



August 25, 2009

## Former jailer pleads not guilty to conveyance charges

*THE GAZETTE STAFF*

A former Ross County jail officer pleaded not guilty to charges he brought drugs into the jail last month.

Adam Jones, 26, pleaded not guilty to four counts of illegal conveyance and one count of attempted illegal conveyance on to a detention center. He is free on bond.

Jones recently resigned from his job. He had been placed on administrative leave by Sheriff George Lavender immediately after the charges were filed.

A sheriff's report indicates Jones is charged with two felony counts of illegal conveyance after an incident in the jail July 30. According to the initial report, another inmate told jail employees July 27 that Jones was giving drugs to an inmate.

Jones allegedly told an investigator said he brought an envelope of tobacco to the jail and gave it to the inmate on one occasion. He also said he brought a cigarette pack with cigarettes and several OxyContin and Xanax pills stuffed inside to the jail and passed it to the inmate, for which the inmate's wife paid him with pills.

Jones is scheduled for a pre-trial at 1 p.m. Oct. 2.

Meanwhile, a Chillicothe woman accused in connection with the molestation of an 11-month-old baby, while watching the infant, also pleaded not guilty to the charges Monday.

Heather Musgrove, 37, of 28 S. Sugar St., was indicted Friday on one count of gross sexual imposition, a felony of the third degree, relating to the alleged molestation of the child Aug. 11. Corzine upheld the \$50,000 bond set by Municipal Court.

Assistant Prosecutor Richard Clagg requested that Musgrove have no contact with victim or the victim's family, if she were released on bond.

According to prosecutors, Musgrove was baby sitting the victim and, while changing the baby's diaper, touched the unclothed genitalia of the child with the intent to gratify a sexual desire or to arouse herself.

The child was examined at a local hospital by a pediatrician and no physical finding of sexual abuse were found.

If convicted, she could be subject to a prison sentence of one to five years and a \$10,000 fine.

Musgrove has a pre-trial set for 9:30 a.m. Sept. 25 in Judge Scott Nusbaum's courtroom.



August 24, 2009

## State to rebuild prison after riot

By Stephenie Steitzer  
The Courier-Journal

**BURGIN, Ky.** - The state plans to repair and rebuild buildings damaged during an inmate riot Friday night at the Northpoint Training Center, but it will be months before operations there return to normal, the secretary of the Justice & Public Safety Cabinet said Monday.

"We need this (prison) in the system, absolutely," Secretary J. Michael Brown said during a press briefing at the medium-security facility about 30 miles south of Lexington.

• <http://nky.cincinnati.com/apps/pbcs.dll/gallery?Avis=AB&Dato=20090824&Kategori=NEWS0103&Lopenr=908240808&Ref=PH>  
target="popup"onClick="window.open  
(",'popup','width=945,height=700,status=no,toolbar=no,location=no,scrollbars=no,resizable=no')">Photos:  
Inmates riot, set fires

Officials hope to clean up two of the five damaged dormitories by the end of the week and move some of the roughly 250 inmates who are currently sleeping in the chapel and gym into those facilities. Those dormitories weren't burned but were "trashed" by inmates during the melee, Brown said.

On Saturday, the state moved roughly 700 prisoners to other facilities, with 200 going to the privately run Marion Adjustment Center in St. Mary, about an hour away. Some 500 remain at Northpoint.

Six buildings at Northpoint were burned, and eight inmates and eight corrections officers suffered minor injuries. The four inmates who were hospitalized have been released.

No inmates escaped, and no hostages were taken during the worst riot in recent state history. Food continues to be delivered to Northpoint from the Blackburn Correctional Complex in Lexington, and programs such as GED classes are halted while the damage is assessed and cleaned up, Brown said.

Roughly 1,200 inmates were being housed at Northpoint when the ruckus began Friday night, and 34 corrections officers were on duty. Officials said that is a heavier than normal staffing level.

Brown said the investigation into the cause would take several weeks. He said officials are looking at whether a lockdown of the facility played a role.

A state Department of Corrections spokeswoman said on Saturday that the prison went on lockdown early last week when 10 to 15 Hispanic inmates assaulted a black inmate and a white inmate, The Advocate-Messenger in Danville reported. On Friday, some inmates started setting fires in trash cans.

Brown declined to elaborate further on Monday.

While insurance adjusters continue to assess the damage, Brown said he expects some of the buildings will have to be torn down. No cost estimate of the damage was available on Monday.

Responding to complaints by the American Federation of State, County and Municipal Employees, Brown said the facility had ample radios, handcuffs and staff to handle the disturbance.

