

**IN THE SUPERIOR COURT OF RICHMOND COUNTY  
STATE OF GEORGIA**

CLERK OF SUPERIOR, STATE  
AND JUVENILE COURT  
FILED FOR RECORD  
2013 JUL 12 PM 1:00  
ELAINE C. JOHNSON, CLERK  
RICHMOND COUNTY, GA.

IN RE: GRAND JURY PRESENTMENT FOR THE MAY TERM 2013

The Grand Jury having returned the attached general presentment for the May Term 2013, and the same having been reviewed and accepted by the Court on July 12, 2013, 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 12th day of July 2013.

  
\_\_\_\_\_  
J. Wade Padgett  
Superior Court Judge  
Augusta Judicial Circuit

TO: The Honorable J. Wade Padgett  
Judge, Superior Court

FROM: Richmond County Grand Jury  
March Term 2013

DATE: July 12, 2013

RE: Grand Jury Presentment

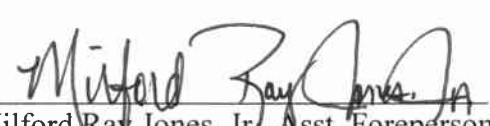
We, the members of the Augusta-Richmond County Grand Jury for the May Term 2013, having been duly sworn by the Honorable Michael N. Annis on the 20th day of May 2013, submit our presentment on the 12th day of July 2013, our last day as an official body of the Grand Jury.

To discharge our sworn duties, as prescribed by the laws of the State of Georgia, we met on eight (8) 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; reports are attached.

The Grand Jury respectfully submits this presentment on the 12th day of July 2013 and requests that it is published.

  
\_\_\_\_\_  
Hal D. Beman III, Foreperson

  
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Milford Ray Jones, Jr., Asst. Foreperson

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Shayonna Latifah Hurst, Secretary


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Lillie Williams Freeman

  
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Tonietha Necole Clayton

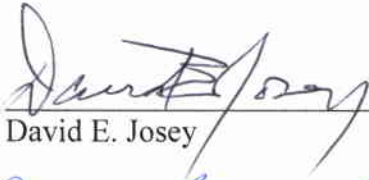
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Pheolian A. Evans IV

  
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Vonda LaToya Johnson

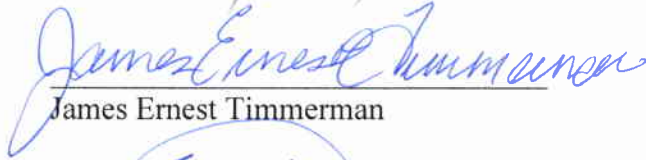
  
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David Francis Dross

  
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Joyce Thompson Hobson

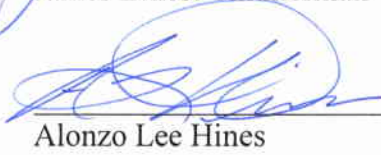
  
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Geraldine M. D'Antignac

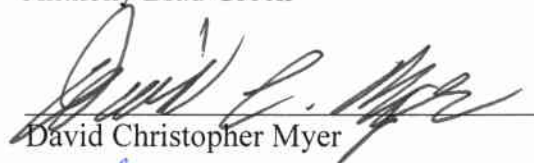
  
David E. Josey

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Laurie A. Veihman

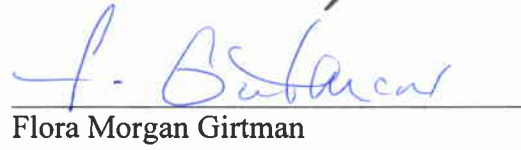
  
James Ernest Timmerman

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Anthony Brad Green

  
Alonzo Lee Hines

  
David Christopher Myer

  
Helene Marie Marcano

  
Flora Morgan Girtman

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Christan Leigh Armour

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William Holton Brinson

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Toni Durham Smith

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Joan Cumins Arazie

  
Ava Rose Harkins

## SUB-COMMITTEE OF THE MAY TERM 2013 GRAND JURY REPORT ON PROBATE COURT

On Tuesday, June 18, 2013, a Sub-Committee consisting of nine members of the May 2013 Term of the Richmond County Grand Jury conducted an inspection of Probate Court, located in the Judicial Center, Suite 1000, 735 James Brown Blvd., Augusta, Georgia.

The Sub-Committee congregated in the office's waiting area and was warmly greeted upon the arrival of Honorable Judge Harry B. James III and Angela Rice, Office Director. We were then directed to the Probate Courtroom for an overview of the various operations of the Court. Judge James, formerly in a private law practice in Richmond County, explained that he had been sworn into the office of Probate Judge in January 2013. As a one-page description of the duties of Probate Court was being distributed, Judge James provided in a casual but articulate manner, an overview of the duties and responsibilities of the Probate Judge and Court which read as follows:

