

# *Private Prison Media Reports*

*Review #18*

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*Prepared by the  
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### ***Introduction:***

The American Correctional Officer Intelligence Network (ACOIN) is a coalition of the nation's corrections professionals. This report is one of many available through ACOIN. It is a compendium of media reports covering the activities of Corrections Corporation of America (CCA) headquartered in Nashville, Tennessee and covers the period from 1998 through June 2006. Corrections professionals want the public to get the whole story behind prison privatization and not simply what the corporations would lead you to believe.

A public Correctional Officers mission is to protect the public; a private prisons mission is to enrich the corporation. Private prison corporations claim that the opposition they face stems from public employee unions trying to protect their member's jobs. ACOIN is not a union and is only one of dozens of organizations that have risen up in opposition to the selling of America's public safety to the lowest bidder. Privatization proponents make dramatic claims of cost savings, innovation and good jobs. After a sordid twenty year history there is no proof that supports these contentions, in fact the anecdotal information available flies squarely in the face of their claims.

***ACA Accreditation*** – the privateers will point to the American Correctional Association accreditation process as the barometer of their professionalism. It is important to note that the ACA is a private corporation, not a government entity. Although the ACA claims that on occasion a private prison fails their accreditation process when pressed they refuse to identify even one such failure, public or private. The ACA also routinely accepts money from and advertises for the privateers, many corporate leaders in the private prison industry sit on the ACA's Board and Committees, hardly a scenario conducive to an object audit. The close relationship between the ACA and the private prison industry should be closing scrutinized.

The ACA also claims to monitor facilities to ensure they maintain compliance in subsequent years. The only records made available by the ACA show that less than 1% of the facilities they accredited are ever monitored.

Here is what the Corrections Professional had to say about ACA's accreditation:

***“The action pushes to six the number of problematic facilities recently accredited by the ACA, fueling the debate about whether the ACA really is searching for excellence or is pandering to the private prison industry.”***

*The Corrections Professional, September 22, 2000*

***Assaults:*** according to a survey conducted by Professor James Austin, Ph.D., George Washington University, ***assaults on staff are 49% higher*** in private prisons and ***inmate on inmate assaults are 66% higher***. The hidden costs with such high assault rates include the investigation, prosecution and subsequent incarceration of the assailants, appeals, access to law libraries, assigning public defenders, transportation to and from court, etc. These costs are never figured into the overall price of privatization and are the responsibility of the host community ***not*** the privateers.

***Corporate Veil*** – the privateers promote the idea that the problems they face are just like any other prison, public or private. Yet when attempting to make comparisons the privateers refuse to open themselves up to the intense scrutiny that public entities are required to by the Freedom of Information Act. The privateers hide behind the corporate veil sighting competitive reasons for non-disclosure. In this compendium you will find what we do know, imagine what we don't.

**Cost Savings** – for years the industry touted the research of Dr. Charles Thomas as proof that private prisons save money. That was until it was revealed that much of Dr. Thomas’s research was funded by the industry itself. When it was disclosed that Thomas owned stock in some of the very companies he was researching, he was removed from his position at a prestigious Florida University and received the largest fine every levied against an individual by the Florida Ethics Commission.

“...it maybe concluded that there are no data to support the contention that privately operated facilities offer cost savings over publicly managed facilities....it was discovered that, rather than the projected 20-percent cost savings,” touted by the industry itself, “...the average savings for privatization was only about 1%, and most of that was achieved through lower labor costs,” US Department of Justice, Bureau of Justice Assistance: “Emerging Issues on Privatized Prisons,” James Austin, Ph.D., Gary Coventry, Ph.D., February 2001.

In addition, studies by the Government Accounting Office, the Council of State Governments and The Abt report, commissioned by the US Attorney General’s Office, all point to very little or no cost savings.

**Economic Development** - Many communities have been drawn in by promises of job creation and tax relief by the private prison industry. Until recently there had not been any studies conducted, or evidence produced to dispute or support this contention. However, Margaret Hanson and Terry Besser ([tbesser@iastate.edu](mailto:tbesser@iastate.edu) 515-294-6508) of the Iowa State University Department of Sociology recently issued a study that was presented at the Rural Sociological Society Meeting in August of 2003. Their study showed that there was no change in housing and local business numbers when comparing new prison and non-prison towns; that towns did not gain significantly when prisons were sited there; that changes in unemployment rates were “roughly equal”; and that, “The rate of increase in the number of new businesses, non-agricultural employment, average household wages, retail sales, median value of owner occupied housing, and the total number of housing units is **substantially less in new prison versus non-prison towns.**” (emphasis ours).

A second study released in February 2003 by Ryan S. King, Marc Mauer and Tracy Huling of The Sentencing Project in Washington, DC ([www.sentencingproject.org](http://www.sentencingproject.org), 202-628-0871,) found that “Overall, over the course of 25 years, we find **no significant difference or discernable pattern of economic trends** between the seven counties in New York that hosted a prison and the seven rural counties that did not host a prison.”

Many communities have found that the hidden costs of a private prison can be devastating to a community. The impact on local law enforcement, firefighters and other public safety officials can be substantial. The burden on local hospitals and municipal courts must also be considered.

*“Sheriff’s offices in Lincoln, Bent and Crowley Counties (Colorado) all reported that civil filings increased after the (private) prisons were in operation. The Sheriff’s also reported increased problems with juveniles and juvenile drug use. The data shows that juvenile filings increased by 60.4% in the prison counties. In the four years following the opening of Bent County Corrections Facility, County Court filings in Bent County increased an astonishing 98.9 percent.”*

(“Criminal Justice Master Plan” – Logan County: PACT 1998, *see also* Stephen Raheer, Brush News-Tribune, 8/8/01)

*In New Mexico “State District Court clerk Jane Hernandez said the volume of litigation being filed (by inmates at the privately run Lea County facility in Hobbs NM) is so great that, ‘Sometimes it takes all*

day just to process them.’ District Judge Ralph Gallini indicated they may need to hire a law clerk just for this purpose.”

(Corrections USA New Mexico Compendium, Dec 1998 – June 2004)

The effects a prison has on real estate, where “location, location, location” is so important, can drive down property values. Ask yourself, would you want to live near a prison? Would you want to live near a nuclear waste or toxic dump site?

***“The (private) prison has been a total bust. But no one will tell you that. They want you to think it’s been a boon for the city. Frankly, I’d rather have a hog farm. What has the prison done for us? I’d say halve the property value in this town. Real estate prices have plummeted.”***

**Sayre, OK, City Councilman William Dean**

The perception of potential homeowners or small businesses is the same. Yet the private prison industry will tout their entry into your community as a positive event. Private prisons negatively impact public safety. They are not good tools for economic development, they are not good for our communities.

**ESCAPES:** the prison privatization industry houses approximately 96,000 inmates in what are considered to be secure housing institutions, (institutions where inmates simply cannot walk off the grounds like they can in most halfway houses and many minimum security facilities). The California Department of Correction (CDC) houses approximately 150,000 inmates in such facilities. The California Correctional Peace Officer Association studied escapes from the private prison industry and the CDC over an eight-year period, 1995 – 2004, and found the following.

	# inmates	Escapes 95-04	Escapes per inmates
CDC:	150,000	12	1: 12,500
Privateers:	96,000	319	1: 300

The privateers are also very active in the inmate transportation business. According to Mother Jones magazine May 2000, a comparison between private and public inmate transport reveals the following:

#### Inmate Transport Escapes 1994 - 2000

Private Sector:	37
US Marshals:	0 (Note: the US Marshals transported TWICE the number of inmates during this period.)

**Good Jobs?** – According to the Criminal Justice Institute’s 2000 Corrections Yearbook, the turnover rate of security personnel at public prisons is 16.3%, in private prisons it is an amazing 54%. In less than 2 years the entire staff of a private prison turns over. Virtually every correctional expert in the country will tell you that the experience level of a prisons security staff is one of the leading factors in controlling the inmate population. The industry will sell a community the idea that 95% of the jobs they create will go to the citizens living there. In reality that means that 95% of the people working behind those walls will have NO correctional experience. Is that the type of “safety” the American public wants? In private prisons the only pros are the cons.

**Health Care (Inmates)** – The Tulsa World reported on January 9, 2005, that “At least 17 Tulsa Jail inmates have died since **Corrections Corporation of America** took over operations, four times the number who died in the jail the previous five years.” Sheriff Stanley Glanz said private companies have an incentive to keep medical costs low, which can lead to poor care for inmates. "There are times for cost situations that they will take short cuts," Glanz said. "It's not just CCA; it's all these medical providers. The ideal situation is to have your own medical staff."

Lack of proper medical care is one the largest and most expensive areas of inmate litigation. (For more on private health care providers in a correctional environment see ACOIN's Private Medical Report)

**Inmate releases** - According to the Corrections Yearbook **57%** of all inmates housed in private prisons are released into the community where the facility is located and are ***not*** returned to the committing jurisdiction.

**Innovation** – claims of innovative technology and techniques in efficient management were touted as revolutionizing all of Corrections. Yet after over 20 years the industry cannot point to one such innovation or technique that has been adopted in any public jurisdiction. In fact the industry leaders have hired directly from the public sector to fill many of their highest-ranking decision making positions. Corrections Corporation of America's President is Michael Quinlan former Director of the Federal Bureau Prisons under President George Bush. Wackenhut Corrections hired another former BOP Director Norm Carlson who served under President Reagan. Civigenics brought in Tom Rapone and Peter Argeropulous the former Secretary of Public Safety and Associate Commissioner from the Massachusetts Department of Corrections. Cornell hired Larry Fields former Director of Corrections in Oklahoma and Frank Pruitt former Commissioner of the Alaska Department of Corrections, and at Management Training Inc., their front man is former Utah Corrections head honcho Lane McCotter now of Abu Graib fame. So much for new and innovative ways to look at corrections.

In February 1999 at a Privatization Workshop sponsored by the University of Minnesota School of Law, James L. Saffle then the Director of the Oklahoma Department of Corrections was asked what innovations the private prison industry had brought to Oklahoma, one of the most privatized prison systems in the country. Mr. Saffle responded, “None, it's been the other way around, they've learned from us.” According to a report by Ph.D.'s Austin and Coventry, “The assumption that privately operated prisons are safer or better managed than publicly operated facilities is not supported by the results presented in this report.” (U.S. Department of Justice, Bureau of Justice Assistance, Monograph “Emerging Issues on Privatized Prisons” February 2001, NCJ 181249)

**Liability** - Another myth promoted by the industry is that they indemnify the jurisdiction in which they operate. The government is the only entity in the United States with the power to incarcerate. Case after cases has shown that although the government may hire whomever they want to administer their prisons, they cannot abdicate their responsibilities for the conditions of that confinement.

"Private prison companies have promised that they will reduce or eliminate government liability. But it is absolutely clear, (under state and federal law) that the states cannot divest themselves. If companies make that promise, it's an absolute false promise. ....clearly the law does not allow the state to sell off its liability in this manner." Ira Robbins, American University, Professor of Law and author of "The Legal Dimensions of Private Incarceration." (Phoenix New Times, Robert Nelson, April 3, 2003,)

**Public Safety** – The Federal Bureau of Prisons is one of the private prison industries largest clients. After years of contracting with these corporations here is what their spokesperson had to say:

“Over the years, the private sector has had significant problems with the incarceration and management of medium security and high security offenders. In particular, the private sector has not demonstrated the ability to manage high security sentenced inmates for long term confinement...” Thomas Kane, Assistant Director for Information, Policy and Public Affairs, U.S. Department of Justice, Federal Bureau of Prisons, 6/20/02.

**Training:** Equally important is the amount and quality of pre-service and on the job training that staff receive. According to the 1999 Corrections Yearbook public Correctional Officers average 240 hours pre-service training. The private prison guards receive 177 hours, **35% fewer hours.**

## Media Reports

### ALASKA

- ◆ **Cost Savings (Cornell):** State lawmakers have approved funding in the state’s capital budget to pay off a debt of nearly \$1 million owed by the city of Delta Junction. The debt comes from the city’s settlement years ago with a company brought on to convert unused military buildings at Fort Greely to a private prison. When the plan fell through, the company sued for breach of contract, City Administrator Pete Hallgren said. The city settled before the case went to trial. Delta paid off \$100,000 of the \$1.1 million settlement, then asked the state for a loan to pay the rest, he said. The state provided the loan, and the city has been paying it back at a rate of \$50,000 a year. (The News Miner, Stefan Milowski, 6/1/07, <http://newsminer.com/2007/06/01/7268>)

### ARIZONA

- ◆ **Inmate Transfer:** Within one month, Arizona will be home to nearly 600 California convicts. But the quiet move is raising concerns among various groups in Arizona and California. Chief among the worries is that the state will have no oversight of the men because they'll be held at a private prison in Florence that has had serious problems with prison gangs in the recent past. The convicts' destination is the Florence Correctional Center, a medium-security, private prison owned and operated by **Corrections Corporation of America.**

In 2001, Hawaii's Department of Public Safety reported that a gang called the United Samoan Organization had control of the Florence site. Hawaii's then-Department of Public Safety Director Ted Sakai wrote the Corrections Corporation alleging that prison officials depended on gangs to govern the facility. "Just about anybody in Arizona should be concerned about who we have here and how they're being handled," said Caroline Isaacs, program director of American Friends Service Committee of Arizona in Tucson, a Quaker group that works for social justice.

The latest transfer began on Dec. 21, when 38 California inmates boarded a bus bound for Florence. With weekly arrivals, 560 are expected to arrive by the beginning of February, said Bill Sessa, spokesman for the California Department of Corrections and Rehabilitation. Officials from the agency signed contracts worth more than \$51.6 million with Corrections Corporation and **The GEO Group Inc.** to send their inmates to the companies' prisons across the country.

The GEO Group has 63 prisons and residential treatment facilities in the United States, Canada, Australia, South Africa and the United Kingdom. On Dec. 12, it announced the opening of a 1,000-bed Central Arizona Correctional Facility, also in Florence, which will house medium-security sex offenders from Arizona.

Tixoc Munoz, executive president of the Arizona Correctional Peace Officers Association, said the union wasn't aware of the new arrivals. Though it won't affect members because they don't work in private prisons, Munoz said the influx will affect many other people. The union opposes the state use of private prison facilities, he said, though seven of Arizona's 17 prisons are private. "We believe it is the state's responsibility to administer punishment," Munoz said.

In 2004, more than 2,000 (Arizona) inmates were sent to two out-of-state facilities. More than half went to Diamondback in Oklahoma. Another 864 were sent to the Reeves County Detention Complex in Pecos, Texas, owned by The GEO Group. Inmates sent to Texas went on hunger strikes and purposely fought other inmates, hoping to be returned to Arizona. In July 2004, more than 300 Arizona inmates in Oklahoma returned after a fight involving as many as 475 prisoners, some of whom were armed with baseball bats, fire extinguishers and two-by-fours.

The transfer of the California inmates is the result of the Prison Overcrowding State of Emergency Proclamation signed by Gov. Arnold Schwarzenegger on Oct. 4. On May 4, Christopher Breiland, 36, escaped from Florence West, a private prison operated by The GEO Group. He was caught nine days later, after crashing a car into another vehicle in a Phoenix police chase. Private prisons, Isaacs said, must be a public-safety concern. (Arizona Daily Star, George B. Sanchez, 1/7/07, <http://www.azstarnet.com/allheadlines/163539>)

- ◆ **Politics:** With the city getting more deeply embroiled in an issue that could cost it millions, where the mayor is employed could become an important factor. The city claims *Corrections Corporation of America* did some sleight of hand maneuvering in its building contracts to avoid paying about \$1.5 million in construction sales tax. CCA is now building Saguaro Correctional Center, which is scheduled to house inmates from Hawaii's prison system. Last year it completed the Red Rock Correctional Center, which sits right next door.

Eloy Mayor Byron Jackson, since May 31, 2006, has worked at Red Rock as a corrections officer in the transportation division. As CCA continues to not want to pay what the city thinks it is owed, he said he has no doubt where his loyalties rest in such a dispute. "I don't think my position as a corrections officer has any bearing on the (city's) decision unless I'm out there advocating for them to accept a much lower amount." Jackson said there have not been many actions from the city in regard to CCA. The two items the council has acted on are an intergovernmental agreement with Immigration and Customs Enforcement so it could start bringing in prisoners and detainees to the Eloy Detention Center. They were needed by CCA to replace federal Bureau of Prisons inmates who were pulled out when the Bureau of Prisons ended its contract at the end of February 2006 for financial reasons. In the contract, the city essentially acts as a go-between so the federal agency can say its working with another government entity to hold prisoners. Jackson said that had a positive impact all around, and he saw no conflict, so he signed it. Since Jackson has been employed at CCA, the other contract signed was the one to build Saguaro. The multimillion-dollar dispute that has arisen from that is whether the exact language of previous contracts carries over or whether the new contract must comply with a 1.5 percent increase in the city's construction sales tax. CCA signed the contract days before the new sales tax went into effect, but after the council had passed it. The city argues they told CCA management of the increase, and it applied to the Saguaro contract.

"I can see how it might really become a big issue if it came to a point where there was going to be a lawsuit, whether the city was going to sue them," Jackson said. "We, the council, the city staff, are working hard to avoid that." (Temple A Stark, 1/11/07, [http://www.zwire.com/site/news.cfm?newsid=17698466&BRD=1817&PAG=461&dept\\_id=222077&rft=6](http://www.zwire.com/site/news.cfm?newsid=17698466&BRD=1817&PAG=461&dept_id=222077&rft=6))

- ◆ **Contract Bids:** Lawmakers are divided on the issue of allowing for-profit companies to construct more prison walls, the latest chapter in a long-standing debate over the merits of a privately run prison system. The state is soliciting offers from private companies to house 3,000 inmates. The contract is worth millions to the winner. For the first time in state history, however, the Arizona Department of Corrections is allowed to compete against those companies for the business. The change resulted from an eleventh-hour deal in 2006 between GOP lawmakers and Democratic Gov. Janet Napolitano, who has opposed most efforts toward privatization. So, in order to allow the state to solicit private companies, the governor required that the corrections department also be allowed to bid.

So far, no one has responded to the state's request for proposals since it was issued in December. Still, it's expected that three major prison companies — **Geo Group**, **Management Training Corp.** and **Corrections Corporation of America** — are expected to apply by the Feb. 8 deadline.

Despite the standing request for private bids, Napolitano and other Democrats say state-run prisons are more efficient than the alternative. "We think the department is the best choice and can do the job better than private companies," said Mike Haener, chief lobbyist for the governor. He pointed to an independent study completed last year by an independent accounting firm that estimates state-run prisons saved taxpayers between \$3.5 million and \$5.3 million in fiscal year 2003-04. To deal with the crowded conditions, Arizona has been sending prisoners to other states at a premium, which Rep. David Schapira, D-Tempe, said hurts taxpayers. (Dennis Welch, The East Valley Tribune, 1/29/07, <http://www.eastvalleytribune.com/index.php?sty=83120&source=rss&dest=STY-83120>)

- ◆ **Discrimination Settlement:** The parent company of the Central Arizona Detention Center in Florence has agreed to pay more than \$400,000 to settle findings of hiring discrimination. U.S. Department of Labor investigators said the privately run prison's selection process disproportionately rejected non-Hispanic job applicants who applied to be correctional officers during a two-year period that ended in March 2005. The prison has agreed to pay 464 former applicants an equal share of \$438,626, or \$945.32 each, which includes back pay and interest. The prison will also hire 16 previously rejected applicants. The **Corrections Corporation of America**, which manages the prison, said the settlement doesn't mean it violated federal affirmative action law. "Although we continue to disagree with the position taken by (the Labor Department), we have agreed to take certain steps to resolve this matter," a company statement said. (Chad Graham, The Arizona Republic, 2/23/07, <http://www.azcentral.com/arizonarepublic/business/articles/0223biz-florence0223.html>)

- ◆ **Contract Cancelled/Prisoner Relocation:** Arizona will send up to 1,260 medium-security male prisoners to an Indiana state prison, the Arizona Department of Corrections announced Monday. Operating with thousands more inmates than its system is designed to hold, the Arizona department said it lost 1,500 temporary beds earlier this year when a private prison provider canceled two contracts in Texas.

"We had no other option," said Arizona Corrections Department spokeswoman Katie Decker. "We had to fly those people back, and we're already overcrowded."

The agreement between Arizona and Indiana, a one-year pact that can be extended for three successive years by mutual agreement, requires Arizona to pay Indiana \$64 per inmate per day, Decker said. Arizona has 36,000 prisoners in its system, which has permanent funding for 31,000 beds. Of the excess, 1,431 inmates are housed in "provisional" beds at the Diamondback Correctional Facility, a private prison in Watonga, Okla. (The Associated Press, 3/12/07)

- ◆ **Community Protest/Contract Dropped:** The Board took no action on a proposal for the county to join with Utah-based Management & Training Corp. to build a 1,000-bed federal detention center. The county has already gone out for bids for a new county jail with three design-build firms and partnering with MTC would be an unsolicited proposal.

One speaker, with law enforcement background, spoke of family members of federal inmates who may settle in the county bringing an increase in the crime rate and adding to the burden of the county's social services. Another speaker opposed the prison saying the Golden Valley aquifer could not handle a prison that would use millions of gallons of water a year. Dist. 2 Sup. Tom Sockwell said the county should be careful entering into agreements with private companies. "We have done it twice already and twice we have ended up with egg on our face," he said.

The proposed 266,000-square foot county jail built in Kingman is expected to cost from \$48-\$65 million and include pod-style living quarters for male and female inmates. (Jim Seckler, The Daily News, 4/2/07, <http://www.mohavedailynews.com/articles/2007/04/03/news/local/local10.txt>)

- ◆ **Contract Not Honored:** The County Manager's Office and county legal department may soon be sending out a friendly reminder to Mohave Corrections Services, LLC. The County Board of Supervisors voted unanimously to authorize County Manager Ron Walker to terminate a contract with MCS and try to collect on money due the county. Walker searched through past county documents and retrieved a contract with MCS dated 1999 to build and operate the prison. He told the Board that MCS has defaulted on the contract in three different ways. First, MCS had failed to notify the county of the change in ownership of the prison. Walker acknowledged that Management and Training Corporation was an entirely different entity from MCS. Second, MCS had failed to provide 50 beds for overflow inmates from the county jail. Third, MCS had failed to pay the \$3,000 a month in administrative costs it had promised to the county. The county never received any payment for administrative costs. Walker estimated that MCS probably owed the county over \$200,000. He also said he could not find a record of MCS with the Arizona Corporation Commission. MCS would have 30 days from the date of the default of contract notice to remedy the situation before the county could sue for the money, Walker said. (Suzanne Adams, The Miner, 4/5/07)
- ◆ **Cost Savings:** Shipping Arizona inmates to privatized prison facilities in other states grieves not just the Department of Corrections. Bisbee mother Andrea Dominguez and people like her are prevented from visiting their loved ones when prisoners are moved far away by the state prison system to compensate the growing prison population. Her son Eric Dominguez, 27, was sent to prison last year, given the maximum sentence of 15 years by a Cochise County Superior Court judge, she said. The conviction is pending appeal to the higher court, but in any case his family does not wish him to be incarcerated so far away because it prevents them from visiting him.

Arizona has an intergovernmental agreement with the state of Indiana for use of Indiana's provisional beds in privatized prisons by Arizona inmates. Corrections officials don't like the outsourcing remedy either. Arizona Department of Corrections spokeswoman Katie Decker said sending prisoners away from their home states to serve their sentences increases the potential for

recidivism. As private businesses, the methods and goals of state and private prisons frequently differ, she said.

The Arizona Department of Corrections categorizes the outsourcing to private-prison facilities as provisional beds. Where it costs the state about \$58 per day to provide a permanent bed, the cost is about \$65 per day for a bed privately outsourced. The cost of using of provisional beds as a stop-gap mechanism continues to increase, as the market grows more competitive for privatized facilities, Decker said.

A 1,200-bed contract with the private prison in Watonga, Okla., is set to expire June 6, so the future of Arizona's provisional beds in Oklahoma is uncertain also, Decker said. As the state searches for more provisional facilities, it will only get more expensive, Decker said. (4/17/07, <http://kvoa.com/Global/story.asp?S=6385622>)

- ◆ **Riot:** To avoid a riot in Arizona, prison officials gave inmates little notice before shipping them to Indiana in March, angering many who were unable to say goodbye to family and friends. That anger apparently grew when the inmates arrived at New Castle Correctional Facility and were unable to call relatives for days or get answers to many of their most basic questions. And it boiled over last week, when about 500 prisoners overwhelmed guards and took over the facility for two hours, raising questions about the wisdom of moving prisoners far from their families and against their will. The New Castle prison is managed by the **GEO Group**, a Florida-based corporation that manages prisons across the country. (The Gannet News Service, 5/1/07)
- ◆ **Inexperienced Staff:** No additional Arizona inmates will be transferred to Indiana until conditions that contributed to an April 24 riot at the **GEO** New Castle Correctional Facility are resolved, officials in both states said Thursday. Those problems include: an inexperienced staff at the privately run prison; inadequate orientation of inmates who lost privileges, such as smoking and use of personal TVs, that they enjoyed in Arizona; and a schedule that forced Arizona inmates to eat and have recreation at odd hours, such as midnight basketball games. The findings were in a report released Thursday by the Indiana Department of Correction.