"At no time in my mind was the public in danger," Brown said.

After touring the damage, he said the lack of serious injuries or deaths put the situation "as close to a miracle as you can get, particularly if you saw the photographs of the flames and smoke coming up."

The medical building, kitchen, library and inmate canteen appear gutted in photographs provided by the Justice Cabinet.

Brown said several buildings that didn't catch fire suffered water damage and were trashed by inmates.

"In the dorm area you can see where, for instance, the ... case worker's office was set on fire," he said. "You can see a dented fire extinguisher where windows were broken out or you had a printer or scanner computer equipment that was damaged and banged up. You are walking through several inches of water from where ... either a commode or pipes have either been turned on or ripped loose. There's lots of water on the flooring in a number of those dorms."

Friday's riot is the first in the state since inmates set two buildings on fire at the Lee Adjustment Center in Beattyville in 2004. Eight inmates suffered minor injuries during that riot.

## Additional Facts

No smoking

A government official says smoking has been banned - at least temporarily - at a Kentucky prison where several buildings were burned down during an inmate riot.

Justice and Public Safety Secretary J. Michael Brown said Monday that no cigarettes, matches or lighters have been allowed at Northpoint Training Center in Burgin since the Friday night incident.

### **The Associated Press**

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## State's Controlling Board is one way Ohio officials can get money back that was lost to budget cuts

Posted by [mwhitley](#) August 25, 2009 08:30AM



PD file Republican Sen. Mark Wagoner: "I am frustrated by state agencies running through the back door and saying, 'We really can't live with what you've given us, so make an exception for us.' "

COLUMBUS — Amid the tightest budget in recent memory, state bureaucrats are taking a back-door route to getting more greenbacks into programs cut by lawmakers.

They are heading for the state Controlling Board, a little-known, seven-member panel that signs off on hundreds of millions in state contracts and adjustments.

At Monday's board meeting, for example, state development department officials got an additional \$9 million approved for five programs cut by lawmakers in the current two-year budget.

The \$9 million comes primarily from "rotary funds" in the department that are paid for with various fees assessed to businesses and others and aren't accounted for in the state's operating budget.

But shifting money from one program to another -- with the approval of the Democratic-controlled Controlling Board -- has Republican critics fuming that bureaucrats in the Democratic administration are doing an end-run around limits set in the \$50.5 billion state budget passed in mid-July.

"I am frustrated by state agencies running through the back door and saying, 'We really can't live with what you've given us, so make an exception for us,' " said Sen. Mark Wagoner, a Toledo-area Republican and Controlling Board member. "I think it's been a continuing theme since we passed the last budget."

A panel of lawmakers headed by an executive appointee, the Controlling Board has the last word on state capital projects and economic development expenditures. But increasingly the board is being asked to let state agencies move money around, members say.

Wagoner and fellow Republican member Rep. Jay Hottinger of Newark objected to a development transfer of about \$1 million between accounts to pay for pool cars, office supplies and the salaries of two employees. It still passed the board, 5-2.

Ed Jerse, legislative director for the development department, said the shift was needed because senators didn't restore cuts made to the department during the budget process.

"You're going to see a lot of these coming in front of the Controlling Board," Jerse said.

Mark Barbash, chief economic development officer, said he was comfortable with the approach, noting that other departments are being allowed to do similar shifting. Barbash added that the money was in existing accounts and wasn't a budget increase.

But Hottinger said, "There are other ways that you could have spent that money."

One of the salaries to be paid for by the fund transfer is for Jim Raussen, a former Republican lawmaker who decided against seeking re-election when he was given a \$115,000-a-year post by Gov. Ted Strickland during the 2008 campaign season. Raussen's seat was one of seven netted by Democrats to gain control of the Ohio House.

Hottinger called Raussen's job "a purely political appointment made for partisan political gain."

Rep. Clayton Luckie, a Dayton Democrat on the Controlling Board, said Raussen's position is needed as a liaison to Ohio's financial services industry and will easily pay for itself.

Wagoner said the transfers should be reserved for "truly extraordinary situations," not because agencies simply say "we can't live within what has been appropriated."

Allison Kolodziej, a Strickland spokeswoman, said the transfers merely restore funding to levels sought by Gov. Strickland in his executive budget.

"These are levels the governor feels are necessary to effectively operate these agencies," Kolodziej said. She said that the money was supposed to be restored during the budget process, but "fell through the cracks."

Categories: [Ohio news roundup](#), [Real Time News](#)

## Comments

### **buckeyes says...**

Why have a budget in the first place if this is the activities going on in Columbus? Sounds like our federal government where there is no reason to have a balanced budget because by law there does not have to be a balanced budget at the federal level. Soon the state governments will be lobbying to make changes to their budgets that will allow them to be like the federal system. Government out of control.

