
PRIVATE CORRECTIONS INDUSTRY NEWS BULLETIN

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Reporting on Prison Privatization and Related Issues

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FBI Makes Arrest in Brazoria Co. Investigation

Videotaped abuse of inmates at a privately-operated Brazoria Co., Texas detention center led the state of Missouri to cancel its \$6 million contract with Capital Correctional Resources, Inc. (CCRI) and withdraw 415 inmates from the facility. The September 18, 1996 "training video," widely televised last year, showed prisoners being shocked with stun guns, attacked by guard dogs, kicked, and forced to crawl on the ground.

CCRI was later bought out by CiviGenics, Inc., a Massachusetts-based company that operates private detention centers in 13 other states. Last March the Brazoria Co. Commissioners voted unanimously to discontinue their contract with CiviGenics and to return the jail

to public management.

In its first arrest following an investigation into the videotaped brutality, the FBI announced that Wilton David Wallace, a former Brazoria County jail officer, had been indicted on federal civil rights charges. Wallace, 50, was arrested at his Angleton, Texas home and later released on \$25,000 bond. He was charged with slamming an inmate's face into a wall. Don Clark, special agent in charge of the Houston FBI office, said more indictments are possible.

In addition to the criminal investigation Missouri inmates have filed suit against Texas authorities, CCRI and Brazoria County. A federal magistrate in Galveston has ordered company officials into his

courtroom to answer accusations that they concealed evidence of abuse. During a court hearing last May, former jail warden Bobby Crawford testified about the existence of videotapes of other incidents at the detention center. He said the videos were sent to CCRI headquarters shortly after Missouri canceled its contract with the company; however, the tapes have not yet been produced by CCRI despite discovery requests by the inmates' attorneys.

Stated U.S. Magistrate John Froeschner, "They're stonewalling. I really think CCRI is hiding documents or has destroyed them." □

Source: *The Dallas Morning News*, June 9, 1998.

Suicide at CCA-Operated Facility in Tennessee

Reginald Edmonds, 39, an inmate at CCA's Hardeman County Correctional Facility in Whiteville, Tennessee, committed suicide on June 11. He was found in his cell

at approximately 2:00 a.m., lying on his bed with an electrical cord around his neck. It was not reported how much time had elapsed before his death was discovered by prison

staff. Upon agreement of his family Edmonds' body was released to the Shelby County Medical Examiner's office for an autopsy. Source: *The Only Voice* (TN), July 1998.

Other Private Corrections Industry Resources

The Corrections and Criminal Justice Coalition (CCJC), which represents unionized government corrections employees, strongly opposes prison privatization. Address: 7700 Leesburg Pike #421, Falls Church, VA 22043; web site: www.ccjc.com.

The *Prison Privatisation Report International*, a publication of the non-profit Prison Reform Trust, is published ten times a year. Highly recommended! Subscription rates are £25 for individuals, £50 for public or non-profit agencies and £100 for corporations or businesses. Address: Prison Reform Trust, 15 Northburgh Street, London EC1V 0AH. Phone: ++44-171-251-5070; e-mail: prison-reform@prisonreform.demon.co.uk.

CONFERENCE

A national conference and strategy session on the "Prison Industrial Complex," which includes the for-profit corrections industry, will be held at U.C. Berkeley from Sept. 25 to 27, 1998. There is no registration fee for individuals though donations, which are tax deductible, are appreciated. Representatives from universities or other major institutions are requested to pay \$75.00. Contact:

Critical Resistance, P.O. Box 339, Berkeley, CA 94701 (510) 643-2094; e-mail: critresist@aol.com; web site: www.igc.org/justice/critical.

Corruption Continues at INS Facility

The Immigration and Naturalization Service (INS) continues to experience problems at a privately operated detention center in Elizabeth, New Jersey. In June '95 detainees rioted at the facility, which was then run by Esmore Correctional Services.

The detainees, mostly asylum-seekers who had not been charged with any crime, had complained of severe abuse and human rights violations by the under-trained and poorly paid Esmore staff. The company lost its contract to operate the facility, changed its name to Corrections Services Corporation, and relocated to Florida.

