

**THE LAW OFFICE  
OF THE  
SOUTHERN  
CENTER FOR  
HUMAN  
RIGHTS**

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BY FACSIMILE & EXPRESS MAIL

January 31, 2013

Commissioner Brian Owens  
Georgia Department of Corrections  
300 Patrol Road  
Forsyth, GA 31029

Re: Violence at Hays State Prison and Other Prisons

Dear Commissioner Owens:

We are writing again regarding the unacceptable level of violence and security lapses at Hays State Prison and other GDC facilities.

This is the third letter in a stream of warnings we have sent in recent years regarding critical problems of safety, security, and violence at Hays State Prison. On November 16, 2010, we wrote to report prisoners' allegations of a pattern of excessive force by officers at Hays State Prison. On February 17, 2012, we again wrote to express our concerns regarding the ever rising number of homicides and prisoner-on-prisoner assaults at Hays and other GDC facilities. We received no response to our letters. Not a single responsive letter or phone call.

Since then, conditions at Hays State Prison have spiraled out of control. Cell doors have been left broken, some for more than a year. Before the recent lockdown, prisoners routinely slept in cells to which they were not assigned. Prisoners were able to move undetected across the prison campus to areas in which they were not authorized to be. Stabbings and beatings have been routine. Gang leaders exercised control over housing assignments and were permitted to expel prisoners they no longer wanted in their dorms. A prisoner was killed in August 2011. Last February, an officer was stabbed repeatedly. In 2012, the State paid \$93,000 to settle a case brought by four prisoners who alleged that correctional personnel at Hays beat them while handcuffed until they were unconscious.

Most recently, there have been three homicides in the last month and a half, at least one of which may have been committed by a prisoner or prisoners able to leave their cells after lockdown. Two officers were stabbed just days ago.

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The Department's complete lack of reasonable response to this crisis in security is disturbing. In May 2012, the GDC named Hays State Prison as Facility of the Year despite the unchecked violence. Moreover, while the Department has apparently reassured elected officials that the situation at Hays is being addressed, *see* Joy Lukachick, Georgia Officials' Eyes Turn to Hays Prison, *Chattanooga Times Free Press*, Jan. 31, 2013, we continued to receive a cascade of reports of serious security breaches, including malfunctioning locks and rampant cell phone use, even after the prison was locked down. Just last week, we received a report that there had not been a single shakedown in one of the Hays Annex dorms since November 2012.

Hays State Prison is not the only prison at which prisoners and officers are at risk of harm. There have been five homicides at Smith State Prison in just over two years. Men at Baldwin State Prison report that gangs exercise control over housing arrangements, prisoners often do not sleep in their assigned beds, officers are often absent from prisoner living areas, leaving whole dorms unsupervised, and requests to move prisoners who are in danger of assault have fallen on deaf ears.

Every day, our office receives telephone calls and letters from family members of prisoners who have been injured at Hays or other GDC facilities. In addition, correctional officers at Hays and other prisons – many of whom risk their lives on a daily basis to protect the public – are being put in an impossible position. They are short-staffed, overwhelmed, and without adequate resources to effectively supervise large numbers of prisoners, many of whom are armed with knives and cell phones. For all of the foregoing reasons and those expressed in our previous letters, we urge the Department to:

- Take immediate steps to 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;
- Apply for a technical assistance grant from the National Institute of Corrections to help the Department address the challenges posed by gangs within the prison system;
- Prepare a plan to reduce violence at Hays after the lockdown is lifted, since lockdown can only be a very temporary solution to the problem at hand;
- Take all necessary steps to ensure that prisoners, especially those at close security prisons, are sleeping in their assigned dormitories and bunks;
- Fix broken cell locks immediately;
- Ensure that regular shakedowns are conducted with professionalism to reduce the number of cell phones, knives, and other contraband in prisons;
- Ensure adequate staffing so that officers, especially those at close security prisons, patrol prisoner living areas regularly throughout the day and night;
- Investigate all reports of excessive or unnecessary force on prisoners;
- Communicate to the public, in a manner compatible with security concerns, the steps the Department is taking to address the crisis at Hays and other Georgia prisons.

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Too many people have died, and too many officers and prisoners remain at risk of death or serious injury. If the GDC faces this problem with resolve, then we look forward to collaborating to promote increased safety and security for incarcerated men and women and correctional staff in Georgia prisons. Thank you so much for your attention to this matter.

Sincerely,



Sarah Geraghty  
Senior Attorney

cc: Robert Jones, Esq., GDC General Counsel