

5 April 2016

Requestor Travis Loller
The Associated Press
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Nashville, TN 37212

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Please see the following response to a public records request sent to Steve Groom, General Counsel, CCA, via email on March 29, 2016.

1. **Any and all records reflecting which prisoners at the Trousdale Turner Correctional Facility have been held in segregated housing between Jan. 5 and March 29, including the dates they were held and the reasons they were held.**

CCA has identified six (6) pages of records that appear to be responsive to your request. Please send payment of \$1.39 (0.15 x 6 pages plus 0.49 postage) payable to CCA at the address below and include the Log Number in your correspondence to ensure proper handling. Be advised that some redactions will be applied based on safety and security concerns including, but not limited to those described in TCA 10-7-504(m) ("information directly related to the security of any government building") and TCA 10-7-504(a)(8) ("investigative records"). Upon receipt of payment, CCA will transmit the records to you with a detailed explanation of redactions applied.

Be further advised that, consistent with the exceptions identified above, some redactions will encompass de-identification of individuals whose safety may be jeopardized by the public release of their identities (for example, non-exhaustively: individuals in protective custody; individuals held pending investigation; and other individuals whose precise locations should not be known to the public or other inmates for the protection of those inmates, other inmates, staff, and members of the public).

Records Request
CCA Office of General Counsel
10 Burton Hills Blvd.
Nashville, TN 37215

2. **Any and all records that reflect the staffing levels at Trousdale Turner on a day-to-day basis from Jan. 5 to March 29. I am requesting records that reflect how many employees were actually present, their names, their positions, their shifts, and the hours they were physically present. I am not seeking personal information about the employees.**

CCA declines to provide the requested records to the extent that any responsive records actually exist. The request seeks records that predominantly comprise correctional facility security

staffing information for a government building. For this reason, the records sought are exempt from disclosure pursuant to TCA § 10-7-504(m) (1), which provides:

Information and records that are directly related to the security of any government building shall be maintained as confidential and shall not be open to public inspection. For purposes of this subsection (m), "government building" means any building that is owned, leased or controlled, in whole or in part, by the state of Tennessee or any county, municipality, city or other political subdivision of the state of Tennessee.

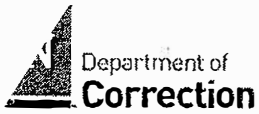
CCA operates correctional and detention facilities for federal, state, and local governments. This contracted for service, by its very nature, is security-centric. The vast majority of CCA employees at correction and detention facilities are charged with the performance of security duties, such as the protection of persons and property. Their work locations, hours of service, and individual job titles demonstrate the security posture of the affected institutions.

The Trousdale Turner Correctional Facility (TTCF) is operated pursuant to a contract with Trousdale County, Tennessee, a political subdivision of the state of Tennessee. The County, in turn, contracts with the Tennessee Department of Correction (TDOC), which places prisoners held pursuant to state authority at TTCF. TDOC, through its relationship with the County, exercises authority, control and oversight over the day to day operations of the affected facilities.

TTCF not only houses state prisoners, but is also used as an operational location for staff of TDOC. TDOC personnel have unfettered access to the facility, where they monitor compliance with state contracts and with applicable provisions of TDOC policy. TTCF provides equipment, office space, and meeting space used by government employees on a routine basis. Government employees are assigned to and stationed at the facilities.

The public revelation of records associated with the staffing of TTCF would compromise the security of the types of buildings envisioned by § 10-7-504 (m) (1). This is so because the information sought would allow members of the public to determine security related facility staffing by precise location and precise time. Public disclosure of this information would allow individuals and groups seeking to commit crimes or acts of terrorism affecting the facilities to assess periods and locations of supposed vulnerability, thereby enabling them to conduct activities threatening the security and good order of the facilities.

For just one example, the requestor's request would lead to public disclosure of the number of personnel patrolling the secure perimeters on each shift. This would facilitate escape plotting by non-incarcerated accomplices, seeking to determine the best times and days to attempt the facilitation of an escape.



