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OFFICE OF
STATE ATTORNEY
FIRST JUDICIAL CIRCUIT OF FLORIDA

November 20, 2014

PRESS RELEASE

The Office of the State Attorney announced today that the Grand Jury for Escambia County, Florida has completed its review of the flooding and explosion of the Central Booking and Detention Center that occurred in April 2014. Attached to this press release is a copy of the Report of their investigation filed today, which contains their findings and recommendations.

In addition, the Grand Jury also returned a NO TRUE BILL finding that there was insufficient evidence to establish any criminal charges.

For further information, please contact State Attorney Bill Eddins at (850) 595-4761.

**IN THE NAME AND BY THE AUTHORITY OF THE STATE OF FLORIDA
IN THE CIRCUIT COURT OF THE FIRST JUDICIAL CIRCUIT OF THE
STATE OF FLORIDA IN AND FOR
ESCAMBIA COUNTY, FLORIDA**

**AT THE SECOND TERM HEREOF,
IN THE YEAR OF OUR LORD,
TWO THOUSAND AND FOURTEEN**

REPORT

WE THE GRAND JURORS OF THE STATE OF FLORIDA, LAWFULLY SELECTED, IMPANELED AND SWORN, INQUIRING IN AND FOR THE BODY OF THE COUNTY OF ESCAMBIA UPON THEIR OATHS AS GRAND JURORS, DO PRESENT THE FOLLOWING REPORT.

At the request of the Office of the State Attorney, we have reviewed the facts and circumstances surrounding the flooding and explosion of the Central Booking and Detention Center during April 2014. Based on our review of the evidence, we have determined that criminal charges are not appropriate and have issued a NO TRUE BILL. We make this REPORT to discuss our findings and to make recommendations regarding this matter.

FINDINGS

The Central Booking and Detention Center is a county owned building located at 1700 W. Leonard St. Individuals who are arrested or taken into custody in Escambia County have their initial booking and processing in this building. In addition, the building also serves as a detention facility that houses more than 600 inmates. The building was originally constructed in 1960 and was used as a county-owned hospital for many years. In 1999, the building was renovated to be used as a booking and detention facility.

In June 2012, the Pensacola area received torrential rainfall which resulted in substantial flooding of the basement areas of the Central Booking and Detention Center. At that time, the basement contained storage of inmate property as well as kitchen and laundry facilities. There were also boilers and electrical equipment located in the basement. As a result of the flood, the basement was severely damaged which required a total rebuild and the replacement of all the equipment located in that area.

At the time of the 2012 flood, the jail facilities were under the supervision and control of Escambia County Sheriff David Morgan. Sheriff Morgan recommended that the facilities previously located in the basement be relocated to a higher level. This same opinion was expressed by the architect for the project as well as county staff. Despite these recommendations, the Board of County Commissioners decided to rebuild the basement in the same or similar condition as it was prior to the 2012 flood.

At the same time as the basement reconstruction project to repair the damage from the 2012 flood, a flood mitigation project was to be installed on the North side of the Central Booking and Detention Center. This included a partial wall and berm to block potential flood water as well as two pumps to remove water from the back of the building.

In October 2013, the custody and control of the Central Booking and Detention Center as well as the main jail was transferred from the Sheriff to the Board of County Commissioners. From that point on, the Sheriff was no longer responsible for the supervision of the jail.

The basement reconstruction project was substantially completed during April 2014 and was placed in use that month. The project included clothes dryers and kitchen equipment that ran on natural gas. All laundry and kitchen equipment was installed according to manufacturers' specifications and were approved by county inspectors. At the time of the 2014 flood, work was still continuing on the flood mitigation project. The two pumps had been received but were not yet installed and the berm had not yet been completed.

On April 29, 2014, the Pensacola area again received torrential rainfall which resulted in the basement of the Central Booking and Detention Center being flooded. The flooding was equal to or greater than what had occurred during 2012. The flooding of the basement caused the building to lose power and was operating on a diesel generator. The plumbing was no longer operational and food for the inmates was brought from the main jail. Both the air conditioners and elevators were out of operation. At approximately 2:15 a.m. on April 30, 2014, the clothes dryers are seen on video pulling away from the wall and floating in the water. At about the same time, natural gas records indicate a substantial spike in the amount of natural gas flowing into the Central Booking and Detention Center. This spike continued throughout the day and night of April 30, 2014.