The agreement between Arizona and Indiana was concluded March 9. Three days later, inmates began arriving. By April 17, 630 Arizona inmates had been transferred to New Castle. Some staff had less than two months' experience, the report notes, with a large number having less than a year of experience.

Problems with the transfer were apparent almost immediately. On the day before the riot, April 23, Arizona officials had halted additional transfer of inmates, citing inadequate and inexperienced staff. At 12:40 p.m. the next day, the riot began after 30 to 40 Arizona inmates wearing white T-shirts ignored staff orders to return to their cells and don their green smocks. That clothing issue had been simmering for days, the report says. But on that day, the dispute erupted into a riot, with doors and windows smashed, mattresses set on fire and at least two correction officers beaten. Twenty-seven prisoners also required medical treatment, with none of the injuries or ailments serious.

Ken Kopczynski, executive director of the watchdog Private Corrections Institute based in Tallahassee, Fla., said all of the forces at work -- an inexperienced staff, unhappy inmates and a facility with substandard security doors and windows -- should have sent up red flags. "You've got inexperienced staff manipulated by the inmates," Kopczynski said. "You've got a private company trying to turn a profit. And you've got inmates from different places who are comparing themselves (and their treatment and benefits) to each other. It all sounds like a recipe for disaster." (Mary Beth Schneider, Theodore Kim, 5/1/7)

- ◆ **Riot Aftermath:** None of the findings in Indiana's report on the riot that occurred in its New Castle facility, where some Arizona inmates are housed, are surprising to anybody who has been paying attention to prison privatization over the past 30 years. Many private prisons are woefully understaffed, and high turnover rates mean that staff are inexperienced and unsure of what to do in a crisis. The analysis released by the Indiana Department of Corrections bears this out, citing "unseasoned staff" as a cause of the riot. There was poor communication at all levels, insufficient emergency plans, and doors and windows "not of proper strength or design to contain offenders in their housing units." A for-profit corporation that is more concerned about its shareholders than it is about real public safety. The facility is managed by **GEO Group**, one of the nation's largest private prison management companies. The report states that the contract was an effort to help Arizona "alleviate its prison overcrowding problem." It fails to mention that GEO actually exacerbated our overcrowding problem by kicking Arizona prisoners out of two of its other facilities.

Private prison corporations are focused on the bottom line. They take the highest bidder and have no allegiance or accountability to either the communities where they are located or the communities from which their prisoners originate. They have high staff turnover because they pay guards poorly. They have incidents like this because they don't invest in staff training or in positive programming for prisoners. Those things cost money and hurt their bottom line. This terrible incident should serve as a wake-up call. We can no longer ignore the fact that prioritizing the financial bottom line over good correctional practice is a recipe for disaster. (Caroline Isaacs, 6/4/07, <http://www.azstarnet.com/allheadlines/185704>)

## ARKANSAS

- ◆ **Abuse Alleged:** Two employees at the Alexander Juvenile Correctional Facility have been fired after allegations that they physically abused a 15-year-old girl, the lockup's administrator said. The girl, who had been at Alexander for about four months, called advocacy group Disability Rights Center in early April to report the abuse. The teen told the group's investigator that on March 25 she lost consciousness while she was restrained on the floor of her dorm, according to a report released by the Disability Rights Center. While the group was investigating, the girl's family called and reported that she had bruises on her body from another restraint on April 10. This is the fourth incident at Alexander investigated by the Disability Rights Center, which has released reports on the allegations of abuse to the Arkansas Democrat-Gazette.

The center is run by **G4S Youth Services**, which took over after the state fired the previous contractor, **Cornell Cos. Inc.** Cornell was fired after allegations that nurses inappropriately gave anti-psychotic medications to calm bad behavior. (4/21/07, <http://money.aol.com/news/articles/a/2-alexander-workers-fired-after-abuse/n20070421141109990005>)

- ◆ **Education Problems:** A new report identifying problems in the special education program at the former Alexander Youth Services Center -- some of which were previously identified in a 2005 study -- drew frustrated comments Monday from legislative panels that oversee the state's youth lockups. In a report released this month, the state Education Department cites about 50 practices at the facility, now known as the Arkansas Juvenile Assessment and Treatment Center, that don't comply with state and federal regulations under the Individuals with Disabilities Education Act. Sen. Sue Madison, D-Fayetteville, said that on visits to the facility in Saline County she has been "extremely unimpressed" with the educational practices she saw.

Education services at the facility are provided by **Group 4 Securicor**, the private company that took over operation of the facility in January. Madison asked Monday whether it would be more appropriate for the education of youth in custody to be undertaken by the state rather than a private company. (John Lyon, The Morning News, 6/18/07, <http://www.nwaonline.net/articles/2007/06/18/news/061907lryouthlockup.txt>)

## CALIFORNIA

- ◆ **Understaffing:** Alameda County Supervisor Alice Lai-Bitker is probing accusations that severe understaffing of medical personnel at two Alameda County jails is endangering their safety and inmates' health. The inquiry by Lai-Bitker, the board's Health Committee chairwoman, came in response to complaints by **Prison Health Services** workers that staffing was 30 to 50 percent below contract requirements from August to December. Nurses were forced to work overtime, and inmates' access to medical care was denied because too few nurses were available, according to Service Employees International Union-United Health Care Workers-West, the union that represents about 120 of the employees. "We are constantly plagued with understaffing in the Santa Rita jail," a registered nurse and union member said in a statement provided by the union on condition of anonymity. "We are all tired."

Prison Health Services has contracted with the Alameda County Sheriff's Office since 1989. The company's current \$51 million three-year contract, which serves about 4,000 inmates at Santa Rita jail in Pleasanton and Glenn E. Dyer jail in Oakland, expires in June. The Tennessee-based company, a subsidiary of **America Service Group**, staffs more than 300 prisons and jails in 28 states. The company has come under fire in Philadelphia as well as from officials in Georgia, Maine and New York for its performance, according to a 2005 investigation by The New York Times. (Angela Woodall, Inside Bay Area, 1/5/07, [http://www.insidebayarea.com/trivalleyherald/localnews/ci\\_4955015](http://www.insidebayarea.com/trivalleyherald/localnews/ci_4955015))

- ◆ **Audit:** An immigration detention facility on Otay Mesa was the site of three of the four "most egregious" allegations of physical and sexual abuse found in a Department of Homeland Security audit of five such centers nationwide. The Otay Mesa facility, operated by the private **Corrections Corporation of America** under a contract with the federal government, was also found deficient in several other areas relating to detainee care and treatment. The audit conducted by Homeland Security's Office of the Inspector General was released yesterday, and its conclusions about the Otay Mesa facility were called disturbing by the executive director of the San Diego & Imperial Counties ACLU. "The CCA facility sticks out like a sore thumb in this report, and deserves close scrutiny," said Kevin Keenan of the ACLU.

Auditors said the Otay Mesa facility, which has beds for 1,232 detainees, did not properly give inmates an initial medical screening when they arrived. The report also said the facility did not follow standards for monitoring detainees on suicide watch and hunger strikes. Auditors said they received numerous complaints from detainees about abuse. But three instances in San Diego – a sexual assault of a detainee by a guard, an invasive search and a detainee who was toppled out of his wheelchair by a guard – were among the four "most egregious allegations received," the report said. (Greg Moran, 1/17/07, <http://www.signonsandiego.com/news/mexico/tijuana/20070117-9999-7m17audit.html>)

- ◆ **Alleged Abuse:** A San Bernardino man says a guard in the city jail subjected him to an unprovoked beating while a police officer watched. Jamie Jay Johnson, 27, has filed a \$25 million lawsuit in connection with the attack. In a recorded interview with police, Johnson said he couldn't understand exactly why the guard, Alphonse Helton, yanked him from sleep before dawn on the morning of Sept. 9 and started pounding him in the ribs. At the time, Helton was a civilian employed by **Wackenhut Corp.**,

which provides employees to staff the jail, a temporary holding facility. Johnson said Helton struck him as many as three times in the ribs as Johnson lay in his bunk, then pulled him upright, jerked Johnson's right arm up between his shoulder blades and made him face a wall, then hit him repeatedly in the ribs.

Johnson's lawsuit seeks damages from the city government, the jail contractor, Wackenhut Corp., Helton and the two other guards. (Chris Richard, The Press-Enterprise, 2/4/07, [http://www.pe.com/localnews/inland/stories/PE\\_News\\_Local\\_D\\_bbeating05.239ae08.html](http://www.pe.com/localnews/inland/stories/PE_News_Local_D_bbeating05.239ae08.html))

- ◆ **Transfer Blocked:** A Sacramento judge Tuesday blocked California corrections officials from transferring inmates to out of state, ruling that Gov. Arnold Schwarzenegger's declaration of a prison overcrowding emergency was "unlawful" and that the movement of the prisoners violates the state's civil service principles. Schwarzenegger vowed to appeal the decision issued by Superior Court Judge Gail D. Ohanesian and the state attorney general's office has said it will seek a stay of the ruling. More than 400 inmates already have been transferred to private, out-of-state prisons on contracts that Ohanesian has enjoined. In her five-page ruling, Ohanesian said Schwarzenegger's declaration violated the state's Emergency Services Act because the prison overcrowding is a statewide issue rather than a local disaster that would require a response from state government. The suit was brought by the California Correctional Peace Officers Association and the Service Employees International Union Local 1000.

In a statement, Schwarzenegger called the ruling "disappointing" and "a threat to public safety." He said the transfers were "imperative" to relieve overcrowding in the prisons without resulting in early release of inmates. (Andy Furillo, The San Francisco Bee, 2/20/07)

- ◆ **Health Services.** Decoite, who had been at Santa Rita since March 31, 2004, on misdemeanor charges, suffered from hepatitis C and cirrhosis of the liver. The claim alleges that in the days before he died, Decoite was ignored by deputies when he complained of stomach pain and called desperately for medical help. Decoite "bled to death slowly while calling for medical help," according to the claim. He died at Valley Care hospital in Pleasanton, where he was taken after staff found him barely responsive in the jail's infirmary, according to a report issued by the sheriff's office. Decoite's family was unaware of his death until a fellow inmate phoned, his mother, Virginia Decoite, said at the time.

It is the second claim recently filed alleging that substandard care led to the death of an inmate at the facility. The other claim involves Johnny Tribble, a Santa Rita inmate who died in February of bronchial pneumonia, according to a report by the Alameda County Coroner's Bureau. The Hayward man requested medical attention as many as five times before he was seen by medical staff, court documents showed. By the time Tribble was found in his cell, rigor mortis had set in, despite state and federal laws that require jail staff to check on inmates regularly, according to court documents. (Angela Woodall, Inside Bay Area, 2/26/07, [http://www.insidebayarea.com/ci\\_5306873?source=rss](http://www.insidebayarea.com/ci_5306873?source=rss))

- ◆ **Opposition:** Assemblywoman Bonnie Garcia, R-Cathedral City, reiterated her opposition Wednesday to reopening a private prison at Eagle Mountain, a remote community in Riverside County. The 500-bed facility closed in 2003 shortly after a riot that killed two inmates and injured dozens. This week, Senate Republicans proposed reopening the prison as part of their plan this week to reduce prison crowding.

"I want to be clear and direct -- I am adamantly opposed and will fight any effort to reopen a private prison at Eagle Mountain under any conditions," Garcia wrote in a letter sent Wednesday to Corrections and Rehabilitation Secretary James Tilton. (Jim Miller, The Press Enterprise, 3/21/07, [http://www.pe.com/localnews/inland/stories/PE\\_News\\_Local\\_H\\_prison22.3c50803.html](http://www.pe.com/localnews/inland/stories/PE_News_Local_H_prison22.3c50803.html))

- ◆ **Fight:** A race-related fight broke out at a minimum-security community prison, sending four inmates to the hospital with minor injuries, state prison officials said. The fight at the Baker Community Correctional Facility in San Bernardino County occurred at 7 p.m. Wednesday and lasted a few minutes, said Terry Thornton, a spokeswoman for the California Department of Corrections. Twelve black and white inmates started brawling in the yard of the all-male prison and guards rushed to break up the melee. About 80 inmates were in the yard at the time. Four inmates were taken to the hospital with minor bumps and bruises. The 12 inmates were later transferred to state prisons, she said. Baker, with 250 inmates, is operated by **Cornell Companies Inc.**, which provide services to state governments on a contract basis. The facility is 155 miles east of Los Angeles. (3/29/07, <http://www.contracostatimes.com/mld/cctimes/news/16995751.htm>)
  
- ◆ **Misuse of Funds:** The corporation that runs the inmate stores at Los Angeles County's jails underpaid the county nearly \$650,000 in profits while wining and dining Sheriff's Department employees, auditors said Monday. **Compass Group USA Inc.**, which does business as Canteen Services, improperly spent \$640,213 from 1999 to 2005 that should have instead been spent on inmate services, says a report by Auditor-Controller Tyler McCauley. The expenses included travel costs for Compass employees, meals and entertainment, along with \$169,465 for "client hospitality," McCauley wrote.  
 The audit drew immediate criticism from taxpayer advocates, who questioned whether sheriff's employees are complying with the county's Political Reform Act. The county's contract with Compass requires the contractor to share a percentage of its profits on the sale of snacks, beverages, personal-care products, over-the-counter medications, stationery, cosmetics and clothing. That money provides some of the revenue for the Inmate Welfare Fund, which is designed to be used only for inmate services. However a grand jury report issued in 2000 found that sheriff's officials had used it for "pet projects" and other expenses. At the time, Supervisor Zev Yaroslavsky accused the Sheriff's Department of using it as a "slush fund," and demanded the money be used for inmates' medical and mental-health needs. (Troy Anderson, Inland Valley Daily Bulletin, 4/30/07)
  
- ◆ **Inmate Death (CCA):** A California inmate serving time in a private prison in Tennessee as part of Gov. Arnold Schwarzenegger's out-of-state transfer plan died this week while watching a fight involving other California prisoners, the California Department of Corrections and Rehabilitation reported Thursday. Anthony Kelly, 48, serving eight years on a drug case, died at 8:25 p.m. Wednesday from an apparent heart attack, the prison agency said. The official cause of death is pending. Tennessee and California authorities are investigating. Kelly died in a day room at the prison amid a fight involving 20 California inmates, the Corrections Department said. (Andy Furillo, Bee Capitol Bureau, 5/11/07, <http://www.sacbee.com/391/story/175590.html>)
  
- ◆ **No Show:** A no-show at a Thursday hearing fueled the controversy over moving prisoners across state lines against their will, NBC11 reported. The state committee on prison operations was ready to ask tough questions of the private company set to transfer inmates out of California during a hearing Thursday. However, the **Corrections Corporation of America** representative was a no-show. "Here we have a \$56 million contract, and it guarantees them payment whether we have one prisoner or 1,000 prisoners -- and it's a guaranteed contract," Assemblyman Todd Spitzer said. "And they can't send one official to California to answer questions of the legislators?" Under the prison reform package signed last month by Gov. Arnold Schwarzenegger, California will soon begin sending up to 8,000 prisoners out of state -- whether they like it or not -- prompting concerns about potential riots. The Corrections

Corporation of America told NBC11 it didn't show up because of a scheduling conflict and because it did not receive enough advance notice. (6/14/07, <http://www.nbc11.com/news/13507931/detail.html>)

- ◆ **Contract Cancelled:** A city jail that once housed up to 30 inmates has been effectively shut down, ending 13 years of operation under a management company whose former employees have in recent years been accused of stealing from jail inmates and conspiring with a former inmate to murder a Newport Beach couple. Seal Beach city officials have stopped short of saying the contract with Texas-based **Correctional Systems Inc.** was terminated because of problems with the company's employees, including a former jailer who is awaiting trial on conspiracy murder charges and three other jailers charged with stealing an inmate's Sony PlayStation and forging documents to cover up the crime. Under management by Correctional Systems, the Seal Beach jail in recent years also racked up numerous violations during inspections by state regulators – more than any other city jail in Orange County, state records show.

Perhaps the most notorious Correctional Systems employee was Seal Beach jailer Alonso Machain, who allegedly conspired with an inmate he met in jail to steal a \$440,000 yacht in November 2004 and kill the Newport Beach couple who owned it. Machain, who was arrested a few months after the couple mysteriously disappeared, was charged with two counts of murder. Machain and the former inmate, Skylar Deleon, pleaded not guilty in court and remain in custody awaiting trial. After Deleon's release in April 2004, he and Machain pretended to be interested in buying Thomas and Jackie Hawks' \$440,000 yacht docked in Newport Beach, authorities say. The couple unknowingly took Deleon and Machain on test drives, and in November 2004, the men allegedly overpowered the couple at sea, forced them to sign over the yacht, killed them and weighed down their bodies with an anchor before tossing them overboard.

The California Department of Corrections and Rehabilitation cited the Seal Beach city jail for 15 violations in 2004 and six violations in 2006. The 2006 violations were:

- No written policy for maintaining records for in-custody injuries

- No written policy for reviewing in-custody deaths

- No written policy to ensure inmates who are kept in sobering cells for more than six hours are evaluated by medical staff

- No written policy for an inmate to file or resolve a grievance

- Some cells lacking the required 25-square-foot space for work-related use

- Insufficient space and furnishings to meet personal needs

The jail also was independently cited by Orange County health officials for problems with minimum diet standards, menu selection, kitchen sanitation and pharmaceutical management. (Scott Martindale, The Orange County Register, 6/28/07)

## COLORADO

- ◆ **Rising Costs(CCA/GEO Group/Cornell):** Colorado's decades of cracking down on criminals has created a \$723 million demand for new state prisons over the next five years. Building all those cells not only would put a halt to every capital project in the state other than roads, but it also would take twice the money that the state expects to have for such projects over those five years, the legislature's budget committee was told Thursday.

The Department of Corrections' five-year plan calls for 3,000 new beds at five existing state prisons, and 2,500 at locations yet to be determined. That is on top of what's already in the planning stage - one state prison, two private prisons and two private prison expansions.

Colorado recently has deferred the cost of prison construction by contracting with private prisons, which spread the construction cost over years in their bills to the state. But a nationwide shortage has pushed up the price of private prison cells to significantly more than the \$54 a day that Colorado now pays. The private prisons "have us over a barrel," said Rep. Jack Pommer, D-Boulder. "If we don't build state prisons, the private prisons can literally tell us how much they're going to charge." But if Colorado doesn't find a place to stash its growing number of inmates, "we're going to be leasing old Motel 6's with fences around them if we're not careful," he said. (Ann Imse, Rocky Mountain News, 1/5/07)

- ◆ **Inmate Transfer:** Another 240 state inmates have been transferred to a prison out of state to alleviate crowding issues at Colorado Department of Corrections prisons. The inmates from throughout the state were transferred Wednesday to Sayre, Okla., where they are being housed at the private North Fork prison operated by the **Corrections Corporation of America**.

The inmates selected for transfer have to be incarcerated in medium or less secure prisons, have at least two years until they are parole eligible and have minimum psychological or medical needs. Inmates who are not participating in therapy for sex offenses or who have been terminated from therapeutic community treatment also are eligible for transfer. State officials are not certain how long the inmates will be in Oklahoma. (Tracy Harmon, The Pueblo Chieftan, 1/19/07, <http://www.chieftain.com/metro/1169216828/17>)

- ◆ **Inmate Transfer:** Colorado convicts are being flown by the hundreds to Oklahoma to serve their time far from their families. The Sayre prison, which can hold 1,440 inmates, will have 720 Colorado prisoners when a third transport arrives within a few months. Operators of Sayre's prison are willing to take Colorado's inmates for \$54 a day, but only the best-behaved and healthiest offenders who don't require costly medical care. Others stay in Colorado.

Experience shows that positive family involvement in an inmate's life - such as regular prison visits - can reduce the chances of a convict breaking into homes or selling drugs after serving a sentence, said Alison Morgan, DOC spokeswoman and director of private prison monitoring.

Colorado's recently signed contract with Nashville, Tenn.-based **Corrections Corp. of America**, which operates the Oklahoma prison, also stipulates that CCA does not have to meet the same "programming" standards for prisoners shipped there as the company provides in four of its private prisons in Colorado, Morgan said. Other Colorado inmates who have already been at the Oklahoma prison for a month complain that CCA is concerned only about making profits and skimps on food; has hired an inadequate staff, resulting in frequent lockdowns; and doesn't have enough inmate programs or jobs.

Similar conditions led to rioting in 2004 at Crowley Correctional Facility, which is run by CCA. (Kirk Mitchell, The Denver Post, 1/29/07, [http://www.denverpost.com/ci\\_5109276?source=rss](http://www.denverpost.com/ci_5109276?source=rss))

- ◆ **Investigation/Conflict of Interest:** The Colorado Bureau of Investigation is taking over the probe of a retired state prison official who stands to be paid \$1 million for helping a private prison company win a state bid. Nolin Renfrow, former state prisons director, openly became a consultant to the **Geo Group** and helped it win a \$14 million- per-year deal to house 1,500 inmates in a private prison proposed in Ault. A state audit said Renfrow began the work for Geo while still on the state payroll. It also said that he is to collect a \$1 million fee if the prison is built. State employees are prohibited from providing paid assistance to anyone to win state contracts or economic benefits. State law also prohibits activities that constitute a conflict of interest. (Ann Imse, Rocky Mountain News, 1/31/07, [http://www.rockymountainnews.com/drmn/local/article/0,1299,DRMN\\_15\\_5316998.00.html](http://www.rockymountainnews.com/drmn/local/article/0,1299,DRMN_15_5316998.00.html))

- ◆ **Vote Pending:** Saying *GEO Group Inc.* can't be trusted, a Pueblo lawmaker asked state officials Monday to rescind a contract with the company to build a private prison in Ault. Ault leaders decided they would not approve the facility until the public voted on it, and GEO wants to change its contract to ensure payment for its beds. Rep. Liane "Buffie" McFadyen, D-Pueblo West, a vocal critic of private prisons, said Monday that the proposed change and other issues regarding GEO's integrity should negate the Ault contract.

Philip Tidwell, spokesman for the town group Coalition Against Ault Prison, said residents hope no one else bids on the Ault prison if GEO's contract is rescinded. "We just do not want any private prison, whether it be GEO or Cornell or anyone else," he said.

In 2003, GEO won a contract for a 1,100-bed, pre-parole and parole revocation facility in Pueblo, and after almost four years of delays, the state pulled the contract last fall. The company never broke ground on the facility. "The state of Colorado was held hostage for four years waiting for those beds," McFadyen said. The delays included zoning issues in Pueblo and GEO's attempt to obtain guaranteed payments on 90 percent of its beds, regardless of whether the beds were occupied. Now, GEO is trying for guaranteed bed payments in Ault, she said. McFadyen said Ari Zavaras, the new director of the Department of Corrections, told her he is opposed to bed guarantees. Corrections spokeswoman Alison Morgan told the Associated Press that Zavaras will review McFadyen's request and decide how to respond. (Rebecca Boyle, 3/6/07, <http://www.greeleytrib.com/article/20070306/NEWS/103060086>)

- ◆ **Riot:** Critics say Colorado's private prisons are driven by shareholder profits and that, ultimately, society pays when businesses "cut corners" on staffing costs and inmate rehabilitation. The result is incidents such as a 2004 riot at a *CCA* prison in Crowley County, witnesses told a House Judiciary Committee hearing on private prisons Tuesday. State Department of Corrections officials had to come to the rescue of 33 private prison officers who lost control of 1,112 inmates. The state fined CCA \$126,000 in June for short-staffing at Crowley and another facility after the state auditor blasted CCA for having a staff-to-inmate ratio that was one-seventh of a state prison at the time of the Crowley riot. Officials for CCA, the nation's biggest private prison operator, didn't make excuses for the Crowley riot.

Critics said that private prisons don't serve the public interest by constantly squeezing profits. They cited CCA's shipping Colorado prisoners hundreds of miles to Oklahoma. Critics say the prisoners can't receive family support or maintain community ties critical to successfully re-entering society. "It has proven to be dangerous, and it is immoral to introduce a for-profit motive into the incarceration of human beings," said Christie Donner, of the Colorado Criminal Justice Reform Coalition. Rep. Rosemary Marshall, D-Denver, pointed out the disparity between starting pay for CCA guards, \$24,000, and state prison guards, who earn \$31,000. (Alan Gathright, Rocky Mountain News, 3/7/07)

- ◆ **Opposition:** Hudson town board members decided Wednesday night to postpone a decision to move forward with plans on annexing a portion of unincorporated Weld County for future use as a private women's prison. Close to 50 residents from Weld County were at the meeting to voice concerns they had regarding the economic impact the proposed prison would create.

