

Former Habersham County Deputy Sheriff Charged for Her Role in Flash Bang Grenade Incident

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U.S. Attorney's Office Northern District of Georgia (404) 581-6000
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ATLANTA—Nikki Autry, a former Habersham County deputy sheriff and special agent of the Mountain Judicial Circuit Criminal Investigation and Suppression Team (“NCIS”), has been indicted by a federal grand jury on charges of providing false information in a search warrant affidavit and providing the same false information to obtain an arrest warrant. Providing false evidence to a judge to obtain a warrant is a federal civil rights violation.

“Our criminal justice system depends upon our police officers’ sworn duty to present facts truthfully and accurately—there is no arrest that is worth selling out the integrity of our law enforcement officers,” said Acting U.S. Attorney John Horn. “In this case, Autry is charged with making false statements to a judge in order to obtain search and arrest warrants. Without her false statements, there was no probable cause to search the premises for drugs or to make the arrest. And in this case, the consequences of the unlawful search were tragic.”

“Integrity is an absolute cornerstone for those who serve in law enforcement and today’s federal indictment of former Deputy Sheriff Autry, sadly, clearly illustrates the results when there is a departure from that ever important core value. The FBI will continue to provide investigative assets and resources toward investigating and presenting for prosecution allegations of law enforcement misconduct as seen here,” said J. Britt Johnson, Special Agent in Charge, FBI Atlanta Field Office.

“As a result of this investigation, the GBI has partnered with law enforcement and prosecution officials in Habersham County and northeast Georgia to revamp drug enforcement operations in order to prevent incidents such as this in the future.” said Vernon M. Keenan, Director, Georgia Bureau of Investigation.

According to Acting U.S. Attorney Horn, the indictment, and other information presented in court: Autry worked for the Habersham County, Georgia, Sheriff’s Office from 2004 to 2014. On the night of May 27, 2014, Autry and other members of the NCIS team were attempting undercover narcotics buys from various subjects in Habersham County.

Eventually, a brand new NCIS informant and two of his associates—his wife and a roommate—went to a residence located in Cornelia, Georgia. The informant’s roommate, who was not officially working with NCIS, approached the residence and allegedly purchased a small quantity of methamphetamine from an individual unknown to him who was standing outside the

residence. There was no police surveillance to verify the purchase. Shortly afterwards, Autry presented an affidavit to a Habersham County magistrate judge falsely swearing that the NCIS informant made the purchase and that the NCIS informant was “a true and reliable informant who has provided information in the past that has led to criminal charges on individuals selling narcotics in Habersham County.”

The federal indictment alleges that Autry knew the NCIS informant had not purchased any methamphetamine from anyone at the residence and the NCIS informant had not proven himself to be reliable in the past. Additionally, the indictment alleges that Autry had not confirmed that there was heavy traffic in and out of the residence. Based on this false information, the magistrate judge issued a “no-knock” search warrant for the residence and an arrest warrant for W. T., who allegedly sold the methamphetamine. The warrant obtained by Autry was executed approximately two hours later, during the early morning hours of May 28, 2014.

During the execution of the search warrant, a Habersham County deputy sheriff tossed a “flash and noise distractionary device,” also known as a flash bang grenade, into a side door of the residence. The flash bang grenade was thrown directly into the room where an 18-month-old toddler was sleeping. The grenade landed inside the toddler’s playpen and critically injured him. The toddler and his family had been staying at the residence for approximately six weeks prior to the search. They are relatives of the lawful occupants of the residence. W. T. was arrested shortly after the flash bang incident at a nearby residence.

Nikki Autry, 29, of Clarkesville, Georgia, will be arraigned by a U.S. Magistrate Judge later this week. The indictment charges Autry with four counts of civil rights violations for willfully depriving the occupants of the residence of their right to be free from unreasonable searches and seizures by a police officer and for knowingly depriving W. T. of his right to be free from arrest without probable cause.

Members of the public are reminded that the indictment only contains charges. The defendant is presumed innocent of the charges and it will be the government’s burden to prove the defendant’s guilt beyond a reasonable doubt at trial.

This case is being investigated by the Federal Bureau of Investigation, with assistance from the Georgia Bureau of Investigation, and the District Attorney’s Office of the Mountain Judicial Circuit.

Assistant United States Attorneys William McKinnon, Brent Alan Gray and Mary Webb are prosecuting the case.

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