

CLERK OF SUPERIOR, STATE  
AND JUVENILE COURT  
FILED FOR RECORD

2010 SEP 17 PM 3: 23

IN THE SUPERIOR COURT OF RICHMOND COUNTY

ELAINE C. JOHNSON, CLERK  
RICHMOND COUNTY, GA.

STATE OF GEORGIA

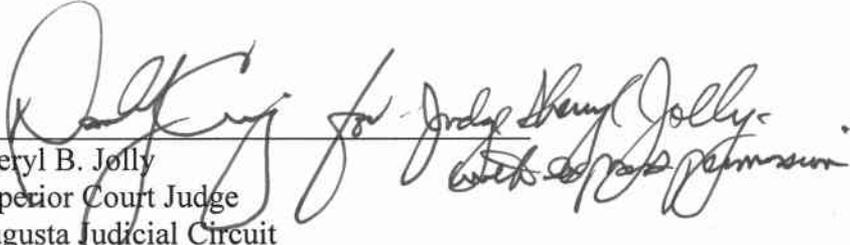
IN RE: GRAND JURY PRESENTMENT FOR THE JULY TERM 2010

The Grand Jury having returned the attached general presentment for the July Term 2010, and the same having been reviewed and accepted by the Court on September 17, 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 17th day of September 2010.

  
Sheryl B. Jolly  
Superior Court Judge  
Augusta Judicial Circuit

TO: The Honorable Sheryl B. Jolly  
Judge, Superior Court

FROM: Richmond County Grand Jury  
July Term 2010

DATE: September 17, 2010

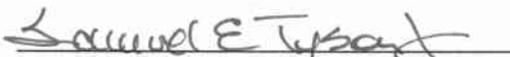
RE: Grand Jury Presentment

We, the members of the Augusta-Richmond County Grand Jury for the July Term 2010, having been duly sworn by the Honorable Carl C. Brown, Jr. on the 19th day of July 2010, submit our presentment on the 17th day of September 2010, our last day as an official body of the Grand Jury.

To discharge our sworn duties, as prescribed by the laws of the State of Georgia, we met on ten (10) dates during our term and acted upon Bills of Indictments presented to us by the District Attorney's Office.

Sub-Committees were formed to inspect the Charles B. Webster Detention Center and Probate Court; applicable reports are attached.

The Grand Jury respectfully submits this presentment on the 17th day of September 2010 and requests that it is published.

  
Samuel E. Tyson, Jr., Foreperson

  
Rodney Wade, Assistant Foreperson

  
Tamika Hurlston, Secretary

  
George L. Coulter

  
David S. Wilkin

  
Mildred H. Jackson

  
Reginald V. Brown

  
Marcia L. Suddeth

  
Robert Paul McDowell III

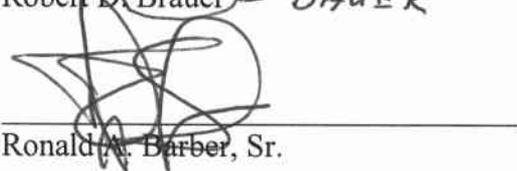
  
Elizabeth B. Lavender



Robert D. Brauer BAUER



Darryl S. Rowe



Ronald W. Barber, Sr.



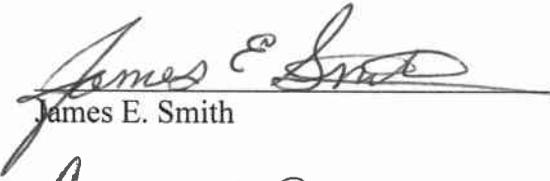
J. Kevin Enright



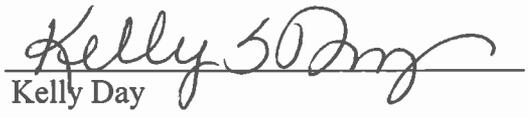
Alicia M. Walker



Brenda J. Childs



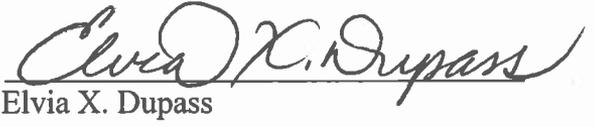
James E. Smith



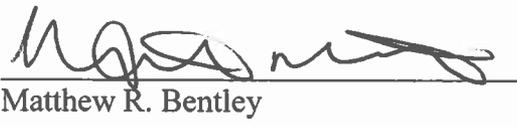
Kelly Day



Cheryl Jordan



Elvia X. Dupass



Matthew R. Bentley



Paul Dupass

## **SUB-COMMITTEE OF THE JULY TERM 2010 GRAND JURY REPORT ON THE CHARLES B. WEBSTER DETENTION CENTER**

On August 31, 2010, a group of nine members from the Richmond County Grand Jury July Term 2010 toured the Charles B. Webster Detention Center on Phinizy Road in Augusta, Georgia.

Upon our arrival, we were greeted by Captain Chester V. Huffman, Jr., who oversees the daily operation of the Detention Center, Captain Huffman then escorted us to the cafeteria designated for officers and staff where we were served lunch. Captain Huffman then shared the history of the Detention Center on Phinizy Road built November 1997 to help moderate the overcrowding at the primary Law Enforcement Center on Walton Way. The Detention Center houses mostly non-violent inmates with felony and misdemeanor charges; most of which are short-term sentences.