Last June, the Colorado Department of Corrections awarded Houston-based *Cornell Companies* the bid to build an 832-bed women's prison in Hudson, a potentially \$16 million annual contract. Some residents already have begun working to convince the community that a prison would be a bad choice for the town, said Laura Moreland, who lives outside the city limits in Fort Lupton. "We are opposed to private prisons in general," Moreland said. In the research she's done on private prisons she said shows

higher escape rates. She said she also is concerned because the town does not have a police department. She said she wonders how the town will respond to the security issues a prison could create.

The next meeting to discuss the annexation and proposed prison is scheduled 7 p.m. April 4, at the Hudson Town Hall, 557 Ash St. (Vanessa Delgado, 3/8/07, <http://www.greeleytrib.com/article/20070308/NEWS/103080088/-1/rss02>)

- ◆ **Upcoming Vote/Study Results:** Hudson's board of trustees unanimously voted to annex 340 acres into town limits Wednesday. About 126 acres will be used for the prison facility, said Joe Racine, town administrator. **Cornell Companies, Inc.**, a private prison company, won the bid through the state Department of Corrections in 2006 to build a women's prison in Hudson. Cornell officials approached the landowner who then went through the process to annex the land. The final step is to approve it for industrial use so the facility can be built.

A study submitted by Harvey Economics states that the prison might actually reduce town revenues. The study states, "On its face, the summary report of the model results indicates the 'public costs to the city' exceed the 'public revenues to the city' by more than \$3.5 million for years 1-10 of the project. For instance, in year two of the project operation, estimated total costs for the town of Hudson are almost \$500,000, whereas town revenues attributed to the project are only \$263,000. These losses occur in every year of the project, including the year of construction." Harvey Economics staff said the \$27.5 million in economic benefits to Hudson, over the construction period and for the first 10 years, is seriously flawed. It states, "Some of the numbers are double counted like wages and expenditures of those wages. And the model assumes that 80 percent of all employee-related retail sales will occur in Hudson when only one percent of the construction workforce and 15 percent of the operational employees will live in Hudson."

After reviewing the numbers, Harvey Economics staff said the annual costs don't take into account the capital costs the town will have to pay to accommodate the new employees and the new facility. It also says the services provided in Hudson does not meet the needs of the current population, yet the town anticipates a large increase in these costs in order to provide adequate services in the future. Overall, the study questions whether the town is capable of providing for a prison. (Roxye Arellano, 4/15/07, <http://www.greeleytrib.com/article/20070415/NEWS/104140151>)

- ◆ **Conflict of Interest Follow Up:** The Colorado Department of Corrections (CDOC) responded to a March 5, 2007, open records request by Colorado Citizens for Ethics in Government (CCEG) that sought documents relating to a private prison contract awarded by CDOC to **The GEO Group, Inc.** The documents obtained by CCEG confirm that former Director of Prisons Nolin Renfrow began working for The GEO Group while still on state payroll, a blatant conflict of interest. In an email to Brian Burnett, the deputy executive director of CDOC, Dave Schouweiler, DOC Manager of Purchasing, stated that Renfrow was on state payroll until January 31, 2006 and acknowledged the "impropriety of Mr. Renfrow's involvement with the originating procurement." (4/18/07, <http://www.coloradoforethics.org/news/newsrelease.php?view=27>)
- ◆ **Contract Cancelled:** Plans for a private prison in Ault came to a halt recently when Colorado Department of Corrections rescinded its offer to **GEO Group**. Last spring, the GEO Group entered into a tentative agreement with the town -- which approved the prison in concept only -- so it could secure state approval to build there. Months later, the town board passed an ordinance requiring resident approval before any prison could be built. But DOC Executive Director Ari Zavaras put a stop to all discussions with the private prison contractor. GEO requested a guarantee on the number of beds that

would be filled by prisoners at any given time, since the state pays private prison contractors a daily rate per inmate. In the letter to rescind, Zavaras stated that in June 2006, the DOC offered a contract with GEO Group with the exception to GEO's request for a bed guarantee. On July 7, the DOC asked for GEO group to sign and complete the proposed implementation agreement. After a few meetings, GEO Group still requested a bed guarantee, which the DOC could not grant. (Roxye Arellano, 5/9/07, <http://www.greeleytrib.com/article/20070509/NEWS/105090085/-1/rss02>)

## FLORIDA

- ◆ **Escape Attempt:** Wednesday afternoon, the word was out: Two teenage inmates escaped from the maximum-security prison (Cypress Creek juvenile detention facility). Except they didn't. After an hour and a half of searching, the two missing inmates were found hiding - in the detention facility's compound. Kendall Wayne Wilbanks, 15, of Leesburg and Gavin Alexander Eskdale, 17, of Kathleen in Polk County, picked a lock to gain access to the roof area of the woodworking shop, a separate building from the main facility inside the security fence. A massive manhunt began, but deputies soon turned their attention back inside the facility after a check of the perimeter showed no breach of the fence.

The facility is part of the Department of Juvenile Justice but is operated by **G4S Youth Services**, a private company based in the United Kingdom. (John Frank, 1/4/07, [http://www.sptimes.com/2007/01/04/Pasco/The\\_Citrus\\_prison\\_esc.shtml](http://www.sptimes.com/2007/01/04/Pasco/The_Citrus_prison_esc.shtml))

- ◆ **Tax Evasion:** The state Supreme Court is weighing whether the property a prison sits on in Bay County is exempt from taxation. Bay County Property Appraiser Rick Barnett said the court heard the case Thursday. In 2006, the First District Court of Appeal ruled the land could not be taxed, upholding a decision by Circuit Court Judge DeDee Costello. She ruled the prison property is leased through a state department, making it ineligible for property tax. **Corrections Corporation of America**, the company that runs the county jail, owes about \$2.2 million in back taxes, Barnett said. (Valerie Lovett, The News Herald, 1/5/07)

- ◆ **Overpayment:** Gov. Charlie Crist ordered the Florida Department of Law Enforcement on Wednesday to conduct a preliminary investigation into more than \$4.5 million in alleged overpayments to two companies that operate private prisons for the state. The contracts with **GEO Group** of Boca Raton and Nashville, Tenn.-based **Corrections Corporation of America** were signed by the now-defunct Correctional Privatization Commission. Florida Chief Financial Officer Alex Sink said Wednesday, "The contract was so poorly written and so poorly conceived that we were only able to verify \$400,000 in overpayments even though we know there were huge abuses through the auditing procedures." Audits concluded the state paid for vacant jobs and other questionable expenses.

State Sen. Victor Crist, R-Tampa, who is not related to the governor, last week urged FDLE to investigate the relationship between the commission and contractors. (Bill Zakzor, The Herald Tribune, 1/24/07, <http://www.heraldtribune.com/apps/pbcs.dll/article?AID=/20070131/APN/701313142>)

- ◆ **Settlement:** The state has reached a \$402,000 agreement with one of the two companies that run private prisons in Florida. Department of Management Services Secretary Linda South said Tuesday night she was satisfied with the settlement with The **GEO Group Inc.**, which operates prisons in South Bay and Moore Haven. South said DMS is negotiating terms with **Corrections Corporation of America**, the company that runs three other privatized prisons. After the Correctional Privatization Commission was abolished and oversight of the five private prisons was shifted to DMS in 2004, the DMS inspector general did an audit that cited numerous discrepancies. The GEO Group settlement involved

\$357,520.94 in overpayments. Ken Kopczynski, a lobbyist for the Florida Police Benevolent Association, said the state "let them off easy." (Bill Cotterell, The Capitol Bureau, 1/31/07)

- ◆ **Tax Evasion Overruled:** Private prisons operating under lease-purchase agreements with the state will remain exempt from paying millions of dollars in local property taxes after the Florida Supreme Court reversed course Thursday and let stand an appellate decision. The justices earlier had agreed to consider an appeal by Bay County, but wrote in a unanimous, three-sentence opinion that they had changed their minds "because the circumstances of this case are fact-specific." Officials had sought the money from **Corrections Corporation of America**, based in Nashville-Tenn., which runs the Bay County Correctional Facility under a contract with the state. (Bill Kaczor, 2/2/07,) [http://www.naplesnews.com/news/2007/feb/02/supreme\\_court\\_denies\\_appeal\\_tax\\_exemption\\_private/](http://www.naplesnews.com/news/2007/feb/02/supreme_court_denies_appeal_tax_exemption_private/)
- ◆ **Contract Provisions Ignored:** At Tuesday's Bay County Commission meeting, commissioners voiced their concerns with **CCA**. Commissioners say CCA did not consult them before hiring a new warden. They say CCA's contract requires them to let the commission have more of a say in decision process. "You expect a little better communication and a little better adherence to the contract than what we're getting out of CCA," says Commissioner George Gainer. The commissioners also made it clear that they have no problems with the actual warden. Joe Ponte comes to Bay County from Massachusetts. Commissioners plan to write a letter to CCA telling the company exactly what they expect in the future. "I was very impressed with him but I am underwhelmed with CCA and their total disregard to their contractual obligations to Bay County," says Gainer. (Bree Sison, 2/6/07, [http://www.wmbb.com/servlet/Satellite?pagename=WMBB%2FMGArticle%2FMBB\\_BasicArticle&c=MGArticle&cid=1149193061604&path=!news!archives](http://www.wmbb.com/servlet/Satellite?pagename=WMBB%2FMGArticle%2FMBB_BasicArticle&c=MGArticle&cid=1149193061604&path=!news!archives))
- ◆ **Inmate Deaths/Poor Medical Care:** In 2001 an inmate was led into a cell in a county jail in upstate New York. He was a former nuclear scientist who had suffered from Parkinson's disease. Ten days later he was dead. The medical director of the jail had cut off all but a few of the 32 pills he needed to combat the ravages of his disease. Two months later a 35-year-old woman was booked into another jail in upstate New York. She began complaining of chest pain, and the medical director would not prescribe anything for her other than the Bengay she had brought into the jail with her. Her pleas to be taken to the hospital were ignored. She died in the hospital after an ambulance was finally called when she became unconscious on the floor of her cell. These are not just isolated incidents. There are many others and they all occurred under the watch of **Prison Health Services**, or PHS, the company that currently has the contract to provide health care at the Marion County Jail. The bottom line here is the bottom line. Prisoners are also constitutionally guaranteed adequate access to medical care. But this is all about money to PHS, which bids a contract with a dollar value. The closer they spend to this amount the less profit they make. The problem is that to make a profit something has to give.  
PHS, after an investigation into the New York incidents, was found in many cases to have the same failings: medical staff trimmed to the minimum: under qualified staff; physicians unable to be reached; prescription drugs withheld; patient records not read. It appears that the medical care currently provided to the inmates by PHS is less than adequate. (Diana Butler, 2/18/07, <http://www.ocala.com/apps/pbcs.dll/article?AID=/20070218/OPINION/202180330/1183/OPINION>)
- ◆ **Escape:** How did Kenneth Farris escape from the Hernando jail? Early Monday, Farris, 41, was arrested by Brooksville police and charged with stealing a gumball machine and a Powerball machine. Officers discovered that he was a fugitive from Indiana, where he was accused of identity theft. He was booked

into the jail at 4:38 a.m. Farris fell asleep in his holding cell. The next thing he remembers, according to what he told detectives after his capture, is that he had lunch and noticed the cell door was open. It was 1 p.m. When Farris leaned up against the cell door, Stabins said, the door opened and Farris began his escape. The arrest affidavit said Farris walked through the busy booking area and into the garage, where patrol cars and transport vans drop off and pick up inmates. It was just a matter of waiting for a van to drive out the door, Farris told detectives. He followed the van into the parking lot and then he was free. In the parking lot, which has no fence around it, a jail guard confronted him. Farris was still in street clothes because he hadn't been booked. He explained that he was there to drop off cigarettes for an inmate. The guard told him to leave, according to the arrest affidavit. So Farris escaped. No one knew he was gone.

Farris made it to his mother's at 16280 Tampa St. He talked to her, picked up some clothing and then headed out at 2:40 p.m. Still, no one was looking for him. At 3 p.m., jail guards went to Farris' cell to take him out and put in a female prisoner, but he was nowhere to be found, according to the arrest report. Assistant Warden Russell Washburn said the Sheriff's Office's time line was "inaccurate" and that the escape wasn't noticed until 4 or 4:15 p.m. That's when the jail, which is run by Corrections Corporation of America, began looking around for Farris. Then at 5:07 p.m. - about four hours after Farris walked out the door - the jail notified the Sheriff's Office. Farris was caught at the Budget Inn motel on Jefferson Street in Brooksville.

Fisher, the jail monitor, said that Corrections Corporation of America would be fined 2.5 percent of this month's payment, or about \$20,000, for the escape. (Jonathan Abel, 2/28/07, [http://www.sptimes.com/2007/02/28/Hernando/Escaping\\_from\\_jail\\_as.shtml](http://www.sptimes.com/2007/02/28/Hernando/Escaping_from_jail_as.shtml))

- ◆ **Guard Fired/Escape (CCA):** Last week, an inmate at the Hernando County Jail walked through an unlocked cell door, sauntered out to the garage and escaped through a field - the third escape in just over a year. In response, the jail sent another person out the door: Lt. Mary Mills, the guard who, officials say, was responsible for the security error. He said Mills unlocked the door to the cell where Kenneth Farris was being held and then forgot to lock it again. In July, Mills was suspended for three days for prematurely releasing an inmate. At the time, she failed to review the inmate's file correctly and allowed him to leave two months early. Jonathan Abel, 3/6/07, [www.sptimes.com/2007/03/06](http://www.sptimes.com/2007/03/06))
- ◆ **County Pays in Lawsuit:** A former Hillsborough County jail inmate whose baby died after being born over a jail cell toilet in 2004 received a \$350,000 settlement last fall, according to records released Friday. Kimberly Grey kept \$104,000 of the money she received Nov. 27 in a check signed by Sheriff David Gee. The remainder was paid to her attorney, Mike Trentalange. She received the check shortly after being released from state prison in November, having served nearly two years on a prostitution conviction.

On Friday, Chief Deputy Jose Docobo said the sheriff's office decided to pay what it considered a reasonable settlement to Grey rather than face continued litigation costs. The original court complaint named the defendants as Prison Health Services, the Brentwood, Tenn.-based company that provided health care at the jail at the time; the sheriff's office and the jail's administrator; and a PHS-employed doctor and two nurses. As of Friday, only PHS and one nurse remained as defendants, and the case is set for trial April 2.

The lawsuit revealed "issues and deficiencies" in her medical care, Docobo said before declining to discuss those. Grey gave birth March 4, 2004, in an infirmary cell in Falkenburg Road Jail. Records show she complained of labor pains but that PHS staff did not send her to a hospital. Nearly three

months premature, the baby died from an infection in his lungs, according to an autopsy. (Mike Wells, The Tampa Tribune. 3/10/07, <http://www.tbo.com/news/metro/MGB3P68L3ZE.html>)

- ◆ **Abuse Alleged:** Four state agencies are looking into reports of abuse at a Department of Children & Families contracted facility that holds mentally ill and disabled juvenile delinquents who aren't competent to stand trial. It's believed an employee used excess force Feb. 28 while grabbing a child and transferring him to a "time out" room, but he was not severely injured, said Agency for Health Care Administration Secretary Andrew Agwunobi. Another boy's arm was broken during a conflict with employees March 6 at the Liberty County facility managed by Twin Oaks Juvenile Development, Inc., said Florida Department of Law Enforcement Commissioner Gerald Bailey. The Apalachicola Forest Youth Camp was almost shut down after the Agency for Health Care Administration, which licenses the facility, reviewed the cases. The agency agreed to keep it open after DCF assigned staff to monitor the facility 24 hours each day, Agwunobi said.

There is a video tape of the first case, but not of the second, which occurred outside one of the facility's buildings. The video shows a boy grabbing hold of a table and resisting as an employee tries to pry him from it. The employee then yanks the boy's leg to remove him, and drags him across the floor by a wrist and ankle. (Brendan Farrington, 3/14/07, <http://www.gainesville.com/apps/pbcs.dll/article?AID=/20070314/APN/703143371>)

- ◆ **Fine/Escape:** In the wake of the most recent prisoner escape from the Hernando County Jail, county commissioners are asking staffers to come back next Tuesday with long-term plans to beef up security at the facility. Commissioners also fined **Corrections Corporation of America (CCA)** \$23,000 for allowing inmate Kenneth Ferris to escape from the Spring Hill Drive jail Feb. 26. An investigation determined that CCA staff failed to provide adequate security to prevent the inmate's escape. (Michael Bates, 3/20/07), <http://www.tboblogs.com/index.php/newswire/story/facility-fined-again-because-of-latest-escape/>)

- ◆ **Dissatisfaction:** The question of who will fingerprint and photograph inmates at the county jail remains unanswered but commissioners hope the issue will be resolved in a month or less. The commission on Tuesday asked **Corrections Corporation of America**, the private company that runs the jail, to come back with hard figures on how much it spends to perform those functions at the jail. That way the commission can decide on whether to have CCA continue to do it or turn the duties over to Sheriff Richard Nugent's department. Ray Hodge, CCA's senior director of business development, said it costs his company roughly \$30,000 to \$50,000 each year to perform those functions.

Nugent's frustration was evident as he addressed commissioners Tuesday. He said he wanted to make it clear that he wasn't asking for more funds, but rather CCA was putting the county in the position to ask taxpayers to foot the bill because the company would not agree to pay penalties if the quality of the fingerprints and photographs was not up to par. After the meeting, Nugent elaborated on his frustration. He said his staff has worked for months to come up with the performance standards and had made progress, only for CCA officials to water the proposed standards by making them "goals and objectives." "They're masters at telling you what you want to hear, and then when their butts in the crack, they renege on it," Nugent said. "They agree to everything up front and deliver nothing." Nugent said the quality of the fingerprints and photographs produced by CCA staff has improved "to a fairly good level."

"It's not where we'd like it to be but it's getting better," Nugent said. "Whether they'll be able to continue that with consistency, I have no idea." Nugent said the county should force CCA to accept the

standards or make them pay for what it would cost his office to perform the functions. (Tony Marrero, 3/27/07, <http://www.hernandotoday.com/MGBD0HR4TZE.html>)

- ◆ **Settlement/Lawsuit:** An inmate whose baby died after being born over a jail cell toilet has received a \$1.25 million settlement from the Tennessee company that provided health care at the facility. Kimberly Grey sued over the death, saying she had complained of labor pains for nearly 12 hours. But **Prison Health Services**, based in Brentwood, Tenn., settled with her Wednesday, after jurors heard two weeks of testimony and began deliberations. The company no longer serves as Hillsborough County's inmate medical provider. The Hillsborough sheriff's office settled its portion of the case in November for \$350,000. (4/19/07, The Associated Press)
  
- ◆ **Kickbacks:** The former head of the state Department of Corrections, who admitted that he accepted tens of thousands of dollars in kickbacks from a prison contractor, was sentenced to eight years in prison Tuesday. James Crosby was given 30 days to report to federal prison to begin serving his sentence. Crosby, 54, and Allen Clark, 40, a former regional director for prisons in North Florida, were charged together last year with accepting more than \$130,000 in kickbacks between October 2003 and February 2006. Clark is scheduled to be sentenced Wednesday.
 

The government said Clark accepted kickbacks from **American Institutional Services**, a Gainesville company that supplied the prison commissary, and that Clark would share the kickbacks with Crosby. The kickbacks totaled up to \$12,000 a month. (Lucy Morgan, 4/24/07, [http://www.sptimes.com/2007/04/24/State/Former\\_prison\\_chief\\_s.shtml](http://www.sptimes.com/2007/04/24/State/Former_prison_chief_s.shtml))
  
- ◆ **Guard Arrested:** A 34-year-old Polk County juvenile correctional officer was arrested Monday for having sex with a 15-year-old he met online. Irish Streeter was charged with two felony counts of lewd battery by a suspect over 18 on a victim under 16. Streeter admitted to detectives that he had sex with the victim but claimed he did not know her age. He was booked into the county jail without incident. Streeter is employed by **Group 4 Securicor**, a private contractor under the auspices of the Florida Department of Juvenile Justice, to work as a correctional officer at the Polk Correctional Facility in Polk City. (The Polk County Democrat, 4/27/07, <http://www.polkcountym democrat.com/articles/2007/04/27/news/01streeter.txt>)
  
- ◆ **Bidding (Editorial):** Admittedly it gets harder each year for the Florida Legislature to do something so foolish that it deserves special censure. This qualifies: Lawmakers will allow only two companies to bid on a \$15-million to \$20-million prison construction project. But what makes this action remarkably foolish is that the two companies named are under criminal investigation for overcharging the state \$4.5-million for prison operations. Just three months ago, Gov. Charlie Crist asked the Florida Department of Law Enforcement to investigate **GEO Group** and **Corrections Corporation of America** for "any criminal violations" related to state contracts. A state audit of the companies two years ago found a variety of irregularities in payments made to those two companies. They were paid millions for jobs that went vacant, for cost-of-living adjustments that were never passed on to employees and for maintenance that was never done.
 

Now the Legislature has muddled the situation more by adding the bid requirements to the overall \$84-million budget allocation for private-prison operations. And guess which lawmaker justified the contract wording: Sen. Victor Crist, R-Tampa. It was Sen. Crist who called for the criminal investigation in the first place. His excuse for limiting the bids: "It's cheaper." Maybe so, if you don't count the millions of dollars the companies' may have cheated the state out of in the past.

If the state blithely hands out bids to companies it is also investigating for their business practices, it is sending a message that goes something like this: Please rip us off. Actually, turning prison operations over to private companies is a bad idea in every way, and the sooner the state is out of it the better. Sometimes cheap isn't good, or right. (5/4/07, [http://www.sptimes.com/2007/05/04/Opinion/A\\_prison\\_plan\\_fit\\_for.shtml](http://www.sptimes.com/2007/05/04/Opinion/A_prison_plan_fit_for.shtml))

- ◆ **Lawsuit Against County:** Unsuccessful jail expansion bidder ***Emerald Correctional Management Inc.*** has offered to settle its lawsuit against Bay County for \$13.2 million. The County Commission will meet in executive session June 19 to consider the offer. County officials hinted Tuesday they were not inclined to pay any money to the company, which alleges that the county violated state law and the terms of its own request for proposals when it awarded a jail expansion and operations contract to ***Corrections Corporation of America*** in February last year. “Why should we pay them anything when we followed the law?” Commissioner Bill Dozier said.

Circuit Court Judge Glenn Hess in May last year threw out all six of Emerald’s complaints against the county. Last month, the First District Court of Appeal ruled that Hess improperly dismissed two of six complaints and directed him to reconsider them. (Ryan Burr, News Herald, 6/6/07, [http://community.emeraldcoast.com/articles/county\\_16033\\_article.html/million\\_jail.html](http://community.emeraldcoast.com/articles/county_16033_article.html/million_jail.html))

- ◆ **Cost Comparison:** Marion County Sheriff's Office brass say they can continue to staff and operate the county jail more cheaply than a contracted private firm. At the request of the County Commission, department officials recently checked with nearby Hernando and Citrus counties. They both contract with a national firm, ***Corrections Corporation of America***, or CCA, to run their jails. In a letter to County Commission Chairman Stan McClain, sheriff's Maj. Paul Laxton said that, at the rate CCA charges Citrus County, the cost to run the Marion jail would go from about \$25.2 million to \$38.3 million. McClain said that, as far as he is concerned, the cost comparison ended that discussion. (Christopher Curry, Star-Banner, 6/16/07,)

<http://www.starbanner.com/article/20070616/NEWS/206160351/1001/NEWS01%3E&MaxW=270&MaxH=200>)

- ◆ **Escape (CCA):** A man charged with murder broke out of his maximum-security cell Monday night, using plastic eating utensils to pick the lock, according to an arrest affidavit. Herman Harmon, 45, escaped about 9 p.m. from cell number 8 in a maximum-security pod at the Bay County Jail Annex on Nehi Road, said Warden Joe Ponte. It’s not clear how Harmon, who is charged with first-degree murder in the Feb. 26 shooting death of Jeff Gillman, picked the lock on his cell. Once out of his cell, Harmon entered the common area of the jail, then left the pod through a sliding metal door, which might have been open, Ponte said. Outside of the pod, Harmon accessed a small, open post, where he grabbed correctional officer Beverly Brennen by the neck and demanded her portable radio, the affidavit stated. Brennen and Harmon wrestled briefly and Brennen was able to call for help, Ponte said. A responding officer captured Harmon in the hallway just outside of his pod, Ponte said. (Andy Meinen, News Herald, 6/20/07, <http://www.newsherald.com/headlines/article.display.php?a=1807>)

- ◆ **Guard Arrested:** A detention worker at the Hastings Youth Academy found himself behind bars after a juvenile at the minimum security facility in western St. Johns County told investigators he thought he was going to be stabbed in a confrontation between the two. Kevin Dewayne Ford, 30, of Interlachen was charged with aggravated assault after a surveillance tape showed him pulling what looks like a knife from his pocket and flicking it open during an argument with a 16-year-old Friday, investigators said. In

addition to aggravated assault, Ford was charged with taking contraband into the Hastings jail. Employees are not permitted to take weapons into the facility. (6/27/07, [http://www.jacksonville.com/tu-online/stories/062707/met\\_180251556.shtml](http://www.jacksonville.com/tu-online/stories/062707/met_180251556.shtml))

- ◆ **Guard Arrested for Battery:** A nurse who works with juvenile offenders in Polk County was arrested Thursday on charges of battery and false imprisonment, authorities said. Thomas J. Petreit, 38, is accused of slamming a woman's arm in the front door of an Auburndale home and also striking the woman in the face, records show. Petreit was being held Thursday at the Polk County Jail without bail. Sheriff's spokeswoman Donna Wood said Petreit is a contract nurse assigned to the STAR program and employed by **Correctional Medical Services**. (The Orlando Sentinel, 7/6/07, [http://www.orlandosentinel.com/news/local/osceola/orl-mcfbriefs06\\_907jul06,0,3796782.story?track=rss](http://www.orlandosentinel.com/news/local/osceola/orl-mcfbriefs06_907jul06,0,3796782.story?track=rss))

## HAWAII

- ◆ **Transfer Reviewed:** House and Senate lawmakers who say it's time to rethink the state's practice of sending Hawai'i inmates to the Mainland are advancing a bill aimed at bringing 175 Hawai'i women prison inmates back from a privately run Kentucky prison. The Senate Public Safety Committee approved a bill last week instructing state corrections officials to develop a plan for returning the inmates by July 1, 2009. House Public Safety Chairwoman Cindy Evans said some of the women were the sole caregivers for their children before they were sent to prison, and it is important for the women to maintain their family ties. "These women are going to go back into our community and go back home, and we feel it's better to have them here instead of on the Mainland," she said.

