

THE CRISIS OF VIOLENCE IN GEORGIA'S PRISONS

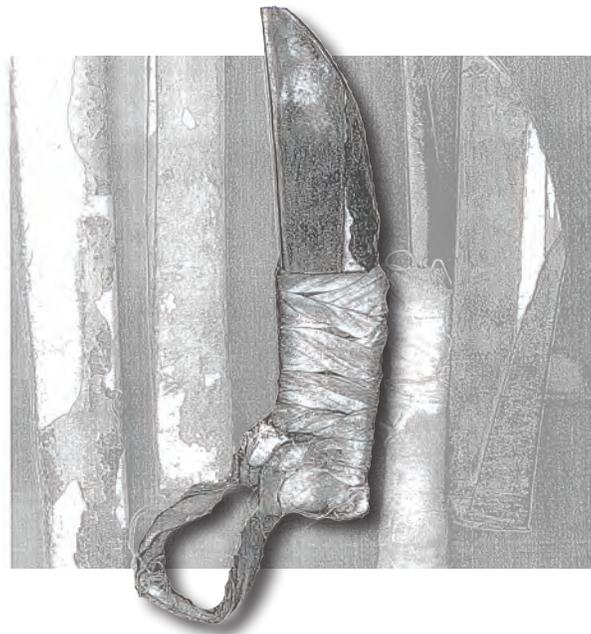


A REPORT BY THE



JULY 2014

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THE LAST SEVERAL YEARS HAVE SEEN AN ESCALATION IN THE LEVEL OF HOMICIDES, STABBINGS, AND ASSAULTS IN THE GEORGIA PRISON SYSTEM.

From 2010 to date, 33 prisoners and one officer were killed by other prisoners. In 2012 alone, Georgia had more homicides in its state prisons than many states' prisons had in the last *ten* years. (e.g., Pennsylvania, Louisiana, Virginia, Indiana, Kentucky, Mississippi)¹. Three times as many prisoners were killed in Georgia state prisons in 2012 than ten years ago.

The United States Supreme Court has held that “[b]eing violently assaulted in prison is simply not part of the penalty that criminal offenders pay for their offenses against society.” *Farmer v. Brennan*, 511 U.S. 825, 834 (1994). Yet many Georgia prisoners live in constant fear of being injured or killed by other prisoners, and the rampant violence places correctional officers at risk as well.

This report describes a prison system in which prison officials have lost control. Men in maximum security facilities have access to lethal weapons including knives, shanks and machetes. Cell door locks are left broken for years. Prisoners at some close security prisons are left largely unsupervised. Gangs control inmate housing assignments and expel inmates they no longer want in their dorms. Prisoners have cell phones and smart phones that they use to extort money from the family members of other prisoners. And protective custody procedures are inadequate, leaving vulnerable prisoners to fend for themselves.

The violence in Georgia's prisons has grown increasingly brutal in recent months. In January 2014, a prisoner was airlifted from Coffee Correctional Facility to a hospital burn center with third degree burns and other injuries, after he was bound with tape, beaten with a bar, had bleach poured in his eyes, and boiling water poured on his face and genitals.² In February 2014, Ariel Ocasio had three fingers severed by a man wielding a 19-inch knife at Wilcox State Prison. In March 2014, Jeffrey McDonald was beaten to death at Central State Prison. Cristian Bailon recently became the seventh person murdered at Smith State Prison since 2010.³ And on June 29, 2014, Shannon Grier died after being stabbed at Augusta State Medical Prison.

The violence in Georgia prisons affects thousands of prisoners and the community at large. There are about 51,000 people in the GDC, and about 21,000 men and women were released from Georgia prisons in 2013 alone. The violence also has a disproportionate effect on African-Americans. African-Americans make up 61% of Georgia's prison population and a majority of the victims of homicide within our prisons.



¹ Bureau of Justice Statistics, *Mortality in Local Jail and State Prisons, 2000-2011 – Statistical Tables*, Aug. 2013, Table 25, p. 26.

² All incidents described in this report have been substantiated with GDC incident reports, medical records, and/or other documents on file with the authors. Some prisoners referenced in this report asked that their names be kept confidential.

³ The Alabama Department of Corrections reported four homicides in all of its prisons combined from 2010 to the present. Ala. Dep't of Corr., *Monthly Statistical Reports, 2010-2014*, <http://www.doc.state.al.us/StatReports.aspx>.

Prisons are supposed to provide rehabilitation. But violent prisons teach and breed violence. Further, since about one third of people in the GDC are incarcerated for nonviolent crimes, the dangerous conditions in Georgia prisons threaten those who have committed violent crimes and those with no history of violence alike.⁴

The conditions described in this report also put correctional staff at risk. Our state prisons are at 106.3% of capacity.⁵ Correctional officers are short-staffed, overwhelmed, and without adequate resources to effectively supervise large numbers of prisoners, many of whom are armed with weapons and cell phones. A number of correctional officers have been injured, and one officer was tragically killed in October 2012.

It is not possible to stop all violence in prison. But the frequency and severity of violent incidents that are now occurring in Georgia's prisons do not happen in a well-run system. Indeed, the GDC has shown a pattern of apathy in the face of security breaches and a failure to respond to known, dangerous conditions.⁶

Part I of this report describes the legal standards governing the GDC's duty to protect prisoners from assault by other prisoners. Part II discusses some of the root causes of the rise in violence in Georgia prisons. Part III highlights three prisons with a pattern of serious violent incidents and security lapses. Part IV describes the 33 homicides of GDC prisoners in the past four years. Part V lists recommendations for change, including a call for the United States Department of Justice to step in to protect GDC prisoners and correctional staff.

