

CLERK OF SUPERIOR, STATE  
AND JUVENILE COURT  
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2010 JAN 15 AM 9: 34

IN THE SUPERIOR COURT OF RICHMOND COUNTY  
STATE OF GEORGIA

ELAYNE C. JOHNSON, CLERK  
RICHMOND COUNTY, GA.


IN RE: GRAND JURY PRESENTMENT FOR THE NOVEMBER TERM 2009

The Grand Jury having returned the attached general presentment for the November Term 2009, and the same having been reviewed and accepted by the Court on January 15, 2010, it is now,

ORDERED that the said presentment shall be filed in the Office of the Clerk of Superior Court for Richmond County, and that it shall be published once in the *Augusta Chronicle*, the legal gazette for said County; and

FURTHER ORDERED that the said general presentment shall be posted by the Director of Information Technology on the Augusta-Richmond County website for public access through the Internet (World Wide Web).

It is so ORDERED this 15th day of January 2010.



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J. David Roper  
Superior Court Judge  
Augusta Judicial Circuit

TO: The Honorable J. David Roper  
Judge, Superior Court

FROM: Richmond County Grand Jury  
November Term 2009

DATE: January 15, 2010

RE: Grand Jury Presentment

We, the members of the Augusta-Richmond County Grand Jury for the November Term 2009, having been duly sworn by the Honorable J. David Roper on the 16th day of November 2009, submit our presentment on the 15th day of January 2010, our last day as an official body of the Grand Jury.

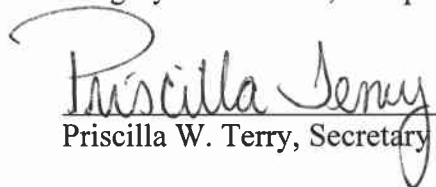
To discharge our sworn functions, as prescribed by the laws of the State of Georgia, we met on nine (9) dates during our term and acted upon Bills of Indictment presented to us by the District Attorney's Office. Sub-Committees were formed to inspect the Augusta-Richmond County Law Enforcement Center and the Marshal's Office; applicable reports are attached.

As part of our duties, we appointed four members – Gordon A. Thomas, Janet Robinson, Clifford D. Keesee, Michael J. Beckham II and Thomas D. Sherrouse – to the Richmond County Board of Equalization.

The Grand Jury respectfully submits this presentment on the 15th day of January 2010 and requests that it is published.

  
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Gregory B. Scurlock, Foreperson

  
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Philip E. Lee, Assistant Foreperson

  
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Priscilla W. Terry, Secretary

\_\_\_\_\_  
Clifford K. Keesee

\_\_\_\_\_  
Michael James Beckham II

  
\_\_\_\_\_  
Mary Grove Owen

\_\_\_\_\_  
Cornelia E. Isaac

\_\_\_\_\_  
Frances F. Knapp

James R. Coleman

John R. Sharp

Belinda de la Paz Fegi

Betty Jean Stokes

Kenneth Stallings

Toni L. Griner

Thomas Dayton Sherrouse

Jimmy T. Shepard

John Johnson

Christine S. Barreras

Henry Karl Cornell

Nancy Fischer Moore

Edward C. Shepherd, Jr.

Parnell Robert Joyner

Michael A. Kimble

SUB-COMMITTEE OF THE NOVEMBER TERM 2009 GRAND JURY  
REPORT ON THE RICHMOND COUNTY LAW ENFORCEMENT CENTER

On January 4, 2010, a Sub-Committee of the November Term 2009 Grand Jury conducted the required inspection of the jail at 401 Walton Way operated by Augusta-Richmond County.

Upon arrival, we were welcomed by Captain Bill Reeves. Captain Reeves told us that he began his career at the Richmond County Jail after finishing college in 1991. We learned a brief overview of the Jail and its operations. The Jail, built in 1985, was designed to house approximately 350 inmates. As with most law enforcement centers/jails in the country, it currently houses well over the number for which it was built. There are currently around 440 to 450 inmates housed on daily a daily basis; these inmates consist mostly of violent offenders. The non-violent and female offenders are housed at the Charles B. Webster Detention Center on Phinizy Road, which is undergoing a much-needed expansion and renovation. Phinizy Road's expansion will help with but not solve the overcrowding and space issues. Currently, all Jail operations, i.e. booking, medical attention, administration, etc., are performed at this location. Having the entire operations under "one roof" was a concern to some of the Sub-Committee members due to the fact of having to "go to the jail" in order to conduct any business that is needed with the Sherriff's Office. A remedy to this problem is to relocate some of the everyday operations that are housed here. The deterioration of the facility is another concern. Both are being addressed.

