

Private Corrections Institute, Inc.

March 20, 2008

SENT VIA FAX

The Honorable Patrick Leahy, Chairman
Senate Committee on the Judiciary
United States Senate
224 Dirksen Senate Office Building
Washington, DC 20510

RE: Estelle Richardson's Death (Gustavus A. Puryear IV Nomination)

Dear Senator Leahy:

During his February 12 nomination hearing, Mr. Puryear was questioned about the death of Estelle Richardson, a female prisoner who died at a CCA-run jail in Nashville, Tennessee in July 2004. Four CCA guards were indicted in connection with her death; the charges were later dismissed, largely due to questions regarding the timing of her fatal injury. I have previously provided the Committee with information about Estelle Richardson's death. Also, one of Ms. Richardson's family members, Diane Buie, has submitted a personal statement to the Committee.

Today I again spoke with Rob McGuire, the Assistant District Attorney who prosecuted the four CCA guards, in connection with my request to review the Richardson case file. I asked whether the file contained video footage of Ms. Richardson's cell extraction by the CCA guards the day before her death. Mr. McGuire informed me that no such video existed, as CCA had told the investigators that the jail's video camera was not working that day. He also related that one of the investigators had asked to see the camera, had turned it on, and noted that it appeared to be working properly. Mr. McGuire stated the missing video was one of the reasons that charges were brought against the four CCA guards, as it was indicative of a cover-up of improper behavior.

For verification purposes, Mr. McGuire can be contacted at (615) 862-5500.

Dee Hubbard
President

Alex Friedmann
Vice President

Stephen Rahe
Secretary/Treasurer

Deb Phillips
Director

Ken Kopczynski
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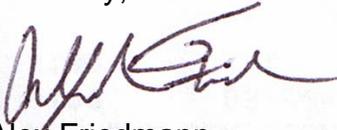
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In his answers to written questions concerning Estelle Richardson's death, Mr. Puryear remarked that CCA had "produced thousands of documents to investigators," and had "cooperated fully" in the investigation. Mr. Puryear did not mention what had *not* been produced to the investigators – e.g., he did not mention the missing video footage nor what that necessarily implied. Instead he made only an oblique reference to "additional in-service training concerning video camera procedures" as one of the remedial actions taken by CCA following Estelle's death, without elaboration or explanation.

Further, Mr. Puryear wrote that "CCA did not waive its attorney-client and work product privileges, and thus did not produce those documents involving attorney-client communications or attorney work product." As indicated in a March 13 *TIME* magazine article, Mr. Ronald T. Jones, the former CCA employee whistleblower, has alleged that some internal CCA reports were labeled "attorney-client privilege" whether or not they should have carried that designation. I included a copy of one such document in my letter to your office dated March 13. It is entirely possible that some CCA documents relevant to Estelle Richardson's death were not supplied to the investigators if such documents were improperly designated as falling under attorney-client privilege.

Estelle Richardson's death at the CCA-run Metro-Davidson County Detention Facility remains an unsolved homicide. Thank you for your continued time and attention;

Sincerely,



Alex Friedmann
Vice President, PCI

cc: Ken Kopczynski, PCI Exec. Dir.

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