TO: Professors Andrea Armstrong and Nishi Kumar

FROM: Bernadette Fox

RE: "Better Know a Jail" Memo – Concordia Parish Correctional Facility

DATE: November 29, 2022

Concordia Parish Correctional Facility

Introduction

Concordia Parish is situated in Eastern Central Louisiana and borders the Misissippi River. Concordia Parish comprises 697 square miles of land. With a population of roughly 18,376 as of 2021, the parish has a poverty rate of 28.6% which is almost three times as high as the national average and 9% higher than the state average. Additionally, while Louisiana ranks 50th out of 50 states with regards to health outcomes, Concordia Parish is ranked 58th out of 64 Louisiana parishes. The two largest townships within the parish are Vidalia and Ferriday, both of which are sites for the parish's correctional facilities, respectively.

There are two separate correctional operations, a men's facility and women's facility that each feature a transitional work program, and there is a smaller jail attached to the Sheriff's Office. All of the facilities are operated by Concordia Parish Sheriff's Office (CPSO).⁵ In addition to CPCF, there are Concordia Parish Women's Facility (formerly Concordia Parish Work Release aka CPCF II) and Concordia Parish Sheriff's Department Jail both of which are located in Vidalia, roughly seven miles from CPCF. This memorandum will focus on Concordia Parish Correctional Facility (CPCF) which is located in the township of Ferriday.

Jail Characteristics

Concordia Parish Correctional Facility (CPCF) is medium-security facility located on 26356 Hwy 15 Ferriday, LA 71334, the surrounding area is rural bottomlands and the facility neighbors an oil instrumentation factory. This facility has two separate buildings. According to a 2017 PREA Audit Report, the main facility was built in 1997 with 9 dorms, a segregation lockdown, all of which comprise 34,388 square feet. The second building, a Trustee building was built in 2008 and features 3 dorms which comprise 4,140 square feet. Together, the two buildings have a max capacity of 530 people. 8

Louisiana state prisons and county jails are operated by the Louisiana Department of Public Safety and Corrections (DPS&C known also as Department of Corrections or DOC). As of September 30, 2022, there were a total of 9 prisons and approximately 27,267 inmates in Louisiana. Despite a 21% decrease in the number of prisoners held in Louisiana local jails from

³ https://www.census.gov/quickfacts/fact/table/concordiaparishlouisiana,LA,US/PST045221

https://louisiana.staterecords.org/inmate

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¹ https://www.census.gov/quickfacts/fact/table/concordiaparishlouisiana,LA,US/PST045221

² Id

⁴ https://www.countyhealthrankings.org/explore-health-rankings/louisiana/concordia?year=2022

⁵ See page 8, Concordia Parish Sheriff Financial Statements as of June 30, 2020 at

https://app.lla.state.la.us/PublicReports.nsf/0/2F5680C8B4DC3DE886258670007B2B13/\$FILE/0002287F.pdf

⁷ 2017 PREA Audit Report, http://www.concordiasheriff.org/about-1; the terms incarcerated people, inmates, and prisoners will be used interchangeably throughout this memorandum. While, the term 'incarcerated people' or 'people who are incarcerated' are typically chosen for their humanization of those behind bars, the terms 'inmate' and 'prisoner' are commonly used in correctional settings and also denote politically relevant descriptions of the harrowing conditions that come with a life lived behind bars or in a cage. For example, some prefer to be referred to as prisoner because it more accurately describes the reality of their lived experience. These linguistic issues are complex and worthy of nuance.

⁸ Warden Groh confirmed, in a phone interview, that the facility can hold up to 530 inmates. He also stated that in cases of emergency DOC can compel CPCF to house an additional 100 inmates on extra cots, temporarily. In such situations it is typically a natural disaster that impacts a facility in a different region of the state and they would relocate some of their inmates temporarily to other facilities such as CPCF.

