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Assignment #3: “Better Know a Jail” Memo – Dixon Correctional Institute

Dixon Correctional Institute (DCI) is located on a 3,000-acre site on LA-68, around 30 miles outside of Baton Rouge in the town of Jackson, Louisiana. The physical address is 5568 LA-68 Jackson, LA 70748. DCI’s mission is to provide custody, care, control, and treatment of offenders through enforcement of laws and management of programs designed to ensure the safety of the public, staff, and offenders. The mission statement concludes with a statement regarding the purpose to reintegrate offenders into society.<sup>1</sup> DCI opened in 1976 and was originally supposed to be the primary medium-security jail in Louisiana. DCI was the first satellite facility built following the decision to decentralize the Louisiana State Penitentiary.<sup>2</sup> DCI has several programs & services for the inmates. These programs include: educational and vocational classes, substance abuse, pre-release programming, reentry programming, youthful offender program, and religious & volunteer programs.<sup>3</sup>

DCI received American Correctional Association (ACA) accreditation in August of 1993 and has since maintained the accreditation. DCI uses its Administration Program to maintain the ACA accreditation. The mission of the Administration Program is to provide leadership, direction, and institutional support in the day-to-day management of the institution including maintenance of ACA accreditation. Goals include: (1) ensure that the unit operates safely, efficiently and effectively through management’s leadership, (2) adherence to departmental regulations and procedure, (3) maintain a clean, well-groomed, and attractive environment at the unit that instills pride in both staff and inmates, (4) and to effectively manage available resources to ensure maximum utilization and avoidance of budget deficits in accomplishing the unit’s goals and objectives. The program is funded by the State General Fund and Self-generated revenues.<sup>4</sup>

The annual existing operating budget for 2019-2020 was \$44,431,476.00 and the budget increased for 2020-2021 to \$45,302,265.00. The average number of offenders for the past two years is 1,800 with cost of about \$68.95 per offender.<sup>5</sup> DCI’s has a maximum capacity of 2,529 inmates. Some interesting statistics concerning the inmate population include: 52% of the population is comprised of individual convicted of violent offenses, 42% of the people imprisoned are between the ages of 30-44, the average length of sentence is 21 years, and lastly even though most of DCI is used to house inmates who require medium-security 7.5% of the beds are delegated for the most extreme security.<sup>6</sup>

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<sup>1</sup> Dixon Correctional Institute Main Website: <https://doc.louisiana.gov/location/dixon-correctional-institute/>

<sup>2</sup> Dixon Correctional Institute: <https://hcsdmass.org/louisiana/state/dixon-correctional-institute/>

<sup>3</sup> Dixon Correctional Institute Main Website: <https://doc.louisiana.gov/location/dixon-correctional-institute/>

<sup>4</sup> Correction Services Summary – Dixon Correctional Institute, pg. CORR-137: [https://www.doa.la.gov/media/qlnj3fhg/08a\\_corrections\\_services.pdf](https://www.doa.la.gov/media/qlnj3fhg/08a_corrections_services.pdf)

<sup>5</sup> Budget and Cost Summary Data Sheet: <https://s32082.pcdn.co/wp-content/uploads/2020/08/0d-Budget-Human-Resources-PE.pdf>

<sup>6</sup> Dixon Correctional Institute Main Website: <https://doc.louisiana.gov/location/dixon-correctional-institute/>

DCI has also had several audits conducted through the Louisiana Department of Public Safety and Corrections. First, Louisiana Department of Public Safety and Corrections created an annual report regarding the Prison Rape Elimination Act (PREA) and DCI was included in the report. The report combined a total of eight Louisiana State Prisons. The report stated that in the year 2018 there were a total of two hundred and ninety-four PREA related allegations. The number of substantiated, unsubstantiated, and unfounded cases have decreased significantly since the enactment of the PREA, however, the issue has not been eliminated. There was also a noticeable decline in allegations as a whole which can be contributed to the overall implementation of the PREA standards and completion of required audits. Two hundred and nine of the two hundred and ninety-four reported abuse allegations were staff sexual abuse or misconduct allegations.<sup>7</sup>