The INS facility reopened in 1997 under the management of CCA, and was soon lauded as a national model for private detention centers. But now the former assistant warden at the facility, Steve Townsend, has filed suit claiming he was fired by CCA after informing the INS that detainees were forcibly sedated and improperly restrained. Townsend stated that both his supervisor and CCA corporate told him to "illegally cover up and conceal such actions."

Initially the INS denied that detainees had been involuntarily sedated, but later admitted the allegations were true after reviewing medical records from the facility. The agency then decided the failure to report the sedations and improper restraints was part of a larger pattern of mismanagement and non-compliance. Both the INS and CCA blamed the warden, who

was removed from his position and transferred to Tennessee.

The INS operates nine of its own detention centers and contracts with seven private facilities, including four managed by CCA. In addition the agency rents bed space at hundreds of state and local jails nationwide. CCA has announced plans to build a \$60 million 1,000-bed detention center in California to cash in on the expanding market for imprisoning illegal immigrants.

According to Penny Venetis, the administrative director of the Constitutional Litigation Clinic at Rutgers Law School, corporations that operate private detention facilities are mainly concerned with maximizing profits. "Privatization gives government agencies excuses," she said. "They hide behind the private contractor." Venetis is representing 19 detainees in a lawsuit against the INS and former Esmore Correctional Services. □

Source: *Weekly News Update on the Americas*, June 1998.

In the News

Alabama-based "Just Care, Inc." intends to open the nation's first private prison hospital in Columbia, South Carolina, which will house prisoners from the Carolinas and Georgia. The 326-bed facility will cost \$15 million to build. Source: *U.S.A. Today*, June 10, 1998.

Contract Change for Oregon Convicts

The Oregon DOC plans to transfer 40 women prisoners from state facilities to a private rent-a-jail in New Mexico. Seventy-five female inmates already housed at the CCA-operated Central Arizona Detention Center in Florence have been moved to a private prison in Gallup, New Mexico managed by the Corrections Services Corp. (CSC).

The contract change from CCA to CSC comes less than a year after a sex scandal at the Florence facility in which women prisoners claimed that CCA guards forced and coerced them into having sex. At least one

officer was fired and other CCA employees disciplined following an investigation into the incident, and several of the female inmates were returned to Oregon.

State corrections officials said CCA's desire for increased profits, not the sex scandal, led to the switch in prison contractors. "They could get more money from somebody else," stated Oregon DOC spokesperson Perrin Damon.

The state paid CCA \$55 a day for each inmate, housed in double-bunked cells. But the U.S. Marshals Service and the state of Alaska were

willing to pay the company \$65 a day per prisoner in triple-bunked cells. "So their profit margin is going to be a whole heck of a lot bigger," said Damon.

Oregon has experienced other problems when transferring convicts to rent-a-jails in other jurisdictions. In 1996, 240 Oregon inmates were returned to the state from a CCA-operated facility in Houston, Texas after two sex offenders escaped. □

Source: *The Statesman Journal* (OR), June 25, 1998.

Prison Privatization in the Peach State

Georgia is adding three private facilities to its corrections system, beginning in mid-August with a 750-bed prison in Charlton County operated by Cornell Corrections, Inc. By the end of November two 750-bed medium-security CCA facilities are expected to open in Coffee and Wheeler counties. Both Cornell and CCA plan to expand the prisons next year by adding "speculative" beds to hold a total of 1,600 inmates at each location.

Georgia will pay Cornell between \$37.09 and \$45.13 per inmate per day; CCA signed separate contracts and will receive between \$44.95 and \$48.10 per inmate per day. Mike Murdock, a state official who is overseeing the prison privatization project, said "It should be at least a year before we know if it's worth it."

The private prison contracts require the companies to provide medical care, clothing, food, edu-

cation and treatment programs, and full-time inmate work assignments.