2019 to 2020, local facilities had custody of more than 48% of the state's prison population on December 31, 2020. ¹⁰ Nationally, only about 5% of state inmates are housed in local jails, however Louisiana simply doesn't have the capacity to house all of the people serving time for these crimes in state correctional facilities. ¹¹ Therefore, the state relies upon parish and private facilities throughout Louisiana to house and care for people remanded to DOC custody. The state reimburses these entities for housing people remanded to DOC custody by paying sheriffs \$24.39 per inmate per day to keep state prisoners. ¹²

It is difficult to find accurate and consistent information regarding CPCF. The only official website associated with the facility is http://www.concordiasheriff.org, which has a tab across the top labeled Corrections which has a drop-down menu with a single additional link Jail Info. The website has conflicting information, such as referring to one of the facilities as "Concordia Parish Correctional Facility II" on the main Corrections page, yet referring to the same facility as "Concordia Parish Women's Facility" under the section about visitation. A person would need to have found the 2020 Concordia Parish Sheriff financial statement, which detailed the transformation of the facility over the past several years, in order to realize the mistake. 13 The Corrections tab brings up a page which lists each of Concordia Parish's three correctional facilities along with pictures of the front of each facility, the administrator who oversees them, respectively, and the physical address and contact information. ¹⁴ The Jail Info link brings up a page that describes the current visitation policy, information on fingerprinting, property that inmates are allowed, how to put money on an incarcerated person's commissary, and contact information for bond agents. 15 The website explains that in order to mitigate the spread of COVID-19, there are no in-person visits for family and friends. 16 There is no further information about how best folks may stay in contact with loved ones housed at CPCF, nor any indication of how frequently the website is updated. A call to the facility on November 28, 2022, revealed the restrictions on in-person visits have remained in place solely due to short-staffing. ¹⁷ People incarcerated at CPCF have access to tablets which have a global tele-link service similar to Facetime. 18 The inmates get up to 15 minutes of video calling per day, and the technology detects your face and will allegedly cut off if you turn it away from your face. 19 The services are fee-based. 20

Public Records Request and Inmate Mortality

Concordia Parish Sheriff's website does not indicate to whom a person would submit a public records request. There is a contact page with a form to submit a comment or question with the implication that someone would get back to you. ²¹ I filled this form out during the initial stage of my public records request journey and I also called and left messages with the Sheriff's office, asking for a PRR contact. Both of these efforts were fruitless, so I reached out to Deputy Vernon Stevens whose name and contact information was shared by a former student. Deputy Stevens is not listed anywhere on the Concordia Parish Sheriff website, but a quick online search of his name

 $\underline{https://app.lla.state.la.us/PublicReports.nsf/0/2F5680C8B4DC3DE886258670007B2B13/\$FILE/0002287F.pdf}$

¹⁰ P.25 Prisoners in 2020 – BJS Report, https://bjs.ojp.gov/content/pub/pdf/p20st.pdf

¹¹ Capacity at Louisiana state facilities is just under 19,000.

¹² Amid budget cuts, Louisiana keeps prison costs down in ways other states don't <a href="https://www.nola.com/news/article_9116528a-0bd4-560d-8ca2-45c31fd6357a.html#:~:text=23).&text=Louisiana's%20Department%20of%20Corrections%20budget,%2424.39%20per%20inmate%20per%20day.
13 Concordia Parish Sheriff Financial Statements as of June 30, 2020 at

¹⁴ http://www.concordiasheriff.org/about-4

¹⁵ http://www.concordiasheriff.org/jail-info

¹⁶ *Id*.

¹⁷ November 28, 2022 interview with Warden Groh.

¹⁸ *Id*.

¹⁹ Id.

