

Solitary Watch

Criminal Justice Issues and Prisoners' Rights

<https://solitarywatch.org/2011/04/21/prisoner-with-mental-illness-lives-in-solitary-filth-in-private-jail/>

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by [Jean Casella and James Ridgeway](#) | April 21, 2011

A lawsuit filed in federal court in Tennessee claims that one prisoner at a privately run Nashville jail was placed in solitary confinement, where he was denied healthcare and did not shower, exercise, or leave his filthy cell for nine months. The suit, filed after a guard blew the whistle on the inmates condition, suggests a pattern of neglect at the jail, which is run by the nations largest private prison company, Corrections Corporation of America.

Frank Horton, who had earlier been convicted on drug charges, was arrested and jailed on a nonviolent parole violation and placed in the Metro Davidson County Detention Facility in December 2005. His intake papers showed a history of mental illness, including probable schizophrenia, the familys attorney [told a local news station](#). But in 2007 he was locked in solitary the prisons Special Management Unit after a fight with his cellmate even though the cellmate told CCA officers that Horton was hearing voices and thought people were trying to kill him. As his mental health further deteriorated, Horton began refusing to leave his cell. Rather than remove him, prison officials chose to leave Horton there, alone and untreated for nine months, from May 2007 to January 2008. They told his family that he did not want visitors.

As the AP reports, CCA employee Patrick Perry blew the whistle on his employer by reporting Hortons conditions to the Metro Nashville Health Department, records show. Perry, according to the documents, was fired the same day. After Frank Hortons family filed a lawsuit in 2008, Perry gave a [deposition](#) (posted online by the invaluable [Private Corrections Working Group](#)).

Asked by Hortons lawyer to describe the conditions in which the inmate was living, Perry replied:

A: He was in a standard cell in Segregation, housed by himself, no cell mate because he was considered a special needs inmate. Conditions of his cell at that time were there were several food trays on the floor. His toilet stool, there was bacteria, mold or whatever you would call it growing inside the toilet stool. The cell was filthy.

The inmate himself, Frank Horton himself, when, um the last time I saw Frank, I called him to the door and he came to the door and I tried to converse with him and he was speaking gibberish to me. And at that time, thats when I made up my mind to go to the Health Department

Q: Do you know whether there was any provision made to provide psychiatric assistance to Frank Horton?

A: Every Monday we had what they call segregation reviews. We also had special needs boards. And if Frank had chosen to, he could have went to his special needs hearing, where he would have spoke with the mental health person there at the facility. But Frank would always refuse to come, the same way he would refuse to take a shower, same way he would refuse recreation.

But at some point, Frank should have been made to come out of that cell and come to those mental health reviews, come to those segregation reviews, and go take a shower.

Q: Why do you say that?

A: Thats what the policy says. They would go to Franks door, look in on Frank, Fran, you all right? But, you know, at that point, I think as long as Frank moved, they kep moving; as long as he was living and breathing in that cell, they kept moving.

Perry said that leaving Horton in his cell for months on end was against the institutional policies, can i buy ambien in thailand against CCA policies, against any kind of policy that I ever came across in my career. But CCA had another policy, as well, which to rewards guards for avoiding any use of force in dealing with the inmates. As Perry explained:

A: Now, the reason we did not do what we were supposed to do for Frank Horton, in my opinion, was and it was told to us that we were the top facility in the, in the division for uses of force and that all uses of force was supposed to come down

Q: Well, some might say that thats just kindness to the inmates. Is that whats going on?

A: No. No sir.

Q: Why is that wrong?

A: Its a numbers game. The less force you use, the better it looks for your facility, the better the [employee] bonuses are at the end of the year.

Perry described Frank Hortons situation as the tip of the iceberg when came to what was actually going on in our facility, and described the neglect of several other inmates with mental illness.

After Perry blew the whistle to the Health Department, they investigated the jail, as did a lawyer hired by the family, who said that when he arrived, Mr. Horton was walking in circles around the cell, completely nude. Nashvilles NewsChannel 5 obtained the jails [video of Horton](#) finally being removed from his cell; it shows a thin, naked man with matted hair and beard surrounded by guards, and exhibiting no signs of violent resistance. Horton was moved to a special-needs facility to receive mental health treatment. (Later released, he now lives with his grandmother in Nashville.) As for Perry, he was immediately suspended, and eventually given the choice to accept a transfer or resign; he chose the latter.

