 1994. Now, he's trying to adjust to the office

"I just want to ease back into this," he said, adding that his chief deputy will temporarily handle the day-to-day operations. "I'm gonna just take a good look at what's gone on the last two years.'

After moving out of the office, Gast, who is running for coroner as a Republican, said she'll now focus on campaigning and her part-time job with the countywide Sexual Assault Nurse Examiner Program.

During her time as coroner, Gast said, she learned the job is about developing public trust.

"I'm very proud of what I accomplished in my time there at the office," she said. "I was able to bring integrity and responsibility and professionalism to that office.'

When asked if he would seek re-election as a petition candidate, McKown said he would make an announcement about that subject later this week.

To get his name on the November ballot, McKown would have to get at least 5 percent of the county's registered voters to sign a petition asking for his name to be placed on the ticket.

That would mean getting more than 5,000 signatures by noon July 15, said Wanda Hemphill, director of the York County Registration and Elections

The coroner serves a four-year term and is paid an annual salary of \$63,521.36

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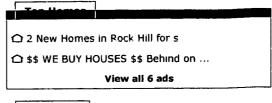
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