4 In 2012, Georgia passed House Bill 1176, which aimed to stem the growth of the prison population by providing alternatives to incarceration for non-dangerous offenders. While this is a laudable goal, the changes adopted thus far have been incremental and have not yet had a significant impact on the makeup of the prison population. Currently, over one third of people in the GDC are there for nonviolent crimes. Specifically, as of April 2014, about 35% of people in Georgia prisons are serving sentences for a nonviolent, primary offense (e.g. property crime, drug crime, or "habit/DUI"). Ga. Dep't of Corr. Inmate Statistical Profile, April 1, 2014, p. 71. The number of non-violent, first-time prisoners has declined only slightly in the past four years (by 142 people, down from 7,925 in January 2010 to 7,783 in January 2014).

5 GDC Monthly Roll Up, May 20, 2014 at 33.

6 The Southern Center for Human Rights has sent the GDC Commissioner three letters with written notice about the rise in violence in Georgia prisons. These letters were sent in 2012, 2013, and 2014. No one from the GDC responded to any of the letters.

I. LEGAL STANDARDS

“The Constitution does not mandate comfortable prisons, but neither does it permit inhumane ones.” *Farmer v. Brennan*, 511 U.S. 825, 832 (1994). “Prison officials have a duty to protect prisoners from violence at the hands of other prisoners.” *Farmer*, 511 U.S. at 833. This duty to protect prisoners stems from the law’s recognition that, “having stripped them of virtually every means of self-protection and foreclosed their access to outside aid, the government and its officials are not free to let the state of nature take its course.” *Farmer*, 511 U.S. at 833 (citations omitted). Prison officials violate the Constitution if they know that people in prison face a substantial risk of serious harm, but disregard that risk by failing to take reasonable measures to protect prisoners. *Id.* at 847.

II. ROOT CAUSES OF VIOLENCE

SUPERVISION OF PRISONERS IS DANGEROUSLY INADEQUATE.

Many prisoners report that supervision is lax even in close security prisons. Officers often enter prisoner living areas only at “count” times, and then only then for a brief period. In some prisons, officers remain inside their supervision cubicles because they are short-staffed and prison dorms are unsafe. Failure to adequately supervise prisoners violates GDC Standard Operating Procedures.⁷

One indicator of inadequate supervision is that prisoners are regularly assaulted without any member of the correctional staff even witnessing the incidents. This has been a frequent occurrence at Baldwin State Prison, where Brian Smith was beaten to death in December 2013, without any officer witnessing any part of the incident. This is the same prison where Lazerick Jordan reports that he was recently tied to his bed for nearly two days, beaten, and deprived of food, without any officer noticing that he was restrained. (See Section III on Baldwin State Prison, *infra*.)

Another indicator of inadequate supervision is the amount of dangerous contraband recovered from prisoner living areas and the ease with which prisoners can fabricate weapons.

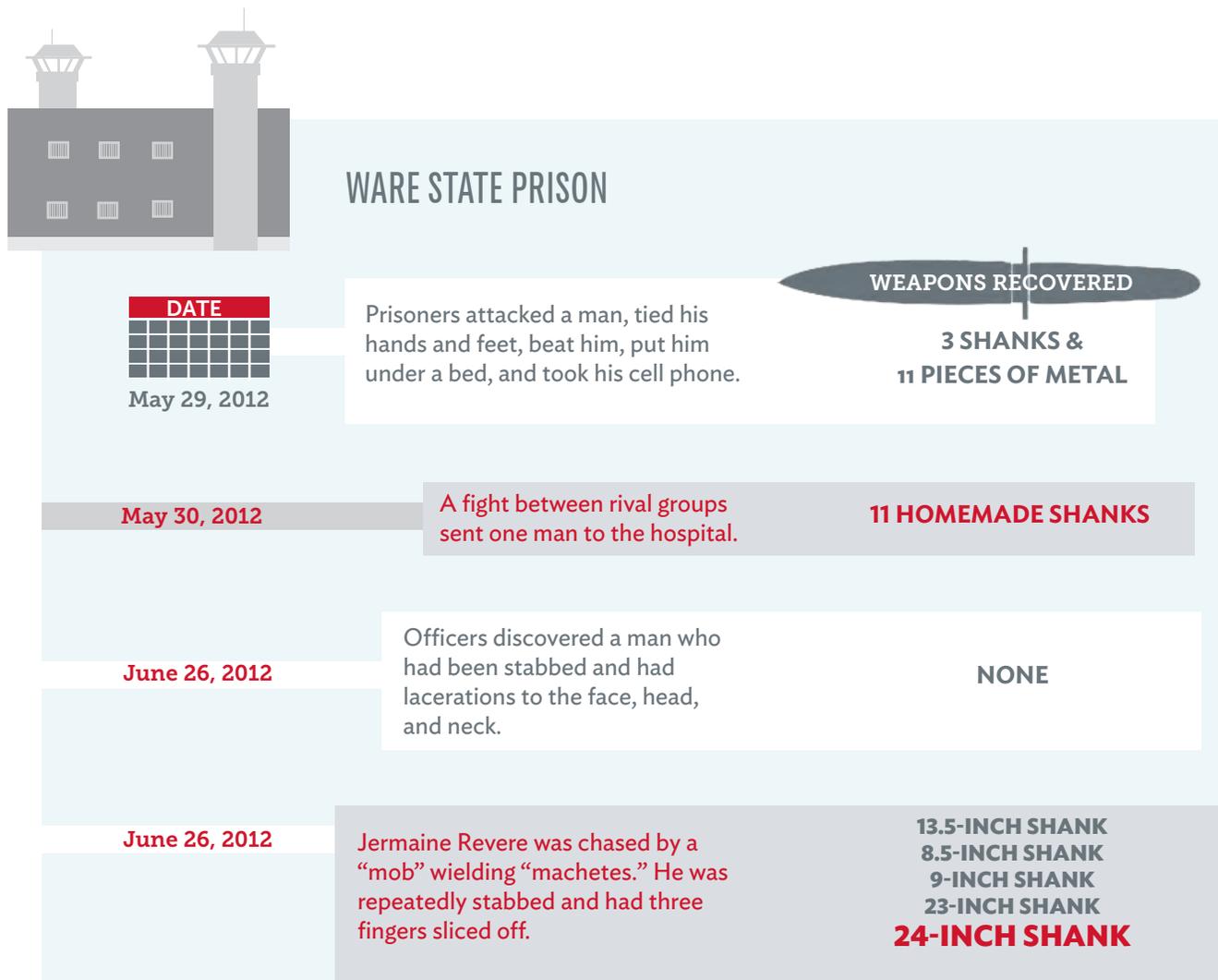
PRISONERS HAVE ACCESS TO LETHAL WEAPONS.