The Horton lawsuit was filed in 2008 by the prisoners grandmother and legal guardian, Mary Braswell, accusing CCA of violating Hortons Constitutional right to be free of cruel and inhuman punishment. In 2009, a federal district court judge dismissed the suit, concluding that there was not enough evidence of physical injury to allow it to go forward. But U.S. 6th Circuit Court of Appeals disagreed; last week it reversed that lower court decision and revived the suit, stating that there was a genuine question about the physical injury the inmate had suffered while in jail. The federal appeals court also said there were still genuine questions about whether Horton was too mentally ill to understand the grievance process at the jail and whether CCA had a policy or custom in place that harmed him, [according to the AP](#).

It is worth noting that CCA is not only the nations largest private prison corporation, but also its [most sued](#). The many individual and class action suits against CCA currently includes one brought by the ACLU of Idaho, alleging epidemic violence at the Idaho Correctional Facility that is the direct result of, among other things, [CCA] officials turning a blind eye to the brutality, a prison culture that relies on the degradation, humiliation and subjugation of prisoners, a failure to discipline guards who intentionally arrange assaults and a reliance on violence as a management tool.

At CCAs Nashville jail, according to a [2008 article in the Tennessean](#), there was virtually no oversight of the private companys operations. This despite the fact that it held 1,200 men serving sentences of up to five years. That same year, the weekly [Nashville Scene](#) documented a series of scandals at the facility in 2008 that eventually forced the reassignment of its warden.



James Ridgeway (1936-2021) was the founder and co-director of Solitary Watch. An investigative journalist for over 60 years, he served as Washington Correspondent for the Village Voice and Mother Jones, reporting domestically on subjects ranging from electoral politics to corporate malfeasance to the rise of the racist far-right, and abroad from Central America, Northern Ireland, Eastern Europe, Haiti, and the former Yugoslavia. Earlier, he wrote for The New Republic and Ramparts, and his work appeared in dozens of other publications. He was the co-director of two films and author of 20 books, including a forthcoming posthumous edition of his groundbreaking 1991 work on the far right, Blood in the Face. Jean Casella is the director of Solitary Watch. She has also published work in The Guardian, The Nation, and Mother Jones, and is co-editor of the book Hell Is a Very Small Place: Voices from Solitary Confinement. She has received a Soros Justice Media Fellowship and an Alicia Patterson Fellowship. She tweets @solitarywatch.

Accurate information and authentic storytelling can serve as powerful antidotes to ignorance and injustice. We have helped generate public awareness, mainstream media attention, and informed policymaking on what was once an invisible domestic human rights crisis.

Only with your support can we continue this groundbreaking work, shining light into the darkest corners of the U.S. criminal punishment system.

by [Juan Moreno Haines](#)

October 25, 2022

by [Solitary Watch Guest Author](#)

October 13, 2022

by [Vaidya Gullapalli](#)

September 29, 2022

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Plain and simple. Our system does not work. Stop this someone. It is not just here.

Although the condition of the severely mentally ill inmates may be horrendous, the status of mentally ill inmates is also VERY BAD in Texas prisons. They are NOT given their psychiatric medications taken before incarceration (because they may be addictive, they say) so their condition deteriorates they are placed without consideration into cells with other mentally ill inmates and get into fights (without their medications) and they NEVER receive any psychological or other counseling but, instead, are placed into solitary (disciplinary) cells without windows or any light for 23 hours out of a day as part of their punishment

Nobody has really investigated TEXAS prisons yet. When the mentally ill cannot take the solitary cell any longer, they threaten suicide and will be sent to (e.g) Lynaugh in Lubbock and stripped of clothes and given only a blanket for a concrete floor to sleep on (this is supposed to prevent them from threatening suicide in order to get out of solitary).

Thank you so much Solitary Watch for reporting on this situation involving the conditions of confinement for those with mental illness in our prison systems.

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We are starting a worker cooperative Veterans Village (alternative to prison) for Disabled Veterans; for Veterans care by Veterans if you know of any Veterans in prison who received their disability from the VA/Dept of Defense/prior to their offense please help us identify The War Widows

Mary Murphy first VA/Prison Chaplain/Marshal OklaCtCriminalAppeals

mmurphy@veteranschamberofcommerce.org

a/k/a Veterans for Voucher Faith-Based 14th Step

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