After our introduction, Captain Reeves quickly got us to the Officer's Dining area where we were served a delicious lunch prepared by the inmates. The lunch rivaled any good, down-home, country kitchen that anyone had been to. Captain Reeves informed us that the inmates who work in the kitchen are housed separately in their own "dorm" and have no contact with any other inmates. They are also tested and screened so that there could be no possibility of any issues. The officers that work at the Jail are fed either before or after their 12-hour shifts. There are generally 25 officers on staff at one time. The thought of only 25 officers controlling over 450 violent inmates was definitely a concern of the Sub-Committee, but after observing the professional and thorough actions of the officers under Captain Reeves' supervision, these concerns were alleviated. The officers must either go through a two-week jailer's school or the same training that the on-duty police officers receive. During lunch, we had our only one-on-one contact with the inmates and we asked them what their main concern or issue was while serving their time in the Jail. Their answer was one you wouldn't expect to hear, but it appeared reasonable. With a group of men together and only one television to watch, not everyone is going to want to watch the same thing. Captain Reeves commented that the television is a good disciplinary tool. This point was well taken; television is a privilege and not a right for the inmates.

From the dining area, we went to the booking area where all persons arrested in Richmond County come to be booked. The flow of this area is set up well with one way in and one way out so there isn't any confusion. Inmates booked into the Jail are issued wristbands with their pictures on them so they can be identified at all times. The wristbands themselves also serve as a quick identifier of what type of inmate they are: Blue indicates a Misdemeanor, Red a Non-Violent Felon and Green a Violent Felon. This area also contains all the files for inmates at this facility and Phinizy Road.

We then toured the Medical facility and saw firsthand the large amount of files and paperwork that is generated by this department because they were in the process of archiving and making room for new files for the coming year. The Jail's medical ward handles all the inmates' medical needs, from general dentistry to psychological services, with an annual budget of \$5 million. The department's supervising nurse enjoys her job and commented that she prefers working in correctional care rather than general care or a hospital.

Captain Reeves then took us up to one of the floors that houses the general inmates, and it appeared to be representative of all the other floors. We knew we were in a different part of the Jail as soon as we stepped off the elevator; the heat and smell was much different from those areas that we had previously encountered. The floor is broken up in separate areas with the officer's observation area in the center and an east and west wing where the inmates are held. The inmates were all around and Captain Reeves showed us where some had to have their mattresses set out in the open area because of the ongoing overcrowding.

We concluded our visit with meeting Chief Deputy Sidney Hatfield and Colonel Gary Powell who oversee personnel operations of the Sheriff's Office. Chief Deputy Hatfield expressed his gratitude for our service and informed us of some of the issues that the Sheriff's Department is dealing with. One of the main concerns is the ability to attract and retain quality and skilled young people to make law enforcement their career. The Sheriff's Office has done an outstanding job with the resources they have and are doing everything they can to protect our community and keep our citizens safe. Chief Deputy Hatfield pointed out the main concern that most Augustans are already aware of is the condition of the Law Enforcement Center itself. When the facility was built, it was up to par and performing as needed. Unfortunately, years of improper maintenance funding has led to the numerous issues with water and raw sewage damage throughout the building.

These water problems have led to a serious mold and mildew problem in the facility. There have been a few employees who are unable to enter the building because of health concerns. They have had to go as far as bringing a trailer outside of the building to create a workspace for these employees. A healthy workplace is the overriding and main concern of this Sub-Committee and we believe it is in the best interest of the County as a whole that the County Government sees to it that this facility is safe for its employees to work in and to house the inmates of the County.

Overall, our inspection and tour of the Richmond County Jail was a pleasant one due to the actions of Captain Bill Reeves, Chief Deputy Sid Hatfield and Colonel Gary Powell. We are all very appreciative of the work these officers and the ones under their command do for our County.

Sub-Committee Members: John R. Sharp, Jimmy T. Shepard, Thomas Dayton Sherrouse and Priscilla W. Terry

SUB-COMMITTEE OF THE NOVEMBER TERM 2009 GRAND JURY  
REPORT ON THE RICHMOND COUNTY MARSHAL'S OFFICE

On Tuesday, January 12, 2010, a Sub-Committee of the November 2009 Grand Jury chose to perform an inspection of the Richmond County Marshal's Office. We selected this department because it had been almost three years since review and observation by the Grand Jury. The Sub-Committee was greeted and welcomed to the Marshal's Office by Marshal Steve Smith, Chief Deputy Teresa Russell, Captain Mallory Jones and Deputy Jeff Barrett. We sat down and met in the department's conference room and Marshal Smith explained the operations of the department to us in detail through a Power Point Presentation and answered any questions we had.

We were all very impressed and satisfied with the wealth of information we received from Marshal Smith. The Marshal's Office is separated into five divisions: Service, Enforcement, Court Service, Security and Airport. Each officer has undergone mandated training and there are 70 full- and part-time officers. The Richmond County Marshal's Office is one of the 93 out of 700 law enforcement agencies in the state to be certified. This certification is based on 115 professional requirements in which this office excels. Marshal Steve Smith was originally appointed to his position and since then the position has become an elected office and Marshal Smith has been re-elected three times.