Georgia has done business with Cornell before, when the state hired the company to run a juvenile girls camp in Pelham. Georgia canceled the contract after two months because Cornell was not able to staff the 120-bed facility at the desired level for the desired cost. □

Source: *The LaGrange Daily News* (GA), July 6, 1998.

Recommended Reading

"Wanted: A Model Law for Regulating Privatization," by Richard Crane. *Correctional Law Reporter*™, April-May 1998. Contact: *Correctional Law Reporter*™, Civic Research Institute, P.O. Box 585, Kingston, NJ 08528

"Private Prisons, Public Doubts," *The Christian Science Monitor*. July 21, 1998. Prison privatization in California, including construction of on-spec facilities. Contact: CSM, 1 Norway St., Boston, MA 02115 (617) 450-2000

OK Withdraws Inmates from Texas Jail

Oklahoma officials removed 28 prisoners from the Mansfield Law Enforcement Center, a for-profit publicly-operated facility located 25 miles southeast of Fort Worth, amid an internal investigation of the prison. The remaining 240 Oklahoma inmates at the rent-a-jail will be returned to their home state in groups of 70 starting July 15.

Oklahoma corrections officials announced they plan to remove all 1,000 of their inmates from various Texas jails by the end of the year; they will be incarcerated locally in privately-run prisons being opened in Sayre, Lawton and McLoud.

Oklahoma authorities said they were concerned about the rent-a-jail's policy that allowed inmates to work for private industries in return for a portion of their pay. Room-and-board deductions went to the contractor, the Mansfield Property Finance Authority, which also received per diem payments from the state.

"We've got concerns, basically because we were not aware what was going on with that," said David Miller, an Oklahoma Corrections Dept. Director. "Since we are paying the per diem, we should be advised of everything that's going on."

Oklahoma previously removed 560 prisoners from the Limestone Co. Detention Center due to the facility's liberal use-of-force policy; also, 175 Oklahoma prisoners were withdrawn from the Newton Co. Detention Center following inmate uprisings. □

Source: *Abilene Reporter News* (TX), June 28, 1998.

CCA Officials Block State Inspection

On April 30, 1998, two Ohio lawmakers, Sen. Rhine McLin and Rep. Mark L. Mallory, and two state corrections officers arrived at CCA's problem-plagued Northeast Ohio Corr. Center in Youngstown for an unannounced inspection.

First they were denied access to the facility by prison staff. CCA officials then offered separate tours for the legislators, who were on the state's Correctional Institution Inspection Committee, and the two officers, who were members of a union that represents state prison employees. McLin, chairwoman of the inspection committee, declined the segregated tours.

According to an Ohio statute enacted earlier this year, private prisons are subject to inspection by committee members at any time.

A public relations firm hired by CCA distributed an apology to the statehouse press corps, terming the denial of the inspection a "misunderstanding." Jimmy Turner, the warden of the Youngstown prison, acknowledged that CCA staff had acted in violation of state law; he said he was absent from the facility that day and his subordinates had "proceeded in the way they thought best."

Said Sen. McLin, "They had the nerve to call this a misunderstanding. There was nothing misunderstood — they wouldn't let me in. They think their [corporate] policies supersede Ohio law." □

Sources: *The Chronicle-Telegram* (OH), May 10, 1998; *The Jackson Sun* (TN), July 19, 1998; *The Columbus Dispatch* (undated).

CCA Seeks Sexual History of Rape Victim

A federal district court in New Mexico has ruled that CCA defendants are not entitled to intrusive information regarding a prison rape victim's sexual history.

The plaintiff in the case, Tanya Giron, had filed suit claiming that she was forcibly raped by CCA correctional officer Danny Torrez. During discovery CCA's attorney, Mark S. Jaffe, requested that Giron list all persons she had had sex with both before and after the alleged rape, and that she describe the type, manner, date, and location of all such sexual encounters.

A magistrate judge limited the applicable time frame for the requested information but upheld the request and ordered Giron to respond. She objected and appealed.

In overruling the magistrate's decision the district court found that CCA's discovery request was "overly broad and intrusive," and restricted the request to sexual encounters that had caused Giron injury, pain or suffering.

