

1 **A RESOLUTION TO IMPROVE THE SAFETY OF THE FULTON COUNTY JAIL BY**
2 **EXPEDITING THE TRANSFER OF FUNDS FROM THE DETENTION SERVICES**
3 **OVERTIME FUND AND THE DETENTION SERVICES STAFFING INCENTIVE FUND**
4 **TO THE BUDGET OF THE FULTON COUNTY SHERIFF’S OFFICE (FCSO) TO AID IN**
5 **THE RECRUITMENT AND RETENTION OF DETENTION OFFICERS; TO REMOVE**
6 **EXTRANEOUS REPORTING REQUIREMENTS THAT HAVE DELAYED THE USE OF**
7 **URGENTLY NEEDED FUNDING; AND FOR OTHER PURPOSES.**

8 **WHEREAS**, the Fulton County Jail at Rice Street is now under a Consent Decree
9 for the second time in 20 years for purportedly violating the constitutional rights of the
10 predominantly pre-trial defendants incarcerated there; and

11 **WHEREAS**, following the death of LaShawn Thompson while in custody in the
12 Fulton County Jail in September 2022, the United States Department of Justice (DOJ)
13 initiated a formal investigation into the Fulton County Jail in July 2023; and

14 **WHEREAS**, the DOJ concluded in its final report, delivered in November 2024,
15 that the conditions at the Jail violate the Eighth and Fourteenth Amendments to the U.S.
16 Constitution, the Americans with Disabilities Act, and the Individuals with Disabilities
17 Education Act and stated in its executive summary that the Jail, “fails to adequately
18 protect incarcerated people from the substantial risk of serious harm” due in part to
19 staffing shortages; and

20 **WHEREAS**, the United States of America, Fulton County, and the Fulton County
21 Sheriff entered into a Consent Decree and agreed to a detailed, court-enforceable plan
22 with comprehensive reporting requirements designed to bring the Jail into constitutional
23 compliance; and

24 **WHEREAS** the Consent Decree instructs Fulton County to “make reasonable and
25 adequate provision of resources necessary to enable the Sheriff to perform his duties;”
26 and

27 **WHEREAS**, the 2025 Sheriff’s budget provided by the Board of Commissioners
28 (BOC) did not include adequate funding for overtime and hiring incentives for the full year;
29 and

30 **WHEREAS**, on May 7, 2025, the BOC, recognizing the urgent need for overtime
31 pay and hiring incentives at the Fulton County Jail, passed Resolution #25-0360 which
32 created two new funds in Non-Agency that provide the FCSO \$1,796,492.00 per quarter
33 for overtime for detention services and a one-time infusion of \$1 million for activities to
34 recruit and retain detention officers; and

35 **WHEREAS**, prior to voting on Resolution #25-0360, the BOC agreed to significant
36 changes including the dollar amount being allocated and the requirement for who would
37 be eligible for overtime from “employees whose full-time role is the provision of detention
38 services” to “employees providing detention services”; and

39 **WHEREAS**, at the June 4, 2025, BOC meeting, four weeks after Resolution #25-
40 0360 was passed, the County Attorney acknowledged that the resolution had not been
41 finalized or signed and had not been provided to the Sheriff’s office who was awaiting the
42 final list of reporting requirements included therein; and

43 **WHEREAS**, on June 6, 2025, the final version of Resolution #25-0360 was
44 uploaded to the online database and revealed that the requirement for the FCSO to
45 provide a “complete roster” and attestation of all staff’s full-time roles had become
46 extraneous but had not been removed; and

47 **WHEREAS**, Resolution #25-0360 provides that Detention Services Overtime Fund
48 and the Detention Service Staffing Fund shall be “monitored and reviewed” by the Fulton
49 County Department of Human Resources; and

50 **WHEREAS**, the Fulton County Department of Human Resources is the source of
51 all data regarding employees of Fulton County related to hiring, promotions, terminations,
52 and pay and has the ability to report the number of employees whose full-time role is the
53 provision of detention services, the number of new employees added, the number of
54 employees terminated, the complete roster of Sheriff’s Office employees, the specific job
55 titles of each employee, and the principal facility where each employee works; and

56 **WHEREAS**, the Consent Decree provides for staffing oversight at the Jail, and
57 requires a staffing analysis, a recruiting and retention plan, a staffing plan (Section
58 V.C.61-63) as well as quarterly Staffing Updates to be submitted to the court-appointed
59 monitor and the United States on January 15, April 15, July 15, and October 15 (Section
60 V.J.123); and

61 **WHEREAS**, the BOC is committed to working with the FCSO to improve the
62 conditions at the Rice Street Jail and recognizes that the reporting requirements in
63 Resolution #25-0360 have created an unintended roadblock that has led to a delay of
64 over two months in the delivery of urgently needed funding for overtime and staffing
65 incentives; and

66 **WHEREAS**, the BOC has full faith and confidence in County Management’s ability
67 to work with the FCSO to review progress, provide reporting to the BOC, and to release
68 the quarterly funding as intended.

69 **NOW, THEREFORE, BE IT RESOLVED**, that the Fulton County Board of
70 Commissioners hereby removes the requirement for the Sheriff to provide a “complete
71 roster of Sheriff’s Office employees” and an attestation in order to begin utilizing the
72 “Detention Services Staffing Incentive Fund” and the “Detention Services Overtime Fund”.

73 **BE IT FURTHER RESOLVED**, that the Board of Commissioners directs County
74 Management to include an FSCO Staffing Report as a part of the Justice System Update
75 provided in the Fulton County Operations Report.

76 **BE IT FURTHER RESOLVED**, that the Board of Commissioners removes any and
77 all additional reporting required in Resolution #25-0360 and instead requests that the
78 FCSO provide copies of all reports mandated by the Consent Decree to the Board of
79 Commissioners and County Management; and

80 **BE IT FURTHER RESOLVED**, that the Board of Commissioners directs County
81 Management to transfer the \$1 million reserved in Non-Agency for the “Detention
82 Services Staffing Incentive Fund” to the FCSO budget immediately upon the passage and
83 adoption of this resolution so that it may be used as described in Resolution #25-0360;
84 and

85 **BE IT FURTHER RESOLVED**, that the Board of Commissioners directs County
86 Management to transfer \$3,592,984 set aside for quarters 2 and 3 from the “Detention
87 Services Overtime Fund” in Non-Agency to the FCSO budget immediately upon the
88 passage and adoption of this resolution; and

89 **BE IT FURTHER RESOLVED**, that the Board of Commissioners directs County
90 Management to transfer the 4th quarter funding of \$1,796,492 from the “Detention
91 Services Overtime Fund” in Non-Agency to the FCSO budget on October 1st, 2025, upon
92 their verification that the funds previously allocated in this resolution are being spent as
93 intended; and

94 **BE IT FINALLY RESOLVED**, that this Resolution shall become effective when
95 passed and adopted, and that all resolutions and parts of resolutions in conflict with this

96 Resolution are hereby repealed to the extent to the conflict.

97 **PASSED AND ADOPTED**, this _____ day of _____, 2025, in Fulton County,

98 Georgia.

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**FULTON COUNTY
BOARD OF COMMISSIONERS**

Sponsored by:

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Dana Barrett, Commissioner (District 3)

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ATTEST:

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Tonya R. Grier,
Clerk to the Commission

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APPROVED AS TO FORM:

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Y. Soo Jo,
County Attorney