²¹ http://www.concordiasheriff.org/contact

and the facility produced a LinkedIn page and Facebook post describing him as a deputy with over nine years of service to the parish.²²

Already accessible Bureau of Justice data from 2014 to 2021, reported 8 deaths occurring within CPCF. 23 Out of the 8 reported deaths, 7 were attributed to medical reasons such as cardiac arrest, and 1 was due to violence.²⁴ The decedent who was a victim of violence died after being stabbed by another inmate.²⁵ The deaths were pretty evenly distributed between Black and white inmates. ²⁶ The decedents were mostly men, with 2 of the decedents being women which wouldn't be possible currently since women are no longer housed at CPCF. 27 The decedents ranged from ages 21 to 60 years old, with 6 of the decedents being over the age of 40 years old and 2 of the decedents being 21 years old and 35 years old at the time of their respective deaths. ²⁸

On August 29, 2022, I submitted public records requests related to deaths of people in custody at CPCF over the past five years. Requests were submitted for both Concordia Parish Prison and Concordia Parish Work Release to Deputy Stevens.²⁹ On September 8, 2022, Deputy Stevens responded solely to the request for the Work Release and stated "There have been no deaths at the work release facility during th[e] dates requested." Then on September 12, 2022, with no message or explanation, Deputy Stevens sent an email with a document attached, entitled, "Deaths in custody." The document consists of three pages, each a separate Louisiana Department of Public Safety and Corrections Standardized Death Report. 31 Two of the forms were clearly filled out by Dr. Dennis LaRavia, Concordia Parish Coroner and one of the forms did not indicate who filled it out. None of the forms provided dates or times of death for the decedents nor did any of the forms indicate exactly which facility they died at.³² Not only is there is there no way to determine from the form when these individuals died, there is also no indication of when these reports were created.³³ Searches for obituaries or other postings about the decedents came back empty. Eric Vaughn Bird, DOC# 52008, died "unexpectedly" and was diagnoses as dying from sudden onset cardiac arrest, although the form states that no autopsy was performed, he was 43 years old.³⁴ Hosie Dixon, DOC# 596922, also died "unexpectedly" with no indication as to how or why. 35 They are listed as dying in the "Lema" housing unit but it is unclear where exactly that is. Hosie died at 30 years old and according to the form, an autopsy was pending at the time the form was completed. ³⁶ Brian Holman, DOC# 406900, was 44 years old when he passed in housing unit J, he also died "unexpectedly" and had an autopsy pending at the time the form was completed.³⁷ His medical diagnosis was described as "hypertension, peripheral edema, varicose veins both legs

²² https://www.facebook.com/196620637049706/posts/mr-vernon-stevens-has-been-with-cpso-for-9-years-coming-to-us-with-an-extensive-/2518970088148071/; https://www.linkedin.com/in/vernon-stevens-493aa354 https://www.incarcerationtransparency.org/?page_id=179

²⁵ Id.; see also https://www.knoe.com/2020/10/30/la-state-police-investigating-inmate-homicide-in-concordia-parish/

²⁷ *Id*.

²⁸ *Id*.

²⁹ Emails to and from Deputy Stevens between August 29, 2022 and November 3, 2022.

³⁰ A phone call with Deputy Stevens on October 5, 2022, revealed that CPCF was a separate facility from the CPP and that CPCF and the work release program were "one in the same." Deputy Stevens said he would send a letter confirming this but he never did. A follow up email was sent on November 3, 2022 but never responded to.

³¹ Death in custody document provided by Deputy Stevens

³³ The death report form has a section for "date of report" and also "narrative" where details could be shared, despite this however these sections were blank on each report in the document.

³⁵ This form was filled out by hand and written in cursive, it was difficult to read, I entered the decedent's DOC # into VineLink and found the name Hosie Dixon associated with it, notably VineLink has the person listed as a 31-year-old white male in LDOC custody as of February 2022. Because the form states that he was 30 at the time he passed it seems likely he passed last year and the system has not yet been updated. Further research is $advised. \textit{ See } \underline{\text{ https://vinelink.vineapps.com/person-detail/offender/2406042;} \\ tablindex ToSelect=0. \\$

³⁷ I entered the decedent's DOC # into VineLInk and found Brian Holman listed as being a 44-year-old white male in LDOC custody as of February 2022. https://vinelink.vineapps.com/person-detail/offender/2401032;tabIndexToSelect=0