Posted on 08/25/09 at 9:01AM

Footer

## **PROVIDENCE, R.I.**

### **In dire financial straits, state will shut for 12 days**

Rhode Island will close down its state government for 12 days and trim millions of dollars in funding for local governments. The move comes under a plan Gov. Don Carcieri proposed yesterday to balance a budget hammered by surging unemployment and plummeting tax revenue.

The shutdown would force 81 percent of the roughly 13,550-member state work force, excluding its college system, to stay home a dozen days without pay before the start of the new fiscal year in July.

The closures come as the worst recession in decades has pushed unemployment to 12.7 percent, the second-highest jobless rate in the nation behind Michigan

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## Strickland should be praised for budget

Tuesday, August 25, 2009 3:02 AM

I found the Aug. 14 *Dispatch* editorial, "Rolling the dice," concerning the state's budget compromise, uninformed, one-sided and loose with the facts. Just look around the country and see what kind of hell other states such as California and New York have had to go through to balance their budgets and compare that with what occurred in Ohio. Ohio is in way worse economic shape than most states because of unemployment, decaying infrastructure and aging schools, conditions that were well in place when Gov. Ted Strickland took office.

While lawsuits were going unanswered on school funding, the previous administration spent our taxpayer dollars building million-dollar bathrooms in rest areas on I-70.

Yet despite the Bush recession, Strickland managed to balance our state's budget without tax increases. He should be applauded for finding creative solutions and using what revenue sources are available, rather than criticized by naysayers who would have been the first to scream bloody murder if there were a tax increase.

Compare Strickland to John Kasich, who is using failed Republican economic mantras to claim that somehow reducing revenue will increase it. People have short memories. Former Gov. John Gilligan, a Democrat, tried to do it once with just cuts. People were up in arms about deteriorating roads and schools, and remember when he closed the state parks? Republicans want it all but don't want to pay for it.

Thank goodness we have a creative governor who puts what the residents really need, such as infrastructure, health care and education, above short-term political gain. Yet he still made the painful cuts necessary to get the job done.

Good job, Gov. Strickland.

*JOSEPH A. RITCHEY JR.*

*Reynoldsburg*



Posted on Mon, Aug. 24, 2009

## Legislators, churches and civic organizations call on Quinn to stop Tamms abuses

BY BETH HUNSDORFER  
News-Democrat

Legislators, mental health, legal experts and clergy are urging Gov. Pat Quinn to address what they described as a "human rights crisis" at the state's only supermax prison -- Tamms Correctional Center.

Leaders of faith-based, community and civic organizations and state legislators have signed a letter to Quinn, asking the governor to intervene in the operation of the prison. The letter follows a News-Democrat investigative series -- Trapped in Tamms-- which ran earlier this month and outlines conditions, including that the prison has held some inmates in solitary confinement for more than 10 years.

It asks Quinn to issue an executive order that will:

- \* Stop the placement of mentally ill prisoners at Tamms.
- \* Ban long-term solitary confinement, unless an inmate demonstrates a threat to other prisoners or guards.
- \* Have the Illinois Department of Human Services' Mental Health Division form a committee to provide oversight.
- \* Adopt policies to establish a clear criteria for placement at Tamms.

Illinois Department of Corrections Director Michael Randle was asked by Quinn to review the policies and conditions at Tamms when he was appointed in May. Randle's recommendation are expected soon, a department spokesman said Monday.

The prison claims to be home to the "worst of the worst" of Illinois inmates, holding them in solitary confinement 23 hours a day with no communal activity, no contact visits or phone calls. Fifty-four inmates have been held at Tamms for at least 10 years, the newspaper reported.

Of the approximately 250 Tamms inmates, 138 were not convicted of any crime in prison. Fifty-five inmates were convicted of acts that could be attributed to self protection or mental illness, such as throwing feces or urine or carrying a shank -- a homemade knife.

State Rep. Julie Hamos, D-Evanston, sponsor of proposed legislation to ease conditions at the supermax, has said, "I can tell you that there is very active interest on the part of legislators to make sure that seriously mentally ill don't get to Tamms in the first place, where they will only worsen."

The proposed mental health commission would review mental health policy, standards and treatment at Tamms and any other prison where an inmate may be held in solitary confinement.

Contact reporter Beth Hundsdorfer at [bhundsdorfer@bnd.com](mailto:bhundsdorfer@bnd.com) or 239-2570.