During this time, both jail staff and inmates reported the smell of gas in the Central Booking and Detention Center. These reports were made to jail supervisors as well as maintenance employees. At no time was Pensacola Energy, the natural gas provider for the building, ever contacted about the reported gas odor. The natural gas meter, which contained a cut-off valve, located outside the Central Booking and Detention Center was not accessible because it was under water. A facilities maintenance employee located what he believed was a leak at a propane tank farm located on the hill North of the Central Booking and Detention Center. He cut off a valve which he believed stopped the leak. In fact, the propane tanks were not in use and were not actively connected to the building. Readings taken of the tanks show the same level of propane both before and after the flood. The propane tanks were in no way responsible for the odor of gas within the building.

At approximately 11:15 p.m. on April 30, 2014, a spark from an unknown source ignited the natural gas causing an explosion. A Pensacola Energy crew working in the area heard the explosion and responded to the Central Booking and Detention Center. They were able to access the main gas supply line leading to the building and seal the line. This was done by locating the underground gas line at the street corner, exposing the underground line, and then using a tool

to hot seal the line. This stopped the flow of natural gas to the Central Booking and Detention Center. As a result of the explosion, two inmates were killed and numerous individuals, both staff and inmates, were injured.

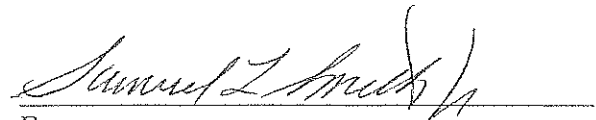
RECOMMENDATIONS

Based on our review, we make the following recommendations:

1. That the Central Booking and Detention Center as well as the main jail be returned to the supervision of the Sheriff of Escambia County. We believe that this provides for the most efficient operation of these facilities.
2. That no future jail facility be built on the current site of the Central Booking and Detention Center.
3. We find that employees believed they were limited in making emergency reports only to their immediate supervisors. We recommend that a safety officer be appointed or designated on each shift. That individual's job description should specifically require that he or she report any emergency situation to the appropriate authority. Such authority should be either within the county department or an outside agency depending on the facts and circumstances. We further recommend that policies and procedures be strengthened to deal with emergency situations. Additional training should be held on a regular basis regarding these policies and procedures.
4. We find that the basement area of the Central Booking and Detention Center should never have been rebuilt following the 2012 flood. We recommend that Escambia County make a full disclosure as to how this decision was made. This disclosure should include what efforts were made to locate grants or outside funds to pay for the costs necessary to relocate the basement equipment.
5. That Escambia County review its storm water control measures to prevent similar flooding in the future. This review should first concentrate on county owned facilities and then on Escambia County as a whole.
6. That Pensacola Energy review the location of cut-off valves so that they are located outside flood prone areas. In addition, we recommend that the main gas lines be clearly marked to allow immediate access in case of an emergency. We further recommend that each county building where natural gas is used, have a detection device to determine possible gas leaks.

Finally, we write to commend the correction officers and staff of the Central Booking and Detention Center for the outstanding job they did under the most difficult of circumstances caused by the flood and explosion.

DONE THIS 20 day of November 2014.



Foreperson

IN THE CIRCUIT COURT FOR
ESCAMBIA COUNTY, FLORIDA

TO THE HONORABLE JUDGES OF THE ABOVE-ENTITLED COURT:

We, the Grand Jurors of the State of Florida, lawfully selected, empaneled and sworn, in and for the body of Escambia, SECOND TERM 2014, do respectfully present this report.

NO TRUE BILL

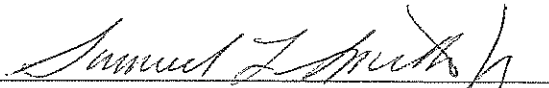
During our term as Grand Jurors, we were requested to inquire into the circumstances of the Central Booking and Detention explosion which resulted in the death of two inmates and injuries to other inmates and determine if certain criminal laws of the State of Florida may have been violated.

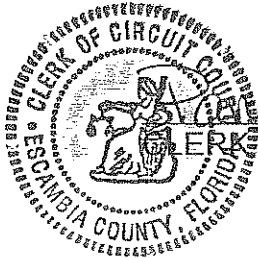
We received sworn testimony from all parties allegedly involved in the incident and from witnesses to the alleged incident.

After hearing all the testimony, being advised on the law as it pertains to this particular situation, and deliberating thereon, we return this **NO TRUE BILL**.

SO SAY WE ALL,

Dated: November 20, 2014


FOREPERSON



Childers
by: *Susan & Gergell, D.C.*