No prison can rid itself of all contraband, but men in maximum security prisons should not have easy access to lethal weapons such as knives, shanks and machetes. At many Georgia prisons, stabbings with weapons are a regular occurrence. Prisoners are able to possess scores of lethal weapons at maximum security prisons, even in segregation cells. For example:

- December 9, 2013 – William Oblander was found wounded on his prison bunk after being stabbed in the neck at Macon State Prison. He later died.
- February 6, 2014 – Ariel Ocasio was stabbed by an inmate with a 19-inch machete at Wilcox State Prison. Three of his fingers were severed and he was airlifted to a hospital.
- February 12, 2014 – Cristian Bailon was killed by a prisoner who had access to a knife in a segregation cell at Smith State Prison.
- February 17, 2014 – Xavier Daniels was stabbed 59 times at Smith State Prison.
- April 25, 2014 – Durante Smith was stabbed in the back in a segregation area at Augusta State Medical Prison by a prisoner able to exit his cell, hide in Smith’s cell, and attack him with a “long metal shank.”

⁷ See, e.g., GDC Standard Operating Procedure, Post Orders, IIA07-0007 (requiring correctional officers to perform regular monitoring); GDC Standard Operating Procedure, Administrative Segregation, IIB09-0001 (requiring officials to perform regular monitoring of segregation units).

A snapshot of incidents at Ware State Prison revealed that 25 knives were recovered in a two-day period in May 2012. Less than month later, a man had three fingers severed by a mob wielding “machetes.” The discovery of a *two-foot long* “machete” in a maximum security prison, on the heels of multiple stabbing events, reflects the abysmal state of security in Georgia’s prisons.



A similar pattern is presented at Valdosta State Prison where twelve prisoners were hospitalized in a series of armed fights spanning three days.

EXCERPTS FROM VALDOSTA STATE PRISON INCIDENT REPORTS

JULY 4, 2012: A man with a “blook-soaked shirt” was sent to the hospital for treatment after being stabbed.

JULY 6, 2012: There was an incident in the morning involving “inmates being stabbed.”

JULY 4, 2012: A “violent confrontation” occurred between rival gangs. “All inmates had weapons.” Nine men were hospitalized.

JULY 6, 2012: “Nine shanks were found in common area of the dorm” after two men were injured and hospitalized.

CELL DOOR LOCKS HAVE BEEN LEFT BROKEN FOR YEARS.

The public expects that cell door locks in maximum security prisons should work. In Georgia, many cell door locks were broken or malfunctioning for far too many years.

Although Hays State Prison houses some of Georgia’s most challenging prisoners, many of the cell doors at the prison did not work. Prison audits from 2008, 2009, 2010, 2011, and 2012 reported that the facility’s cell door locks could be easily opened, leaving prisoners to roam in and out of their cells at will. An audit in September 2011 found that the “locks in the inmate housing area could be easily defeated.” The locks were not repaired. An audit in September 2012 found that of 442 locks checked, 184—41% of the locks tested—were able to be “defeated.” The locks were still not repaired. As a consequence, close security prisoners at Hays State Prison were routinely able to leave their cells at any time of day or night, even when cells were supposed to be locked. GDC officials did not take steps to fix the problem until after four Hays State Prison inmates were killed in a seven-week period between December 2012 and February 2013.⁸

GANGS HAVE FILLED A SECURITY VACUUM.

Gangs pose a formidable challenge to prison security even in well-run prisons. In prisons where security is neglected, gangs step in to perform functions that prison officials fail to perform.

For example, men at close security facilities report that gang-affiliated prisoners often control inmate housing arrangements within a dorm, deciding for themselves which cells they will occupy. Prisoners routinely sleep in cells to which they are not assigned. (At Hays State Prison, incoming prisoners in certain dorms were not even given a cell assignment, but were simply left to find an open bed on their own.) Additionally, gang members are permitted to expel people they do not want from their dorms. Permitting gang members to dictate prisoner housing assignments is a gross breach of accepted correctional security practices that underscores the need for a thorough review of the policies and practices in Georgia’s prisons.

⁸ Joy Lukachick, *Hays State Prison Locks Have Failed For Years*, Chattanooga Times Free Press, 2/10/13.

PRISONERS HAVE ACCESS TO A STEADY SUPPLY OF CELL PHONES AND SMART PHONES.

Men in prisons across Georgia have easy access to cell phones and even smart phones that are smuggled in by prison staff or dropped inside prison perimeter fences.⁹ Cell phones fetch as much as \$700 each behind prison walls. Their nearly ubiquitous presence inside Georgia prisons signals a colossal failure in security. Not only are cell phones smuggled into prison, but prisoners are able to keep them functional by charging and re-charging them. Regular access to power outlets cannot be accomplished without some acquiescence by correctional security staff.

It goes without saying that cell phones are dangerous in a prison environment. Gang-affiliated prisoners use cell phones to coordinate gang business activity inside and between prisons and to order hits on other prisoners. Cell phones are also used to extort money from prisoners' families. "Green Dot" cash cards, readily available at places like WalMart and difficult to trace, are used for prison-based extortion and to pay for smuggled phones and other contraband. Prisoners' family members tell chilling stories of being sent graphic picture messages of bloodied and injured loved ones, along with threats of future harm unless family members send money.¹⁰

PROTECTIVE CUSTODY PROCEDURES ARE INADEQUATE AND PRISON OFFICIALS IGNORE THREATS TO PRISONERS' SAFETY.

