

Equal Justice Initiative

Criminal Justice Issues and Prisoners' Rights

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01.15.20

The Tennessee Department of Correction failed to provide adequate oversight to ensure the safety of the states incarcerated people and the public, according to a new audit by the Tennessee comptrollers office.

The 210-page [report](#) released on Friday covers the period from October 1, 2017, to July 31, 2019, and details more than a dozen policy breaches, including that prison officials failed to compile valid and reliable data on deaths, facility lockdowns, and use of force by correctional officers.

Auditors inspected both state facilities and private prisons run by CoreCivic, the Tennessee-based for-profit corporation that [operates](#) four of the states 10 prisons, including some of its most notoriously [troubled](#) facilities. They found that both state and privately operated facilities failed to provide adequate oversight.

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Millions of Americans are incarcerated in overcrowded, violent, and inhumane jails and prisons that do not provide treatment, education, or rehabilitation.

The scathing new audit raised concerns among Tennessee lawmakers, AP [reports](#). I've never seen a 200-page report like this, Rep. Mike Stewart (D-Nashville) said at a hearing on Monday.

State Sen. Jeff Yarbro (D-Nashville) [tweeted](#) on Friday that the results were 100% unacceptable and called on the legislature to exercise more meaningful oversight of the states prisons. We need permanent, staffed oversight committee that will get to the bottom of these problems, he wrote.

Auditors found multiple instances where information about serious incidents was incorrect, incomplete, or not entered at all. As a result, information reported to the public, including families of inmates and decision makers, may be incorrect, the audit read.

For eight inmate deaths that were classified as natural deaths in official records, auditors found that five inmates actually died due to drug overdoses, two due to homicides, and one due to suicide. They also found that inmate health files were missing documentation that was required about the events surrounding the deaths, including certified death certificates.

Correctional staff did not properly report the most serious and violent incidents, auditors found. Officers involved in uses of force failed to file required reports and wardens did not submit required paperwork when staff were assaulted. Prison staff also failed to properly report injuries and accidents. And files that provide evidence of government operations and hold government officials accountable for their actions are often lost or destroyed.

Because of these internal control deficiencies, the report stated, managements ability to provide accurate and complete information to key decision makers is problematic, impacting both managements oversight of facility operations and its ability to provide a safe and secure correctional environment.

The audit revealed that both the correction department and CoreCivic failed to properly investigate and respond to allegations of sexual abuse and harassment. Investigators misclassified investigative results and didnt record allegations in a timely manner, and staff at both state and private prisons failed to conduct required screenings used to prevent sexual abuse.

Because many inmates do not report abuse out of fear of retaliation or shame, or because they do not believe that complaints of sexual abuse will result in any changes, auditors wrote, the departments incident reporting may not capture the complete picture of inmate sexual abuse.

Serious deficiencies in medical and mental health documentation at both state and CoreCivic facilities raised concerns that incarcerated people aren't receiving sufficient medical and mental health services, the report says. Auditors [found](#) numerous incidents where prison staff did not perform mental health checks for people at risk of suicide.

Auditors also found problems with medicine distribution at CoreCivic facilities that placed both incarcerated people and medical staff at risk. Although department policy requires face-to-face observation and monitoring by a qualified health professional of an inmate taking their medication, auditors said nurses regularly failed to ensure patients swallowed their pills.

Indeed, the audit found that medical service contractors Centurion of Tennessee, LLC and Corizon Health have been unable to consistently meet contractually required medical and mental health staffing levels, increasing the risk that inmates will not receive needed services.

The correction department assessed these providers nearly \$2.1 million in contract noncompliance issues, but as the Associated Press [reports](#), it collected only \$92,020 after giving them credits for self-reported areas of good performance or efforts. Auditors weren't able to determine whether the contractors actually corrected the deficiencies.

Staffing also remains a key problem for Tennessee prisons, which on average operated with fewer than the approved number of correctional officers, impacting managements ability to provide safe and secure facilities, especially in emergencies.

Incarcerated people are being denied programming and services like recreation time and transportation to medical appointments as a result of understaffing, auditors reported.

Turnover among correctional officers at CoreCivics facilities exceeded 50% in 2018, the comptroller found but auditors also noted they can't effectively track whether CoreCivic is meeting contractually required staffing levels because it continues to misreport the number of staff working in its facilities.

Tags:

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