*The duties of the probate judge are judicial, ministerial and clerical. Probate Judges are required to probate wills, to grant and repeal letters of testamentary and of administration of an estate, to settle controversies in relation to the right of executorship or administration of an estate, to sell and distribute property of deceased persons' estates, to appoint and remove guardians for minors and persons who are mentally incompetent, to resolve controversies regarding the right of guardianship, to audit and pass returns of all executors, administrators and guardians, to discharge former sureties, to require new sureties from administrators and guardians, to handle all other matters relating to the estates of deceased persons and persons who are mentally incompetent, to perform county governmental administration duties under specific circumstances, to serve as election superintendent (when there is no local legislation creating an elections board), to fill vacancies in public offices, to administer oaths to public officers, to accept, file, approve, and record bonds of public officers, to register and permit certain enterprises, to issue marriage licenses, to hear traffic cases (when there is no state court), to receive pleas of guilty and impose sentences for fish and game violations, to hold criminal commitment hearings, to hear cases involving the removal of road obstructions, to conduct trials for certain misdemeanors (violations of state rules and regulations regarding parks, historic sites, and recreational areas, violations of the "Georgia Boat Safety Act," possession of less than an ounce of marijuana, the purchase or possession of alcohol by a minor and cases involving litter on public and private property).*

In his overview, Judge James disclosed facts of which most residents of Richmond County would not be aware. Of the 159 counties in the State of Georgia, Probate Court of Richmond County loses "lots of great workers due to the pay scale of Richmond County being much less than other counties of comparable size." He added that although the pay scale is higher for the employees of neighboring Columbia County, their caseload is 50% less as compared to the cases in Richmond County. On a positive note, while describing the increasing caseload of the Richmond County Probate Court, Judge James proudly stated that they have yet to miss any ten-day deadlines that are frequently required in preparing and submitting reports. However, meeting those deadlines causes a back-log in other cases.

Judge James' personal office is conveniently located in Suite 1000 along with the other members of his staff. Because there are so many cases requiring his approval and signature, being housed with them can be described as convenient, efficient and effective for everyone involved. He added that they are near the maximum capacity in Suite 1000 and will soon need additional space for office staff and filing.

As we were briefed in the small but efficient Probate Courtroom, we observed how the limited space would prohibit the occasional jury trial. When the need arises, they are forced to "borrow" an upstairs courtroom in order to facilitate this type of trial.

Due to the fact that Judge James has to be in court most days, thus preventing his availability, Richmond County recently hired Attorney Benjamin Allen as Associate Judge. Judge James stated that this welcome addition has been a tremendous help to him and the Probate Court system.

As our inspection continued into the filing area, we observed the numerous files available for public information. Filings are computer entered with a specific case number and that case number is the reference for all matters and documents relating to that particular file. Although the files are seemingly organized efficiently for document retrieval, the filing area is almost filled to capacity. When a member of the Sub-Committee asked about the filing of wills, Ms. Rice explained that residents can file a will and have it locked in the vault for an affordable charge of only \$10.00. She further pointed out that they are in need of additional shelving containers in which to store wills. It was also mentioned that every publication of the Augusta Chronicle is stored on Microfilm for quick and easy retrieval when needed.

Sub-Committee members found the administration of Probate Court to be friendly, but professional, knowledgeable and efficient and they closely follow the guidelines set before them.

#### Sub-Committee Members

Tonietha Necole Clayton  
Geraldine M. D'Antignac  
Flora Morgan Girtman  
Alonzo Lee Hines  
Milford Ray Jones, Jr.  
Helene Marie Marcano  
David Christopher Myer  
Toni Durham Smith  
James Ernest Timmerman

**SUB-COMMITTEE OF THE MAY TERM 2013 GRAND JURY  
REPORT ON THE CHARLES B. WEBSTER DETENTION CENTER**

A Sub-Committee of the May 2013 Term Grand Jury toured the Charles B. Webster Detention Center, 1941 Phinizy Road, on Tuesday, June 4, 2013. Upon arrival, Major Gene Johnson met us in the lobby of the main building. The lobby is currently undergoing renovations and Major Johnson explained this particular area was a small part of the overall renovations being done to the facility. These improvements are funded by the SPLOST currently in effect in Richmond County.

Our first stop was in the employee cafeteria where lunch is prepared by a contracted company as opposed to county employees. Major Johnson told us that he was among several Richmond County officials who toured other correctional facilities to locate a suitable company to operate the local food service. The company chosen was selected based on efficiency, quality of food and cost. The move to outsourced food services has saved the county a considerable sum. It should be mentioned that lunch was very tasty and the staff (trustees in the system) was very friendly and attentive. The inmates are served two hot meals a day and the food service professionals ensure they receive the proper daily level of calories.

Inmates are allowed to purchase snack items, toiletries, undergarments, etc., at the commissary by using a kiosk in the common area of the cell block. Money, commonly provided by family or the inmate, is deposited into an account set-up in the inmate's name. The inmates do not carry any cash; they scan their ID to pay for items (similar to using a debit card).

Our visit continued with a tour of the facility, including the infirmary and cell blocks (only observing the general population from the guard stations). It was surprising to realize there is no visitation facility in the main building. Visitors come to a separate building and speak to the inmate they are visiting by way of video conferencing. The inmate stands at a monitor and speaks through a receiver to his/her visitor who is in front of another monitor in the visitation center.

Another improvement to the facility is a video courtroom. This will allow inmates to appear before a judge without leaving the Detention Center. This type of courtroom will increase safety and security (no inmate is transported for hearings) and will save on transportation cost and time.

During our tour, we observed and were impressed with the high level of security. Video surveillance, double-entry doors and remote operation of access doors are only a few of the high-tech, high-security processes used to ensure safety and security. We also observed some incidental interaction between inmates and guards. The guards were firm, but civil and fair.

The only recommendation we can make from our visit is in regard to the release of inmates when their sentence is completed. With public transportation not stopping anywhere near the Detention Center, it would be a service to the public and the ex-inmate to have some type of arrangements in place for transportation from the facility.

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