A procedural report for DCI and multiple other correctional facilities were also issued in 2017 to evaluate certain internal controls Corrections uses to ensure accurate financial reporting, compliance with applicable laws and regulations, and to provide overall accountability over public funds. The main goals of the procedure were:

“...Based on the documentation of the department’s internal controls and our understanding of related laws and regulations, we performed procedures on selected controls and transactions relating to movable property, Prison Enterprises’ non payroll expenditures, professional services contracts, and sheriff’s housing payments. In addition, we performed procedures to determine that Corrections has complied with certain state laws and reviewed information relating to the renovation of a building at Corrections’ Headquarters.”

Specifically, DCI was audited to ensure that property of the Corrections Administration was properly safeguarded on site, timely tagged, accurately recorded, and disposals were approved prior to removal. The audit found that the property was properly safeguarded and complied with state property regulations.<sup>8</sup>

Currently, DCI is managed by the Louisiana Department of Public Safety and Corrections. When DCI first began, Burl Cain was known as the warden until he went to be the warden at Angola. Even while working as the warden at Angola, Mr. Cain kept living at DCI, which was extremely unusual. Hence LeBlanc was also a previous warden.<sup>9</sup> On YouTube, there are a series of videos available regarding the inmates at DCI and their life in prison. During the creation of these videos, the warden was Mr. LeBlanc. The correctional officers spoke of not knowing the crimes committed by the individuals as Mr. LeBlanc was making an effort to make their crimes not a main focus of their rehabilitation process. Mr. LeBlanc also spoke of the impact poverty had on the high incarceration rate. Mr. LeBlanc stated the he believed there was a direct connection between poverty and incarceration due to individuals becoming desperate and

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<sup>7</sup> Prison Rape Elimination Act Annual Report 2018: <https://s32082.pcdn.co/wp-content/uploads/2019/08/prea.annual.report.2018.pdf>

<sup>8</sup> Department of Public Safety and Correction – Corrections Services Financial Audit Services Procedural Report Issued August 23, 2017: [https://app.la.state.la.us/PublicReports.nsf/22CDE4E3B1E7CB4F86258183006685D8/\\$FILE/001607D.pdf](https://app.la.state.la.us/PublicReports.nsf/22CDE4E3B1E7CB4F86258183006685D8/$FILE/001607D.pdf)

<sup>9</sup> Dixon Correctional Institute: <https://hcsdmass.org/louisiana/state/dixon-correctional-institute/>

having no other options.<sup>10</sup> Keith Nelson is also a retired warden of DCI and notably formed a lasting friendship with an inmate. The two met when Mr. Nelson as an assistant warden and Jonathan Romain was being incarcerated for a drug conviction. Mr. Romain was very talented artist and Mr. Nelson spoke of noticing his incredible artwork while he was incarcerated. With little to no tools Mr. Romain would create beautiful art using only a pen, pencil, and ink. The two did not form a friendship until after Mr. Romain was released, however Mr. Nelson spoke of respecting his artwork and dedication. Mr. Nelson also stated, “I never asked an inmate what crime they had committed. My job was to provide everything the law allowed.”<sup>11</sup> This seemed to be a common belief amongst other wardens and engrained policy at DCI. Richard Stadler was another previous warden and the current warden is Edward “Dusty” Bickham.<sup>12</sup>