Jail Leadership

The current warden of CPCF is Chris Groh who is aided by assistant warden John Blunschi. Warden Groh was appointed to the position in 2020. He has a long background in policing which includes attending the LSU Police Academy in 2005, and previously serving as the US Marshal Fugitive Strike Team, and the FBI Task Force conducting federal drug investigations in Concordia Parish. Warden Groh has conducted undercover operations with ATF and state level narcotics investigations throughout Louisiana. Warden Groh has also been a Special Operations Group (SWAT) member with Concordia Parish Sheriff's Office since 2005 and previously served as Commander, Warden Groh also been the instructor for 'PepperBall' launcher and Defensive Tactics and Taser certification in the parish. 42

In an interview with the facility head, Warden Groh emphasized repeatedly that he "treats [those incarcerated at CPCF] with respect, compassion, dignity and humanity."⁴³ He also stated that he treats the inmates how he would want someone to treat his own family.⁴⁴ Unlike some parishes where wardens are elected into their position, CPCF wardens are appointed to the position by the Concordia Parish Sheriff's Office.⁴⁵ Searches for Warden Groh online produce mainly articles from the local area celebrating his vast career in policing in the community and his work as warden. He stated in the interview that he started working with the Concordia Parish Sheriff's Office roughly two decades ago as an officer and he feels his appointment to warden in 2020 has brought him full circle.⁴⁶

Oversight and Transparency

It was very difficult to find current data accessible to the general public about who is housed at CPCF. There is no list of how many people are currently incarcerated, let alone the demographics of these people or their pre or post-trial status. The best source I found was the VINElink page associated with the entire parish of Concordia. According to Concordia Parish's VINE jail roster, there are 189 people held across the parish's three facilities. The 189 people are listed in alphabetical order and you would need to click on each individual one by one to see which facility exactly they are being housed, how old they are, their race, and when they were booked. It appears there is a categorical error as some of the women I clicked on were listed as being housed at CPCF even though CPCF has stated it only houses men and that women are housed at CPWF.

³⁸ *Id*.

³⁹ CORRECTIONS | Mysite (concordiasheriff.org)

⁴⁰ https://www.hannapub.com/concordiasentinel/news/local_state_headlines/chris-groh-new-warden/article_3eae513a-1940-11eb-b7d1-439b782561aa.html

⁴¹ Id.

⁴² PepperBall describes itself as "the most powerful non-lethal technology on the market" and is widely used by law enforcement agencies. *See* https://pepperball.com/. *See also* https://www.usatoday.com/in-depth/news/2020/06/20/less-lethal-rubber-bullet-protester-pepper-ball-tear-gas-injured-blinded/5343717002/ ("Less lethal can still maim and kill: They can cause devastating injuries. A study published in 2017 in the medical journal BMJ Open found that 3% of people hit by projectiles worldwide died. Fifteen percent of the 1,984 people studied were permanently injured.")

⁴³ November 28, 2022 interview with Warden Groh.

⁴⁴ Warden Groh went as far as to say that he has in many instances had mothers call checking on their sons after not hearing from them for a while, and Warden Groh would then call the incarcerated son to his office and let them use his phone to call and check in because he "knows the calls are expensive and not everyone has access to pay."

⁴⁵ Id

⁴⁶ Id

⁴⁷ http://www.concordia.lavns.org/roster.aspx; The only reason I even thought to look here is because I have used the same link to find loved ones that are incarcerated across the country and in Louisiana. Notably, VINE is intended to inform victims of crime about the whereabouts of those convicted of being responsible for those crimes, however it can also be used by any member of the general public to keep tabs on someone who is incarcerated

⁴⁸ This is likely due to the fact that Concordia Parish Correctional Facility (CPCF) originally housed men and women, then shifted to housing only men, and the women were housed at Concordia Parish Correctional Facility II (CPCF II) which later was renamed Concordia Parish Women's