Men who report a fear of assault are often left without protection. Some have been denied protective custody because there are fewer protective custody cells than prisoners seeking protection. Others have been denied protection because they cannot or will not name the specific person who poses a threat. The GDC's Standard Operating Procedure on protective custody requires a prisoner to list "who" he thinks might hurt him. But the increase in gang activity and use of cell phones to coordinate assaults means that a prisoner does not always know the names of the people who pose a threat to him.

In other cases, prison officials have failed to act to protect a prisoner even when they have information about a specific threat of harm.

DEATH OF GLEN EVANS, AUGUST 2012

Before Glen Evans was transferred from Wheeler Correctional Facility to Telfair State Prison, the Evans family warned GDC officials that their son had been threatened and was in danger of being harmed by a specific individual. Glen Evans had been acquitted of killing a man in Fulton County, and the decedent's brother was also incarcerated in the Georgia prison system. The Evans family specifically named the person who they feared would harm Glen in multiple conversations with GDC officials. Yet GDC officials did not heed this warning. Mr. Evans was placed in the same prison and indeed the same cell block as the person who had threatened him. Mr. Evans was killed on the day he arrived at Telfair State Prison about ten minutes after he entered the dorm. According to the GDC incident report, officers found him "lying on the cell floor with his eyes open and blood coming from what appeared to be a stomach wound."

⁹ The GDC website reports that more than 722 civilians and 157 staff members have been arrested to date for attempting to introduce contraband into GDC facilities. The GDC publishes information about these attempts on its website. <http://www.dcor.state.ga.us/NewsRoom/Publications/ContrabandArrests/ContrabandArrests.html>, last visited on May 22, 2014.

¹⁰ Rhonda Cook, *Inmates Extort Money From Outside*, Atlanta Journal-Constitution, 1/1/13 (reporting family members have been extorted by prisoners who sent them text pictures of their injured and bloodied relatives, and threatened further harm unless payment was received); Joy Lukachick, *From Hays State Prison, Terror Calls*, Chattanooga Times Free Press, 1/13/13 (reporting multiple allegations of attempted extortion against prisoners' families).

III. SOME OF GEORGIA'S MOST VIOLENT PRISONS

While many Georgia prisons are dangerous and violent, Baldwin State Prison, Hays State Prison and Smith State Prison stand out as particularly in need of improved safety and security.

BALDWIN STATE PRISON

Baldwin State Prison is a 925-bed, close security prison in Hardwick, Georgia with several open dormitories and a special unit for persons with mental health conditions.

Insufficient supervision of prisoners has been a serious problem at Baldwin for years. Groups of prisoner-assailants have regularly seized, tied up, beaten, and tortured other men, holding them for extended periods, without being discovered by correctional officers.

Baldwin's notorious M3 dorm has been the site of several such incidents. Officers often failed to patrol this open dorm, making an appearance only briefly at count times. In their absence, gang members would target new prisoners – attacking them on their first day in the open dorm. For example:

- Wayne Shaw was transferred to Baldwin State Prison on October 2, 2012. The same day, a group of prisoners choked him from behind until he passed out. Shaw was then tied up, stuffed in a laundry bag, stabbed, burned, and beaten repeatedly over three hours. According to GDC records, the word "RAT" was "carved in [his] forehead" with a hot knife, causing second degree burns. Shaw had a boot mark on his face, two teeth were knocked out, and he sustained "blunt force trauma," "multiple burns," and "abrasions and lacerations to the face chest and back." A skin graft was necessary to treat the burns to his chest. GDC records refer to the assault as "torture."
- Michael Berrian was moved to Baldwin's M3 dorm on October 16, 2012. That night, Berrian was tied up, blindfolded, and gagged. According to papers Berrian filed in federal court, he was beaten, dragged around the dorm floor, and kicked for an hour.¹¹ The attack left Berrian with a broken nose and a fractured eye socket, requiring two surgeries to repair.
- These incidents followed a horrifying attack on Marquise Robbins on September 1, 2012. When Robbins sensed he was about to be attacked, he ran to the dorm entrance, banged on the door and screamed for help. Officers were nowhere to be found. A group of men put Robbins in a chokehold and dragged him to the bathroom where he was stomped, punched, and kicked in the head. The assailants tied his hands with a sheet, beat him, poured scalding water on his groin and thigh, and shoved a broomstick up his rectum. No officer came to Robbins's aid. The perpetrators took ransom pictures to send to Robbins's family, but eventually decided to let him go. Officers finally responded when Robbins stumbled to the dorm exit door with blood covering his face and clothes and both eyes swollen shut.

In case after case, attacks on men at Baldwin start and finish without anyone on the prison staff knowing they are happening. GDC incident reports have repeatedly documented incidents in which officers find out about an assault only after prisoner-witnesses report it, after the victim manages to escape, or when officers find a man injured on the ground.

For example:

- September 3, 2012 – An officer found C.E. in L dorm, "laying [sic] on the floor at the entrance door bleeding." He was transported to the hospital for treatment.
- November 6, 2012 – R.D. was transferred to Baldwin. He asked for protective custody, but was instead placed in M3 dorm. Prisoners tied his hands behind his back and tied his legs together with sheets. He was beaten over a period of hours until he was unconscious. Officers only discovered this when, after the perpetrators let him go, D. was seen "banging on dorm 3 door." He was taken to the hospital for treatment.

¹¹ *Berrian v. Oubre, et al.*, 5:13-cv-163-MTT (M.D. Ga.)

- November 26, 2012 – C.P. was moved into general population, over his protestations that he needed to remain in protective custody. On the same day, he was found stabbed in the head, shoulders and back outside of M building.¹²
- December 9, 2012 – An officer saw P.T. as he “stumbled back into H building from just outside the front door.” “He appeared to have been assaulted, as he was bleeding heavily from the head area.” He was taken to the hospital.