MEMORANDUM

To: Tony Parker, Assistant Commissioner

From: Tony Howerton, Correctional Administrator

Date: 3-17-16

Subject: TTCC Areas of concern

I have concerns with the operation of TTCC. Some issues were corrected but some are significant findings. I spent the past two days at TTCC reviewing video and walking the compound with the contract Monitor Chris Brun. There are some serious issues with the top level supervisors. (Unit Managers, Captains and Lieutenants) It is of my opinion that the TDOC stop all incoming inmates to TTCC until these issues are resolved. I spoke with Jason Medlin and the Warden and advised them of the issues and my concern of bringing more inmates into TTCC. Jason Medlin met me at TTCC this morning and we walked the compound and did cell inspections and he encountered some of the same issues that are listed below. He has committed to getting the issues resolved and requested additional staff to accomplish the task. Below are my concerns:

Sanitation

During my tours of the compound and review of the video Cameras on 03/16/2016 – 03/17/2016, I noticed the general population unit's still need improvement. Inmates are not ready for cell inspection; showers need cleaning and the entire facility needs the grass cut. I have spoken to Warden Leibach and this issue will be resolved.

Segregation unit

We still have inmates being placed in segregation with no segregation screen being placed on tomis and no explanation as to why they were ever placed in segregation. The Contract Monitor needs to receive a segregation confinement checklist when inmates are placed in segregation. Inmates are still being placed in segregation and the disciplinaries are either not being put into etomis or they are not being served to the inmate or given to the hearing officer. The facility is also not submitting a segregation screen on tomis for every inmate that has been placed in segregation. Inmates . . . and inmate . . . are two examples of inmates placed in segregation without entering the segregation screen on tomis this week. I offered to schedule tomis training for any employee that needs it.

Count and Inmate Accountability

Count procedures still need improvement. TTCC has had issues with count not clearing within an hour consistently since the facility has opened. The facility has count at [redacted]. After reviewing the facilities count procedures by way of video with Contract Monitor Brun for the past 5 days I have discovered that TTCC has not been doing a [redacted] count. Inmates should be locked down by [redacted] to prepare for [redacted] count. This is not occurring. On 3-15-16 we observed E unit C pod and the inmates in this pod were never counted at [redacted] and were not locked down until [redacted]. It appears the first evening count was conducted at [redacted] on this unit. We also noticed 10 inmates were standing outside of echo units housing pod until [redacted] without any security supervision.

From 3-12 through 3-15 we observed bravo and echo unit and there was no [redacted] count on any unit we observed. In bravo unit there were inmates out of their housing unit on the pod until [redacted]. On 3-15-16 we observed Alpha unit alpha pod on 3-15-16 and inmates were locked down at [redacted]. Count was conducted at [redacted] but there was no officer backing up this count. It appears that the facility has not done a [redacted] count this week. Every unit we monitored via milestone camera footage did count their pod but it would be between [redacted] and [redacted] every evening, and multiple units did not have a backup officer verifying the officer's count.

Chris Brun spoke with Warden Leibach on 3-17-16 voicing a concern about the tomis count that should be occurring at [redacted] in the evening. As we looked through tomis cell bed assignments we noticed inmate [redacted] and tomis states this inmate currently lives in Echo unit, however this inmate was moved to Alpha unit on 3-15-16 due to a use of force incident [redacted]. He was placed in segregation however no disciplinary report or pending investigation report has been submitted. I don't know how TTCC cleared their [redacted] tomis count on 3-15 or on 3-16 because this inmate is showing up in Echo unit on tomis but he is really in Alpha unit. If count was being conducted properly we should be over one inmate in alpha and under one inmate in echo.

On 3-16-16 count started at [redacted] and did not clear until [redacted]. Chris Brun reported to me that he has observed inmates move themselves from one cell to another and they have been disciplined for being out of place. We also have staff that have moved inmates and have not notified the count room of these moves. In some cases the count room is aware that an inmate has been moved but they are not moving the inmate on tomis.

Supervisors

The Lieutenants, Captains and Unit Managers we observed on video and in the units this morning are not adequate. They do not have control of the housing units and it appears inmates are free to mingle around the unit at will. Tier Management is not being properly implemented on 2nd shift based on the evidence I observed on video. This was occurring while captains and unit managers were in the units.



Incidents

There was a Use of Force physical 3-15-16 incident #1202595 that after reviewed on video was a use of force chemical agent. The inmate in my opinion was already compliant with the officers but he was sprayed with OC Pepper and then struck three times with the pepper ball gun. A captain, Lieutenant and numerous officers were present at the time of this incident. I contacted OIC and requested an investigation. An OIC investigator will be at TTCC tomorrow 03/18/2016 to start the investigation. In my opinion it is at a minimum of unnecessary force but could be classified as excessive force.