

CLERK OF SUPERIOR, STATE
AND JUVENILE COURT
FILED FOR RECORD

2011 MAR 18 AM 10: 24

IN THE SUPERIOR COURT OF RICHMOND COUNTY
STATE OF GEORGIA

YVAINNE C. JOHNSON, CLERK
RICHMOND COUNTY, GA.


IN RE: GRAND JURY PRESENTMENT FOR THE JANUARY TERM 2011

The Grand Jury having returned the attached general presentment for the January Term 2011, and the same having been reviewed and accepted by the Court on March 18, 2011, 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 18th day of March 2011.



Michael N. Annis.
Superior Court Judge
Augusta Judicial Circuit

TO: The Honorable Michael N. Annis
Judge, Superior Court

FROM: Richmond County Grand Jury
January Term 2011

DATE: March 18, 2011

RE: Grand Jury Presentment

We, the members of the Augusta-Richmond County Grand Jury for the January Term 2011, having been duly sworn by the Honorable J. Carlisle Overstreet on the 18th day of January 2011, submit our presentment on the 18th day of March 2011, 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 nine (9) 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 Augusta-Richmond County Law Enforcement Center and the Planning Commission to include Licensing and Inspection; applicable reports are attached.

In addition to our assigned duties, this Grand Jury appointed David Hogg, Jr., Wayne Hawkins, Jeff Padgett, Thomas Leeking and Harry Wade to serve as members or alternate members on the Board of Equalization.


The Grand Jury respectfully submits this presentment on the 18th day of March 2011 and requests that it is published.

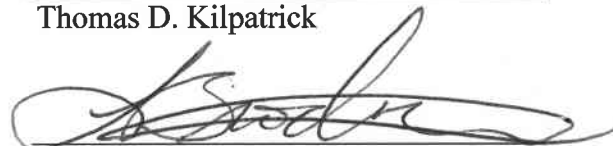

David M. Barbee, Foreperson

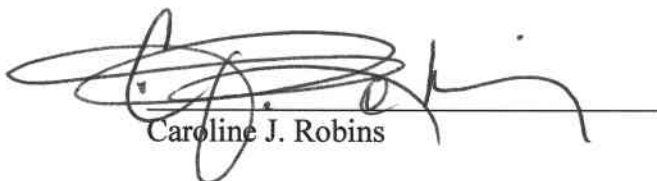

Dennis Stroud, Assistant Foreperson


Mikell P. Smith, Secretary



Thomas D. Kilpatrick


Bonita B. Arthur

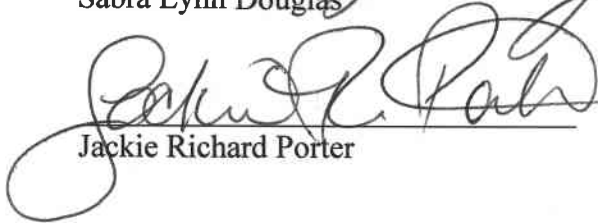

Lanod A. Broadnax


Caroline J. Robins


Michael B. Thomas


Sabra Lynn Douglas

Harold A. Baker

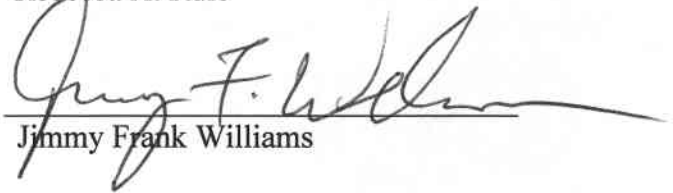

Jackie Richard Porter

Angelica Maria La Luz

Charles B. Lanier, Jr.


Rebecca A. Rule


Yvonne Amy Archie-Burch


Jimmy Frank Williams

Eddie Demarcia McQuaker


Ronald Walton, Jr.


Joya W. Trottie

John N. Baird


Ariel Arno Daniels

Toni M. O'Quinn


Philip R. Wahl II

**JANUARY 2011 TERM -- RICHMOND COUNTY GRAND JURY
SUB-COMMITTEE REPORT ON
THE RICHMOND COUNTY JAIL**

On February 15, 2011, a sub-committee from the Richmond County Grand Jury, January Term 2011, inspected the Richmond County Jail (RCJ) at The Law Enforcement Center (LEC) located at 401 Walton Way, Augusta, Georgia 30901.

Upon arrival, we were greeted by Captain William H. "Bill" Reeves. Captain Reeves, a native Augustan and a 1991 graduate of Georgia Southern University, oversees the day-to-day operation of the Richmond County Jail (RCJ) at 401 Walton Way. Designed and constructed in 1986 to hold approximately 358 inmates, the RCJ currently houses over 350 per day. The majority of the Richmond County Jail population is male. There is a small female population residing in a special-needs medical unit. The RCJ maintains a modern booking and release section, which facilitates the processing of approximately 18,000 arrestees per year. Captain Reeves supervises 110 sworn and civilian employees, and works hand in hand with the local court systems on the State, Superior, and Federal levels.