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**SFGate.com**

## Assembly ducks its responsibility on prison reform

Tuesday, August 25, 2009

The state Senate passed a package of sensible, measured prison reforms last week that would help the state meet both its budgetary requirements and its federal duties. The Assembly, however, choked.

At least 16 Democrats in the Assembly are hoping to run for higher office. That may have something to do with why the caucus punted when it was time to take responsibility for California's overcrowded prisons. Sadly, the package that the Assembly will possibly wind up passing practically ensures that a panel of federal judges will have to take responsibility for our state prisons, not the people we elected to do it.

How? Well, this month federal courts ordered the state to reduce its prison population by 40,000 inmates - working off of the perfectly logical conclusion that a prison system filled to double its capacity is dangerous. If the state does not make those reductions, the federal courts have the power to do it for us - in whatever manner they choose.

Trying to avoid this, Department of Corrections and Rehabilitation Secretary Matt Cate put together a package of reforms based on expert advice. The reforms would help the department meet a \$1.2 billion budget cut as well as reduce the prison population by 27,000 inmates.

Some of the reforms are controversial, like creating a commission to re-examine sentencing laws and putting infirm, elderly or low-level offenders under house arrest (with GPS monitoring) for the last year of their prison term. But thanks in part to the leadership of Senate President Pro Tem Darrell Steinberg, D-Sacramento, the Senate passed the package.

No such luck in the Assembly, where office-seekers like Alberto Torrico, D-Fremont, who claims the alternative custody guidelines are "too broad," and Ted W. Lieu, D-Torrance (Los Angeles County), says "the Legislature would be abdicating its responsibility" by allowing a sentencing commission to redefine prison terms. Sadly, the Legislature abdicated its responsibility on this issue a long time ago.

<http://sfgate.com/cgi-bin/article.cgi?f=/c/a/2009/08/25/EDT219D0V5.DTL>

This article appeared on page **A - 10** of the San Francisco Chronicle



Posted on Mon, Aug. 24, 2009

## Kansas prisons chief: Budget cuts may shorten sentences

By JOHN HANNA  
 The Associated Press

TOPEKA, Kan. | Kansas' top corrections official said Monday that additional budget cuts for the prison system would make its lockups less safe and force the state to consider lighter sentences for its criminals.

Corrections Secretary Roger Werholtz said if his department were required to trim its spending again — after four previous rounds of state budget adjustments — it would have to consider cutting services for crime victims, reducing its supervision of parolees and closing a 554-bed minimum-security prison in Winfield.

He told the House Appropriations Committee that the department already is holding 40 jobs at its prisons open. "It increases the probability that something bad is going to happen," he said.

Werholtz said the state could soon reach the point where it must reduce its prison population and the former inmates it supervises on parole. That would require lesser sentences and shorter parole-supervision times, he said.

"There are no good choices left," Werholtz said after testifying to the committee. "If you can't maintain the resources, you're going to have to reduce the workload."

Werholtz was among the state officials who testified on the opening day of special summer and fall hearings by the Appropriations Committee. The budget-writing panel normally doesn't meet when lawmakers are out of session, and the Legislature adjourned its annual session in early June.

Leaders of the House's Republican majority, concerned that legislators will face closing another big budget shortfall next year, are trying to get a jump on trying to close it well before the Legislature reconvenes in January.

Chairman Kevin Yoder, an Overland Park Republican, said he doubts the committee has much stomach for further reductions in the Department of Corrections, which saw its budget drop nearly \$24 million, or about 8 percent, for the current fiscal year.

Such a position would push the committee toward reducing state aid to public schools, cutting social services or trimming more spending from higher education. Most Republicans are ruling out tax increases.

But Yoder and other Republicans also argue that they'll have to find ways to make state government operate far more efficiently — even though they heard few ideas Monday.

"It's going to involve using our research staff and outside entities to come up with proposals," he said after the meeting.

Last month, legislative researchers predicted the state could face a budget shortfall of \$530 million in its 2011 fiscal year, which begins July 1, 2010. But Democratic Gov. Mark Parkinson's administration said the figure is based on pessimistic assumptions about state revenues and noted that the first official economic forecast for fiscal 2011 won't be issued until November.

"I'm not sure I see the point of having meetings at this point," said Sen. Laura Kelly of Topeka, the ranking Democrat on the Senate Ways and Means Committee. "We don't have real numbers to deal with."

But the possibility of additional cuts was real enough to Werholtz, whose department already has cut services for inmates and closed minimum-security prison units.

He noted that the Department of Corrections took 447 prison beds offline because of cuts, leaving space to house 8,870 inmates. At the end of June, the department had 8,610 inmates.