The Service Division is the busiest of the Marshal's Office. The officers are responsible for serving warrants and papers for the Civil and Magistrate Courts. In 2009 alone, there were approximately 24,000 Papers served and 51,400 Service attempts made. The bulk of these Papers were Dispossession, but Evictions made a large impact on that total as well. There are 16 evictions processed every day. While some evictions may take 15 to 20 minutes, others could take many hours. The Marshal was quick to inform us that it is not the officer's duty to handle or remove any of the complainant's belongings, only to make sure that everyone's rights are being upheld in this process.

The Enforcement Division handles the complaints of those made for littering or other nuisance properties. An issue many in the community aren't aware of is the issue of inoperable vehicles parked in individuals' yards. Last year, there were 950 complaints and, with the help and assistance of the Marshal's Office, 850 owners complied with the ordinance and only 100 were either issued a citation or had their vehicles towed. This shows the proactive approach the officers take with issues to get them resolved without having to write unnecessary citations and further clog our court system.

The Court Services Division oversees the security for Preliminary Hearings, Civil Hearings, Pre-Arrest Hearings, Ordinance Court, Bench Trials, Jury Trials and Bond Hearings. These officers also oversee the transportation of prisoners to and from court with over 2,000 every year.

The Security Division has had the most interaction with the Grand Jury because you must be cleared by these officers when you enter the Municipal Building. These officers provide security for the Municipal Building, Law Enforcement Center, Juvenile Court, Library and Judicial Center. At the Municipal Building, there were over 233,000 visitors and 140,000 packages screened last year. This resulted in over 5,000 prohibited items being not allowed to

enter the building. The Marshal's Office receives alerts from the TSA on what to be on the lookout for in order to keep everyone safe. This type of attention to detail and professionalism has kept everyone in the city safe, whether it be in these county facilities or not. The Marshal's Office also has a division at the Airport that performs all the same duties previously stated and assists in keeping those who use the Augusta Regional Airport safe and secure. While they do not screen the passengers, they are responsible for the surrounding areas in and out of the Airport.

Overall, the Richmond County Marshal's Office would be a model department in terms of how things are run and how well issues are handled and dealt with. Department heads in our County have had to deal with concerns over their budget and Marshal Smith has not been immune to that. In some areas, there may have been a reduction in costs while the services associated with these costs have increased. Marshal Smith has been fortunate to be able to have a good number of part-time officers obtain the same training as the full-time officers, but only get paid for the time they work. This cost saving and staff management has served this office well. There are also additional services, such as digital fingerprinting, the Marshal's Office has taken on. The nominal fee citizens pay covers the cost associated with providing this service and cuts down greatly on the time people have to spend getting the licenses and other forms completed. Staffing will be a concern in the upcoming future. When the new Judicial Center and Library opens, additional security will be needed. Another concern for the Marshal is the sub-station at Regency Mall. While Regency Mall is close to falling in on itself, the Marshal's Office still has its Sub-Station there. John Sharp, a member of the Sub-Committee, accompanied Deputy Jeff Barrett to observe the office himself. He was very surprised with how well things have been kept up with everything else falling in around it. The good news is that Marshal Smith has a plan in place to build a new Sub-Station close by and showed us the plans for this new facility. Project funds have been approved and, hopefully, everything will fall into place to assist this office in moving on from their current Sub-Station. Our Sub-Committee was very impressed with this department and believes the officers perform well beyond the duties required of them for the Citizens of Augusta-Richmond County.

#### Sub-Committee Members

Michael A. Kimble  
John R. Sharp  
Thomas Dayton Sherrouse  
Priscilla W. Terry

The November Term, 2009 of the Richmond County Grand Jury appoint the following people to serve as members or alternate members on the Board of Equalization:

1. Gordon A. Thomas [ ]Member [ ]Alternate

Address: 2514 Friar Lane, Augusta, GA. 30906

Phone: 706-793-9300 Home and 706-627-3933 Cell

2. Janet Robinson [ ]Member [ ]Alternate

Address: 1991 McDade Road, Hephzibah, GA. 30815

Phone: 706-399-3689

3. CLIFFORD D. KLESER [ ]Member [ ]Alternate

Address: 2048-A BATTLE Row AUGUSTA, GA 30904

Phone: 706-294-3307 (H) 706-721-7635 (W)

4. Michael J Beckham II [ ]Member [ ]Alternate

Address: 942 RUSSELL ST Augusta, GA 30904

Phone: 706-726-3004

5. Thomas D. Sherrouse [ ]Member [ ]Alternate

Address: 251 West Vineland Rd Augusta, GA 30904

Phone: 706-825-9161 (H) 706-724-8225 (W)

OBSEIRUM, Foreperson

This 24<sup>th</sup> day of NOV, 2009