The court stated that the defendants had not established how consensual, non-violent sexual encounters were relevant to the plaintiff's claim of forcible rape. □

Source: *Prison Legal News*, July 1998.

WANTED

Articles, clippings and news reports regarding the private corrections industry — please include the source and date of all materials submitted. Send items to: P.C.I.N.B., 3193-A Parthenon Ave., Nashville, TN 37203

Wisconsin Prisoners, Others Protest Transfers

Wisconsin has moved 1,600 of its approximately 16,500 adult inmates to privately-operated prisons in Tennessee, Texas and Oklahoma, and plans to send more in the near future. Prisoners slated for transfers to far-off rent-a-jails, however, are not keen on the idea.

On June 28 several hundred inmates at the Fox Lake Correctional Institution refused to report for an evening count to protest the out-of-state moves. Most of the prisoners complied with an initial order to go back to their housing units, but over one hundred remained on the yard. They returned to their cells after two more orders and a show of force by prison staff.

Wisconsin officials acknowledged there is widespread anxiety among inmates regarding transfers to other jurisdictions: prisoners who already have been moved to rent-a-jails complain of poor conditions and a lack of rehabilitative programs.

Family members of Wisconsin inmates held a news conference in July to protest the transfers. They complained that moving prisoners to distant facilities deprives them of a key element of their rehabilitation — visits and close connections with their families. Travel expenses and excessive long-distance phone rates make it difficult to communicate with inmates incarcerated as far away as Texas, they said.

State officials claim the transfers are necessary due to overcrowding. "We have to do something," remarked Wisconsin DOC spokesman Bill Clausius. "There is no choice in the matter and unfortunately the family concerns are going to be secondary."

Some Wisconsin lawmakers expressed concerns about transferring inmates to privately-operated prisons. "We are throwing money down a rat hole," said state Rep. Spencer Coggs. "All we're doing is feeding a multibillion dollar private prison industry that's shilling for customers."

Rep. Scott Walker, chairman of the legislative Committee on Corrections Facilities, has announced he plans to ask for funding to send 3,000 more Wisconsin prisoners to out-of-state facilities, including 200 female inmates scheduled for transfer to Virginia.

Critics of the transfers say the state eventually will pay more in terms of failed rehabilitation, increased recidivism, expensive lawsuits and rising tension among inmates. But a domestic solution may be close at hand: Dominion Management Services of Oklahoma intends to build a privately-operated prison in Stanley, Wisconsin. □

Sources: *The Capital Times* (WI), June 29, 30, 1998; *The Milwaukee Shepherd Express*, July 23, 1998.

WI, OK Inmates Fight

On June 29 the Wisconsin DOC began transferring inmates to the North Fork Correctional Facility in Sayre, Oklahoma, a private prison operated by CCA. Less than a month later, on July 28, tempers flared between Wisconsin and Oklahoma inmates incarcerated at the facility.

Bill Clausius, a spokesman for the Wisconsin DOC, said between 50 and 75 prisoners from both states were involved in a riot on the recreation yard. Thirteen inmates, including six from Wisconsin, were treated for injuries; the riot ended after CCA guards used tear gas.

Wisconsin inmates transferred to the CCA prison have complained about understaffing and safety concerns, inadequate medical care, poor food, a shortage of clothing, and isolation from their families.

According to an inmate present at the North Fork facility during the riot, a Wisconsin prisoner was knocked unconscious and another was beaten with a baseball bat. □

Sources: *The Milwaukee Journal Sentinel*, August 1, 1998; inmate correspondence.

Information on the Internet

Reports about private prisons can be downloaded from the following 'Net addresses:

- http://www.abcnews.com/sections/us/prison/prison_youngstown.html (problems at CCA's Youngstown, Ohio facility).
- http://www.abcnews.com/sections/us/prison/prison_business.html (financial information re private prison companies).
- http://www.abcnews.com/sections/us/prison/prison_movement.html (transferring inmates to out-of-state private prisons).
- http://www.abcnews.com/sections/us/prison/prison_problems.html (a critical look at the private corrections industry).