Prior to conducting our inspection, we met in the Jail Administration Conference Room and Captain Reeves introduced us to his supervisor, Major William E. "Gene" Johnson. Major Johnson, a 1983 graduate of the FBI National Academy, has been employed by the Richmond County Sheriff's Office for forty-three years. He served as a Captain in Jail Administration for twenty-four years. During his tenure as Captain he was in charge of the day-to-day operations of the Richmond County Jail at 401 Walton Way. Major Johnson now oversees all operations of the Richmond County Jail and the Charles B. Webster Detention Center. Maj. Johnson informed us that Captain Chester V. Huffman, Jr. a 1996 graduate of the FBI National Academy, oversees the day-to-day operation of the Charles B. Webster Detention Center (CBWDC) at 1941 Phinizy Road in South Augusta. The CBWDC opened in 1997 and was designed to alleviate the overcrowding at the Richmond County Jail. A security staff of 100 sworn and civilian employees maintains the 552-bed facility with a daily inmate population now exceeding 650 per day. The majority of female inmates incarcerated in Richmond County are housed at the CBWDC.

Captain Reeves emphasized that they regularly exceed the 910 bed combined capacity of the two jails by as much as 90 to 100 inmates. CBWDC is nearing the completion of Phase I of a three phase SPLOST funded expansion of the Richmond County Jail system. Phase I consists of the construction of a 176 bed Pod, a 144 bed Pod and a 140 bed Medical Pod at the Phinizy Road facility. The projected completion date for Phase I is June 2011. This expansion will require hiring and training of 30 new deputies during April and May. The new deputies must all complete a 2 week Jailer Course prior to the June opening. Upon completion of the CBWDC expansion, the long-term population of inmates at the RCJ at 401 Walton Way will be transferred to the Phinizy Rd. facility.

The RCJ at 401 will continue to operate as an Intake, Release and overnight incarceration facility, but the overcrowding problem will be alleviated. Jail Administration will remain at 401 until the completion of Phase II. Phase II is projected for completion in 2014 at a cost of \$40-50 million (SPLOST Funded) and will move Booking and Release and Law Enforcement Operations to CBWDC. Phase III will include an additional 260 bed Pod at CBWDC and demolition of the 401 LEC (Completion date TBD).

Maj. Johnson said that a reduction in State Prison Facilities is the largest contributing factor to the jail overcrowding. He said that between RCJ and CBWDC, they house over 250 State Prisoners waiting to be transferred into the state prison system. He emphasized that as long as the State of Georgia continues to close facilities it will put pressure on the jails. He also mentioned that the State only reimburses Richmond County \$22/day and the cost to house an inmate exceeds \$47/day. The State is transferring the financial burden of housing its prison population on local government. Another contributor to local overcrowding is the reduction in State mental hospital beds. He stated that Georgia Regional Hospital in Augusta only has 18 beds for inmates with mental issues and the State Mental Hospital at Milledgeville is no longer accepting inmates.

After our initial briefing, Captain Reeves escorted us to the RCJ kitchen, and then to the Officers and Staff Cafeteria, where we were served a choice of fried or baked chicken and choices of at least 6 different vegetables. The food was very tasty and high quality. Capt. Reeves stated that we were eating the same food that the inmates are served (with the exception of bones, which can be used as weapons). The kitchen workers are all inmates. Only "Trustees" (inmates hand-selected by Capt. Reeves or Maj. Johnson based on their good behavior) are eligible to work in the kitchen. They must also pass a complete health exam, including HIV blood work and other health screenings, and they are housed in a separate pod only for kitchen workers to make sure they are not exposed to any inmates with health concerns. Capt. Reeves likes to boast that his kitchen is the healthiest around because not even the best white tablecloth restaurants in Augusta require their kitchen personnel to pass this level of health screening. We also inspected the laundry area which was also staffed with "Trustees."

After lunch, we observed the Medical Pod housing the female inmates with medical issues and a separate pod for mentally unstable male inmates that were under "suicide watch." There were several inmates in two lock-ups (M1 and M2) that were visibly unstable. The doors to these lockups were rusted at the bottoms and the jailer said that they get that way because they regularly have to hose the rooms to remove human feces from the floors and walls.