On January 31, 2013, the Southern Center for Human Rights contacted the GDC to report that gangs at Baldwin exercised control over housing, and officers were often absent from prisoner living areas, leaving prisoners completely unsupervised. The GDC did not respond to SCHR’s letter.

In November 2013, Lazerick Jordan was attacked and tied up in his cell for two days. Assailants beat him and placed a blanket over him to obscure the fact that he was restrained. Jordan’s captors attempted to extort his family, threatening to hurt Jordan if the family did not pay them. Jordan escaped when one of the assailants went to the dining hall. He had not eaten in two days and was taken to the hospital with injuries to the face.

On December 6, 2013, Brian Smith was beaten at Baldwin out of the sight of any correctional officer. The incident report regarding the homicide states that an officer was in the barbershop completing paperwork when two inmates knocked on the door to alert him that “an inmate had passed out.” Mr. Smith was then found “laying on the floor at the door, wrapped in a blanket, with a bloody nose, a knot on the side of his head . . .” Brian Smith died of his injuries a few weeks later.

SMITH STATE PRISON

Smith State Prison is a 1,615-bed, close security prison in Glennville, Georgia. It is perhaps the most dangerous prison in the state.

Twenty-one percent of the 33 homicides of Georgia prisoners since 2010 occurred at Smith State Prison. This is the highest rate of homicides in the entire Georgia prison system. The most recent homicide occurred on February 12, 2014, when Christian Bailon was stabbed to death in a segregation cell. The person who killed Mr. Bailon had access to a knife in what is supposed to be the most secure area of this close security prison. According to the GDC incident report, officers recovered a “blood stained 9 inch homemade weapon made from a piece of metal fence strap sharpened to a point.”

Mr. Bailon was the seventh person murdered at Smith State Prison in recent years. His murder followed the deaths of Charles Simpson, Orlando Cable, Brandon Helm, Michael Bryan, Bernard Green, and Deandra Holloway.¹³

Five days after Mr. Bailon was killed, Xavier Daniels and another man were attacked while sleeping in their cells. Prisoners tied Daniels to his bed, beat him, and stabbed him 59 times. Daniels’ injuries were only discovered after Daniels managed to escape his attackers and stumble to the dormitory exit door. Video footage of the incident was not recorded because prisoners in this close security prison were able to use an “extension pole to smear and obscure the lens of all four dorm cameras” without any officer noticing.

Such incidents of violence are a regular occurrence at Smith State Prison. On April 5, 2014, three people were hospitalized after a gang-related fight.¹⁴ In June 2013, seven ambulances and two helicopters were summoned to the prison to provide emergency medical care for numerous prisoners who had been assaulted.¹⁵ According to GDC incident reports, between August 1, 2010 and July 31, 2012, there were 262 reported assaults at Smith, with weapons involved in 134 of those incidents. Prisoners were transported to off-site hospitals for medical care in 71 of those cases.

¹² The incident report noted “numerous security breaches by the officer assigned to the building.” “Had good security practice been followed, this incident could have been avoided.”

¹³ To put this number in context, in the entire Pennsylvania prison system (which has a prison population similar to Georgia’s prison population), there were only eight homicides at all state prisons combined in the ten years from 2001-2011. Bureau of Justice Statistics, *Mortality in Local Jails and State Prisons, 2000-2011 – Statistical Tables*, Aug. 2013, Table 25, p. 26.

¹⁴ WTOC, *Gang Fight at Smith State Prison, 3 Hospitalized*, Apr. 5, 2014 <http://www.wtoc.com/story/25171420/gang-fight-at-glennville-state-prison>.

¹⁵ *Inmates Injured at Smith State Prison Brawl*, The Tatnall Journal, June 13, 2013.

HAYS STATE PRISON

Hays State Prison in Trion, Georgia is a close security prison. About half of the approximately 1,600 men at Hays have a close security classification. Close security inmates are escape risks, have assaultive histories, are “deemed dangerous,” and/or have detainers for other serious crimes.¹⁶ GDC recognizes that prisoners with this classification “require constant supervision by a correctional officer.”¹⁷

Although Hays houses some of Georgia’s most challenging prisoners, many of the cell doors at the prison did not work for years. The broken cell door locks greatly contributed to a crisis in security at Hays, putting prisoners and officers in danger.

Three men were murdered at Hays in five weeks from December 2012-January 2013, following months of stabbings and beatings at the prison. The following 33 incidents, spanning from July 2012 to January 2013, were documented in GDC incident reports, and give a sense of the frequency of the violence and severity of the injuries:

- July 27, 2012 – A man reported he had been “tied up” in a cell and beaten. He was transported to an offsite hospital for “abrasions and 2 puncture wounds to face, back, left hand, left leg and foot and right foot and possible broken nose.”
- July 28, 2012 – A man was transported to the hospital by ambulance after an officer noticed him “bleeding profusely,” with “multiple lacerations and puncture wounds to head, cheeks, ear, chest, back, both arms and hands.”
- August 10, 2012 – An officer observed a man “bleeding from his face and head” with “abrasions contusions, lacerations and punctures to head, eye, face, chest, back and both arms.”
- August 18, 2012 – A man was transported to the hospital after an assault which caused “abrasions, contusions, lacerations and punctures to head, nose, both ears, left leg and right arm.”
- August 19, 2012 – An officer observed two men running “with what looked to be shanks” and saw a third inmate “stumble downstairs with blood on his back.” The injured inmate had “contusions and lacerations to [his] back” and was transported to a hospital.
- August 31, 2012 – An officer saw “several inmates fighting with weapons” and an man “covered in blood with visible injuries.” The injured man was taken by ambulance to the hospital with “17 lacerations/puncture wounds to chest and back and both arms.”
- September 1, 2012 – An officer witnessed a man “approach [another inmate] from behind and stab him in the back multiple times with a sharp pieces [sic] of metal.” The injured man was transported to the hospital for “lacerations and puncture wounds to chest, sides, back and arms.”
- September 4, 2012 – An officer observed a man with “multiple stab wounds to head, back and left arm.” The prisoner was sent by ambulance to the hospital.
- September 9, 2012 – A man with “blood on his clothing” approached an officer for help. He was transported to the hospital for “multiple lacerations and punctures to his chest, neck, left foot and back.”
- September 21, 2012 – An inmate who “appeared to have been assaulted” asked an officer to be moved to another dorm. He had a swollen face and “contusions, lacerations to head, eyes, face and back.”
- September 25, 2012 – An officer observed a man “standing with blood coming [out] of his mouth” with “contusions and lacerations to head, mouth and lips.”
- September 28, 2012 – A man being chased by other prisoners jumped off the top tier of the prison dorm, “dropped to the bottom range,” and was stabbed by several prisoners. He was taken to an offsite hospital for “multiple lacerations to head, face, buttock and both hands.”
- September 28, 2012 – An officer “noticed [a man] come from his room [] covered in blood.” The man was sent to the hospital for “blunt injuries to face [sic], head, both ears, nose and lip area.”
- October 3, 2012 – An officer saw a man “bleeding” with “visible injuries” including “30 lacerations/puncture wound[s] to back and legs.”

¹⁶ Ga. Dep’t of Corrections, Close Security Facilities, www.dcor.state.ga.us/Research/.../Info_Sheets_CloseSecurityPrisons.pdf.

¹⁷ See *id.*

- October 7, 2012 – A bleeding man “collapsed on the sidewalk” after being stabbed in the chest, shoulder, and head. Prison medical staff was summoned, and the prisoner was taken by ambulance to the hospital. Bloodied knives were recovered from the dorm.
- October 27, 2012 – An inmate with a “swollen face” and “abrasions, contusions and lacerations to head, both eyes and both arms” approached an officer saying he had been assaulted.
- October 29, 2012 – An officer saw a man “on the ground with blood coming from his face.” The man was transported to the hospital for “contusions and lacerations to head, ear, nose and face.”
- November 1, 2012 – Two men stabbed another man with a “7-inch sharp metal weapon,” causing the injured man to sustain “lacerations to forehead and back of head.”
- November 5, 2012 – Two men reported being assaulted. One had blood on his clothes and [was] bleeding from the lip,” and the other was “bleeding from the nose.”
- November 20, 2012 – A man reported that he had been assaulted by gang members. He was “bleeding from the nose and had a big knot on his forehead.”
- November 27, 2012 – A man who reported that he had been assaulted by six prisoners had “several abrasions to [the prisoner’s] face and knots on the back of his head.”
- December 7, 2012 – A man who had been in his new dorm “for 5 minutes” approached an officer who “noticed he had been beaten badly.” The prisoner had “contusions to head, eyes, mouth and nose.”
- December 8, 2012 – Two men approached an officer, one of them was “badly beaten.” The man had “abrasions, lacerations and contusions to head, nose, face, mouth, neck, back and both arms and legs” and was sent to the hospital.
- December 9, 2012 – An officer witnessed a prisoner “attacking” another man. The injured man was taken to the hospital due to a “laceration to left ear and top of head.”
- December 10, 2012 – An officer observed a man coming down the stairway and “noticed his shirt was covered in blood on both shoulders.” As the officer talked to the injured man, “blood started running thru [sic] his shirt on the right shoulder.” He was treated for “lacerations to eyes, head, chest, top of both arms front and back.”
- December 11, 2012 – An man was hospitalized after suffering “multiple abrasions, contusions, lacerations and possible fracture to head, eyes, cheek, face, mouth and left foot.”
- December 19, 2012 – Derrick Stubbs was found dead in his segregation cell.
- December 26, 2012 – Prisoners who were able to leave their cells in the middle of the night assaulted and killed Damion MacClain.
- January 3, 2013 – A man assaulted another man with a sharpened piece of metal.
- January 12, 2013 – A prisoner chased another prisoner and stabbed him with “a sharpened piece of metal.”
- January 18, 2013 – Nathaniel Reynolds was murdered with a shank.
- January 24, 2013 – A minimum security prisoner who had been placed in one of the prison’s most dangerous dorms was raped.
- January 25, 2013 – A Hays prisoner was stabbed 25 times.

In 2012, the GDC inexplicably named Hays State Prison as “Facility of the Year.” In a press release announcing the decision, Commissioner Owens praised Hays State Prison for being “truly successful in achieving the Department’s mission of effectively managing offenders.”¹⁸

¹⁸ GDC Press Release, *Hays State Prison Honored, Named Facility of the Year*, May 29, 2012.

IV. HOMICIDES IN GEORGIA PRISONS, 2010-2014

From 2010 to the present, at least 33 prisoners and 1 correctional officer were killed in Georgia prisons.¹⁹ The names of persons killed are listed below, along with the prisons at which they died. All information in quotations is from GDC incident reports. The following prisons had the highest number of homicides from 2010-2014: Smith State Prison (7); Valdosta State Prison: (4); Telfair State Prison (4); Hays State Prison (4).

2014

Shannon Grier²⁰

Augusta State Medical Prison

Grovetown, Georgia

Died: June 29, 2014

Mr. Grier died after being stabbed in a fight.

Jeffrey Lee McDonald

Central State Prison

Macon, Georgia

Died: March 28, 2014

Mr. McDonald was found on the floor of a dormitory shower with severe injuries to his face and head. He was assaulted on March 14, 2014, he was taken to the hospital, and pronounced dead March 28.

Cristian Lorenzo Bailon

Smith State Prison

Glennville, Georgia

Died: February 12, 2014

Mr. Bailon was stabbed to death in his segregation cell by his cellmate. Officers recovered a “blood stained 9 inch home-made weapon made from a piece of metal fence strap sharpened to a point.”