The controversy over how best to house Hawai'i inmates turns on questions of cost and compassion. While officials cite savings as a major factor for sending inmates to the Mainland, opponents decry the practice, saying it's unduly harsh on inmates and their families. (Kevin Dayton, Advertiser Big Island Bureau, 2/10/07, <http://www.honoluluadvertiser.com/apps/pbcs.dll/article?AID=/20070210/NEWS02/702100348/1001/NEWS>)

## IDAHO

- ◆ **Inmate Suicide (GEO):** An Idaho inmate housed in a Texas prison was found dead from apparently self-inflicted wounds early Sunday morning, an Idaho Department of Correction spokeswoman said. Guards in the Dickens County Correctional Center found Scot Noble Payne, 43, slumped in a shower, bleeding and unresponsive about midnight Mountain Time, Teresa Jones said. Payne was serving time on an Ada County charge of lewd and lascivious conduct with a minor under 16, Jones said. He was isolated from other inmates at the time of his death because of a December escape, she said. Payne apparently scaled a fence Dec. 3. He was captured on Dec. 10 after eluding the Texas Rangers, helicopters from the Texas Department of Public Safety, local law enforcement agents and private prison workers. (3/5/07, <http://www.idahostatesman.com/102/story/74299.html>)
- ◆ **Warden Fired:** The warden of a private Texas prison housing Idaho inmates has been "relieved of his duties" after complaints from Idaho. The Dickens County Correctional Center, which houses 125 Idaho inmates, made the change after an Idaho corrections team visited the large, older county jail near Lubbock, Texas, in March and reported "deficiencies." Idaho Corrections Director Brent Reinke said problems included an absence of required educational and treatment programs, inadequate out-of-cell

time, inappropriate lighting, and problems with food, clothing and cleanliness. Also, an inmate from Ada County who escaped in December and recaptured committed suicide at the facility in early March.

Dickens is one of two Texas lockups operated by **GEO Group**, formerly **Wackenhut Corp.**, to which Idaho inmates were moved after problems at another GEO facility in Newton County, Texas, last year. But members of the state Board of Correction were concerned on Monday. "They're not meeting the terms of the contract," said board Chairwoman Robin Sandy. "Maybe I'm just used to enforcing a contract a little more aggressively." (Betsy Russell, 5/1/07, <http://www.spokesmanreview.com/idaho/story.asp?ID=187336>)

## ILLINOIS

- ◆ **Riot:** Pulaski County State's Attorney Grayson Gile will weigh in on whether to press charges following a riot involving nearly 50 inmates of the Tri-County Justice and Detention Center in Ullin on Friday evening. The Illinois State Police responded around 8:30 p.m. Friday to a call that 46 inmates had barricaded themselves inside a housing area and began setting fire to mattresses and books. When Pulaski County Sheriff Randy Kern, warden of the Tri-County Correctional Center, and police arrived, inmates refused orders to peacefully exit the burning area. With the aid of 18 local agencies including fire and ambulance services, officers began firing tear gas projectiles into the facility just after 9 p.m. Inmates began to slowly exit the building. Each was decontaminated, taken into custody and individually secured in a separate area of the facility.

A 226-bed facility, the Tri-County Justice and Detention Center is owned by the **GEO Group**, headquartered in Boca Raton, Fla. (Ashley Wiehle, The Southern, 6/3/07, <http://thesouthern.com/articles/2007/06/03/top/20469540.txt>)

- ◆ **Riot/Investigation:** A weekend riot involving one-fifth of Tri-County Justice and Detention Center's inmates may have been contained in less than an hour, but the incident is not over as far as area law enforcement officials are concerned. The Pulaski County Sheriff's Department, along with the Illinois State Police, is conducting an investigation into the incident, which began on Friday evening when 46 inmates at the Ullin facility barricaded themselves in a room and began setting fire to mattresses and books. "We're investigating why it happened, how it happened and we're going to get down to who needs to be charged," Sheriff Randy Kern said.

Pulaski County owns the Tri-County building, and the jail's management is contracted to the **GEO Group** headquartered in Florida. Kern also serves as warden for the 226-bed facility. (Ashley Weihle, The Southern, 6/5/07, <http://www.southernillinoisan.com/articles/2007/06/05/top/20489174.txt>)

## INDIANA

- ◆ **Escape:** Jared Bailey can do more than just create fake court papers from inside his jail or prison cell. The 23-year-old walked away from the New Castle Correctional Facility Feb. 17 with the help of a female friend who Indiana State Police say was duped into believing Bailey's time behind bars was up. "Bailey was released from the New Castle Correctional Facility to a female who was carrying what appeared to be a community corrections ID from Marion County, Indiana, along with a court order calling for the release of offender Bailey to Marion County Community Corrections," according to the press release, which was written by the prison's public information officer Trina Randall. Bailey's family members notified police Feb. 19 that he had been released by mistake. Early the next morning, he was arrested in Needham, a small Johnson County community about 20 miles south of Indianapolis.

Randall said **The GEO Group**, the private company that manages the New Castle prison for the Indiana Department of Correction, conducted an investigation of the incident. When The Star Press

asked for a copy of the investigation report, Randall said, "I think that's confidential." (Joy Leiker, The Star Press, 2/28/07,)

<http://www.thestarpress.com/apps/pbcs.dll/article?AID=/20070228/NEWS01/702280334>

- ◆ **Drug Dealing (GEO):** Two convicted felons, including one from Muncie, have been accused of operating a marijuana-dealing operation within the walls of the New Castle Correctional Facility. Matthew D. Wilson, 24, Bedford -- serving a one-year sentence for a Lawrence County theft conviction -- has been charged with dealing in marijuana, a class D felony, and possession of marijuana, a misdemeanor, in Henry Superior Court 2. King Parrish, 20, Muncie -- serving a six-year sentence imposed in 2005 for a Delaware County robbery conviction -- is charged with misdemeanor counts of dealing in marijuana, possession of marijuana and possession of paraphernalia. According to state police, Wilson was found to be carrying a bag of marijuana. Nine other bags were later recovered from Parrish's cell. (3/15/07),  
<http://www.thestarpress.com/apps/pbcs.dll/article?AID=/20070315/NEWS01/703150323/1002>

- ◆ **Riot:** Plans to move more Arizona inmates to the privately operated New Castle Correctional Facility are on hold until officials can assess damage to the prison from a Tuesday riot, Indiana Department of Corrections Commissioner J. David Donahue said. Two guards were treated at a New Castle hospital for minor injuries suffered during the Tuesday afternoon riot and eight inmates received treatment within prison walls, mostly for eye irritations related to tear gas, Donahue said. Prison guard Larry Savage told the Associated Press he and five other employees -- two guards and three maintenance workers -- barricaded themselves inside a room as dozens of inmates tried to break in before a prison response team arrived about 15 minutes later.

"They were wrapped up in masks, with sticks, knives, shanks," Savage said of the inmates. "They were just flexing their muscles and they wanted to show that they could take the prison over at any time, and that's what they did."

The first 104 of the Arizona inmates arrived March 12 and as of Tuesday the prison housed 630, according to Trina Randall, spokeswoman for **GEO**, the private correctional firm that operates the facility. But even before Tuesday's riot, Arizona officials had decided to stop sending inmates to the New Castle prison because a recent visit raised "serious security concerns." Dora Schriro, director of the Arizona Department of Corrections, visited the New Castle facility on Thursday and found insufficient staffing -- in the form of 37 guards -- for her state's 630 inmates, said Katie Decker, a spokeswoman with the department. Schriro also was concerned about where officers were stationed. How many guards were in the prison during the riot was unavailable Tuesday. A female guard, who spoke to The Star Press on the condition of anonymity out of fear she would lose her job, said Arizona inmates overpowered staff, started breaking out windows, smashing furniture and threatened to rape her.

Dozens, if not hundreds, of officers from the Indiana State Police, Henry, Madison and Delaware counties sheriff's department's, New Castle and Middletown police, and other agencies responded. (Nick Werner, The Star Press, 4/25/07, By NICK WERNER, [nwerner@muncie.gannett.com](mailto:nwerner@muncie.gannett.com))

- ◆ **Poor Planning (GEO):** The city of New Castle has no written plan on how to respond to an emergency at the New Castle Correctional Facility. Mayor Tom Nipp, who previously has heralded the addition of jobs and inmates at the prison, didn't back down from that support Tuesday night, hours after Indiana and Arizona inmates had rioted inside the prison located on the city's north side. When an emergency occurs, Nipp said responders don't have time to review a thick book of procedures. They must do what they did Tuesday -- act. (Joy Leiker, 4/25/07,)

<http://www.thestarpress.com/apps/pbcs.dll/article?AID=/20070425/NEWS01/704250335/1002>)

- ◆ **Criticism:** Democrats today called for Gov. Mitch Daniels to launch a comprehensive investigation on staffing at the New Castle Correctional Facility. Party leaders said they decided to call for an investigation after learning that Arizona suspended inmate transfers to the New Castle prison last week because of concerns the prison didn't have enough staff. New Castle is run by the Florida-based **GEO Group** as part of a \$53 million contract negotiated by Gov. Mitch Daniels' administration. Daniels is a Republican. "In his outright zeal to privatize everything, we need to know if Mitch Daniels has jeopardized public safety in our state," said Indiana Democratic Party Chairman Dan Parker in a prepared statement.

House Speaker B. Patrick Bauer, D-South Bend, said today that Indiana should cancel the contract that sent hundreds of Arizona criminals to Indiana's privately run prison at New Castle.

About 500 Arizona and Indiana inmates at the New Castle Correctional Facility were involved in an uprising Tuesday in which nine people -- two prison employees and seven inmates -- suffered minor injuries. "Prison for profit is not a good idea," he said. "They're not our prisoners. They're Arizona's prisoners. They shouldn't have been sent here in the first place." (John Strauss, The Indianapolis Star, 4/25/07, <http://www.indystar.com/apps/pbcs.dll/article?AID=/20070425/LOCAL19/70425014>)

- ◆ **Inmate Transfer:** Indiana authorities have transferred more than 200 inmates who helped instigate a two-hour riot at a state prison, officials said Wednesday. The transfers from the New Castle Correctional facility included 69 inmates from Arizona, who have been moved to the Wabash Valley prison near Carlisle. A total of 151 inmates from Indiana were taken to the Plainfield Correctional Facility, according to a news release from the Indiana Department of Correction. Some of the newly arrived inmates had complained about a lack of recreation and other programs, said Trina Randall, a spokeswoman for **GEO Group Inc.**, the Boca Raton, Fla.-based company that in January 2006 took over the prison's management. (Tom Murphy, The Associated Press, 4/25/07, <http://www.fortwayne.com/mld/fortwayne/news/local/17132800.htm>)

- ◆ **Riot Aftermath:** Insiders claim the Department of Correction and **Geo Group** are not telling the truth about what really happened. A New Castle correctional officer, who did not want to be identified because he didn't want to lose his job, emailed: "These (Arizona) offenders are apparently violent and have been since day one. GEO Group and the Arizona Department of Corrections are telling the media that these individuals are not murderers or sex offenders. This is not a true statement." And this from a former inmate: "The control room should have locked everything down completely! It sounds to me that they lost control before the riot even started." DOC confirms the facility was locked when the riot started, but told I-Team 8 offenders were able to override the system and manually unlock housing unit doors. How did that happen?

Since Tuesday, I-Team 8 has been asking Indiana, Arizona and Geo Group that manages New Castle for a list of the Arizona inmates to find their crimes and sentences. Already I-Team has found a man serving time for murder. Repeated requests for information and interviews have been denied. (4/27/07, <http://www.wishtv.com/global/story.asp?s=6438409>)

- ◆ **Riot (Editorial):** The state's probe into causes of the April riot at New Castle Correctional Facility does not exactly validate J. David Donahue's early defense of the for-profit corporation running the prison. Whereas Donahue, commissioner of the state Department of Correction, spoke favorably of staffing levels and the overall management of the situation by **GEO Group** shortly after the incident, the DOC's

own study found serious problems with the inexperience of that staff and with the haste and handling of inmate transfers from Arizona.

Now that the debris is being cleared, damage is being assessed and charges are justifiably being weighed against prisoners who took part in the violence, officials must ask whether the freeze Donahue has imposed on the transfers should ever be thawed. Certainly, Arizona authorities are skeptical of GEO's capability of keeping the lid on. Days before the riot, they put a hold on transfers out of concern about staffing at New Castle.

To say the least, the jury is out on privatization of corrections. In a 2004 report in the academic journal *Federal Probation*, university researchers Curtis R. Blakely and Vic W. Bumphus said they had found private prisons to pay far less than the public sector, to have lower staff-to-inmate ratios, to have higher staff turnover and to have far more inmate assaults. (5/31/07, <http://www.indystar.com/apps/pbcs.dll/article?AID=/20070531/OPINION/705310440/1002/OPINION>)

## KANSAS

- ◆ **No Privatization:** The state inmate population is expected to exceed the system's capacity within two years, officials said Wednesday. "There ain't no free lunch," Senate Judiciary Committee Chairman John Vratil, R-Leawood, said. "If the public wants us to be tough on crime, they need to understand there's a price tag." Legislation to contract with a private firm to build an additional prison has been filed, but a similar proposal died last year. Vratil said there is "dwindling support" in the Kansas Legislature for private prisons because of problems other states have had with them. (Scott Rothschild, 1/10/07, [http://www2.ljworld.com:80/news/2007/jan/10/corrections\\_chief\\_20\\_million\\_prison\\_needed/](http://www2.ljworld.com:80/news/2007/jan/10/corrections_chief_20_million_prison_needed/))
- ◆ **Privatization Bill Opposed:** State prison and religious leaders Wednesday testified against a proposal that would allow a private prison in the state. "Making a profit on incarcerating men and women is especially troubling in light of the prevailing characteristics of persons who populate our prisons — those who are poor, illiterate, addicted and mentally ill," said Sister Therese Bangert, speaking on behalf of the Kansas Catholic Conference. Her comments were made in reaction to House Bill 2029, which would allow the state to enter into a contract for a private prison.  
But Kansas Corrections Secretary Roger Werholtz said private prisons couldn't operate more efficiently or cheaper than an expansion of state capacity. "I believe the state's correctional interests are best served through maintaining state operation of our corrections capacity," he said. (Scott Rothschild, 3/8/07, [http://www2.ljworld.com/news/2007/mar/08/private\\_prison\\_measure\\_criticized/](http://www2.ljworld.com/news/2007/mar/08/private_prison_measure_criticized/))
- ◆ **Inmate Drug Dealing:** A man has been sentenced to 40 years in federal prison after he orchestrated drug deals while an inmate at a Leavenworth detention facility, according to a news release from the U.S. attorney's office. Francisco Ortiz, 22, Kansas City, Kan., was sentenced Wednesday for using his 16-year-old sister and other family members to deal drugs for him while he was awaiting sentencing in a federal drug trafficking case. Ortiz allegedly orchestrated deals by telephone while an inmate at the **Corrections Corporation of America** Leavenworth Detention Center. The records showed he had been engaging in multiple drug transactions through associates and family members who were not incarcerated, including his sister and his mother. (John Richmeier, 4/27/07, <http://www.leavenworthtimes.com/articles/2007/04/28/news/news05.txt>)
- ◆ **Privatization Debate:** Searching for a way to ease jail crowding and save money, Johnson County commissioners are considering striking a deal with a private, for-profit corrections facility in Leavenworth. Officials with **Corrections Corp. of America**, one of the nation's largest private penal

firms, will meet with commissioners today to consider how the two could work together to meet the county's growing need for jail space. Sheriff Frank Denning says the problem has been ignored for nearly a decade, but opposes the idea of private jails.

Nashville, Tenn.-based Corrections Corp. wants to expand its operation on the western bluff of the Missouri River to build more beds for federal prisoners. Supporters of for-profit jails say the private sector can do the job more efficiently and save taxpayers up to half the cost of inmate boarding. Critics contend bottom-line law enforcement is a risk to public safety that is not worth taking. Private jails are not the answer, Denning said.

"There aren't very many success stories out there," he told commissioners. "And there should not be any profit in people." Ken Kopczynski of Private Corrections Institute Inc., a nonprofit group that opposes private prisons, said for-profit firms are notoriously understaffed and have turnover rates as high as 50 percent. Deputies in Johnson County have a 6 percent turnover rate. For-profit jailers are salesmen, he said. "They're going to tell you whatever ... you want to hear to get you to purchase their product, which is bed space. They can promise you everything in the world ... but we have enough documentation to prove that they are a really bad idea." (Finn Bullers, The Kansas City Star, 5/30/07, <http://www.kansascity.com/115/story/129680.html>)

## LOUISIANA

- ◆ **Escape:** It was between two and three in the afternoon Wednesday when Brian Scott escaped from the Allen Correctional Center by scaling the fence. Scott is convicted of felony theft and as a fugitive was considered dangerous. The prison is a medium security state facility but is operated by a private company, *The Geo Group*. Warden Terry Terrell says that with the help of numerous law enforcement agencies, procedures were put in effect to identify the missing inmate and get a manhunt underway to capture him.

In such cases they notify those who live near the prison, that is if they've signed up to be notified when there's an escape. But people who live near the prison such as in this area called Hickory Flat say they need to do a better job of alerting the public when an inmate escapes. Explains Virgil Richard, "We're taxpayers. Why can't they burn a little gas and let us know something. They were supposed to have had a horn, an alarm system and we don't have that." (Theresa Schmidt, 3/15/07, <http://www.kpctv.com/Global/story.asp?S=6234416&nav=0nqx>)

## MAINE

- ◆ **Proposed Inmate Transfer:** The proposed transfer of 125 inmates to a privately owned prison in Oklahoma as part of a plan to ease overcrowding in Maine prisons has come under fire from civil rights groups and defense lawyers. Those opposing out-of-state transfers include the Maine Civil Liberties Union, the Portland branch of the National Association for the Advancement of Colored People, and the Maine Association of Criminal Defense Lawyers. Critics say sending prisoners far from home would cut off community support and hamper their ability to pursue legal appeals.

The Oklahoma prison is owned by Tennessee-based *Corrections Corporation of America*, the nation's largest private prison company.

Maine's increase in prison population seems to be linked to a rise in people with shorter sentences being sent to state prison rather than county jails, and to a steady climb in the number of people sentenced for sex and drug crimes. (The Associated Press, 4/15/07, <http://www.seacoastonline.com/apps/pbcs.dll/article?AID=/20070415/NEWS/70415013>)

- ◆ **Opposition:** Democratic Governor John Baldacci's proposal to ship 125 Maine prisoners 2000 miles to a Corrections Corporation of America (CCA) lockup in the Oklahoma boondocks has run into a chainsaw of criticism within his party. Critics are raising questions, too, about the appropriateness of a corporation lobbying the Legislature to imprison human beings for profit. The NAACP Portland Branch and the Maine Association of Criminal Defense Lawyers are opposed to shipping prisoners out of state. The groups say it would prevent families from seeing prisoners, and "The best way to prevent re-offense after release is through strengthened ties to the community," as several organizations wrote the Appropriations Committee in a letter. These critics also are opposed in principle to private, for-profit prisons. "When you combine the profit motive and the desire to cut costs with a captive client base," bad outcomes occur, says David Fahti of the MCLU's parent, the American Civil Liberties Union, in Washington, DC.

Frank Smith, of the Private Corrections Institute, another industry critic, says escapes, guard turnover, assaults, prisoner recidivism (return to crime), and corruption are high in for-profit prisons. He says the Corrections Corporation of America's North Fork Correctional Facility, in Sayre, Oklahoma — where the Maine prisoners would be sent — saw Wisconsin pull its prisoners home because of high inmate phone charges, leaving the prison empty for years. Mary Ellen Pecci, a Bath restaurateur whose son Jason Pecci has been a Colorado prisoner at North Fork since January, says it has been "locked down two or three times" since he arrived because it doesn't have good ways of handling problem inmates. By contrast, the Maine State Prison has had one lockdown in five years.

Although most legislators don't see a problem, outside-the-State-House critics are dismayed by CCA's lobbying of the Legislature to get Maine's business. "We are now seeing a lobbying effort that treats prisoners as property," says Lynne Williams, chair of the Maine chapter of the liberal National Lawyers Guild, in an e-mail. CCA is known for its political involvement. It indirectly contributed \$6000 to Baldacci's re-election campaign via the Democratic Governors Association and \$17,500 to Republican Chandler Woodcock's campaign, indirectly, via the Republican Governors Association. (Lance Tapley, 4/25/07, [http://thephoenix.com/article\\_ektid38746.aspx](http://thephoenix.com/article_ektid38746.aspx))

## MARYLAND

- ◆ **Poor Care/Understaffing:** Maryland's private contractors for prison inmate health services were recently cited by auditors from the Office of Legislative Audits for staffing shortages, not performing medical exams in a timely fashion and incomplete data. Correctional Medical Services of St. Louis was paid \$49.2 million in fiscal 2006 for medical services for prisoners, according to the auditor's report. "Better oversight is needed by the Department of Public Safety and Correctional Services to ensure that health care contractors are effectively providing health care to Maryland's 26,000 inmates," the report states. Correctional Medical had an 11 percent staffing shortage in May 2006, the equivalent of 66 full-time positions, the report says. The company was also not required to develop formal plans to correct deficiencies such as "untimely initial and chronic care medical exams." A 2002 report by the U.S. Department of Justice found that at least six deaths in Baltimore city's detention center were due to chronic health neglect. (Kevin Shay, 4/6/07,) [http://www.gazette.net/stories/040607/businew184256\\_32350.shtml](http://www.gazette.net/stories/040607/businew184256_32350.shtml)
- ◆ **Inmate Death:** The mother of a mentally troubled man who died in state custody has filed a \$2 million lawsuit following his overdose on prescription medication given to him at the Baltimore City Detention Center. Verbena Harris is suing the state, the Department of Public Safety and Correctional Services and Prison Health Services Inc. for malpractice and the wrongful death of her son, Ronald E. Faulk. "Not only is this another piece of evidence of the way Prison Health Services has failed to live up to the

standard of care necessary, it's another example of what happens to men like Mr. Faulk," said Alison Kohler of Dugan, Babij and Tolley LLC, Harris' attorney. After his arrest, he allegedly went more than a week without receiving medication of any kind, despite being evaluated and prescribed medication by physicians at the detention center. Faulk was twice referred for a psychiatric evaluation he never received, and physicians' orders to monitor his heart and blood pressure daily were not followed, the complaint alleges. By the morning of March 3, 2004, Kohler said, Faulk was "agitated and manic," pacing the room and asking repeatedly for his medication. Later that day, staff nurses gave Faulk an entire month's supply of blood pressure medication, rather than administering it dose-by-dose as ordered by the facility physicians, the complaint says. Faulk died at Hopkins early the next day. An autopsy confirmed that the cause of death was an overdose of the blood pressure medication given to him at the detention center.