Next, we visited the Booking and Release area and spoke with several officers that processed inmates through the booking process (photos, fingerprints, etc...). Capt. Reeves showed us the extensive computer database and paper based files on each inmate. He also informed us that all inmates can be view by name on the city website's "inmate inquiry" located at:

<http://appweb2.augustaga.gov/InmateInquiry/AltInmatesOnline.aspx>

We then visited pods on the 4th floor and observed about a dozen inmates playing basketball in the “exercise yard”. Most of the other inmates were in the common areas, sitting at tables talking, reading, writing or watching television. A few were resting on small vinyl mattresses on the floor.

Overall, the RCJ facilities were relatively clean and were very secure (locks, locks and more locks; and Video everywhere). Other than the visible overcrowding with over 50 inmates sleeping on mattresses on the floor, Captain Reeves and his staff run a “tight ship” with limited funding.

After our visit to the RCJ, we met briefly with Chief Deputy Sid Hatfield in his office. He thanked us for our service on the Grand Jury. He said that this is the “Most difficult, dangerous and violent time in 46 years of law enforcement.” He said that his officers are daily encountering less respect for authority, more violence and unpredictability on the streets than ever before, and “They have to do more with less.”

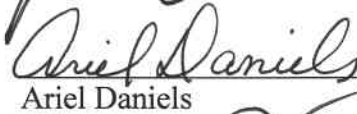
We agreed with his assessment of the current environment and complimented him on the high degree of professionalism and “restraint” we have observed in his officers that have testified before the Grand Jury. We thanked him and his deputies for what they do day in and day out, standing in harm’s way to protect the citizens of Augusta.

Respectfully submitted by the following Sub-Committee Members:

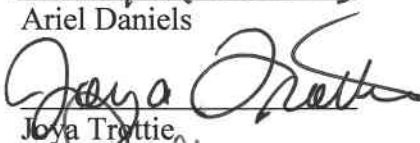

Bonnie Arthur

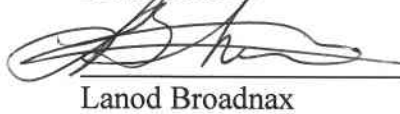

Yvonne Archie-Burch


Harold Baker


Ariel Daniels


David Barbee


Joya Trotter


Lanod Broadnax


Phil Wahl

**SUB-COMMITTEE OF THE JANUARY TERM 2011 GRAND JURY
REPORT ON THE RICHMOND COUNTY PLANNING COMMISSION
TO INCLUDE LICENSING AND INSPECTION**

On February 14, 2011, Sub-Committee Members met with George Patty from the Planning Commission and Rob Sherman from Licensing and Inspection. The Planning Commission currently resides at 525 Telfair Street. There is some expectation that these two departments will merge in the near future as part of a cost-savings measure within Augusta-Richmond County. The emphasis of this Grand Jury's inspection was the Planning Commission since it has not been inspected since 2005. We felt it would be beneficial to involve Mr. Sherman to understand potential issues with these two departments should the merger occur.

Very little has changed within the Planning Commission since the last Grand Jury inspection. The location is the same, though Mr. Patty noted that air conditioning upgrades and the addition of an elevator have been positive changes to the office. The Planning Commission currently operates with an experienced staff of eleven; Mr. Patty feels this is an adequate number. Their primary function is the development, maintenance and implementation of the Comprehensive Plan for Augusta-Richmond County. The department also manages transportation planning, zoning ordinance administration, development project review and administration of various environmental regulations. A full description of the department is available at www.augustaga.gov. According to Mr. Patty, approximately 60% of the Commission's time is spent with current planning and zoning issues.

The Planning Commission's funding comes from a variety of sources; currently, 40% to 50% is through revenue grants from the State of Georgia. There is some concern regarding this funding as Georgia (and all states) is dealing with lower tax revenues. The remaining funding comes from Augusta-Richmond County and fees charged for services.

Sub-Committee Members expressed some concern to Mr. Sherman about all of the vacant houses continuously cited in drug cases. He indicated that about 1,000 abandoned properties have been torn down over the last ten years; however, funding for this activity is only about \$100,000.00 per year. With greater funding, they would have the resources to remove more troubled properties.

During our discussion with Messrs. Patty and Sherman, we learned that the two offices, i.e. Planning Commission and Licensing and Inspection, will likely be combined and relocated to the Municipal Building on Greene Street in the next couple of years. Our discussion focused on the overlapping areas within the departments and whether they felt cost savings could be realized. Both acknowledged there could be savings by combining the activities of the Planning Commission with the enforcement powers of Licensing and Inspection. In general, Mr. Patty indicated that Augusta is a pro-development city with plenty of on-going activity. One area of dysfunction centers on the 20 to 30 different economic development boards that exist in the area. Each board handles their own area and tends to have their own opinion of where funding should be allocated.

Sub-Committee Members: David M. Barbee, Lanod A. Broadnax, Thomas D. Kilpatrick,
Charles B. Lanier, Jr. and Dennis Stroud