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House of Representatives State of Tennessee

NASHVILLE

April 16, 2008

Commissioner George Little
Department of Corrections
Rachel Jackson Building, 6th Floor
320 Sixth Avenue North
Nashville, TN 37243-1400

Dear Commissioner Little:

I am writing you as a member of the Joint Select Oversight Committee on Corrections regarding several recent news reports concerning the practices of Corrections Corporation of America (CCA), which, as you know, is under contract to run several Tennessee State correctional facilities. *Time* magazine, the *Tennessean* newspaper, and the *Nashville Scene* newspaper have focused on specific incidents and questionable practices instituted by CCA's top management. I am sure that you and other appropriate government officials with the State will give serious attention.

Specifically, news reports have highlighted the following, among other questionable practices and incidents:

- A former senior manager in quality assurance with CCA claims that he and other CCA staff were directed by CCA's General Counsel, Gus Puryear, "to classify incidents such as escapes, unnatural deaths and disturbances as less serious to make its performance look better in reports to government agency clients." [*Tennessean*, "Ex-CCA Official: Puryear Mised Clients," March 14, 2008] I understand that many, if not all, of CCA's contracts provide incentive pay based on various performance measurements. Clearly, if CCA has taken misleading steps in order "to make its performance look better in reports to government agency clients," such a practice must be closely scrutinized by government officials to ensure that taxpayer funds are not being inappropriately used to pay CCA based on performance standards which were not met.
- On March 24, 2008, the *Tennessean*, reported that at a Metro-controlled, CCA-run correctional facility in South Nashville a mentally ill inmate named Frank Horton never left his cell for any recreation or shower for nine straight

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months, though other inmates took an hour out of their cells most days. [Tennessean, "CCA Inmate Didn't Leave Cell to Shower for 9 Mos.," March 24, 2008] According to this report the "State of Tennessee pays the sheriff's office about \$17 million a year that is used to pay CCA for operating the prison. Further, according to this report, despite this significant annual payout, the State does not collect incident reports or statistics from this CCA facility.

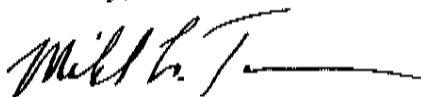
- In 2004, 34 year old Estelle Richardson was found dead at the Metro Detention Facility operated by CCA with a cracked skull and four broken ribs. The Davidson County District Attorney brought homicide charges against four CCA guards who were involved with Ms Richardson's death. Ultimately, these charges were dropped. However, what was not reported on until just recently was that when Metro homicide detective began to investigate Richardson's death and asked to see the videotape of the extraction of Ms Richardson from her cell, CCA's guards told him that the camera had mysteriously malfunctioned. Upon being told this, the detective examined the camera and could find nothing wrong it. [Nashville Scene, "Elephant in the Room," March 6, 2008; Nashville Scene, www.pithinthewind.com, "Not caught on Camera: More Bad News for Gus Puryear," March 21, 2008 post by Matt Pulle]

I appreciate the Bredesen Administration's interest in maintaining safe and clean correctional facilities, which adhere to basic constitutional principles. I am interested in your thoughts as Commissioner of the Department of Corrections as to what steps government should take in order to address the obvious concerns raised by these reports. Specifically, what steps or role should the legislature take to address the issues raised in these reports, to insure taxpayer money is being properly spent, and to ensure that incidents, like the ones described above, do not occur again.

As mentioned above, new information is just now being reported as to incidents, which occurred months and years ago, and as to practices employed by CCA, which apparently have been in place years. It appears that information, which could have been revealed years ago, has just now come to light. What do we as State government officials need to do to determine if all of this important and relevant information has come to light? Additionally is this a matter that the Tennessee Bureau of Investigation should be investigating?

Again, I write this letter and make these inquiries as a member of the Joint Select Oversight Committee on Corrections. I would appreciate your written response to these inquiries and concerns.

Sincerely,



Mike Turner