On June 29, 2021, a judicial complaint concerning an inmate and DCI arose. Ron Spencer (Plaintiff) sued DCI as well as several individuals (Defendants) claiming that DCI and the medical professionals employed by DCI denied him medical treatment. Plaintiff represented himself and alleged that in October 2017, he was not receiving medical treatment for severe pain in his leg and knee, despite filing multiple grievances. In September of 2018, plaintiff was treated at UMC hospital and it was recommended that plaintiff have immediate physical therapy. Plaintiff alleged that DCI never sent him to therapy and attempted alternative forms of treatment. In April 2019, plaintiff was scheduled for surgery again and doctor advised that the plaintiff had waited too long without getting the proper treatment.<sup>13</sup> The United State District Court (Court) found that the plaintiff did not have a claim against DCI due to a prison or jail was not an entity that could be sued under 42 U.S.C. § 1983. 42 U.S.C. § 1983 creates a cause of action against “every person under color of any [state law] ... subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution.” Only a “person” may be sued for violation of an inmate’s constitutional rights.<sup>14</sup> Therefore, the Court found that there was no cause against DCI.<sup>15</sup> In regard to the medical professionals, the Court also found they were subject to dismissal due the fact plaintiff failed to show medical care was denied. It was not enough to show that the care was not proper.<sup>16</sup>

There is also case that came out in 2020, regarding the use of excessive force by a corrections officer by an inmate. In *Aucoin v. Cupil*, the plaintiff brought forth a complaint alleging that the correction officers attacked him for no reason. Further, the plaintiff asserted that

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<sup>10</sup> YouTube Video - Prison: Dixon Correctional Institute in Louisiana Part One:

<https://www.youtube.com/watch?v=J9nHBQIFgeg>

<sup>11</sup> *A Warden, an Inmate and a Friendship*:

<http://thecomcommunityword.com/online/blog/2020/05/27/a-warden-an-inmate-and-a-friendship/>

<sup>12</sup> Dixon Correctional Institute: <https://hcsdmass.org/louisiana/state/dixon-correctional-institute/>

<sup>13</sup> *Ron Spencer v. Dixon Correctional Institution, et al* – Magistrate Judge’s Report and Recommendation, pg. 1-2

<sup>14</sup> *Ron Spencer v. Dixon Correctional Institution, et al* – Magistrate Judge’s Report and Recommendation, pg. 2

<sup>15</sup> *Ron Spencer v. Dixon Correctional Institution, et al* – Magistrate Judge’s Report and Recommendation, pg. 3-4

<sup>16</sup> *Ron Spencer v. Dixon Correctional Institution, et al* – Magistrate Judge’s Report and Recommendation, pg. 4-7

the correction officers first assaulted him in his cell and then again later in the prison lobby and shower.<sup>17</sup> The defendants claimed that the plaintiff's allegations were barred by *Heck v. Humphrey*.<sup>18</sup> According the 5<sup>th</sup> Circuit, under *Heck v. Humphrey*, a convicted criminal may not bring a claim under 42 U.S.C. § 1983, if success on that claim would necessarily imply the invalidity of a prior criminal conviction.<sup>19</sup> This is because the Court does not allow the use of § 1983 to collaterally attack a prior criminal proceeding, out of concern for finality and consistency.<sup>20</sup> Here, at a subsequent disciplinary hearing, the plaintiff was found guilty of defiance, aggravated disobedience, and property destruction for misconduct in his cell. Allegedly, the plaintiff first placed a plastic cup over the surveillance camera in his prison cell, preventing prison staff from monitoring his cell. The officers then snuck up on him and sprayed him with a chemical agent.<sup>21</sup> The plaintiff then alleges that he was taken out of his cell to the showers where he was maced. The 5<sup>th</sup> Circuit Court held that when reviewing the motion to dismiss they were also to read disciplinary infractions.<sup>22</sup> In reading these infractions, the 5<sup>th</sup> Circuit found that the plaintiff had disregarded repeated and direct orders to remove the cup from his camera, screamed profanities at the officers, spat in one officers face, and attempted to flood the cell. Ultimately, the 5<sup>th</sup> Circuit Court held that the plaintiff's allegations of abuse in the prison cell were barred by *Heck*. However, the allegations made for the events in the showers an lobby were not barred.<sup>23</sup>