It was well illustrated how the inmates are treated; free to take a shower and walk around their pods with discretion. They are fed three nutritious meals a day almost identical to staff meals with only a few moderations, for safety concerns bones are removed as they could be used for weapons. The inmates are also allowed time once a day to go into the yard for exercise and natural light exposure.

The physical condition of the pod-style building is good. The 552-bed facility has four pods – three for male and one female. The jail's current population is 524 which is below the normal average of 650. Overcrowding requires inmates to sleep on four-inch thick mattresses on the floor. An addition to the Detention Center is currently under construction with an increase of 500 more beds, including 80 to 100 for medical and mental health. More than 100 beds will be dedicated to women and the current women's pod of 84 beds will then house men upon the completion of the add-on, due for completion April or May 2011 at which point the Augusta-Richmond County Law Enforcement Center is expected to close with those inmates being relocated to the Charles B. Webster Detention Center.

Captain Huffman only shared three issues one of which is the number of staff; although the Detention Center runs safely with twenty Officers per shift, a boost in staff will only increase safety and security for everyone. His second concern was wanting to have an in-take center, where the inmates would be checked in and out versus transported from the facility on Walton Way to their facility. His last concern was the medical budget.

On the last part of our journey, we visited two pods and observed the Officers on duty and the inmates' activity. Overall conditions of the Detention Center seemed sanitary and maintained.

### **Sub-Committee Members:**

Robert D. Bauer  
Elvia Dupass  
J. Kevin Enright  
Alicia Walker  
Brenda J. Childs  
Paul Dupass  
George Coulter  
Rodney Wade

## **SUB-COMMITTEE OF THE JULY TERM GRAND JURY REPORT ON PROBATE COURT**

On August 24th, 2010, a committee of nine members of the Richmond County Grand Jury conducted an inspection of the Probate Court for Richmond County at the Court offices on the fourth floor of the Augusta-Richmond County Municipal Building.

The Committee met with Judge Isaac S. "Buddy" Jolles and his Office Director, Ms. Angela Rice. The Judge and Ms. Rice gave an overview of the various operations of the Court, which overview included discussions of the caseload of the Court, staffing issues and funding of Court operations.

Probate Court handles a wide variety of civil legal matters to include the following:

1. The settling of decedent's estates including will probate and administration, the appointment and overview of administrators for non-testamentary estates and estates settled through the Georgia Years Support procedure.
2. The appointment and overview of guardians for minors and adults and adjudications regarding the appointment of conservators of property for minors and those adjudged unable to make competent decisions as to the handling of their own affairs.
3. Involuntary Committal proceedings.
4. Issuance of concealed weapon permits.
5. Issuance of marriage licenses.

The gun permit and marriage license functions of the Probate Court are primarily ministerial and are handled by Court staff. Applications for gun permits have doubled in recent years with a commensurate increase in the staff time necessary to process those applications. The Judge stated that the information that the Court is required to obtain from law enforcement services before issuing permits generally gets to the Court in a timely manner, but the cross checking and review that information prior to making a final decision on the issuance of a permit is taking up an increased amount of Court staff time.

The proceedings summarized in numbers one, two and three above require formal hearings before the Judge. The caseload of those proceedings is also increasing annually, especially those involving involuntary committals. In addition to the original hearing required for all these matters, conservatorships require an annual review by the Court of the returns filed with the Court of the receipts and expenditures of each estate. The Judge has a staff member who specializes in reviewing such returns, essentially an accounting procedure, and the Court has implemented a standard form of return. This has relieved the Court of the problem of having to help conservators actually prepare returns as well as review and audit them. However, the time

and expertise it takes just to audit each return requires an additional and expert staff member.

The caseload is such that the Judge stated that his hearing schedule usually takes up the entire business day. This leaves no time for him to familiarize himself with the case beforehand and prepare for the hearing. If and when the Judge is ill or has a conflict, an attorney can be appointed on a case by case basis to act as Probate Judge. It was suggested that there be a permanent legal assistant who could handle a part of the caseload.

The Judge and Ms. Rice were justifiably proud of the computerization and records streamlining that had been accomplished since he originally assumed office. Previously all records were indexed alphabetically by hand in the entry dockets as they came into the Court. Any search for a file or needed documents required a tedious book by book name search. Now all filings are computer entered with a specific case number and that case number is the sole reference for all matters and documents relating to that particular file. In addition the Court is, over time, scanning all of its old files into the computer records for ease of retrieval and storage and freeing up of space for current records retention.

The Probate Court will move its location to the new courthouse as soon as construction thereon is complete. The space available in the new location is approximately the same as now utilized. The office could use extra space because of the general public traffic attributable to the licensing functions of the Court. In the opinion of Judge Jolles the design of the new office complex is such that a receptionist will be necessary. There is an unfilled clerk position in the Court at this time which the Judge hopes will be funded after the move so as to fill that need.

It is safe to say that, given its increased caseload, the Probate Court is fully utilizing the present staff. Ms. Rice stated that all clerks in the office were cross-trained to fill in anywhere in the office as needed. There has been no additional staff since the last Grand Jury inspection of the Court in March of 2008. The functions of the Court are so varied that every citizen can expect to have contact with the Court at some point. This fact, along with the increasing caseload means that some amount of increased funding for the Court will have to occur for the Court to continue to provide efficient service to the public.

Sub-Committee Members:

Reginald V. Brown  
Elizabeth B. Lavender  
Robert D. Bauer  
Ronald A. Barber  
Alicia M. Walker  
Brenda J. Childs  
Elvira X. Dupass  
Matthew R. Bentley  
David S. Wilkin