This is not the first time a death in custody has provoked debate about Baltimore City Detention Center's health services. The American Civil Liberties Union's National Prisons Project and the Public Justice Center in Baltimore sued the state in 2003 to improve conditions at the detention center and central booking facility in Baltimore. The suit is in negotiations, according to Elizabeth Alexander, director of the ACLU's prisons project. Alexander said the ACLU suit highlights multiple cases of serious medical neglect at the jail that have aggravated chronic conditions and in some cases caused death. Prison Health Services Inc., a defendant in both Harris' suit and the ACLU's, has traditionally had "a very bad reputation, particularly in administering medication," Alexander said. (Liz Farmer, 6/6/07, <http://www.mddailyrecord.com/article.cfm?id=1453&type=UTTM>)

## MASSACHUSETTES

- ◆ **Misuse of Funds:** *Spectrum Health Systems Inc.*, its former management company and a former executive have agreed to repay about \$7.5 million to the state to settle charges that Spectrum misused state money. *CiviGenics Inc.* of Marlboro, which held a management contract with Spectrum from 1996 to 2002, will pay the state \$3.4 million, Mr. Reilly's office said, and CiviGenics President Roy Ross will pay the state \$650,000.

Spectrum, with 700 employees, is a nonprofit human services organization that concentrates on treatment programs for substance abusers. In Massachusetts, Spectrum's biggest state client is the Department of Youth Services. In 2004, state Auditor A. Joseph DeNucci released an audit claiming that Spectrum had misused \$17.4 million in state money over 10 years, mostly through a no-bid contract that allegedly funneled \$10.2 million in excessive payments to CiviGenics. The audit also alleged that Spectrum paid nearly \$1 million in unallowed compensation to a former chairman for undocumented consulting services provided while he was living in Alaska and Florida.

CiviGenics operates prisons and substance abuse programs in secure facilities. Mr. Ross, its president, formerly ran Spectrum. (Lisa Eckelbecker, 1/13/07, <http://www.telegram.com/apps/pbcs.dll/article?AID=/20070113/NEWS/701130356/1116>)

- ◆ **Lawsuit:** A company that unsuccessfully bid on a contract to provide medical services inside the state's prisons filed suit yesterday, seeking to block the awarding of the \$300 million contract to the University of Massachusetts Medical School, which already provides health services to the state's prisoners. *Correctional Medical Services*, which provided health services to the state's prison population from 1994 to 2002, contends that its proposal was superior, less expensive for taxpayers, and rated higher by an evaluation team. A hearing on the firm's request for an injunction is scheduled tomorrow in Suffolk Superior Court. "Following a fair and open procurement process, the [Correction Department] awarded the contract to the vendor who it determined would provide the best value to the Commonwealth," said

spokeswoman Diane Wiffin. "We are confident the Commonwealth and the Department of Correction will be well served with UMass as the provider of medical services." (Andrea Estes, 6/27/07, [http://www.boston.com/news/local/massachusetts/articles/2007/06/27/losing\\_bidder\\_sues\\_to\\_block\\_prison\\_contract/](http://www.boston.com/news/local/massachusetts/articles/2007/06/27/losing_bidder_sues_to_block_prison_contract/))

- ◆ **Lawsuit Ruling:** A Suffolk judge has slapped down a lawsuit alleging improprieties in the awarding of a \$300 million contract to provide medical care to prison inmates. Judge Allan Van Gestel denied an injunction filed by **Correctional Medical Services** that would have blocked the state from a five-year contract with the University of Massachusetts Medical School. (6/30/07, <http://news.bostonherald.com/localRegional/view.bg?articleid=1008980>)

## MICHIGAN

- ◆ **Cost Savings:** *Gov. Jennifer Granholm talked to the Free Press Editorial Board on Friday about state finances -- and promised not to sell the Mackinac Bridge to pay the bills. Here are excerpts of that conversation.*

### **Q: What about prisons?**

**A:** Here's the kicker on this, we privatized the Baldwin prison and it was more expensive. ... It's really a question of management. If you are managing a system well, and you are not taking profit out, then arguably the state's management of it can be cheaper than the private sector's. (2/11/07)

**Inmate Deaths:** Doing time in Marquette Branch Prison, he begged prison doctors to treat his hepatitis C, but was turned down, told it would cost too much, a friend, Jackie Deming, told a state legislative committee Tuesday. When he was diagnosed with stomach cancer in November, Heinz asked for pain medication and was given two Tylenol in the morning and two at night, Deming testified. He was scheduled for cancer surgery, but then was transferred to another prison where the medical personnel said they had no record of his illnesses. Heinz died Feb. 5 at age 51.

Deming's testimony came minutes after state Corrections Department officials assured the same panel -- the Corrections Subcommittee of the House Appropriations Committee -- that inmates receive adequate medical care. "We meet the community standards that are provided in any HMO," Barry Wickman, head of the Corrections Department's bureau of fiscal management, told the subcommittee. The department's contract with **Correctional Medical Services**, the for-profit company that has provided medical care in Michigan's prisons for the past decade, expires May 1, but Wickman said the department may extend it another year while the National Commission on Correctional Health Care conducts an investigation ordered by Gov. Jennifer Granholm. Every year, the department files the same report assuring the Legislature that CMS is providing medically necessary services to prisoners. William Clancy, a prison psychologist and union steward, spoke out against what he called "the hoax perpetuated by the Department of Corrections as far as the quality of health care in the prisons."

"I ask you, if CMS is providing medically necessary service, then why are prisoners dying unnecessarily?" Clancy said.

He noted the case of Anthony McManus, who died Sept. 8, 2005, in the Baraga Correctional Facility after CMS doctors repeatedly failed to heed nurses' requests to examine him. McManus, who was mentally ill, refused to eat, and his weight dropped from 140 pounds in April 2005 to 75 pounds five months later, when he died.

His remarks were echoed by Gary Peterson, employed to schedule inmates' medical appointments at Marquette Branch Prison. Before the state privatized the medical care, the prison had three doctors, each seeing an average 25 to 30 inmates a day, said Peterson, a steward for the UAW local representing some

prison employees. After CMS took over the care, the prison was cut back to one doctor seeing an average of eight to 10 patients a day, he said. The CMS doctors frequently quit, he said, leaving the prison without a physician. On Monday, a CMS doctor was fired, Peterson said, because he was not fully licensed to practice medicine in Michigan. "I believe the attorney general should be asked to look into the handling of this contract, as well as CMS's failure to honor its obligations," Peterson said. (Pat Shellenbarger, The Grand Rapids Press, 2/28/07, <http://www.mlive.com/news/grpress/index.ssf?/base/news-34/1172678116243210.xml&coll=6>)

- ◆ **Inmate Deaths (Editorial):** I wouldn't wish the last year of Theresa Vaughn's life on anyone. But I would like Gov. Jennifer Granholm, state legislators and the people running the Department of Corrections to feel a moment of her pain. Maybe they would feel some urgency to fix the prison health care system that killed her 21-year-old son, Timothy Joe Souders. Souders, a mentally ill inmate serving one to four years for shoplifting, died of heat and thirst last August at a state prison in Jackson, after spending most of his last four days strapped down in a hot cell, naked and soaked in his own urine. The family has hired Geoffrey Fieger's law firm and is suing 36 employees of the Department of Corrections and its private medical services contractor, **Correctional Medical Services Inc.**, over Souders' death.

A similar case, also handled by Fieger's firm, in the death by dehydration of another mentally ill inmate, 39-year-old Jeffrey Clark, brought in May a nearly \$3-million verdict against MDOC employees from a federal jury in Lansing. Unfortunately, pressure like this is the only thing the state understands. While admitting mistakes in Souders' death and firing a nurse, it has not acknowledged a serious or systematic problem with prison health care, despite compelling evidence contained in hundreds of pages of court documents. (Jff Gerritt, The Free Press, 7/5/07, <http://www.freep.com/apps/pbcs.dll/article?AID=/20070705/OPINION01/707050340/1069>)

## MISSISSIPPI

- ◆ **Drug Smuggling:** A jailer at the Leflore County jail has been arrested and charged with introducing contraband after money and marijuana was found in his mashed potatoes. 37-year-old Robert Earl Hannon, a **Corrections Corporation of America** jailer, was arrested over the weekend. Sheriff Ricky Banks says an unknown woman brought Hannon's lunch to him. Upon examination, authorities found 200 dollars and two ounces of marijuana inside his mashed potatoes. Investigators became suspicious when Hannon made a statement that he didn't eat potatoes but had a large portion delivered to him at the jail. (2/22/07, <http://www.wmcstations.com/Global/story.asp?S=6129397>)
- ◆ **Contraband:** An investigation into whether a Hawai'i inmate had obtained a firearm in a Mississippi prison prompted a lockdown and search of the facility, and led to the firings of five private prison employees, according to Hawai'i prison officials and the **Corrections Corporation of America**. No gun was found during the search of the Tallahatchie County Correctional Facility, but the incident uncovered unspecified prison contraband that triggered state and federal criminal investigations at the prison, according to Hawai'i and CCA prison officials. Victoria Holly, human resource manager and public information officer for the prison, said the 1,104-bed facility was locked down on Feb. 21, and did not return to normal operations until March 15.

Hawai'i inmates at the Red Rock Correctional Facility in Arizona said the problems in Mississippi prompted shakedowns in Arizona as well, but CCA spokeswoman Louise Grant said she believes the Tallahatchie concerns were limited to that prison alone. (Kevin Dayton, Advertiser Big Island Bureau, 4/6/07, <http://the.honoluluadvertiser.com/article/2007/Apr/06/ln/FP704060382.html>)

- ◆ **Opposition:** Pike County citizens will “have no control whatsoever” over conditions or the operation of a private prison proposed at Fernwood if it comes to fruition, a retired circuit judge told the McComb Rotary Club Wednesday. Neither will there be any restrictions on the type of prisoners housed there, according to Joe N. Pigott of McComb, who was a former county prosecuting attorney and district attorney before becoming circuit judge. Pigott and retired dentist Dr. J.K. McDonald of Fernwood spoke against the prison in rebuttal to a program at Rotary two weeks ago featuring officials of **Corrections Corporation of America**. CCA wants to construct a 1,500-bed prison on county-owned industrial property at Fernwood. A state-run prison like Parchman, Pigott said, is responsible to the people who can put pressure on legislators for reform. What happens in a private prison “is beyond our control, and that scares me.” (Charles Dunagin, Enterprise-Journal, 4/12/07)
  
- ◆ **Privatization Voted Down:** Tuesday’s referendum results showed that opposition to a proposed Pike County prison stretched county-wide, from Osyka in the south to Johnston Chapel in the north, Holmesville in the east to Pisgah United Methodist Church in the west. Voters went 3,854 against the prison and 2,721 for it, according to unofficial returns. Prison opponent Joe Pigott, a retired judge and veteran political watcher, said **Corrections Corporation of America** officials erred in thinking they had broad support early on. Referendum results shattered notions that opposition stemmed mainly in Fernwood, where the prison would have been located, and that Magnolia residents would support it because their town would derive substantial utility fees from the prison. “That’s obviously not true,” Graves said of the Fernwood theory. The voter turnout, 26 percent, was high for a single-issue special election, Graves said, but that’s still just about a quarter of the voting public. (Ernest Herndon, Enterprise-Journal, 4/18/07)
  
- ◆ **Opposition:** The closer to the deadline for the prison petition, the more heated things get. Petition organizers Robert Palmer and Charles Wheat stood outside St. Mary Basilica after Mass Saturday asking people to sign the petition. Tuesday is the deadline for a petition asking for a vote on the issue. The men said they were hoping to get signatures after an announcement during the service declared the official stance of the Catholic bishops on the issue. An announcement in the bulletin passed out Saturday addresses the private prison proposal.
 

“The Catholic bishops have made it clear that for-profit prisons are morally unacceptable,” it reads. “In light of the fact that a prison of this kind is under consideration for Adams County, we suggest that an election be called.” It asks members to sign the petition asking for a vote, and is signed by the bishop liaison for the Catholic Committee of the South.

Standing alongside Wheat was church member Kirk Bartley, who said he wanted to dissuade people from signing the petition. An election would cost the county thousands of dollars and drive away **CCA** and the potential jobs it would provide, Bartley said. (Katie Shallsup, The Natchez Democrat, 4/24/07)
  
- ◆ **Blind Vote:** The board of aldermen agreed on a more binding agreement between the city and county governments regarding water and sewer services to a private prison Tuesday. Walter Brown, who represents the private prison company **CCA** and the city waterworks, asked the aldermen to sign an interlocal agreement. Because CCA wants to meet the GO Zone deadline to benefit from financial incentives, time was short, Brown said. “CCA still wants to take the deed by July 1,” Brown said. “We’re really under the gun to meet their timeline.”
 

Some of the parties involved, such as Adams County Water Association and the county have asked for changes to the original draft of the agreement, he said, so he did not have the final document at

Tuesday's meeting. That didn't sit well with Alderman James "Ricky" Gray. "It's kind of unusual for me to sit up here and vote for something I haven't seen and the city attorney hasn't read over," Gray said. "I like to read over something before I vote and sign it." Brown said he would be happy to get copies of the draft to anyone interested. (Katie Stallcup, The Natchez Democrat, 6/12/07, <http://www.natchezdemocrat.com/articles/2007/06/16/news/news500.txt>)

## MISSOURI

- ◆ **Escape:** An escaped Missouri convict was captured in Des Moines today, said Neil Shultz of the Polk County Sheriff's Office. Abdul Jackson had been missing since Friday from the Midwest Security Housing in Pattonsburg, Mo. He was arrested at 3422 S.W. Eighth St. Shultz said he understood Jackson's mother lives at the house. Shultz said Jackson, who was considered dangerous by authorities, was arrested without incident. Jackson is a Polk County inmate who was in Missouri due to jail crowding, Shultz said. **Midwest Security Housing** is a privately operated prison in Missouri, used frequently by Polk County to house inmates. Shultz said the facility is "secure" but "sometimes, things happen. We're glad we have him in custody again." (Meghan V Malloy, 5/30/07, <http://desmoinesregister.com/apps/pbcs.dll/article?AID=/20070530/NEWS/70530027/1001/COMM05>)
- ◆ **Inmate Death:** A delay in letting paramedics into the city jail and "substandard" emergency care by staff there may have doomed an inmate who suffered an asthma attack, according to a blistering report by the fire department. One of the paramedics who treated LaVonda Kimble early April 11 wrote of commonly encountering delays and apathy on calls to the St. Louis Justice Center, at 200 South Tucker Boulevard. And autopsy findings obtained Wednesday showed no trace of the drug that jail nurses said they repeatedly administered to ease Kimble's breathing.

Sam Simon, the city director of public safety, pledged to learn more about what happened, and about the medical care provided under contract for more than \$5 million a year by **Correctional Medical Services**. The Creve Coeur-based private company has come under heavy criticism in Missouri and elsewhere for years.

Kimble, 30, the single mother of a 12-year-old child, wasn't supposed to be in jail in the first place. Her boyfriend had posted bond for her about 6:30 p.m. on April 10 in Bel-Nor, which had a traffic warrant against her. That was about four hours after her arrest by St. Louis police. But a release order went to the wrong jail, a mistake that wasn't corrected until she was already dying.

Kimble fell ill about 10:20 p.m. According to jail records, she received three separate treatments of Albuterol, a medication to ease breathing, before she collapsed at 1:25 a.m. Firefighters from nearby Engine Co. 2 arrived at 1:40 a.m. and began CPR. Medic 5 was five minutes behind, but spent seven or eight minutes thereafter waiting to get in, according to a report by fire department paramedic Chastity Girolami. Girolami noted that when medics asked a nurse if she had used an automatic defibrillator to try to restore Kimble's heartbeat, "She just looked at us and asked what we were talking about." She also wrote that a corrections officer distracted paramedics with questions about their ID numbers while they struggled to save Kimble's life; the medics twice asked jailers to back off. "She kept persisting and finally my partner informed the staff that this patient was in cardiac arrest and basically dying, and they would have to wait," Girolami wrote. "The staff was surprised at this. They didn't know the patient was in cardiac arrest." "This experience at the Justice Center was by far my worst," Girolami wrote. She complained, "Every time I've been to the Justice Center, it takes 10 to 15 minutes to even get to the patient. There is never anyone to guide us and never any sense of urgency." (Heather Ratcliff, St Louis Today, 6/7/07,)

<http://www.stltoday.com/stltoday/news/stories.nsf/stlouiscitycounty/story/2CF402268C2FCE1B862572F30014D828?OpenDocument>)

## NEW JERSEY

- ◆ **Lawsuit:** It was emblematic, perhaps, of his status among the righteous that no one rose to help him. The convict, a sick man, tripped over his leg shackles. Albrecht, 50, is suing a company paid nearly \$100 million a year in public funds to provide health care to 27,000 state prison inmates. He contends **Correctional Medical Services Inc.** of St. Louis failed to provide timely diagnosis and treatment of an often fatal disease that infects him and a large number of fellow inmates -- hepatitis C. He is not the first inmate to sue -- handling the infection among convicts is a controversy that has raged for five years in New Jersey -- but he is conducting a complex legal trial completely on his own. He is up against (literally) Philadelphia lawyers and a judge who has thrown out much of his case by refusing to allow witnesses on which he relied heavily. He elicited dramatic testimony from his own expert witness -- Esteban Mezey, a liver specialist from Johns Hopkins University, who was critical of his treatment. He held up well under cross-examination from the Philadelphia lawyers. And, the other day, the day he fell, Albrecht conducted his own cross-examination of the company's expert witness, a professor named Carroll Leevy, and the contrast with what the legal pros did was remarkable.

One issue is the amount of medication he received once treatment, delayed for months, finally began. Leevy insisted a lesser amount -- given by the company -- was appropriate, but Albrecht got the doctor to admit that he prescribed more of the drug for his own patients and wrote at least one scholarly article recommending a higher dosage. Leevy said the nearly two-year delay in treating Albrecht "would not make a significant difference," in his condition but, under Albrecht's questioning, Leevy conceded he would never treat his own patients that way. (2/5/07, <http://www.nj.com/columns/ledger/braun/index.ssf?/base/news-6/11706560008960.xml&coll=1>)

## NEW MEXICO

- ◆ **Poor Care:** For Elizabeth Ocean, the poor medical and psychological care at Southern New Mexico Correctional Facility (SNMCF) in Las Cruces had become too much to bear. After three years working as a mental health counselor there, she quit her job last March. Ocean tells SFR that inmates reported waiting weeks, even months, for medical and dental appointments and to receive prescription medications. Elizabeth Ocean says she quit working at a Wexford-run facility because of "the poor quality of care." Ocean says, "They were going and putting in requests and waiting so long to be seen. A lot of times, they were being told there was nothing wrong with them."
- ◆ **Wexford Health Sources,** a private, Pennsylvania-based company, has handled health care in New Mexico's state prisons since July 2004. On the heels of a six-month SFR investigative series on Wexford, in which many former and current Wexford employees came forward, Gov. Bill Richardson told the New Mexico Corrections Department (NMCD) on Dec. 8 to replace Wexford.
 

NMCD spokeswoman Tia Bland says NMCD is moving ahead with the termination process and that a request for proposals will be crafted by March. Bland says NMCD has identified at least one area—staffing shortages—in which Wexford violated the terms of its state contract. (Dan Frosch, Santa Fe Reporter, 1/10/07, <http://sfreporter.com/articles/publish/outtake-011007-under-correction.php>)
- ◆ **Privatization Questioned:** New Mexico's use of jails run by companies is the highest in the country -- and rising -- but do they live up to their promises? New Mexico leads the nation on another list: We're No. 1 in using private prisons to house inmates. Cells built during a spurt of prison construction under

the previous state administration have become crowded, and the state Corrections Department next year plans to add 240 beds to the Guadalupe County Correctional Facility near Santa Rosa. By the end of 2008, a planned 600-bed private prison is scheduled to open in Clayton. The operator for both of these prisons is **The GEO Group**, formerly known as **Wackenhut**. The Camino Nuevo Correctional Center in Albuquerque -- operated by **Correction Corporation of America** -- opened in July.

Santa Fe lawyer Mark Donatelli, a longtime opponent of prison privatization, contends not much good has come from depending on private operators. "I think of the trail of lawsuits we've been inundated with -- Wackenhut, Cornell, MGC," he said, listing companies that have done business in the state. Letting private companies run correctional facilities means the government ends up with fewer experts qualified to monitor jails and prisons, Donatelli said.

When asked about New Mexico's reliance on private prisons, Gilbert Gallegos, a spokesman for Gov. Bill Richardson, noted Richardson "inherited all of the existing private prisons." The state started using private corrections companies under Richardson's predecessor, Gary Johnson, a Republican advocate of privatizing government functions. "The governor would rather spend one-time capital funding on schools and other priorities," Gallegos said. "Private contracts allow the state to lease prison space without burdening taxpayers with the upfront costs of building new prisons."

But do private prisons actually save the state money, as advocates insist? Efforts to reach spokesmen for GEO were unsuccessful, but the company claims on its Web site that it saves governments money in prison design and construction. But analysts at the Legislative Finance Committee point out an independent board of inquiry that studied private prisons following the slaying of a prison guard in the Santa Rosa prison was unable to answer the question of whether private prisons save money. Comparing costs of private and state-operated prisons is complicated by the fact that all New Mexico's maximum-security inmates -- who cost more to house because of the need for constant supervision -- are only in state-run facilities.

Although Donatelli doesn't like private prisons, he quipped they have a silver lining: "There's one group that's really benefited from private prison, and that's the politicians who've gotten enormous campaign contributions from the private prison companies." Although the Governor's Office has long insisted no connection exists, GEO, which still has the lion's share of private prisons in New Mexico, has become a big player in campaign contributions for New Mexico politicians. In this past election cycle, the GEO Group contributed about \$80,000 to candidates running for state office in New Mexico. The biggest beneficiary was Gov. Bill Richardson, who has collected \$42,750 from the company since 2005. According to The Institute of Money in State Politics, Richardson received more money from GEO than any other politician nationwide running for state office in 2006.

Latest statistics show New Mexico has the highest percentage of state inmates in private prison facilities. While the national average is 6 percent, New Mexico's percentage is much higher, followed by several other Western states: New Mexico: 43 percent, Wyoming: 41 percent, Hawaii: 31 percent, Alaska: 28 percent, Montana: 26 percent.

(Steve Terrell, The New Mexican, 1/13/07, <http://www.freewmexican.com/news/55131.html#>)

- ◆ **Ethics**: Manny Aragon ran the Senate for more than a decade as its top leader and the Albuquerque Democrat reigned as one of the most powerful political figures in New Mexico. However, his political legacy was clouded Thursday by federal indictments alleging that he received \$700,000 in payoffs as part of a conspiracy with others to inflate contracts in the construction of an Albuquerque courthouse that the state helped finance. Aragon faced ethics questions in the late 1990s when he became a paid consultant to a private prison company that did business the state. He resigned from the position in 1999, but maintained he had no conflict of interest in dealing with prison issues in the Legislature because his

work for the company, then known as *Wackenhut Corrections Corp.*, involved matters outside of New Mexico. (The Associated Press, 3/30/07)

- ◆ **Inmate Death/Rape:** Two lawsuits stemming from the beating death of an inmate and a female prisoner's alleged rape at the Santa Fe County jail have been settled. Attorney Robert Rothstein, who filed the wrongful death lawsuit on behalf of Dickie Ortega's family, said Friday that the terms of the settlement are confidential. An agreement reached in the lawsuit filed on behalf of Veronica Sanchez also is confidential, attorney's with Rothstein's firm said. Ortega, 32, died June 5, 2004, after suffering serious head and facial injuries and a crushed larynx. He had been arrested earlier that month on charges of receiving stolen properties. His family sued in 2006, claiming that Santa Fe County and the company that formerly ran its jail, Utah-based *Management and Training Corp.*, did nothing as gang members repeatedly assaulted other inmates. Inadequate staffing, lack of supervision of inmates and lack of video monitoring contributed to Ortega's death, the lawsuit claimed.

In Sanchez's case, attorneys say the lawsuit was dismissed Friday by agreement of all parties. Sanchez had reported that she was raped by other inmates at the jail in 2004 and then strip-searched after she was brought back to the jail after a hospital exam. The lawsuit claimed the search was "utterly useless and unnecessary and constituted further humiliation and degradation." It also alleged negligence and civil rights violation. (The Associated Press, 5/7/07, <http://www.freewmexican.com/news/61363.html>)

- ◆ **Cost Savings:** Target 7 has uncovered a state report that said New Mexico's Corrections Department costs taxpayers millions more than it should. Target 7 looked into the relationship between the state corrections department and the *GEO Group*, a private company that runs two state prisons with another one in the works. The lease to run a third prison is a central part of an audit released on Wednesday, that said while New Mexico's prisons are doing better than in the past, the state is paying too much for what it gets. The audit also found the corrections department is overpaying for private prison costs and for health care. The audit highlights the state's lease agreement to put inmates in a new prison in Clayton, N.M. The state's lease with GEO Group pays not just for prisoners but also for the cost to build the prison. The audit said the department would pay \$132 million, nearly twice the cost of construction. The department plans to sit down with some of the private companies running half of New Mexico's prisons to talk about restructuring lease agreements. (5/23/07, <http://www.koat.com/news/13377955/detail.html>)

- ◆ **Audit:** New Mexico pays significantly more than nearby states to house inmates in private prisons, according to a report presented Wednesday to state lawmakers. The 100-page audit by a Legislative Finance Committee review team says New Mexico's private-prison spending rose 57 percent in the past six years, while the inmate population increased only 21 percent. "Business decisions across two administrations may result in New Mexico paying an estimated \$34 million more than it should pay for private prison construction costs," the report says.