There are a few notable prisoners and recent stories concerning DCI. One notable prisoner at DCI is the infamous rapper known as Boosie Badazz, formerly Lil Boosie (Boosie). Boosie was indicted on capital murder charges and was later released. While incarcerated, Boosie made a mixtape about his time in prison that detailed the process and his experience with the justice system.<sup>24</sup> The YouTube Video about DCI focused slightly on doing the head count and security administration was very proud to say that no one had ever escaped from prison. However, recently an inmate did escape. An inmate escaped the morning of this past Thanksgiving, November 25, 2021. The inmate was serving 15 years for aggravated second-degree battery and possession of a firearm by a convicted felon. The inmate was later found at his girlfriend's home and detained immediately.<sup>25</sup>

During the COVID-19, DCI had the largest outbreak when compared to other Louisiana prisons. An article dated August 28, 2020 stated that 900 inmates were tested and 331 of the men

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<sup>17</sup> *Aucoin v. Cupil*, 958 F.3d 379, 381 (5<sup>th</sup> Cir. 2020).

<sup>18</sup> *Id.*

<sup>19</sup> *Id.* (citing *Heck v. Humphrey*, 512 U.S. 497 (1994))

<sup>20</sup> *Id.*

<sup>21</sup> *Id.*

<sup>22</sup> *Id.*

<sup>23</sup> *Id.* at 382.

<sup>24</sup> *When was Boosie Badazz Arrested and Jailed?*: <https://www.hitc.com/en-gb/2021/09/04/boosie-badazz-arrested/>

<sup>25</sup> *Search Underway for Prisoner who escaped from Dixon Correctional Institute*: [https://www.theadvocate.com/baton\\_rouge/news/crime\\_police/article\\_cf70f1a2-4e35-11ec-bc83-57a529e545c8.html](https://www.theadvocate.com/baton_rouge/news/crime_police/article_cf70f1a2-4e35-11ec-bc83-57a529e545c8.html)

tested positive, 303 of whom were asymptomatic. Previously, deaths were not able to be confirmed due to the lack of PRA requests, however, a news article indicated that DCI has recorded at least one death as a result of COVID-19.<sup>26</sup>

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<sup>26</sup> *Latest Coronavirus Outbreak Behind bars is at Louisiana Prison that Holds Dialysis Patients:* [https://www.theadvocate.com/baton\\_rouge/news/coronavirus/article\\_97b922b4-e97a-11ea-8cda-3f8a9b007a06.html](https://www.theadvocate.com/baton_rouge/news/coronavirus/article_97b922b4-e97a-11ea-8cda-3f8a9b007a06.html)

# DIXON CORRECTIONAL INSTITUTE

## FACTS:

- Opened in 1976
- Site is currently 3,000 acres.
- Located 30 miles outside of Baton Rouge in the town of Jackson, Louisiana
- Bed capacity of 2,569 inmates and occupancy is generally around 1,800 inmates
  - 52% includes individuals who committed violent offenses.
  - 42% are between the ages of 30-44
  - Average sentence is 21 years
- ACA accredited

## NOTABLE CONSTITUTIONAL CASES

- *Spencer v. DCI, et al* (2021)
  - Inmate claimed he was denied medical needs when the prison did not give him the physical therapy needed for his knee after surgery and used alternative methods that did not work
  - Court denied stating that the inmate failed to show that medical care was denied.
- *Aucoin v. Cupil* (2020)
  - Excessive force case.
  - Correction officers sprayed the inmate with a chemical agent in his cell and proceeded to drag the inmate to the showers where he was maced.
  - Court held analyzed the previous disciplinary issue found by the Plaintiff and found that because of his related infractions he was barred from recovery for the actions in his cell but not showers or lobby.

**331 OF 900 INMATES TESTED POSITIVE FOR COVID**