
the **PROMISE**
of **JUSTICE**
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October 9, 2019

Custodian of Records
Tim Tuten, Warden
Lincoln Parish Detention Center
170 Road Camp Rd.
Ruston, LA, 71270
Phone: (318) 225-4440
Fax: (318) 225-2862
ATTN: Records Department

Re: Public Records Request for Forms Submitted to Department of Justice Re: Deaths In Custody

Dear Warden Tim Tuten,

I am writing to request the following:

Any and all copies of forms submitted to the Department of Justice, Bureau of Justice Statistics concerning or detailing deaths of inmates while in custody. This includes:

- CJ-9 form entitled “DEATHS IN CUSTODY—DEATH REPORT ON INMATES UNDER JAIL JURISDICTION FORM”
- CJ-9A form entitled “ANNUAL SUMMARY ON INMATES UNDER JAIL JURISDICTION FORM”
- CJ-10 form entitled “DEATH REPORT ON INMATES IN PRIVATE AND MULTI-JURISDICTIONAL JAILS FORM”
- CJ-10A form entitled “ANNUAL SUMMARY ON INMATES IN PRIVATE AND MULTI-JURISDICTIONAL JAILS FORM”
- NPS4A form entitled “STATE PRISON INMATE DEATH REPORT FORM”
- NPS-4 form entitled “ANNUAL SUMMARY OF INMATE DEATHS IN STATE PRISONS FORM”

For and including the years 2014 to 2019.

This request is pursuant to the **Louisiana Public Records Act § 44:1 *et seq.*** I request these **records** whether they are maintained in the files of an individual deputy or administrative staff member; in the possession of members or former members of the East Baton Rouge Sheriff’s Office, as well as any outside

contractors; warehoused; on microfilm, microfiche, or electronic storage; or otherwise stored or maintained.

For the purposes of this request, the terms “**records**” and “**documents**” are intended to include, without limitation, any and all written, typed, printed, recorded, graphic computer-generated, or other matter of any kind from which information can be derived, whether produced, reproduced, or stored on paper, cards, tapes, films, electronic facsimiles, computer storage devices, or any other medium. They include, without limitation, letters, memoranda (including internal memoranda), calendars, schedules, books, indices, notes, printed forms, publications, press releases, notices, minutes, summaries or abstracts; reports, files, transcripts, computer tapes, printouts, drawings, photographs, recordings (including both videotapes and audiotapes), telegrams, and telex messages, as well as any reproductions thereof that differ in any way from any other reproduction, such as copies containing marginal notations.

As per the forms mentioned above, the term “**deaths in custody**” includes all individuals:

- Confined in your jail facilities, whether housed under your own or another jurisdiction;
- Under your jurisdiction but housed in special jail facilities (e.g., medical/treatment/release centers, halfway houses, or work farms); or on transfer to treatment facilities;
- Under your jurisdiction but out to court;
- In transit to or from your facilities while under your jurisdiction

If you remove any documents from the file, I would ask that you provide me with a list containing a general description of each of the documents exempted from public disclosure and the reason for the exemption. *La.R.S. 44:31(B)3*.

Under the Public Records law, your office has **five business days** from the date of this request to provide access to the records requested. *La.R.S. 44:35(A)*. Should you wish to raise any question as to whether the requested material is a public record subject to disclosure you must notify me in writing within three business days of the basis for holding any such record exempt. *La.R.S. 44:32(D)*.

Please send me a complete copy of each of the above-requested documents to me at **Kevin Fitzgerald, 3620 Baudin Street, New Orleans, LA, 70119**, or at **kbfitzge@my.loyno.edu** if electronic copies are available. This is a nonprofit organization and our clients are indigent, thus we would greatly appreciate waiver or minimization of copy costs.

Feel free to contact me at **504-450-3834** or **kbfitzge@my.loyno.edu** if you have any questions or concerns. Thank you very much for your prompt assistance.

Sincerely,

Kevin Fitzgerald