An Offender Census Report from 2021, listed a total of 516 inmates at CPCF, which included 12 people in the work release program. ⁴⁹ The report specified that 23 of the 516 were being held pre-trial and as of the time of the report none of the 516 were from out-of-state, nor were they Federal or ICE detainees. ⁵⁰ As of November 28, 2022, there are 530 people incarcerated at CPCF, a small number, under 50, of whom are pre-trial and the rest who are under DOC custody. ⁵¹ All CPCF inmates are men 18 years old and older. Older inmates are usually housed in the same dorm and separate from younger inmates. ⁵² CPCF also provides classes related to drug treatment, anger management, and parenting, and they are working to provide HiSET courses. ⁵³ A barrier to consistently offering the courses is staffing issues. An interview with Warden Groh revealed that there have been issues over the last couple of years with hiring correctional staff. Despite what Warden Groh referred to as great pay and benefits, there just doesn't seem to be "many people who want to work these days." The warden lamented that the short staffing has impacted many areas of the prison and it is what he identified as the most difficult part of his job. ⁵⁴ He also stated that staff malfeasance and misconduct were areas of concern. ⁵⁵

According to a 2020 Concordia Parish Sheriff Office financial audit, CPSO provides approximately 175 jobs to the parish and surrounding Concordia Parish residents. ⁵⁶ Page 10 of the audit has "Correctional" listed as a line item with expenditures totaling \$7,259,981.00.⁵⁷ On page 13, under revenues, there is a line item, "feeding and keeping prisoners at CPCF" totaling \$7,042,734.00 and a line item, "telephone commissions-CPCF" totaling \$311,953.00.⁵⁸ Because these items are listed under revenue it would follow that this is money being earned although it is unclear exactly how. Just below revenues on this same page are expenditures, which list, "total correctional facility" costs as \$7,643,084.00. The facility reports receiving state and federal grants totaling over \$500,000.00 for correctional purposes and an additional \$133,000.00 for public safety. The audit paints a rough image of the budget associated with CPCF but there are many details left out of the picture. A division of the Department of Public Safety and Corrections known as Prison Enterprises, operates a variety of industries, agriculture and service programs which according to their website are located across 8 state run facilities.⁵⁹ A 2020 DOC Briefing Book reported over \$10,000,000.00 of purchases by Prison Enterprises from correctional facilities across the state. ⁶⁰ Of the over ten million dollars, \$21,913.40 came from Concordia Parish in the 2018-2019 fiscal year, it is unclear what portion of that was produced by CPCF.⁶¹

Notable Cases and News Coverage

There are two cases involving CPCF within the last five years. The first case involves a pretrial-detainee plaintiff who filed a §1983 action against CPCF and several of its department

Facility (CPWF); as detailed above. See also footnote 13.

⁴⁹ https://jlcb.legis.la.gov/Docs/2021/jun/May%202021%20Corrections%20Act%201%20of%202020.pdf

⁵⁰ Id

⁵¹ November 28, 2022 interview with Warden Groh.

⁵² Warden Groh explained in the interview that they try to keep the older inmates separate from the younger inmates for safety reasons and because, "they typically socialize differently."

⁵³ November 28, 2022 interview with Warden Groh.

⁵⁴ Warden Groh stated that "the inmates are never the problem" and that "keeping employment or finding anyone who wants to work" are the most stressful components of his job.

⁵⁵ Warden Groh stated that despite repeated warnings that "they will be caught" there are always staff who sneak in contraband ranging from phones to drugs.

⁵⁶ https://app.lla.state.la.us/PublicReports.nsf/0/2F5680C8B4DC3DE886258670007B2B13/\$FILE/0002287F.pdf\; The 150 jobs span three correctional facilities.

⁵⁷ *Id*.