But Corrections Secretary Joe Williams defended the private prisons, saying the higher operating costs are justified. *GEO*, formerly known as *Wackenhut*, was brought in to manage private prisons by former Gov. Gary Johnson and has been embraced by Gov. Bill Richardson. Williams denied the large amount of political contributions from GEO to Richardson and other state politicians is related to New Mexico paying more than other states for private prisons.

New Mexico has paid for services it hasn't received from private prison companies, the report says. For instance, in 2004 the state required GEO to provide four mental-health staffers for a sex-offender unit. The company billed the state more than \$300,000 for the positions. However the company did not

hire new staff until 2005. In general, the report says the state's approach to prison planning and construction is not in the taxpayer's best interests. The report also says the Corrections Department needs better oversight to contain medical costs and to ensure adequate health care. The department recently terminated its contract with Wexford Health Services, which has been criticized for the quality of inmate health care. Williams said the state has recovered about \$160,000 from Wexford for staffing shortages and improper billings.

The state is negotiating with *Correctional Medical Systems*, a St. Louis company, to take over the Wexford contract. (Steve Terrell, *The New Mexican*, 5/24/07, <http://www.santafenewmexican.com/news/61780.html#>)

- ◆ **Privatization (Editorial):** Prison construction is booming in the USA, and New Mexico has been the guinea pig for the largest of the private prison corporations such as *CCA*, *Cornell*, *GEO* (aka *Wackenhut*, *Group 4 Falk*) and *MTC*. In NM more than 40% of our prisoners are in private, for-profit prisons and jails, while the national average is less than 10%. Wexford, the former scandal ridden medical provider, and Aramark, delivering poor quality food - have had their hands full of cash from our state coffers but having been proven less than adequate in providing these services, eventually lost their contracts earlier this year. A state commissioned study into levels of violence found that Lea County Correctional Facility in Hobbs – a GEO facility - had the highest number of injuries among all the state prisons. During one period – from December '98 until August '99, five inmates and one guard were killed in NM – all in GEO facilities.

Not only does the prison-for-profit industry build prisons, but they also supply virtually everything from medical services to [hygiene products and seasonal clothing – paid for by prisoners or, more often their family members]. Private prison transport companies, medical and psychological, food and commissary services are reaping ever-increasing profits from the burgeoning Prison Industrial Complex – which now accounts for the among the largest contributors to the US GDP (gross domestic product).

At the same time in near-by Texas, Arizona, Utah, Nevada, and Colorado prison building is reaching an all time high as more and more immigrants are rounded up by ICE and Homeland Security under the “detain and deport” agenda (2002) – replacing the former ‘catch and release’ tactics of la migra. Right now, more than 200 children – toddlers, teens, and babies - are locked up in CCA’s Hutto Residential Facility in Taylor, Texas, while others - teen-agers – children of immigrants - are literally being disappeared. As the prison boom escalates at exponential rates, building contractors like Halliburton and KBR are getting into the game, contracting to build facilities for ‘owner operators’ like GEO and CCA. Furthermore, there is virtually no oversight of prisons – security issues continuously cited as the primary reason. Even the UN investigator, Jorge Bustamante, was denied entry into Hutto as well as other immigrant facilities around the nation.

All of this must cause us to wonder a few things – first, who profits? Corporations like GEO, CCA, KBR and Halliburton. Who suffers? We all do. Our communities are degraded, our people are wounded and angry. This is an environmental issue, an issue of race, economics and class, an issue of too little concern from too many people. We must stand, take notice and act. (Tilda Sosaya, 6/07, <http://www.thesun-news.com/corporateprisonboom.htm>)

## NORTH CAROLINA

- ◆ **Poor Medical Treatment:** A D.C. prisoners' rights group claimed in a lawsuit yesterday that a private penitentiary contracted by the federal Bureau of Prisons has provided "grossly inadequate and inhumane" medical treatment to hundreds of District inmates in a quest to improve profits. The suit,

filed in U.S. District Court, alleges that prisoners at the Rivers Correctional Institution in Winton, N.C., are routinely denied care or provided with inadequate treatment.

Keith Mathis, 32, a plaintiff in the class-action suit, said he asked to have an infected tooth pulled but received a filling instead. Over the next few months, the problem worsened, growing into an open sore and eventually requiring emergency surgery when his face "burst open," the suit alleges. Mathis's case is one example of poor treatment alleged in the suit filed in the name of 10 current or former inmates against the Bureau of Prisons; its director, Harley G. Lappin; and *The GEO Group Inc.*, which owns Rivers.

"There's one doctor for 1,300 patients," said Philip Fornaci, executive director of the D.C. Prisoners' Legal Services Project, which filed the suit. Fornaci said the Bureau of Prisons failed to provide oversight. "The contract itself actually encourages a skimpy use of medical resources to maximize profits," he said.

Here are two examples from the suit: Inmate Charles Lewis, 57, the suit alleges, had suffered three heart attacks and two strokes. He had Bell's palsy diagnosed when he arrived at Rivers in May 2006. Once at Rivers, however, he had his back and knee braces confiscated. Therapy was discontinued. He was moved to a top-floor cell and top bunk, the suit alleges, increasing his chance of injury. An inmate identified as John Roe had depression and schizophrenia diagnosed, and he attempted suicide three times. He had chronic infections on his legs, a herniated disk and an ear infection. He has been denied medical care since arriving, the suit alleges.

"This is not the jail. You're not the community," the man was told, according to the suit. "This is a business." (Robert Pierre, *The Washington Post*, 6/28/07, <http://www.washingtonpost.com/wp-dyn/content/article/2007/06/27/AR2007062702375.html>)

## OHIO

- ◆ **Drug Smuggling:** A St. Clair Township police officer who was suspended this week is suspected of smuggling marijuana and cell phones to county jail inmates, according to court records. The officer, Jason L. Jackson, also was fired Monday from his job as a guard at the Columbiana County Jail, according to Jail Warden Hank Escola.

A request for a search warrant received by the county Drug Task Force indicated the DTF was investigating Jackson because of allegations he was taking prohibited items into the county jail for inmates. The alleged items included cell phones, marijuana and tobacco. The report on what the DTF may have found in Jackson's truck has yet to be filed in county Common Pleas Court.

The county jail is run by *CiviGenics Inc.*, a private company hired by county commissioners. (Tom Giembroni, *The Morning Journal News*, 3/9/07, <http://www.morningjournalnews.com/news/articles.asp?articleID=5350>)

- ◆ **Investigation:** An investigation into contraband being smuggled into the Columbiana County Jail has been turned over to the Ohio Bureau of Criminal Identification and Investigation. The task force is based at the building that includes the sheriff's and coroner's offices, as well as the jail that is run by *CiviGenics Inc.*, a company in Milford, Mass. Columbiana County Common Pleas Court records indicate that at least one inmate used a cell phone smuggled into the jail to try to get drugs brought into the facility. Jason L. Jackson, 28, of East Liverpool, was suspended without pay Monday from his part-time job as a St. Clair Township patrolman. He has not been charged. (D.A. Wilsinson, *Vindicator Salem Bureau*, 3/9/07, [http://community.vindy.com/content\\_printstory.php?link=http%3A%2F%2Fwww.vindy.com%2Fcontent%2Flocal\\_regional%2F12462137425320.php](http://community.vindy.com/content_printstory.php?link=http%3A%2F%2Fwww.vindy.com%2Fcontent%2Flocal_regional%2F12462137425320.php))

- ◆ **Escape:** A police SWAT team and federal marshals captured an escaped convict from Youngstown Monday after surrounding a home-office in Hilliard. The armed convict took a woman hostage for about two hours before his arrest. A second woman jumped from a second-floor window, according to witnesses. Convict Billy Jack Fitzmorris, 34, robbed two banks, one in Powell and another in Upper Arlington, after escaping from a hospital in Youngstown earlier Monday, police said.

Fitzmorris took a prison guard's gun and uniform Monday morning after threatening him with a shank at St. Elizabeth's Hospital. The blue and white uniform bore the insignia of **Corrections Corp. of America**, the private prison operator. Federal officials said Fitzmorris "had nothing to lose" because he faces a lengthy prison sentence for his multiple crimes. (Jon Craig, The News Enquirer, 4/3/07, <http://news.enquirer.com/apps/pbcs.dll/article?AID=/20070403/NEWS01/704030411>)

- ◆ **Investigation:** The escape of an inmate accused of overpowering prison guards that accompanied him to a hospital and robbing two banks before taking hostages was a rare security lapse by a northeast Ohio prison that reopened in 2004 after a three-year shutdown over escapes and cellblock violence, the prison operator said Tuesday. Billy Jack Fitzmorris, 34, took a prison guard's gun and uniform at a Youngstown hospital, then carjacked a vehicle outside the facility to drive halfway across the state to the Columbus area, authorities said. There, he is accused of robbing two banks, kicking down the door to a house and holding a woman hostage. He surrendered peacefully after two hours of negotiating with police.

The privately operated prison, which had been holding Fitzmorris for the U.S. Marshals Service before he was hospitalized, had been plagued with problems for four years before it was shut down in 2001. Two inmates at the Northeast Ohio Correctional Center in Youngstown were killed, six escaped and the parent company agreed to pay \$1.65 million to settle a class-action lawsuit filed by prisoners.

A state inspection of the prison last year gave the facility generally high marks, although it raised questions about the frequency with which inmate grievances were lost. The report also noted a significantly higher rate of inmates attacking other inmates compared with state prisons. From June 2005 through May 2006, the facility reported 44 inmate attacks on other inmates, according to the report by the state Correctional Institution Inspection Committee.

The escape was the subject of internal investigations by both the prison staff and the parent company. Louise Grant, vice president of the parent **Corrections Corporation of America** based in Nashville, Tenn., said Tapia was withholding comment to protect the integrity of the investigation. (Thomas Sheeran, The Associated Press, 4/3/07, [http://hosted.ap.org/dynamic/stories/O/OH\\_INMATE\\_ESCAPE\\_OHOL-?](http://hosted.ap.org/dynamic/stories/O/OH_INMATE_ESCAPE_OHOL-?))

- ◆ **Inmate Attacks (CCA):** A report found that the private prison that housed an escaped Youngstown inmate had an unusually high rate of inmates attacking other inmates. The report by the state Correctional Institution Inspection Committee says the Northeast Ohio Correctional Center reported 44 inmate-on-inmate attacks in a 12-month period in 2005 and 2006. By contrast, the state reported a total of 305 such assaults for all 32 state facilities in 2005. (4/3/07, <http://www.myfoxcleveland.com/myfox/pages/News/Detail?contentId=2836131&version=1&locale=ENUS&layoutCode=TSTY&pageId=3.2.1>)

- ◆ **Contraband (CCA):** A one-time counselor at the private prison on Hubbard Road slipped cocaine, cigarettes, cell phones and MP3 players to an inmate, the government said. A federal grand jury in Cleveland issued a two-count indictment Thursday charging Michael K. Pearson, 35, of Fairmont

Avenue, with bribery and providing contraband in prison. The indictment alleges that Pearson brought contraband into the Northeast Ohio Correctional Center from January through August 2006. Special OIG Agent Terrence Hake described Pearson in a 12-page affidavit as a correction officer/counselor. Hake said an informant inside the prison revealed to guards that Pearson was bringing in prohibited items, such as marijuana, cigarettes, radios, MP3 players, body building supplements and heroin — for one inmate. An information was filed Thursday in federal court that charges the inmate, 30-year-old Mario A. Cantu-Galaviz, with bribing a public officer and possession of contraband in prison. Pearson told OIG agents that six or seven times he was paid with MoneyGrams — \$300 each — sent to him by Cantu-Galaviz's mother. Records, though, show 13 MoneyGrams totaling \$5,975 were sent to Pearson from Cantu-Galaviz's mother. (Patricia Meade, Vindicator Crime Reporter, 5/07)

## OKLAHOMA

- ◆ **Escape:** Two men, including one who was a teenager when he killed a Tulsa cab driver, escaped from a southwestern Oklahoma private prison Monday and allegedly abducted one woman and broke into the home of another, authorities said. Officials at the Great Plains Correctional Center in Hinton noticed that Charles Marcel McDaniels, 35, and Tony L. Ellison, 23, were missing after a 4 p.m. head count, according to a statement from the prison's parent company, **Cornell Cos.** Authorities think the pair broke into a Hinton residence, abducted a woman and drove her in her vehicle to Oklahoma City, where they broke into another home, Oklahoma City Police Sgt. Keith Vance said.

McDaniels is serving a life term for the Nov. 2, 1988, murder of Eddie Elmore, 55, who was shot to death in his taxi cab during a robbery. Ellison was in prison on a Tulsa County conviction for concealing stolen property, as well as for convictions from Oklahoma and Lincoln counties. (The Tulsa World, 1/23/07, [http://www.tulsaworld.com/NewsStory.asp?ID=070123\\_Ne\\_A6\\_Twain3462](http://www.tulsaworld.com/NewsStory.asp?ID=070123_Ne_A6_Twain3462))

- ◆ **Prison Closing (Cornell):** The Great Plains Correctional Facility will close indefinitely "the first week of April," leaving some 190 employees at the private prison without work, a company spokeswoman confirmed Tuesday. Only 290 state inmates remain at the private prison from a population that was once 800 as recent as October. State corrections spokesman Jerry Massie said the remaining inmates are scheduled to be moved no later than April 6. State guards began relocating inmates after prison officials announced they would not renew their state contract in October. "Basically, they (prison official) were telling us they were losing money," Massie said.

In January, the private prison came under scrutiny when a convicted murderer and another fugitive escaped and kidnapped two elderly women. Authorities arrested both fugitives in Tulsa County, but only after a 36-hour manhunt that stretched 150 miles. (Ron Jackson, 3/20/07, <http://newsok.com/article/3029233>)

- ◆ **Escapee Caught (Cornell):** A convicted killer who allegedly escaped from a private prison and abducted a Caddo County woman will stand trial. The 35-year-old McDaniels is accused of fleeing the Great Plains Correctional Facility in Hinton on January 22nd with another inmate. The pair allegedly broke into 71-year-old June Heldermon's home and drove her and her vehicle into Oklahoma City.

It's there where authorities allege McDaniels and fellow escapee Tony Ellison broke into the home of 74-year-old Teresa Mannix, tied up her and Heldermon and left in Mannix's vehicle. The men were captured in Tulsa after a 36-hour manhunt. Ellison later hanged himself in his Tulsa jail cell. (4/4/07, <http://www.ktul.com/news/stories/0407/411328.html>)

- ◆ **Bidding War:** The director of the Department of Corrections told lawmakers today more state prisoners may be evicted from Oklahoma's private prisons unless prison operators are paid more to house, feed and care for them. D-O-C Director Justin Jones told members of the House Judiciary and Public Safety Committee he cannot sign contracts to house state prisoners in private prisons at ever-increasing market rates unless the Legislature authorizes it. Jones said the state pays about 46 dollars a day to house prisoners at the state's five private prisons. But he said other states that also house prisoners at Oklahoma private prisons pay as much as 54 dollars a day. (<http://www.newschannel10.com/global/story.asp?s=6255280>)

## PENNSYLVANIA

- ◆ **Backtrack:** The Moshannon Valley Correctional Facility, a \$74 million private prison expected to provide an economic boom to Clearfield County, will not generate the amount of tax revenues it promised local officials years ago. ***Cornell Companies Inc.***, a Texas-based firm that owns the facility and may soon merge with Veritas Capital in New York, says the 1,300-bed facility is markedly smaller than what was initially proposed. And that's why the prison's tax bill is several hundred thousand dollars less than local officials expected. In correspondence dating back as early as 1999, Morris and Decatur townships and the Philipsburg-Osceola Area School District were told that they would see almost \$1 million annually in combined tax revenues and payments. The townships and district haven't seen a third of that since the prisoners arrived in spring 2006. And they won't ever see what they expected, now that the facility has been fully assessed. Last week, Philipsburg-Osceola Area school officials said they did not receive any tax payments from the prison. After digging further through their records, they realized that they did receive about \$51,000, which was based on a partial assessment of the facility. Now the facility has been fully assessed at \$2.5 million. And, at most, the district will receive \$232,730 annually from it in tax payments. Cornell's chief operating officer, in a 1999 letter to the township, said its general contractor would make a "one-time only investment in Morris Township of \$250,000 upon the township's endorsement of this facility." The letter also indicated that the township would get an annual \$191,734 payment in lieu of property taxes. Troy Hill Road, near the prison, also was supposed to be paved by Cornell, the letter indicated. Township Solicitor F. Cortez Bell III said the township hasn't received anything. (Dena Pauling, The Centre Daily, 1/15/07, [http://www.centredaily.com/mld/centredaily/news/local/16462420.htm?source=rss&channel=centredaily\\_local](http://www.centredaily.com/mld/centredaily/news/local/16462420.htm?source=rss&channel=centredaily_local))
- ◆ **Broken Promises:** The Moshannon Valley Correctional Facility, the private prison that was counted on to revitalize that region's economy, offer hundreds of jobs to area residents and provide enough tax revenue virtually by itself to operate local townships and the Philipsburg-Osceola School District, hasn't delivered for a variety of reasons. The project was scaled down dramatically from Texas-based ***Cornell Co.'s*** original proposal as legal issues connected with the project slowly played out in the courts. As the size of the prison was cut, so was the financial windfall to its host district, leaving Andrew Rebar, chairman of the Decatur Township Board of Supervisors, "sick to his stomach." The township and school district were told they could expect \$1 million annually in tax revenues and payments from the prison. Instead, the mini-prison is sending about \$15,000 to Decatur Township this year -- "a drop in the bucket," as Rebar described it. Extending that metaphor, Morris Township residents have a whole in their pail. The prison's water tower in Morris Township was supposed to generate \$191,734 annually in lieu of taxes. Thus far? Nada. Whatever the reason or reasons, the Cornell prison has not delivered on its promise. (1/21/07, <http://www.centredaily.com/mld/centredaily/news/opinion/16504469.htm>)

- ◆ **Bribery:** A former district judge said Wednesday he reluctantly agreed to plead guilty to obstructing a federal corruption investigation of the Allegheny County Sheriff's Office. "People who are innocent frequently believe that they must take the 'percentage play' because they have a lot to lose if the jury finds them guilty," said Ernest L. Marraccini, an Elizabeth Township district judge from 1992 until he resigned in December. Marraccini, 62, was charged Tuesday with obstruction of justice in connection with an investigation into former Chief Deputy Sheriff Dennis Skosnik, who pleaded guilty last year to taking bribes to promote the construction of a private jail in the shopping center where Marraccini's office was located. Prosecutors allege Marraccini got an all-expense-paid trip for two to the Bahamas in 2001 from the person trying to build the private jail. Investigators said Marraccini tried to get a witness to lie in 2005 to a federal grand jury looking into the trip.

Marraccini's attorney, Victor H. Pribanic, said that Marraccini was given the trip by former sheriff's deputy Gary McDermott, of Stowe, and that it was McDermott his client later tried to influence. Pribanic claimed McDermott repeatedly approached Marraccini to get him to fix cases and accept bribes, but Marraccini rebuffed him. (Mark Houser, Tribune-Review, 2/1/07, [http://pittsburghlive.com/x/pittsburghtrib/news/rss/s\\_491235.html](http://pittsburghlive.com/x/pittsburghtrib/news/rss/s_491235.html))

- ◆ **Riot:** Security has been heightened and the Moshannon Valley Corrections Center remains on lockdown, after a Tuesday lunch-hour inmate fight. According to officials, at least one person was hurt and additional personnel had to be called in to help clear the scene. Prison administrators said things got out of hand when two groups of inmates began arguing about a basketball game. One inmate suffered a head injury and a medical helicopter was called to the scene. The center is the first in Pennsylvania to be operated by a private company. **Cornell Companies** houses federal inmates primarily from the Washington, D.C. area. (2/7/07, <http://www.wjactv.com/news/10952397/detail.html>)

- ◆ **Appeal:** A school district and township, set to take in more than \$200,000 in annual property tax revenue from Pennsylvania's first private prison, are now appealing a county assessment of the \$74 million facility in an effort to get additional funds. The appeals process could take months and discussion at the first hearing Monday indicated the matter is likely headed to the Clearfield County Court of Common Pleas. "This is an unusual facility that is going to take some unusual valuation, conclusions, theories, projections and assumptions, and I see this case in court," said Anthony R. Thompson, an Allentown attorney representing **Cornell Cos. Inc.** -- a Texas firm that built the Moshannon Valley Correctional Facility. Clearfield County assessed the prison at about \$2.5 million, and its market value is listed about \$10 million. From the time Decatur Township and Philipsburg-Osceola Area School District received their first tax payments from the facilities, officials from both entities voiced displeasure, saying the revenue wasn't what they expected. In correspondence dating back to the late 1990s, the prison had promised almost \$1 million annually in combined tax revenues and payments. The township and school district haven't seen a third of that since the prison opened a year ago, and they won't, based on the current full assessment. (5/1/07, <http://www.centredaily.com/116/story/83690.html>)

- ◆ **Sentencing:** Ernest Marraccini, 62, was sentenced Thursday to 16 months in a yet-to-be-determined federal prison and ordered to pay a \$15,000 fine. Marraccini pleaded guilty in March to one count of obstructing justice for coaching a witness to lie to a grand jury. Marraccini obstructed the investigation of former Allegheny County Chief Deputy Sheriff Dennis Skosnik. Skosnik was sentenced last year to five years in prison on a variety of charges, including taking bribes to promote the construction of a private jail facility at Swiss Alpine Village -- the Route 48 shopping center where Marraccini's office

was located. (Jason Cato, The Tribune Review, 6/22/07.  
[http://pittsburghlive.com/x/pittsburghtrib/news/rss/s\\_513728.html](http://pittsburghlive.com/x/pittsburghtrib/news/rss/s_513728.html))

## RHODE ISLAND

- ◆ **Poor Medical Care (Cornell)**: A federal judge, frustrated by the medical attention given to two inmates, ordered one released on \$1 million bond so he could seek private care, while the other must be taken by prison officials to an orthopedic surgeon. U.S. District Judge Janet C. Hall issued the orders after hearing lawyers in two separate hearings just hours apart complain that their clients did not receive adequate treatment. The inmates are Bruce Forest, 50, the reputed Porta-Potty bomber from Weston, and Gary John, the 58-year-old retired FBI agent from Stratford recently convicted of assaulting a federal marshal. Both are in the custody of the U.S. Bureau of Prisons at the private Donald C. Wyatt detention center in Central Falls, R.I. However, Felicia Ponce, a spokeswoman for the prisons bureau, said her agency takes "any medical concerns of our inmates very seriously & we make it our utmost priority." But Hall pointed out that there is no evidence that Forest received a CT scan for an abnormality in his lymph nodes, or that John received an MRI for a knee injury he suffered in October at the facility. (Michael Mayko, 1/30/07, [http://www.connpost.com/ci\\_5115002?source=rss](http://www.connpost.com/ci_5115002?source=rss))
  
- ◆ **Escape/Mistaken Release (Cornell)**: A Norwalk resident who was serving a sentence for a weapons offense in Wyatt Detention Facility in Central Falls, R.I., and who also is accused of committing two homicides, was apprehended Monday after being "released accidentally" from prison March 21, according to Sgt. Dave O'Connor with the Norwalk Police Department Detective Division. According to O'Connor, Anthony Rogers, 24, of 18 Quintard Ave., was released from Donald W. Wyatt Detention Facility due to what appears to be "a clerical error." Rogers was serving a sentence of two years for shooting at a man at Superior Market in South Norwalk in 2005. Rogers was arrested on Feb. 23 for the July 2004 murder of Norwalk resident Ricky Blakes. He was previously accused of killing Jamie Cubillos in 2005, who he mistakenly believed to have given a written statement implicating him in the market shooting. On Wednesday, Terrence Higgins, public information officer at Wyatt Detention Facility, explained that correctional officers in the transportation department at Wyatt transported Rogers to the U.S. Marshals office in Bridgeport on March 21, as the Marshals had directed them to do. The U.S. Marshals office did not send Rogers back with them, Higgins said, noting "we didn't release him, we didn't do anything." The U.S. Marshals office released Rogers after they were notified by the Federal Bureau of Prisons that Rogers had completed his federal sentence as of March 21, according to Gary Dorsey, chief deputy with the Bridgeport U.S. Marshals office, also on Wednesday.
 

