

## Sheriff vindicated: Chester jury rules former deputy's forced sex claims unproven

Former deputy Mary Anne Tolbert alleged sheriff forced her into sex and she complied out of fear for her job

Sheriff Alex Underwood denied all allegations and his lawyers say that she concocted story after not getting chief deputy job

Trial featured salacious sexual allegations but jury needed just two hours to side with sheriff

The biggest man in the Chester courthouse Thursday afternoon cried like a baby. "Big A" wept.

And the Chester County Courthouse onlookers broke into applause.

Chester County Sheriff Alex "Big A" Underwood was vindicated.

Underwood cried tears of joy and relief because after a four-day trial filled with accusations of sex, race, money and politics, a civil jury ruled that allegations made by a former deputy who accused Underwood of forced and coerced sex in tawdry trysts and salacious liaisons that Underwood vehemently denied were not proven.

"We got some evil people out here – but good triumphs over evil," Underwood said after the verdict.

The jury needed less than two hours to side with Underwood against his accuser, Mary Anne Tolbert, a former lover from a decade ago who later worked for him in a senior staff job.

“I am proud that the people believed in me,” Underwood said through tears. “I am not going to stop helping the people of Chester County. I serve them and I am proud to serve them.”

For 18 months, Underwood, Chester County’s first black sheriff, was told by his lawyers that despite denials against claims made by Tolbert, a white former deputy, he could say nothing until he testified this week in plain and loud denials that the allegations were a sham.

His lawyers in court argued that the claims were blackmail and extortion.

“I’ve been wanting to say something for a long time ... I am just thankful the system worked,” Underwood said after he hugged dozens of supporters, including deputies. They were white and black, men and women, some of them crying, too, that their sheriff was found by a jury of 12 of his peers to be telling the truth.

Underwood’s lawyers called Tolbert’s claims “a web of lies” brought by a woman with mental illness and financial trouble seeking revenge and money after she was not given the chief deputy job.

Tolbert and Underwood had a consensual relationship more than a decade ago when neither was married. Yet Tolbert worked for Underwood after he was elected in 2012. She was even promoted twice by him before she filed the lawsuit in 2014.

Tolbert testified that Underwood forced her into sex and she feared for her job, making claims Underwood forced himself on her in homes and parks and outdoors on picnic tables and in vehicles in what she claimed was “rape.” Yet, Tolbert refused to seek a formal criminal probe.

After the verdict Underwood said again that he wanted to go to trial to clear his name and his reputation as the top law enforcement officer in Chester County.

“I didn’t do anything,” Underwood said. “You can sue anybody for anything. This didn’t happen. My name, my reputation. ... It’s been terrible.”

Underwood vowed to keep working and push forward in his re-election bid. He was elected in 2012 and faces a June primary against former Chester police chief Andre Williams, who was a former close friend of Underwood until the two broke ranks last year. Tolbert even accused Underwood of taking her to Williams’ former house for sex – a claim Underwood denied and that Williams testified that he knew nothing about.

Underwood said that the people of Chester County elected him to fight for them and now that he has been cleared, he will continue to do so.

“We are out here to fight crime, people ask us to fight crime, and that’s what we are going to do,” Underwood said. “My campaign is focused on giving people somebody they can trust.”

Tolbert and her lawyers said during the trial she was trapped by Underwood’s power as sheriff and she was forced into the sex acts in order to keep her job. Her lawyers claimed Underwood punished Tolbert through forced sex and retaliation, and asked the jury to punish Underwood by awarding Tolbert money damages.

Tolbert said nothing when the jury verdict was read in court and left through the back door of the courthouse with her husband and lawyers. If she plans to appeal, she has 30 days to do so.

But Underwood’s lawyers Jim Davis and Daniel Plyler said that “the jury got this one right,” and that the jury’s verdict speaks the truth.

Underwood’s lawyers blasted Tolbert all week as a woman scorned.

Despite Tolbert being a trained cop who led investigation units, she chose not to ask cops to look into claims of sexual assault. Tolbert claimed that because Underwood once worked with state agents, she was afraid that her claims would be swept under the rug. Tolbert, a police officer for almost two decades, said she didn’t trust the cops just like her to seek justice.

So she filed the lawsuit instead.

Tolbert admitted in testimony her allegations were “hard to believe,” and when asked if she was in it for the money she said: “Something like that.”

During the four days of trial, Underwood sat stone-faced and unmoving. On breaks, he would chat quietly with his wife, Angel Underwood.

But for most of those four days, Underwood sat alone with his thoughts. His deputies were 20 miles away in Winnsboro trying to put an accused killer of a Chester city councilman in prison for life. The arrest of those gang members, who had threatened Underwood and his family, was a high point in his term as sheriff.

But this week he was alone in another courtroom, on trial for his reputation and possibly, his political career and livelihood.

Yet Underwood refused to settle the case and it went to trial. Testimony showed in 2009 when Tolbert was having a mental health crisis that Underwood said was threats of suicide, she called Underwood for help. Underwood helped her.

Then that same person pointed the ugly finger of sex at Underwood who had helped her so many times and promoted her. She claimed a cover-up by Underwood so intricate that he purportedly would carry away evidence of sex in a bag.

Underwood sat through it all for four days biting his lip, saying nothing except when testifying and saying, "It never happened."

And finally, after four days, the jurors who live in Chester County were asked what they decided about who was believable.

The jurors chose Sheriff Alex Underwood.

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