2013

Brian Smith

Baldwin State Prison

Hardwick, Georgia

Died: December 22, 2013

On December 6, 2013, an officer was in the barbershop completing paperwork when two inmates knocked on the door to alert him that “an inmate had passed out.” Mr. Smith “was laying on the floor at the door, wrapped in a blanket, with a bloody nose, a knot on the side of his head and was verbally unresponsive.” He died of his injuries on December 22, 2013, and the death was ruled a homicide.

William Troy Oblander

Macon State Prison

Oglethorpe, Georgia

Died: December 9, 2013

During count time, an inmate approached an officer to report that Mr. Oblander needed medical attention. The officer then found Oblander “laying on his back in bed with blood all over his neck, shirt, and bed.” He had been stabbed in the neck. He was rushed to the hospital, but died as a result of his injuries.

Demarquis Cainion

Valdosta State Prison

Valdosta, Georgia

Died: September 16, 2013

Mr. Cainion died from a stab wound to the neck.

¹⁹ The cause of one additional death (Detravia Bryant) in 2012 was listed as “undetermined” on the death certificate.

²⁰ This homicide was reported by the Associated Press on June 30, 2014.

Chris Todd Lowery

Augusta State Medical Prison

Augusta, Georgia

Died: July 6, 2013

Mr. Lowery was strangled to death by his cellmate.

Detravia Bryant

Ware State Prison

Waycross, Georgia

Died: April 29, 2013

The GDC has categorized Mr. Bryant's death as a suicide. However, Mr. Bryant was found deceased in his cell in the middle of the afternoon with his cellmate present. He died of "ligature strangulation" and the body showed signs of "multiple blunt force trauma," according to the Death Certificate. Both the GDC and GBI have declined to provide Mr. Bryant's family with any further information about the death, which, after over one year, continues to be "under investigation."

Charles Wilcox Simpson

Smith State Prison

Glennville, Georgia

Died: February 10, 2013

Mr. Simpson was stabbed to death.

Pippa Hall-Jackson

Georgia Diagnostic & Classification State Prison

Jackson, Georgia

Died: February 5, 2013

Mr. Hall-Jackson was stabbed to death by a fellow prisoner from Hays State Prison on February 5, 2013 upon exiting the bus traveling from Hays to GDCP.

Nathaniel Reynolds

Hays State Prison

Trion, Georgia

Died: January 18, 2013

Mr. Reynolds was the third man killed during a 5-week period at Hays State Prison. Mr. Reynolds was stabbed by prisoners "with several sharpened pieces of metal" as he was being escorted from a segregation cell back to general population.

2012**Damion MacClain**

Hays State Prison

Trion, Georgia

Died: December 26, 2012

Mr. MacClain was the second man killed in one week at Hays State Prison in December 2012. Due to broken locks on cell doors, prisoners at this maximum security prison were able to exit their cells kill Mr. MacClain in the middle of the night.

Derrick Stubbs

Hays State Prison

Trion, Georgia

Died: December 19, 2012

Details regarding this death are unknown.

Darryl Christmas

Valdosta State Prison

Valdosta, Georgia

Died: November 27, 2012

Shortly after new arrivals entered dorm E1, an officer saw Mr. Christmas fall and several prisoners “stomp” him. Mr. Christmas had a stab wound to the chest. Eleven prisoners were allegedly involved.

Correctional Officer Larry Stell

Telfair State Prison

Helena, Georgia

Died: October 11, 2012

A prisoner assaulted Officer Stell with a homemade weapon. Officer Stell died as a result of his injuries.

Noe Cruz

Telfair State Prison

Helena, Georgia

Died: September 30, 2012

An officer making a security round saw Mr. Cruz on the floor bleeding from stab wounds to his face and stomach. He was taken by ambulance to the hospital where he was pronounced dead. Five prisoners were allegedly involved in the homicide.

Lorenzo Critten

Georgia State Prison

Reidsville, Georgia

Died: September 15, 2012

Two officers conducting count found an inmate “standing in the cell with a shank in his hand” and Mr. Critten “lying on his bed with blood all over the cell.” Both inmates were covered in blood. Mr. Critten was unresponsive. He was airlifted by helicopter and transported to a hospital where he was pronounced dead.

Glenn Evans

Telfair State Prison

Helena, Georgia

Died: August 21, 2012

Before Mr. Evans was transferred from Wheeler Correctional Facility to Telfair State Prison, the Evans family warned GDC officials that their son had been threatened and was in danger of being harmed by a specific individual. GDC officials ignored the family’s this warning. Mr. Evans was killed on the day he arrived at Telfair State Prison. According to the GDC incident report, officers found him “lying on the cell floor with his eyes open and blood coming from what appeared to be a stomach wound.” He was killed approximately ten minutes after he first arrived in his Telfair prison dormitory.

Laderrick Chappel

Georgia Diagnostic & Classification Prison

Jackson, Georgia

Died: August 9, 2012

Mr. Chappel was killed by five prisoners who robbed him and threw him off a second-story railing. He died of blunt force trauma.

Orlando Cable

Smith State Prison

Glennville, Georgia

Died: July 19, 2012

An officer witnessed Mr. Cable “lying on the floor with several inmates striking him in the upper body area.” Mr. Cable suffered “multiple puncture wound[s]” to the neck and back. Homemade knives were recovered.

Willie Mathis

Wheeler Correctional Facility

Alamo, Georgia

Died: June 13, 2013

Details regarding this death are unknown.

2011**Brandon Helm**

Smith State Prison

Glennville, Georgia

Died: November 28, 2011

Mr. Helm was discovered “bleeding profusely from his left shoulder area, which appeared to be from a puncture wound.”

Roderick Rumph

Phillips State Prison

Buford, Georgia

Died: October 5, 2011

An officer saw a prisoner stab Mr. Rumph in the back with “what appeared to be a homemade weapon.”