According to Dorsey, Rogers did not have any detainers placed on him to inform the various agencies involved in his case that he had other pending charges. Dorsey explained, "We're not sure where the breakdown itself may have been. We're not sure if anyone should have been filing a detainer with us. We really are going to have no public comment relative to who should have or should not have been filing a detainer with us. There was no detainer in his file; the only info the Marshal Service had was that his federal sentence was complete." But, according to Sgt. Kenneth Riley with the NPD Detective Division, "There was some sort of detainer placed on him" although he could not provide any further details. (Lauren Garrison, 4/5/07)
  
- ◆ **Strike**: The 107 correctional officers employed by the Donald W. Wyatt Detention Facility voted to authorize a strike Tuesday, according to a written statement from the Rhode Island Private Correctional

Officers Union. The employees' three-year contract expired today, although the statement did not say when or under what circumstances a strike would occur.

"The major issues which the parties have yet to resolve include wages, proper security measures, training and minimum staffing," wrote Union President Heath Letourneau. The Donald W. Wyatt Detention Facility is a private prison owned by the Central Falls Detention Facility Corporation, a quasi-municipal entity, and managed by **Cornell Corrections** of Houston, TX. (David Casey, The Pawtucket Times, 5/3/07,)

[http://www.pawtuckettimes.com/site/news.cfm?newsid=18293260&BRD=1713&PAG=461&dept\\_id=24491&rft=6](http://www.pawtuckettimes.com/site/news.cfm?newsid=18293260&BRD=1713&PAG=461&dept_id=24491&rft=6))

- ◆ **Warden Dismissed:** **Cornell Corrections**, the private company that runs the Donald W. Wyatt Detention Facility, has removed warden Wayne Salisbury from his job. No one is giving the reason for Salisbury's removal. Cornell Corrections replaced Salisbury with acting warden William Massingill, who has already started work at the detention center, according to Bellini. Massingill once served as chief of security for the prison. Salisbury's removal comes at a time when Cornell Corrections is in the midst of contract negotiations with the Rhode Island Private Correctional Officers Union. Cornell, one of eight private prison operators in the United States and the third largest in the country, is also in negotiations with Wyatt to continue to run the prison. Cornell's contract with Wyatt ran out in January. The prison has been trying to get an increase in the \$89.90 per day it receives from federal agencies. In the past year and a half, Wyatt has undergone a \$47-million expansion that has doubled the prison's capacity. (Tatiana Pina, 5/31/07, [http://www.projo.com/news/content/wyattgone\\_31\\_05-31-07\\_7F5R6RA.3437ed8.html](http://www.projo.com/news/content/wyattgone_31_05-31-07_7F5R6RA.3437ed8.html))
- ◆ **Cornell Out:** The Central Falls Detention Facility Corporation gave notice to **Cornell Corrections**, which has run the Donald W. Wyatt Detention Facility for the past 13 years, that come Aug. 1, it will take over the prison. The corporation is set to operate the facility at about the same time it expects to celebrate the completion of a \$47-million expansion that has doubled the size of the prison and the number of inmates. Contract negotiations broke down last month when both sides could not agree on what the detention board would pay Cornell to run the prison, said Anthony Ventetuolo Jr., president of Avcorr Consulting, which provides operational oversight to Wyatt. Cornell wanted "too much money for the next year and a half for what was reasonable," Ventetuolo said. (Tatiana Pina, 6/22/07, [http://www.projo.com/news/content/WYATT22\\_06-22-07\\_N3641QQ.34336e7.html](http://www.projo.com/news/content/WYATT22_06-22-07_N3641QQ.34336e7.html))

## TENNESSEE

- ◆ **No Disclosure:** **Corrections Corporation of America** won't have to reveal how much money it gives politicians and political causes after an overwhelming majority of shareholders voted down a proposal Thursday calling for twice-yearly disclosures. A group of faith-based activist shareholders sought the disclosures, which would have included information on CCA's policies and procedures, saying it would improve accountability and transparency.

CCA officials had recommended a vote against the proposal, saying the time and expenses required to implement the proposal would have resulted in little or no corresponding benefit to shareholders.

The activists cited published reports showing that CCA contributed at least \$403,000 to political candidates and parties during the 2006 election cycle — money that was not subject to federal regulations. They also said payments by CCA to trade groups that use money for political activities weren't disclosed and sought to make those public as well. (Getahn Ward, 5/11/07, <http://www.tennessean.com/apps/pbcs.dll/article?AID=/20070511/BUSINESS01/705110632>)

- ◆ **Abuse Alleged/Lawsuit:** A \$30 million federal lawsuit says a prisoner at the county workhouse was directed by CCA officials to rough up other inmates. Gary Dewayne Thompson filed the suit against the county, CCA and several CCA officials. The suit says Thompson was required to be a "gladiator" and that he was put into cells with certain prisoners to beat them up. It says CCA supervisors waited outside a cell while he beat up one prisoner and that he gave a federal prisoner two black eyes on another occasion. The suit, filed by attorney Robin Flores, asks \$5 million in compensatory damages and \$25 million in punitive damages. (5/15/07, [http://www.chattanooga.com/articles/article\\_107398.asp](http://www.chattanooga.com/articles/article_107398.asp))
- ◆ **Inmate Death:** A teenager sent to a Tennessee facility for troubled youth died after a confrontation with the center's staff, prompting Philadelphia officials to consider relocating dozens of teens sent there. Omega Leach, described by Philadelphia officials as a 17-year-old whose many troubles included racing a stolen car, was sent last month to the Chad Youth Enhancement Center, a private 50-bed residential treatment center near Clarksville for children with a history of emotional and behavioral problems. Leach is the second student to die at the Chad Youth Enhancement Center in less than two years, and authorities and the Tennessee Department of Children's Services are investigating. Leach got into a physical confrontation with the staff June 3 and died the next day at a Nashville hospital. He tried to choke one counselor, and another staffer pushed Leach face down to the floor and pulled his arms behind his back, police said. Investigators are trying to find out whether he was restrained improperly, keeping him from breathing.
 

Leach's care was the responsibility of Philadelphia's Department of Human Services. The agency was paying Chad \$285 a day for Leach's treatment, even though questions had been raised about the center. In September 2005, Linda Regina Harris, 14, of Long Island, died there of heart failure as she was being escorted by a counselor. Chad and its corporate owner, Universal Health Services Inc. of King of Prussia, Pa., declined to respond to detailed questions, instead issuing a statement to the Inquirer defending their record. (The Associated Press, 6/25/07, <http://tennessean.com/apps/pbcs.dll/article?AID=/20070625/NEWS01/706250354/1006/NEWS>)

## TEXAS

- ◆ **Noncompliance:** A Utah-based company has been forced to pay back wages to hundreds of current and former employees in Texas following an investigation. Management and Training Corporation has paid nearly \$486,000 in back wages to just over 260 current and former security guards. An investigation by the labor department found employees had NOT been properly paid over a two-year period between October 2003 and September 2005. Federal officials say the company failed to pay proper overtime --- meal breaks when employees worked beyond their schedules and the correct fringe benefits. (1/31/07, <http://www.ksl.com/?nid=148&sid=850919>)
- ◆ **Guard Arrested:** A former employee of the Corrections Corporation of America federal prison in Laredo has pleaded not guilty to charges of trafficking fake drugs in the prison and trying to hire a hit man to kill her boss. Velma Lydia Garza voluntarily turned herself over to authorities Friday after she was indicted on charges of unlawful delivery of a simulated controlled substance and first-degree felony criminal solicitation.
 

Garza worked as a guard at CCA in Oct. 2005, when she is accused of delivering fake cocaine to man who was not identified by prosecutors. She is also accused of trying to hire someone to kill her CCA supervisor. Garza waived her arraignment Tuesday, entering not guilty pleas on both charges. (Clay Reddick, The Laredo Morning Times, 2/8/07,)

[http://www.zwire.com/site/news.cfm?newsid=17825240&BRD=2290&PAG=461&dept\\_id=569392&rft=6](http://www.zwire.com/site/news.cfm?newsid=17825240&BRD=2290&PAG=461&dept_id=569392&rft=6))

- ◆ **Nurse Arrested:** A Bartow jail nurse was arrested Wednesday after she admitted taking home prescription medication intended for inmates. Lynda Maier, 42, of Woodbriar Loop in Lakeland was taken into custody after she told Polk County sheriff's detectives she took the drugs. Maier, who is registered with the state as a licensed practical nurse, works for **Correctional Medical Services**, which contracts with the jail to treat and dispense medication for inmates. Maier faces eight counts of possession of prescription medication without a prescription and eight counts of petty theft. (2/15/07, [http://www.orlandosentinel.com/news/local/southwest/orlncfbriefs15\\_507feb15.0.5671984.story?track=rss](http://www.orlandosentinel.com/news/local/southwest/orlncfbriefs15_507feb15.0.5671984.story?track=rss))
- ◆ **Guard Arrested/Drug Smuggling:** Bond was set at \$50,000 Friday for a guard charged in a plot to smuggle crack into a privately run San Antonio jail housing federal prisoners. Cedric Darnell Chambers, 21, appeared before the U.S. magistrate, charged with attempted possession of cocaine base. He was arrested Thursday after undercover San Antonio police officers caught him in a deal to smuggle 11 grams of crack into the jail, at 218 S. Laredo St., run by Florida-based **The Geo Group Inc.** (2/23/07, <http://www.mysanantonio.com/news/metro/stories/MYSA022407.guard.e-n.90368dd.html>)
- ◆ **Ethics:** "I want to be free. I want to go outside, and I want to go to school," pleaded a 9-year-old boy, on the phone from prison. The boy, Kevin, is imprisoned in Taylor, Texas, at the T. Don Hutto Residential Facility. His parents are also locked up there. The tale of how this family became imprisoned is just one example of how broken our immigration policies are in this country.
 

The parents are Iranian and spent 10 years in Canada seeking asylum. Kevin, their son, was born in Canada during that time. Their request for asylum was eventually denied, and they were deported back to Iran. Majid, the father, said he and his wife were jailed and tortured there. They soon fled to Turkey and bought Greek passports.

On a plane back to Canada, a fellow passenger suffered a heart attack, requiring an unscheduled landing in Puerto Rico. Although they never had any intention of entering the U.S., because the plane touched down here, their passports were questioned and they were detained. The family was shipped off to Hutto. They have been there for more than three weeks.

This shameful practice of locking up children is bad enough. What's worse is that it is being done for profit, by the **Corrections Corporation of America**. CCA has close to 70 facilities scattered across the country, recent earnings of \$1.33 billion and a gain in its stock-share price of 85 percent in the past year. Their commodity: human beings. CCA stock is up, but the spirits of 9-year-old Kevin are down, as he languishes in his federally funded private prison cell. He wants to go home to Canada, where he was born. With a Congress obsessed with nonbinding resolutions and the Bush administration that brought you Abu Ghraib and the Maher Arar deportation scandal, the prospects for Kevin and his parents are grim at best. (Amy Goodman, 2/27/07, [http://www.truthdig.com/report/item/20070227\\_well\\_lock\\_up\\_your\\_tired\\_your\\_poor\\_your\\_huddled\\_masses/](http://www.truthdig.com/report/item/20070227_well_lock_up_your_tired_your_poor_your_huddled_masses/))
- ◆ **Guard Arrested:** He worked in the jail and now a Bowie County Correctional Center officer has found himself behind bars. Bowie County sheriff's investigators say 20-year old Marquise Hunt of Texarkana, Texas is charged with introducing a prohibited substance into a correctional facility. Officers found

three bags of marijuana in Hunt's possession. For two months, Hunt worked for Civigenics, which operates the jail. (3/1/07, <http://www.kpxj21.com/news/local/6239061.html>)

- ◆ **Escape:** A convicted robber who escaped Sunday night from a Texas Department of Criminal Justice facility in Fort Worth and who had ties to a Montgomery County couple was apprehended early today in Corpus Christi. Eladio Diaz Jr. was apprehended at about 3:30 a.m. today in Corpus Christi near a motel where he had been staying, according to TDCJ spokeswoman Michelle Lyons. He will remain in the Nueces County Jail on a felony escape charge, as well as an outstanding felony robbery charge he faces there. Diaz was last seen at about 10 p.m. Sunday and determined to be missing a short time later. The facility is operated by The Geo Group, Inc. and serves as a short-term punishment facility for parole violators. (Anne Marie Kilday, The Houston Chronicle, 3/2/07, <http://www.chron.com/dispatch/story.mpl/chronicle/4596907.html>)

- ◆ **Sex Offender Guard:** Law enforcement officers who earlier this week moved into the Texas Youth Commission facilities to protect inmates from sex predators on Wednesday discovered a registered sex offender working as a correctional officer in a halfway house for juveniles.

The sex offender had been allowed to stay on the job despite an alert that had been sent months ago to TYC administrators in Austin. David Andrew Lewis, 23, was discovered by investigators sent to TYC's 22 facilities after reports of sex abuse stunned lawmakers. Lewis was employed at the Coke County Juvenile Justice Center, a juvenile halfway house 30 miles from San Angelo run by The Geo Group, a private prison company. TYC's acting executive director, Ed Owens, said a facility staff member had months ago warned agency officials in Austin of Lewis' sex offender status, but was rebuffed. The tipster "was told he was a company employee and that the company needed to deal with their employee," Owens said, adding that the incident was yet another illustration of the systemic failures plaguing TYC. Owens said once he learned of Lewis' background Wednesday, he called the Geo Group and they suspended him. It was not clear if the Geo Group had learned months earlier of Lewis' sex offender status. No one in its Florida headquarters could immediately be reached for comment Wednesday evening. Owens said that there was no evidence Lewis acted inappropriately with any juveniles.

Lewis was 15 when he was forced to register for 13 sexual indecency acts against a 5-year-old girl. His case is posted on the Texas Department of Public Safety web site of registered sex offenders. With that history, it remained a mystery how Lewis could have been hired to work with juveniles in the first place. Criminal background checks are required for all TYC employees and those hired by private contractors to work with TYC juveniles.

State officials also were shocked that there have been many other sex abuse cases within the TYC that have not been prosecuted. Female students at the Corsicana Residential Treatment Center complained in 2005 that a male corrections officer asked them to bare their breasts. A TYC investigation cleared him. But then several months later he threatened to write up the girls involved with a bad conduct report if they did not show him their breasts. This time the incident was confirmed and he was fired. Isela Gutierrez of the Texas Coalition Advocating Justice for Juveniles said the incident showed the power of disciplinary reports because youth are sent to the TYC on indeterminate sentences. That means they stay in TYC until the staff says they are rehabilitated or they hit their 21st birthday.

The Houston Chronicle/San Antonio Express-News review of the records found five confirmed cases of male on male sexual abuse; 32 cases of male on female sexual abuse; 54 cases of female on male sexual abuse; and three cases of female on female sexual abuse. (R.G. Ratcliffe, Lisa Sandberg, The Austin Bureau, 3/7/07,)

<http://www.mysanantonio.com/news/metro/stories/MYSA030707.TYCinvestigation.EN.2c4ed1dd.html>)

- ◆ **Escape:** Two detainees of a Texas Youth Commission contract prison in West Texas are missing. The boys, ages 17 and 18, were both non-violent offenders. They are missing from the Coke County Juvenile Justice Center in Bronte, which is run by **GEO Inc.** At about 3 a.m. Monday a vent fell from a ceiling dorm, prompting guards to conduct a bed count, Hurley said. They discovered four youth were missing, but two were later found, he said.

Monday's discovery at the 200-bed facility is another in a long line of problems at the TYC. The agency that runs the Evins Regional Juvenile Center in Edinburg was placed governor-appointed management in February among a sex scandal and wide reports of youth abuse. (Elizabeth Pierson, The Monitor, 3/12/07, <http://www.themonitor.com/onset?id=690&template=article.html>)

- ◆ **Escapee Caught (GEO):** Two inmates discovered missing from a West Texas youth prison overnight were captured Monday in Eagle Pass after a woman saw them in a convenience store and thought they looked suspicious, authorities said. Coke County Sheriff Rick Styles said the woman thought the two were illegal immigrants and called the Maverick County Sheriff's Office, which arrested them. Styles said he expected the two to be returned to Bronte in a few days. He said the two allegedly stole a pickup in Bronte and left it in Eagle Pass. Two other inmates at the Texas Youth Commission's Coke County Juvenile Justice Center were found hiding in the attic after staff were told that a vent had fallen out of the ceiling, said TYC spokesman Jim Hurley.

The facility in Bronte drew attention last week after a convicted sex offender was fired from his post as a correctional officer. David Andrew Lewis, 23, said he told his employer of his background when he applied for the job. State officials have said the case demonstrated that private prison operators don't always check employees' juvenile records. (3/13/07, <http://abclocal.go.com/ktrk/story?section=state&id=5116503>)

- ◆ **Inmate Suicide:** Suffering from depression after she was labeled a snitch and reportedly raped, according to claims in a lawsuit, federal inmate LeTisha Tapia ate her last meal in Val Verde County Jail at 5:30 p.m. on July 23, 2004. Three hours later, officers at the Del Rio jail found the 23-year-old's body hanging in her cell, a bedsheet wrapped around her neck. On Thursday, Val Verde County and the private company that's under contract to operate its jail agreed to pay \$200,000 to settle the lawsuit filed by Tapia's family. The suit alleged a pattern of sexual activity took place at the facility because women and men were housed in the same general area. Tapia complained, according to the suit, and was raped in retaliation. County officials didn't return calls seeking comment. Nor did the **GEO Group Inc.**, the Boca Raton, Fla.-based company that runs the jail. The suit said Tapia — who was in jail serving a short sentence for a drug conviction — told the warden about the sexual activity, but that the warden did not move the male inmates and the activity continued. (Guillermo Contreras, The Express-News, 3/22/07, [http://www.mysanantonio.com/news/metro/stories/MYSA032307.01B.inmate\\_settlement.359ea6d.html](http://www.mysanantonio.com/news/metro/stories/MYSA032307.01B.inmate_settlement.359ea6d.html))

- ◆ **Drug Smuggling:** A burrito intended for delivery to an inmate by an art-loving jail guard contained more than refried beans and melting cheese. Along with the secret sauce and sour cream, a plastic bag containing loose tobacco was found in the sack James Atkinson, a guard at the Bi-State Justice Building Jail, attempted to deliver. A lighter, rolling papers and another plastic bag with marijuana inside was hidden in the tobacco, according to court documents. It was not known Monday if Atkinson is still employed with **CiviGenics**, the contractor that provides correctional officers for the jail. Numerous other correctional officers saw the exchange between Atkinson and the woman, a known associate of the

inmate, according to documents. After placing the sack in his pocket, Atkinson entered the jails control room and placed the sack under his motorcycle helmet. A supervisor confronted Atkinson and made a thorough inspection of the burritos contents, according to documents. (Lynn Larowe, Texarkana Gazette, 3/27/07)

- ◆ **Escape/Murder:** A three-judge panel of the 5th U.S. Circuit Court of Appeals has affirmed the federal convictions and death sentence of Sherman Lamont Fields, convicted in the 2001 jail escape and shooting death of the mother of three small children. Fields, currently on federal death row, claimed in his direct appeal that prosecutors improperly introduced hundreds of pages of documents relating to Fields' lengthy criminal record, including juvenile delinquency records, that were filled with hearsay statements from guards, counselors, probation officers and others.

Fields escaped from the downtown Waco jail operated by **CiviGenics** after jail guard Benny Garrett slipped him a key to the fifth-floor fire escape door. Fields had promised to give Garrett \$5,000.

Coleman, Fields' former girlfriend, was at Hillcrest Baptist Medical Center with her premature baby when Fields showed up at the hospital after his escape and convinced her to leave with him. Trial testimony revealed that Fields was angry because he thought Coleman was seeing other men. They drove to an area near Downsville, south of Waco, and Fields shot her twice in the head and dumped her body along the side of the road. (Tommy Witherspoon, The Tribune-Herald, 3/31/07, <http://www.wacotrib.com/news/content/news/stories/2007/03/31/03312007wacshermanfields.html>)

- ◆ **Warden Fired:** The warden of a private Texas prison housing Idaho inmates has been "relieved of his duties" after complaints from Idaho. The Dickens County Correctional Center, which houses 125 Idaho inmates, made the change after an Idaho corrections team visited the large, older county jail near Lubbock, Texas, in March and reported "deficiencies." Idaho Corrections Director Brent Reinke said problems included an absence of required educational and treatment programs, inadequate out-of-cell time, inappropriate lighting, and problems with food, clothing and cleanliness. Also, an inmate from Ada County who escaped in December and recaptured committed suicide at the facility in early March. "The feedback I got from the team was that what they were concerned with was the Texas style of justice," Reinke said. Dickens is one of two Texas lockups operated by **GEO Group**, formerly **Wackenhut Corp.**, to which Idaho inmates were moved after problems at another GEO facility in Newton County, Texas, last year. The Newton County lockup saw two escapes, a demonstration in which 85 Idaho inmates refused to return to their cells for hours in protest over conditions, and the discipline of three prison employees after jailers roughed up and pepper-sprayed six Idaho inmates. Reinke said GEO Group has been responsive to the complaints, and the new acting warden has made improvements. But members of the state Board of Correction were concerned on Monday. "They're not meeting the terms of the contract," said board Chairwoman Robin Sandy. "Maybe I'm just used to enforcing a contract a little more aggressively."

The Idaho inmate who committed suicide at the Texas lockup, Scot Noble Payne, 43, was found in a shower at 1 a.m. with fatal razor wounds. He was serving seven to 20 years for lewd and lascivious conduct. Matt EchoHawk, staff attorney for the Idaho ACLU, said his group received complaints from about one in five Idaho inmates at the Dickens facility after Payne's escape in December. (Betsy Russell, The Spokesman Review, 5/1/07, <http://www.spokesmanreview.com/idaho/story.asp?ID=187336>)

- ◆ **Sexual Misconduct:** A male employee at the T. Don Hutto Residential Detention Center was fired Sunday after management received information alleging an inappropriate relationship between the employee and an adult female detainee at the facility. **Corrections Corporation of America**, the for-

profit company that owns and operates the center, learned of the incident Saturday evening and immediately placed the employee on administrative leave, according to CCA spokesman Steve Owen. The center houses families illegally residing within the United States for Immigration and Customs Enforcement, a division of the Department of Homeland Security.

Protesters had gathered outside the facility earlier this month on the day a United Nations inspector intended to tour the center. The ICE rejected Jorge Bustamante, the independent expert on migrant rights, from access to the detention center and later denied him entrance into another facility in Monmouth, N.J. (Tessa Moll, The Taylor Daily Press, 5/23/07, <http://www.taylordailypress.net/articles/2007/05/23/news/news01.txt>)

- ◆ **Guard Fired:** A male guard at the embattled T. Don Hutto Family Residential Facility, the immigrant prison for adults and their children northeast of Austin, has been fired after being accused of having sex with a female inmate. The unidentified guard was investigated by local authorities, who then passed the case to federal officials, according to published reports. He was fired Sunday. The guard worked for the privately run **Corrections Corp. of America**, which operates the 512-bed immigrant detention center under contract with ICE and Williamson County. (The Express-News, 5/24/07)
- ◆ **Escape:** A convicted car thief from Galveston County escaped Monday evening from a state prison in downtown Houston, officials said. Texas Department of Criminal Justice officials said Andrew Dale Coley, 25, serving two years for unauthorized use of a motor vehicle, was noticed missing about 7 p.m. Monday from the South Texas Intermediate Sanction Facility. Agency spokeswoman Michelle Lyons said authorities suspect Coley managed to get through a layer of fencing into a ventilation system that runs to another part of the building. He then apparently kicked out a wall panel and was able to flee. The prison, which can hold up to 450 inmates, is operated under contract by **The GEO Group** Inc., a private corrections firm based in Boca Raton, Fla. (The Associated Press, 5/29/07, <http://www.statesman.com/news/content/news/stories/local/05/29/29prisonescape.html?cxtype=rss&cxcsv=7&cxcsv=52>)
- ◆ **Escapee Caught:** A 25-year-old prison escapee was captured Wednesday on a jogging trail behind the Harris County Jail — headquarters for one of the largest contingents of law enforcement officers in the state of Texas. Andrew Dell Coley traveled only about seven blocks during his more than 40 hours on the lam before an off-duty university police chief jogging near the Harris County Jail nabbed him. Coley, a convicted car thief from Galveston County, apparently lacked a plan after escaping from the privately run South Texas Intermediate Sanction Facility in downtown Houston on Monday evening. He was spotted there by Chief Rick Boyle of the University of Houston-Downtown Police Department, who jogs the trail three or four days a week.

