



What it looked like inside the Federal Courtroom

(I wrote a version of this on **March 17** at James Finch's first trial, which was a hung jury. Finch faced a second trial on Oct. 24, and **the jury voted NOT GUILTY.**)

By Burnie Thompson

James Finch sits in the hot seat. It's a green leather and mahogany chair to the left of his attorneys, facing Chief Judge Mark Walker. He wears a black blazer, an untucked gray button-up shirt, jeans, and black loafers.

I'm sitting behind him; front row in the middle of the gallery. He's at my 10 O'Clock.

Finch is antsy. By the end of the week, he could be in prison for the rest of his life. There's a big diamond ring on his right ring finger, and in his right hand is a rolled-up napkin. **He squeezes it and rolls it around in his palm like a tiny white blanket.** He dabs his nose with it in the cold courtroom the same way others are doing since the room is so chilly. I have my jacket off. Mostly, though, Finch dangles his right arm over the chair kneading that napkin.

Finch's hair is black and combed down. He has bangs like a Roman emperor, but not really. His eyes are blue and often

averted to the wall or down at the forest green carpet. Now I know it's actually forest green rather than that weird shade of green I had described earlier because Sara Moon told me so. Ashley Finch confirms it, so we're going with forest green for sure. **Finch shifts in his seat like someone waiting for his number to be called at the DMV.**

At 73, the wrinkles in his face look more like creases today. **Either he's dehydrated or he's held that same expression for way too long.**

The Defense is calling Finch's character witnesses. **Men who've known him for 50 years, 40 years, and for a long time.** Each of the southern gentlemen explains how Finch built up the community over the decades with roads and buildings and infrastructure - always on time and always under budget. And sometimes with his own money.

Mostly, they talk about how Finch taught them to be better producers in their own crafts. And they say that you can count on Finch like clockwork. Defense attorney Guy Lewis speeds through about seven witnesses before lunch time. The jury paid attention to the first five, and even laughed as a couple of them turned on the southern charm and humor. But the jury didn't resonate too much with their country club demeanor. Let's just say their dinner tabs probably differ by a zero or two from those seated in the jury box.

The next character witness was a plot twist. This man sauntered right by the jury with a dark hoodie and black jeans. **One thing you knew before he ever got to the witness stand is that Willie Carpenter takes his time.**

Willie B - as his friends call him - said he grew up with Finch in Panama City. They were best friends as kids. He must've been a skinny, skinny kid because today he could turn sideways and slip out of a jail cell if the guard wasn't paying attention. He and Finch graduated together from Bay High in 1970. Willie told the jury that now he lives near the 17th Street Ditch "over in that part of town."

"We came up through life together, drag racing," Willie said. "He'd come over to our house and my mama would feed him collard

greens." **Even Finch smiled.** The jury chuckled and looked over at Finch. The jury liked Willie, who has a face like Sammy Davis Jr. when Sammy was older.

He told the jury that Finch is "straight-up people."

Willie's neighborhood had **a dangerous ditch along the road for more than 40 years.** Willie said that he had wrecked in it one time, and 10 more people did too. One lady crashed in it and died. But local politicians had no interest in fixing that ditch, he said, at least not on the east side where he lived. It was big and deep. **"There were snakes and alligators in it."**

That all changed in 2016 when then-City Manager Joel Schubert and Finch decided to "fix it now." By 2017, Finch had the dangerous stretch of road along the ditch fixed in a single year.

"It's beautiful now," Willie said.

But no good deed goes unpunished in Bay County. Prosecutors are determined to throw Finch in prison over the 17th Street Ditch project. They say that Finch made millions by bribing former Commissioner Antonius Barnes with checks totaling \$45,000, which Barnes deposited as loans into his fledgling insurance business bank account.

Prosecutors told the jury that it doesn't matter that the Commissioners voted unanimously in 2016 to fix the 17th Street Ditch after it was recommended by staff and City Manager Joel Schubert. In fact, **the City Commission always voted unanimously to award Finch projects over the years if he had the lowest bid.**

Finch saved the City a ton of money by financing the 17th Street Ditch project himself. The City didn't want to borrow \$3.7 million from a bank at 6.5 percent interest, so Finch loaned the money to the City at only 2.55 percent over 25 years. **He even told the City not to start paying him back until he finished the project,** which he did in April 2017.

Just one more thing about that loan. The next year, City Manager Michael White **asked Finch if he would please loan the City another \$790K for a different project but add it to the**

same mortgage since the interest rate was so low. Finch obliged, and said they could extend the loan to 30 years.

The new project was being pushed by Vickie Gainer, the City's Grant and Contract Manager at the time. She wanted the storm drains fixed around Colorado Street, Mississippi Street, and Texas Street. Not long afterward, Vickie Gainer got promoted to City Manager and bought a home in the area where Finch fixed the storm drains for her.

Back to the courtroom and Finch's childhood friend, Willie B. When asked on the witness stand if he and Finch were still friends, Willie nodded and said, "He'd do anything for me, and I'd do anything for him."

Next up was Ron Sharpe, the Executive Director for Arc of the Bay. He tells the jury that they teach job skills and other attributes to people with autism, Spinal Bifida, and sensory disabilities. It's not an easy task, and resources are scarce. The Arc of the Bay doesn't get much funding from state or local government.

"We're the forgotten agency," he says. But Finch doesn't forget Arc of the Bay. **Sharpe said that Finch has donated about a million dollars over the years.** After Sharpe's testimony, Prosecutor Andrew Grogan cross examines Sharpe, asking about the tax deductions that Finch gets by donating to the 501(c)(3) nonprofit. The implication is that Finch's motivation is greed; he just wants to pay less taxes.

Prosecutors told the jury that Finch is very wealthy, and he didn't get that way without friends in government who were eager to steer contracts his way in exchange for bribes. Prosecutors said that bribes aren't always sacks of cash dropped off in backrooms. Prosecutors said Finch did it in plain sight by writing checks to Commissioner Barnes disguised as business loans. The jury was told to ignore the fact that Barnes was never the deciding vote, or that the Commission voted unanimously after being vetted by City Attorney Robert Jackson and recommended by City Manager Joel Schubert.

The Prosecutors kept reminding the jury that Finch is really rich. Finch is so wealthy, prosecutors said, that he even has a

private jet. They asked the first few wealthy character witnesses if they had ever been on Finch's jet. One of them said yes.

The only character witness Prosecutors didn't cross examine was Willie B. The jury loved him.

"I wish they would've asked Willie if he's been on my plane," Finch later told me with a smile about his longtime friend. He wiped his bangs over to one side, shaking his head. "You know what I'm talkin' about? Them sonofabitches."

The jury deliberated for two days but couldn't reach a unanimous decision. The hung jury resulted in a mistrial, and so Prosecutors would schedule a second trial for another crack at putting Finch in prison.

(Seven months later, Finch was in the hot seat again for the same bribery charge. But this time, on Oct. 26, the jury took about an hour to find him **Not Guilty**.)



The writer is the President and Founder of [The Society for Watchdog Journalism](#), a 501(c)(3) that promotes investigative journalism and accountability in local government.

**"Snooping in the public interest to bust up
the secret clubs and the backroom deals."**

Burnie is a former Air Force Captain with a bachelor's degree in Political Science from Cal State Fullerton, a master's degree in Journalism from the University of Southern California, and a master's degree in English from Penn State.

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