Johnny Lee Johnson

Telfair State Prison

Helena, Georgia

Died: September 15, 2011

Officers discovered Mr. Johnson “lying on the dormitory floor.” He had “several lacerations on his body and blood under his head.” There were “several homemade knives found on the floor not far from where [Mr. Johnson] was lying.”

Antonio Wiley

Augusta State Medical Prison

Grovetown, Georgia

Died: August 28, 2011

Mr. Wiley was found on the ground on the prison yard surrounded by prisoners. The GDC classified his death as a homicide.

Alford Morris

Hays State Prison

Trion, Georgia

Died: August 20, 2011

“[A]bout 50-60 inmates . . . were kicking, stabbing, and hitting on [Mr. Morris].”

Estaban Pineda

Valdosta State Prison

Valdosta, Georgia

Died: June 29, 2011

Mr. Pineda was found with “five punctured wounds to the chest and two to the back.”

Justin Taylor

Central State Prison

Macon, Georgia

Died: February 21, 2011

Details regarding this death are unknown.

2010

Patrick Richardson

Autry State Prison
Pelham, Georgia
Died: October 31, 2010

An officer opened a cell door and discovered Mr. Richardson “lying on floor face down in what appeared to be blood.”

Michael Bryan

Smith State Prison
Glennville, Georgia
Died: October 4, 2010

Mr. Bryan was found on the floor of the “shakedown room” in a “puddle of blood.” A steel bar was recovered near his body.

Bernard Green

Smith State Prison
Glennville, Georgia
Died: September 23, 2010

An officer observed prisoners carrying Mr. Green down the stairs in a prison dorm. The dormitory officer was not in the dorm at the time of the incident. A weapon was recovered. Mr. Green was pronounced dead on arrival at the hospital.

Deandra Holloway

Smith State Prison
Glennville, Georgia
Died: April 7, 2010

Mr. Holloway was found on the floor of the dormitory “bleeding from his neck and facial area.” Officers recovered numerous homemade knives from the dormitory where the homicide occurred.

John Arnett

Valdosta State Prison
Valdosta, Georgia
Died: January 21, 2010

Mr. Arnett was found on the floor, deceased. He was “blue in the face and had something tied tightly around his neck.”

Name unknown

Coffee Correctional Facility
Nicholls, Georgia
Died: 2010

Details regarding this death are unknown.

Terrance Bowen

Baldwin State Prison
Hardwick, Georgia
Died: March 9, 2010

An officer noticed “a red liquid under the door of cell 10.” Mr. Bowen’s cellmate had beaten him to death.

Mr. Bowen’s survivors have claimed in a lawsuit that the prison warden, correctional officers, and a prison psychiatrist knew that the cellmate was mentally unstable and dangerous before he killed Bowen.

V. RECOMMENDED REMEDIAL MEASURES

The U.S. Department of Justice should launch a thorough investigation into the crisis of violence in Georgia's prisons.

The GDC should implement at least the following remedial measures to address the deficiencies listed herein, better protect prison staff, and protect the constitutional rights and safety of prisoners:

SEEK EXPERT ADVICE AND INFORMATION FROM OUTSIDE THE GDC

1. Request that the Georgia Department of Audits and Accounts perform a comprehensive audit of state prisons to promote improvements in accountability around the issue of prison violence;
2. Hire an outside, impartial prison security expert to evaluate the escalating level of violence in the Georgia system, identify causes, and propose and implement solutions;
3. Apply for a technical assistance grant from the National Institute of Corrections to help the GDC address the challenges posed by gangs within the prison system.

IMPROVE BASIC SECURITY MEASURES

4. Ensure that correctional officer staffing and supervision levels are appropriate to adequately supervise prisoners, especially at close security prisons;
5. Ensure frequent, irregularly timed, and documented security rounds by correctional officers inside each housing unit (during both day and night shifts);
6. Ensure that prisoner common areas are adequately supervised whenever prisoners are present;
7. Increase video surveillance in critical housing areas and adjust staffing patterns to provide additional direct supervision of housing units;
8. Take steps to ensure that prisoners, especially those at close security prisons, are sleeping in their assigned dormitories and bunks;
9. Ensure that unannounced shakedowns are conducted with professionalism on a regular basis to reduce the number of cell phones, knives, and other contraband in prisons.

INCREASE TRANSPARENCY

10. Communicate to the public, in a manner compatible with security concerns, the steps the GDC is taking to address the rise in violence within the prison system;
11. Announce to the public when there has been a homicide in prison and provide information about it consistent with security concerns;
12. Provide public records regarding incidents of prison violence, consistent with security concerns, and insist that private prisons operating in Georgia do the same;
13. Make statistics about homicides and assaults publicly available on the GDC's website, broken down by correctional facility.

IMPROVE INVESTIGATIONS & INFORMATION COLLECTION

14. Focus investigations into assaults and homicides not only on the prosecution of the perpetrators, but also on how similar incidents can be prevented in future;
15. Track the number of incidents that require inmates to be transported offsite for medical care following violent incidents, by prison;
16. Track the number of assaults with weapons, by prison.

**AMEND THE GDC'S EXISTING STANDARD OPERATING PROCEDURE ON
"ADMINISTRATIVE SEGREGATION"**

17. Ensure that all prisoners are given written guidance on the procedure for seeking protective custody;
18. Clarify the SOP to specify to whom a prisoner should submit his written request for protective custody;
19. Eliminate the requirement that a prisoner seeking protective custody must list "who" the prisoner thinks might hurt him.

FIX BROKEN CELL DOOR LOCKS

20. Increase the frequency of maintenance audits at close security prisons to ensure cell door locks are functional.



83 POPLAR STREET NW
ATLANTA, GA 30303-2122
(404) 688-1202
WWW.SCHR.ORG
INFO@SCHR.ORG