The private prison, which can hold up to 450 inmates, is operated under contract by **The GEO Group, Inc.**, a private corrections firm based in Boca Raton, Fla. (Joe Stinebaker, The Associated Press, 5/30/07, <http://www.chron.com/disp/story.mpl/ap/tx/4848480.html>)

- ◆ **Guard Aided Escape:** A private prison guard in Texas who company officials say helped an Idaho inmate escape by providing an envelope stuffed with money has been convicted in a separate case of providing contraband to another Idaho prisoner.

John Ratliffe, a former guard at the Dickens County Correctional Center where hundreds of Idaho inmates are housed due to overcrowding at home, was sentenced last month to five years probation, 120 hours of community service and a \$1,000 fine for giving cigarettes to Idaho inmate Patterson Franklin,

according to court records obtained Tuesday by The Associated Press. Ratliffe pleaded guilty. The problems surfaced starting Dec. 3 when sex offender Scot Noble Payne escaped through a prison kitchen door and scaled a fence. Afterward, Ratliffe acknowledged to his bosses at the prison run by Florida-based The **GEO Group** that he used Franklin as an intermediary to provide illegal items, including tobacco, underwear, sex tapes, music — and at least \$200 Payne had with him when he was caught Dec. 10, according to an eight-page report compiled by GEO officials following the escape. (John Miller, The Associated Press, 6/6/07, <http://www.idahopress.com/articles/2007/06/06/news/news4.txt>)

- ◆ **Bribery:** Bexar County prosecutors say a Louisiana private prison company that was awarded a lucrative deal to run the jail commissary gave \$27,500 to apparent "shells" and "fronts" controlled by the longtime campaign manager, political aide and friend to Sheriff Ralph Lopez, according to a court document filed this week. **Premier Management Enterprises** wrote the checks as "donations" or "consulting fees" to charities and a private computer services firm. They were deposited in bank accounts controlled by John Reynolds while he served as the sheriff's appointee to the Benevolent Fund board, which awarded and oversaw the contract, investigators allege in the filing. Checks included in the filing show the first of four listed payments started not long after Lopez pushed to award the commissary management contract in 2005 despite resistance from his own staff, and after the company's owners took Lopez golfing in Costa Rica. Premier wrote \$7,500 checks to three charities: the San Antonio Optimist & Allstar Basketball Game; the Optimists; and the Optimists Scholarship Fund. One check for more than \$5,000 for "consulting" was paid to a computer company, Systems Analysts Inc., which investigators described as an "alter ego" of Reynolds. "Investigation reveals that John Reynolds is not currently a member of the San Antonio Optimist Club, nor was he a member at the time the checks were deposited," the document states. In addition to the Premier checks to Reynolds' bank accounts, investigators claim to have found irregularities in the sheriff's campaign accounts that Reynolds controlled, according to the document. Premiere and its principals filed a libel lawsuit against the San Antonio Express-News over 2005 reports that disclosed the sheriff's trip to Costa Rica and raised questions about how the company got the jail commissary contract over the objections of staff. That lawsuit is pending. (Todd Bensman, Express-News, 6/27/07, <http://www.mysanantonio.com/news/metro/stories/MYSA062707.1A.sheriff.3a994cd.ht>)
- ◆ **Hostage:** On July 2, 2007 at approximately 08:30 a.m. the Jefferson County Sheriff's Office communications was notified of a hostage situation involving an inmate located at the downtown **GEO** facility. The communications division notified the appropriate Sheriff Personnel and initiated a call-out of the Jefferson County Sheriff S.W.A.T. team as well as assistance from the Beaumont Police Department S.W.A.T. team. Once the personnel as well as safety and security procedures were in place; negotiators were called in to make contact with the inmate holding the hostages. The suspect/inmate is identified as a white male, Leffebre, Andre David, Date of Birth 02-13-62, 44 years of age. He was being held in Federal custody for Weapons violation, Probation Violation, and Bank Robbery at the Private Corrections Facility downtown which is operated by the GEO corrections company. The inmate displayed a paper object believed to be a hand-gun to an officer and took hostages in a small room located inside the facility. Minutes after the tactical teams were in place and negotiators were in contact with the inmate the hostages were released unharmed. At 09:12 a.m. the inmate surrendered to the SWAT team and was taken into custody without incident. (Scott Lawrence, 7/2/07, [http://www.kfdm.com/news/inmate\\_21094\\_\\_\\_article.html/robbery\\_downtown.html](http://www.kfdm.com/news/inmate_21094___article.html/robbery_downtown.html))

## UTAH

- ◆ **Politics:** One bill introduced at the Utah Legislature raises constitutional separation-of-powers questions with the appearance that lawmakers want to take over the bidding process for choosing state contractors. House Bill 391 directs the Department of Human Services to issue a request for proposals from private vendors to operate and manage the Utah State Hospital. The bill's sponsor, Rep. Becky Lockhart, R-Provo, is one of five legislators who were invited by lobbyist Rob Jolley to visit a privately run state hospital in Pembroke Pines, Fla., in December. The others were House Speaker Greg Curtis, R-Sandy; House Majority Leader David Clark, R-Santa Clara; Sen. Howard Stephenson, R-Draper; and Senate Majority Leader Curtis Bramble, R-Provo, who is to be the Senate sponsor of the bill. They were the guests of **Geo Care**, a private operator of state mental services hospitals. Geo Care is an affiliate company of the **Geo Group**, which operates privately run prisons throughout the United States and several other countries. Jolley is a registered lobbyist for Geo Care and the trip, at a total cost of about \$10,000, was paid for by David Meehan, another Geo Care lobbyist. Reports about the privatization of prisons and mental hospitals are not, by the way, all sunshine and roses. A Florida legislative audit concluded that "privatizing South Florida State Hospital has not resulted in cost savings or improved client outcomes." And a 2004 story in the Gainesville Sun reported that the privately-run facilities cost significantly more than government-run institutions. The St. Petersburg Times reported last month that the Geo Group was one of two companies the state of Florida had overpaid by nearly \$13 million and Geo had agreed to repay \$402,000. (Paul Rolly, 2/10/07, [http://www.sltrib.com/opinion/ci\\_5202193](http://www.sltrib.com/opinion/ci_5202193))
- ◆ **Guard Misconduct:** A former worker at **Cornell** Community Corrections Center, a halfway house in Utah for federal inmates, has been sentenced to 27 months in prison for tampering with a urine-test record. Larry Lee Jensen, 38, admitted that he urinated into a specimen cup for a center resident and filled out paperwork saying he had witnessed the inmate providing the sample. The sentence was imposed March 28 by U.S. District Judge J. Thomas Greene. (The Salt Lake Tribune, 4/6/07)

## VIRGINIA

- ◆ **Extortion:** David Eugene Davis claims he was roused from his cell in the middle of the night by officers at the Lawrenceville Correctional Center last April. He was escorted to a small office and left there alone with the shift commander. The officer, Davis claims, demanded \$2,000. Davis said the officer threatened to falsely charge him with assault if he did not pay. If he paid, the officer said Davis would be protected as long as he was at Lawrenceville, the state's only privately run prison. Davis said he paid. Then in September, Davis alleges, the officer -- who has since left the prison -- wanted \$10,000 more. Davis said he refused. Days later, Davis reported being attacked by three inmates and robbed of cigarettes, according to a prison incident report. A purported copy Davis gave the Richmond Times-Dispatch was made payable to and apparently cashed by the former officer on April 28. It was dated April 26, and beside the word "purpose" was written: "DAVID E DAVIS."
 

The Lawrenceville Correctional Center is operated by **The GEO Group Inc.** of Boca Raton, Fla. The officer in question was a GEO employee, not a Department of Corrections employee. (Frank Green, The Times-Dispatch, 2/7/07, [http://www.timesdispatch.com/servlet/Satellite?pagename=RTD%2FMGArticle%2FRTD\\_BasicArticle&c=MGArticle&cid=1149193063890&path=%21news&s=1045855934842](http://www.timesdispatch.com/servlet/Satellite?pagename=RTD%2FMGArticle%2FRTD_BasicArticle&c=MGArticle&cid=1149193063890&path=%21news&s=1045855934842))
- ◆ **Privatization:** Lessons abound on why substituting the word "private" for "public" in government operations doesn't equate to nirvana. Here's one more: According to a report in the Richmond Times-Dispatch, more than twice as many inmates were caught last year with drugs at Lawrenceville

Correctional Center than at all other Virginia prisons combined. And at least three employees have been convicted or - the facts suggest - indicted on charges within the past year involving drug trafficking into the prison or extorting money from an inmate. What's going on at Lawrenceville? It's operated by **GEO Group Inc. of Boca Raton, Fla.**, under contract to the **Corrections Corporation of America**, which in 1997 opened the facility. In theory, the GEO Group might just be better at catching wrongdoers, though the size of the disparity makes that unlikely. If Lawrenceville is the best of the lot, then Virginia prisons are indeed a cesspool of corruption. GEO pay points to one possible explanation. A starting correctional officer makes \$8.65 per hour, or about \$18,000 annually. Post-training, that figure jumps to \$20,176 annually. By contrast, correctional officers at state-run prisons make \$29,340 annually. That's nothing to write home about either, but it's a \$9,000 more than GEO pays. Maybe, just maybe, the problem at Lawrenceville is as simple as a pay scale that meets profit demands but isn't enough to attract consistently reliable, trustworthy personnel. The bottom line is often just that with private businesses. (3/27/07, <http://content.hamptonroads.com/story.cfm?story=121785&ran=94320>)

- ◆ **For-Profit (Editorial):** Some government functions simply should not be outsourced. Incarcerating citizens -- denying their liberty as punishment for crimes they've committed -- is a function that only the state should fulfill. Locking up human beings should not be a profit-making activity for a private corporation. Virginia has only one privately run prison: Lawrenceville Correctional Center. A recent report in the Richmond Times-Dispatch suggests that it isn't exactly a poster child for the concept. More than twice as many inmates were caught with drugs at the prison last year than all other state prisons -- combined. David Eugene Davis, a former inmate, told the newspaper, "It's crazy over there. It's just unbelievable ... it's wide open." Davis claims a former prison official extorted money from him. Two other correctional officers pleaded guilty in February after they were arrested while being paid to smuggle drugs into the prison. Davis thinks the problem is the guards at Lawrenceville are underpaid. "The guards make \$18,000 a year and the inmates are walking around with a thousand dollars cash on them." Lawrenceville correctional officers start at \$18,000 a year, moving up to a little over \$20,000 a year after an initial training period. State correctional officers start at \$29,000. The Lawrenceville prison is run by **GEO Group Inc.**, a Florida firm that won a five-year, \$95 million contract in 2003. The less it pays guards, the more money the company will make. That underpaid guards might be more susceptible to bribes or other corruption seems a secondary consideration to profits. The state should handle crime and punishment issues itself to guarantee the emphasis is on public safety rather than private profits. (4/1/07, <http://www.roanoke.com/editorials/wb/wb/xp-111204>)

- ◆ **Contraband:** The Virginia State Crime Commission wants a satisfactory explanation for contraband seizures reported at the state's only private prison, or it may conduct its own investigation. "Something's not right, and we need to make sure that we have an understanding of what this problem is," state Sen. Kenneth W. Stolle, R-Virginia Beach, the commission chairman, said yesterday. Citing figures from the Virginia Department of Corrections, The Times-Dispatch reported in March that last year there were twice as many drug seizures at the Lawrenceville Correctional Center than in all the other prisons combined.

However, at yesterday's crime commission meeting, Gene Johnson, director of the Virginia Department of Corrections, said the figures reported in the newspaper and cited by Stolle were incomplete because of the way prisons around the state report them to Richmond. Johnson promised to get the correct figures to the commission as soon as possible. He also disclosed yesterday that the department has hired an outside consultant to review security at the 1,500-inmate medium-security prison operated by **GEO Group Inc.** of Boca Raton, Fla., since 2003.

Earlier this year, the department said 28 of the 41 cases of inmate drug seizures in the prison system in 2006 occurred at Lawrenceville. Lawrenceville has had contraband problems. This year, two former Lawrenceville officers caught by the FBI with 14.6 grams of crack cocaine pleaded guilty to charges of conspiring to deliver drugs to inmates there. State Del. Kenneth R. Melvin, D-Portsmouth, a crime commission member, said Johnson's explanation about the numbers may be correct, "but I get a feeling that it is not."

"If we allow the Department Of Corrections to handle this in sort of a lazy way . . . I think we are letting down the people of Virginia," he said. He said he believed the crime commission has a responsibility to make sure the prisons are being run properly. (Frank Green, The Times-Dispatch, 5/23/07, <http://www.inrich.com/cva/ric/news.apx.-content-articles-RTD-2007-05-23-0111.html>)

## INTERNATIONAL

### ENGLAND

- ◆ **Inmate Death:** Damaging questions about the treatment of teenagers in jail will be revealed this week during the inquest into how a 15-year-old boy died in custody after being restrained by three adult members of staff. Gareth Myatt lost consciousness after being held in a Home Office-approved armlock that has since been banned. He is the youngest person in living memory to die in such a way in a British prison. The inquest into the death of Gareth, who weighed less than seven stone and was 4ft 10in tall, will raise questions over the standard of care and discipline in what critics call 'child jails'.

His mother, who will give evidence at the inquest, told The Observer that she has still not been told all the facts about her son's death in April 2004 at the privately run jail in Northamptonshire. Pam Wilton, of Stoke-on-Trent, said: 'I'm very angry at the government and the firm that ran the prison. I cannot believe the restraint could even have passed safety tests.' Gareth was just four days into a 12-month sentence at the Rainsbrook training centre, which is operated by a subsidiary of **Group 4**, for theft and assault when he was sent to his room after a disturbance. He was visited by officers in a bid to calm him down. There it is understood that Gareth, who allegedly attacked one officer, was restrained by three members of staff using a technique known as the 'seated double embrace', which involves grabbing children in an interlocking hold while they are seated.

An independent inquiry instigated following Gareth's death found that young prisoners were being subjected to treatment that would prompt abuse investigations elsewhere. Teenagers told investigators of broken and bloodied noses and of breathlessness during restraint. Lord Carlile of Berriew, who headed the inquiries, admitted being 'shocked' by what he found. (Mark Townsend, The Observer, 2/11/07, [http://observer.guardian.co.uk/uk\\_news/story/0,,2010526,00.html?gusrc=rss&feed=11](http://observer.guardian.co.uk/uk_news/story/0,,2010526,00.html?gusrc=rss&feed=11))

- ◆ **Riot (GEO):** Seven staff and two inmates have been injured in a fire after a riot broke out at an immigration removal centre. Emergency services were called to deal with the incident at Campsfield removal centre near Kidlington, in Oxfordshire, early on Wednesday. The nine injured people are thought to be suffering from smoke inhalation. The seven immigration staff at the centre and two detainees have been taken to hospital. A Home Office spokesman said the riot teams were working to get the centre completely under control as soon as possible. A detainee, who did not want to be named, told BBC News 24: "This place is falling apart - computers are getting smashed. He said the violence started after staff tried to remove an Algerian man from his room. "They used force to drag the person from the bed and after that everything kicked off," he said.

Sarah Cutler from Bail for Immigration Detainees, which provides workshops at Campsfield offering legal advice to detainees, said she was not surprised by the disturbance. "There are big

problems at the moment," she said, adding that many people were being held for months. (3/14/07, [http://news.bbc.co.uk/2/hi/uk\\_news/england/oxfordshire/6449069.stm](http://news.bbc.co.uk/2/hi/uk_news/england/oxfordshire/6449069.stm))

- ◆ **Problems:** Campsfield House immigration removals centre in Oxfordshire is no stranger to the type of disturbance which led to seven staff and two inmates being injured in a fire on Wednesday. As well as riots, rooftop protests and hunger strikes have brought unwelcome publicity to the centre near the town of Kidlington. Formerly a Young Offenders Institute, Campsfield was converted into an immigration detention centre in 1993 amid a storm of protest from local residents. Run by the American company **GEO**, which specialises in operating detention facilities, Campsfield holds up to 200 male asylum seekers. However, within six months of opening the centre experienced a major problem when six asylum seekers escaped following a rooftop protest. Low-level disturbances inside the centre and regular public protests outside its gates kept Campsfield in the public eye during its first few years.

In August 1997 around 50 detainees took part in a day-long disturbance at Campsfield leading to a report by the then Chief Inspector of Prisons. In his report Sir David said that the centre and other similar facilities were "unsafe" because of the absence of enforceable rules of conduct for detainees and staff. Following a High Court ruling in 2001 that some Kurdish detainees in a similar Cambridgeshire centre were being held illegally, around 90 detainees at Campsfield embarked on a hunger strike which attracted national attention.

A Home Office spokesman told the BBC News website other options within the county were now being considered as part of a wider look at the detention estate. (3/14/07, [http://news.bbc.co.uk/2/hi/uk\\_news/6449465.stm](http://news.bbc.co.uk/2/hi/uk_news/6449465.stm))

- ◆ **Investigation:** The Home Office is to launch an investigation into the company that manages the electronic tagging of early release criminals after an undercover investigation revealed that potentially serious offenders were left unmonitored for weeks at a time. Footage shows a violent offender going out after removing his tag, breaching his bail conditions. Ministers have been forced to act after receiving disturbing evidence of equipment failures and doctored record-keeping within **Group 4 Securicor Justice Services**, which operates 60 per cent of tags for offenders released early under the Home Detention Curfew scheme.

A 130-page dossier obtained by a BBC journalist, who worked undercover for five months in the security company's Nottingham operations centre, includes the following allegations: A manager secretly taped saying that three paedophiles were not being monitored. A prisoner incorrectly returned to jail for seven weeks because of a blunder by the security company. A violent offender breached his bail conditions by going into a pub 10 minutes after removing his tag the night before his court appearance. An employee mocked Victor Bates, a campaigner against tagging whose wife Marian was shot dead in their jewellery shop after the gunman's accomplice had ripped off his tag. A prisoner convicted of indecent assault on home leave was unmonitored for several days because his tagging equipment failed.

The revelations will further undermine confidence in tagging after figures revealed that inmates let out under the system committed more than 1,000 violent crimes including four manslaughters, one murder, 56 woundings and more than 700 assaults since it was introduced in 1999. The investigation also discovered evidence of staff fabricating records to save money.

After being confronted with the evidence G4S, which has admitted there was faulty equipment, has been forced to apologise and has suspended five employees in Nottingham. (Andrew Pierce, 3/23/07, <http://www.telegraph.co.uk/news/main.jhtml?xml=/news/2007/03/23/ntag23.xml>)

- ◆ **Report:** Replacing prison food with over-priced outside catering fare is a recipe for disaster in a women's jail. This is the opinion of prison visitors whose latest report says inmates much preferred 'porridge' the way it is. *Aramark*, the company which has taken over the canteen at Downview Women's Prison, is typical of the caterers who have taken over the food at many jails. And the report by the Independent Monitoring Board claims the new system is not being welcomed anywhere.

The report says: "We were warned in advance by other independent monitoring boards who had experienced a similar change to expect a disastrous transfer - and it has been. The decision to privatise the canteen may bring cash benefit to the Treasury but the introduction of Aramark to run the prison canteen has so far been a disaster. For prisoners the canteen is one of the most important facets of their lives but prices have risen sharply, the inventory has shrunk, revisions take ages to implement and the administration is poor. In contrast the old prison-run canteen at least understood the needs of the prisoners and charged prices that matched their wages." (Joan Mulcaster, 3/27/07, [http://icsurreyonline.icnetwork.co.uk/0100news/0700epsomandbanstead/tm\\_headline=private-prison-food-is-slanted&method=full&objectid=18815226&siteid=53340-name\\_page.html](http://icsurreyonline.icnetwork.co.uk/0100news/0700epsomandbanstead/tm_headline=private-prison-food-is-slanted&method=full&objectid=18815226&siteid=53340-name_page.html))

- ◆ **Debate (G4):** The powers of Home Office officials to discipline and order the segregation and restraint of prisoners in Britain's private jails would be handed over to the prison companies under legislation to be debated today by the House of Lords. Prison governors warned last night that the little-noticed provisions in the government's offender management bill to give private prison companies the power to punish their inmates were a "serious step too far". Paul Tidball, president of the Prison Governors' Association, said in the aftermath of the GuardianFilms/BBC Panorama exposure of bribery and drugs at the privately-run Rye Hill prison, Warwickshire, that it was essential that internal judicial processes in prisons were conducted without an eye to costs and profit. The Guardian revealed yesterday that an undercover reporter who spent five months as a prison officer at Rye Hill was asked by inmates to smuggle in mobile phones and drugs. He also discovered that staff were intimidated by prisoners if they were too diligent in their duties. Conditions at Rye Hill were highlighted last month at Northampton crown court when the prison was criticised after the collapse of a manslaughter trial over the death in 2005 of Michael Bailey, a prisoner on suicide watch. Four officers were cleared in connection with the death and the judge described it as an "avoidable tragedy". The government is expected to get a rough ride today when peers debate the second reading of the offender management bill, which includes plans to create a "vibrant mixed market" in probation and prison services. (Alan Travis, The Guardian, 4/17/07, <http://www.guardian.co.uk/prisons/story/0,,2058908,00.html?gusrc=rss&feed=11>)

- ◆ **Investigation:** The Home Office has pledged to review the management of a privately run prison where an investigation by Guardian Films and the BBC uncovered routine bullying of staff by prisoners at the jail. A reporter working undercover as a prison officer at the troubled Rye Hill jail found widespread intimidation of staff and incidents where diligent custody officers were urged to "back off" by senior colleagues for fear of upsetting inmates. It also found that prisoners had easy access to drugs and mobile phones. The Home Office insisted that *Global Solutions Limited (GSL)*, the private firm that runs Rye Hill, has already been penalized for failings at the jail. But it added that the management would be reviewed again after tonight's broadcast.

In a statement a spokeswoman said: "The regional offender manager will continue to work closely with the Commercial and Competitions Unit of Noms [the National Offender Manager Service] and the Home Office controller in considering whether further remedial action is required to ensure compliance by GSL against the contract." The statement also admitted there had been failings at the jail. It said: "There have been undoubted failures in the past performance of GSL against their contract to deliver the

required service in a number of areas. Both the current contract holder, the regional offender manager for the East Midlands, and the previous holder, the head of the office for contracted prisons, have sought to remedy these failings through robust contract management.

Frances Crook, director of the Howard League for Penal Reform, said: "The private sector experiment has been an abject failure in prisons. There continues to be deaths in them. They are more expensive, they have not impacted on reoffending rates and there have been scandals like this. The argument was always that private prisons were going to be beacons of good practice. But staffing levels are low and staff are paid less [than those in publicly run jails] which means there is more risk that they are bribed or bullied. They also don't have a union to back them up."

Stephen Nathan, editor of Prison Privatisation Report International, said the idea of privately run prisons was flawed. "The failures at Rye Hill are systemic. The pursuit of profit is incompatible with rehabilitating prisoners and providing adequate working conditions for staff. The government cannot continue to ignore the evidence. These contracts should be terminated." (Matt Weaver, The Guardian Unlimited, 4/16/07, <http://www.guardian.co.uk/prisons/story/0,,2058410,00.html?gusrc=rss&feed=1>)

- ◆ **Riot:** A group of prisoners has caused a disturbance at a privately run jail in Warwickshire. The inmates took control of one wing at Rye Hill prison during the incident on Monday afternoon. A team of specially trained and equipped staff regained control of the wing after two hours. A spokesman for **GSL**, which runs Rye Hill, said that despite some damage at the prison, there were no injuries to either staff or inmates. (6/25/07, [http://news.bbc.co.uk/2/hi/uk\\_news/england/coventry\\_warwickshire/6239326.stm](http://news.bbc.co.uk/2/hi/uk_news/england/coventry_warwickshire/6239326.stm))

## SCOTLAND

- ◆ **Privatization Stalled:** PLANS to build two new prisons using private money are set to be scrapped by the SNP, in the first major change of policy since it gained power at Holyrood. Labour insiders claim the plans will cost as much as £750m over the next 20 years, and will lead to lengthy delays in easing the current overcrowding crisis. The move to bring two jail projects back into public control will place the SNP in direct conflict with prison chiefs and civil servants who have already started signing off the deals with private firms to construct the desperately needed institutions. The row centres on two 700-capacity prisons at Low Moss near Bishopbriggs and in Addiewell in West Lothian. Construction work has already begun at Addiewell, with a private consortium having been given the contract to start. A bid to construct Low Moss in the public sector was knocked back by prison chiefs earlier this month, paving the way for another private deal. The new SNP administration has made the matter an "urgent priority" as they seek to prevent more private-public partnerships being introduced. The SNP has said previously it may consider building the new jails through not-for-profit trusts. It argues that, over the long term, such deals would be far cheaper because the government would not have to pay out hefty fees to the private firms who run them. (Eddie Barnes, 5/20/07, <http://news.scotsman.com/index.cfm?id=782722007>)