⁵⁸ Id

⁵⁹ http://www.prisonenterprises.org/about-us/

⁶⁰ https://static.prisonpolicy.org/scans/Full-BB-Jul-20.pdf

⁶¹ *Id*.

heads and employees alleging that they provided him inadequate security and "impermissibly delayed" medical care. ⁶² The complaint was dismissed by the Western District of Louisiana and the detainee appealed. ⁶³ The Court of Appeals held that: (1) the detainee did not adequately plead that officials acted with deliberate indifference to substantial risk of serious harm to him when they housed him with department of correction inmates due to misclassification; (2) the detainee did not adequately plead supervisory liability under §1983; (3) detainee pled plausible claim against official for deliberate indifference to his serious medical needs; and (4) dismissal of detainee's claims should have been without prejudice. ⁶⁴

In a case from this year, a plaintiff, Sharon Tisdale, brought action against CPSO Head Sheriff Hedrick, individually and in his official capacity, and against an inmate, who escaped courthouse grounds while assigned to work there. The plaintiff sustained injuries as result of an incident in which the inmate threatened her with a box cutter and put her in the passenger seat of her vehicle. The 7th Judicial District found that the sheriff's employees were negligent in allowing the inmate to acquire trustee status while at CPCF, and that Sheriff Hedrick was liable for gross negligence in the attack. The district court found the inmate committed intentional tort, and awarded damages. Sheriff Hedrick appealed but the appeal court found that the trial court acted within its discretion in allocating 90% of fault to sheriff, and the trial court acted within its discretion in awarding general damages in amount of \$250,000 to Ms. Tisdale.

Notable media coverage from the last 5 years includes reports of violence between people incarcerated at CPCF and escapes. An article from 2020 briefly mentions that an inmate was stabbed to death. 70 An article from July of this year shares details of yet another stabbing between inmates, but in this case the person who was stabbed survived. 71 On August 2, 2022, *The Natchez* Democrat reported that three inmates escaped from CPCF the day prior on August 1st at 1:30am. 72 The three inmates were described as white males ranging from 25 to 31 years old and were "nonviolent offenders believed to be in their homes."⁷³ A subsequent article published just two days later, stated that a former CPCF employee was arrested and charged with malfeasance in office after authorities say he "knowingly confirmed an incorrect head count of a prison dorm which resulted in a delay of CPCF officials identifying missing inmates."⁷⁴ As of August 8, 2022 only two of the three men had been located. ⁷⁵ Finally, an article published just this month reported that on November 3, 2022, five inmates were facing charges of false imprisonment with a dangerous weapon, aggravated battery and sexual battery. 76 "The inmates are all being transferred to other facilities and the inmate who was the target of the attack was seen by the prison nurse and did not require further medical attention," said Brandy Spears, the public information officer of Concordia Parish Sheriff's Office, which runs the Ferriday correctional facility. 77

⁶² Alderson v. Concordia Par. Corr. Facility, 848 F.3d 415 (5th Cir. 2017).

⁶⁴ Id

of Id.

⁶⁵ Tisdale v. Hedrick, 344 So.3d 184 (La.App. 3d Cir. 2022).

⁶⁶ *Id.* at 185.

⁶⁷ *Id.* at 188.

⁶⁸ Id. at 189.

⁶⁹ *Id.* at 192.

⁷⁰ https://www.knoe.com/2020/10/30/la-state-police-investigating-inmate-homicide-in-concordia-parish/

⁷¹ https://www.natchezdemocrat.com/2022/06/13/concordia-parish-inmate-charged-with-murder-for-stabbing-another-inmate/

⁷² https://www.natchezdemocrat.com/2022/08/02/law-enforcement-seeking-3-who-escaped-from-concordia-parish-corrections-facility/

⁷⁴ https://www.natchezdemocrat.com/2022/08/04/update-corrections-employee-charged-with-malfeasance-connected-to-3-inmates-escaping-from-iail/

⁷⁵ https://www.kalb.com/2022/08/02/3-concordia-parish-escapees-could-be-winn-livingston-parishes/

⁷⁶ https://www.natchezdemocrat.com/2022/11/04/five-inmates-at-ferriday-correctional-facility-charged-with-assaulting-another-inmate/?fbclid=IwAR0DkY9SJC-kestE4YRcL-Zwm98V9KkRbsxboLltSoLsjFPv2TAE_paphkw
⁷⁷ LJ