

CLOSE:  
METRO DETENTION FACILITY

# Rotten to the Core

REPURPOSE:  
INVEST IN OUR COMMUNITY

A REPORT BY ROTTEN TO THE CORE, A COALITION FORMED IN 2019  
COMMITTED TO THE ERADICATION OF PRIVATE FOR-PROFIT  
PRISONS IN DAVIDSON COUNTY AND ACROSS TENNESSEE

## THE CONTRACT WITH CORECIVIC IS CUT...



Nashville City Council members Emily Benedict and Freddie O'Connell officially announced that Sheriff Daron Hall has agreed with us regarding the feasibility of the Davidson County Sheriff's Office taking over management of the Metro Detention Facility (MDF) with zero impact on Nashville's city budget. In doing so, he agreed to end the contract with CoreCivic. This is a huge win for the people of Nashville!

CoreCivic, formerly headquartered in Nashville and still based in Tennessee, has lost its longest running contract in its home territory. For months, our coalition has advocated for an end to this contract. We've argued in City Council that mechanisms existed under state law that allowed for the financial divestment from CoreCivic, but received pushback from Sheriff Daron Hall. While this moment marks a hard-fought victory for the people who have suffered in CoreCivic's gulags, our battle is far from over. Because we know that the human beings caged in our community deserve better. Their children and their partners and their friends and neighbors need the fight to continue. The grief that their children feel. The holes and voids left behind, and the knowledge that each day brings a fresh onslaught of disease, violence and punitive torture and terror, cannot and will not be tolerated.

We will not be finished until CoreCivic and every heartless corporation whose business model is based on making money on human suffering and perpetuating slavery is shut down. We will not be finished until we decarcerate widely and fund the social services and goods we need to thrive.

Divesting from CoreCivic is the first step in divesting from a system that marginalizes entire communities. This moment is just the beginning of the walk toward true liberation. We will be free.

# ...BUT NASHVILLE DOESN'T NEED METRO DETENTION FACILITY AT ALL

## JAIL CAPACITY

# 1,348

## INCARCERATED PEOPLE

# 484\*

## AVERAGE COST TO HOUSE A PERSON EACH DAY

# \$100

## SET UP COST TO TRANSFER FACILITY TO DCSO

# \$5M

\*As of July 15, 2020

With the opening of the new Downtown Detention Center, Nashville now has three operational jails with 2,038 beds: Downtown Detention Center: 762 beds Correctional Development Center–Male: 768 beds Correctional Development Center–Female: 508 beds. Additionally, Nashville has another 300 bed jail facility (ORC) on the same campus as the CDC facilities, which is not currently in use.

The population of Nashville’s jails has been steadily declining for the past few years. Today, Nashville does not need the MDF as a jail facility, because it has more than enough beds in its existing facilities to house everyone currently jailed here. Additionally, the trend toward even greater decarceration continues.

On May 31 2020, the population of Nashville’s jails (including the CoreCivic facility) was 1,665 people (1,480 men; 185 women). Nearly half of these people were awaiting trial – not serving a sentence. And most of them were in jail only because they could not afford to pay bail. Another 100 people were in jail serving sentences for DUI or misdemeanor convictions.

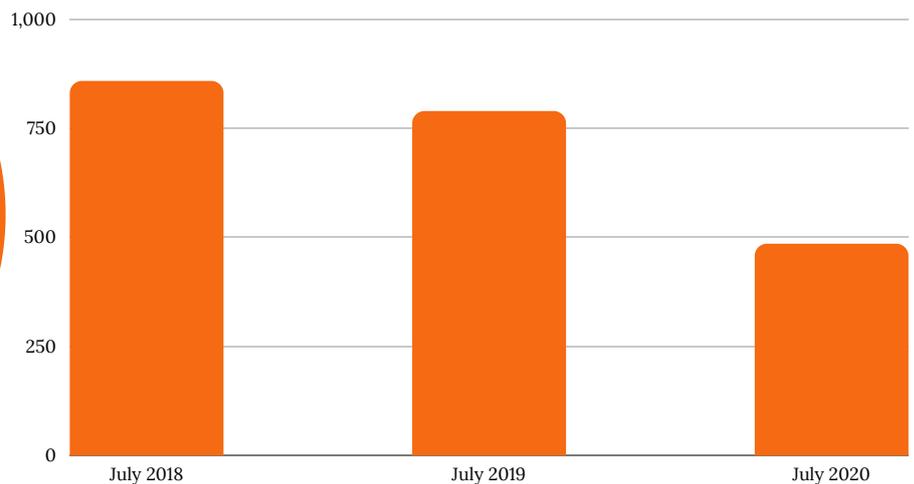
In addition to having all the jail space needed without the MDF facility, it does not make sense for Metro to invest in correctional security upgrades to a facility that is more than half empty. In May 2020, the average population of the MDF facility was 660 people – 149 of whom were women. With the opening of the Downtown Detention Center, the majority of those women have since been moved to a DCSO jail. The MDF facility has 1,348 beds, and is now operating at less than 40% capacity. Why would anyone, and particularly the city of Nashville, invest money to continue operating this facility as a jail?



# MDF JAIL POPULATION TRENDS OVER TIME JULY 2018 - JULY 2020

# 65%

of the BEDS at MDF  
were EMPTY on  
JULY 15, 2020



*"If we allow the jail to remain, we will have to find ways to fill it back up to make the city's investment make sense. When a facility drops well below 50% capacity, we must reimagine what we can do with the space, so that we can build Nashvillians up, instead of finding ways to bring people down. We need to show that we value our community members."*

*- Dawn Harrington, Free Hearts*

95% of the one time transition cost is associated with taking over the building. A DCSO Evaluation Report from December 2018 estimated this cost to be roughly \$4 million (\$4,043,709). That cost was associated with Equipment, Security Technology Updates, and training. More specifically: \$1,000,000 for "security technology updates," which includes upgraded camera equipment, card key coverage for 10 doors, replacing a proprietary control system, adding

intercoms, installing duress buttons, and expanding video system servers and video monitoring stations; \$2,820,000 for "furniture, fixture and equipment"; and \$210,000 for training. Sheriff Hall is now quoting the one-time transitional cost at \$5 million. 95% of these "one-time" transitional costs are associated with upgrades and furnishing of the building. If the building is no longer used as a correctional facility, these costs are unnecessary.

## WHO IS IN METRO DETENTION FACILITY, AND WHY?

- From an analysis of the 484 people incarcerated in Metro Detention Facility on July 15, 2020, at least 386 were sentenced, the majority of whom who were being held for the state (TDOC).
- At least 47 had a Sentence End Date on or before December 31, 2020, 94 people whose sentence ends in 2021, 73 in 2022, 52 in 2023, 40 in 2024, 24 in 2025, 22 in 2026, and 52 people whose sentence ends between 2027-2077, respectively.
- 57% of people had already met their Release Eligibility Date (RED Date), many of whom were eligible for parole.
- At least 38% were incarcerated for a parole or probation violations, including technical violations.
- There were at least 10 people with active ICE holds.
- According to the racial designation listed in TN FOIL site, the racial breakdown of the people housed in Metro Detention Facility are as follows: 60% are black, 35% are white, and 4% are Hispanic, and less than 1% are Asian or Pacific Islander
- The racial disparity for black people is significant given that black people make up 60% of MDF's population but make up only about 28% of Nashville's overall population, according to the U.S. Census Bureau.
- 17% of people are between 18-25, 31% between 26-34, 42% between 35-54, 8% between 55-64, and 2% of the people are 65+ respectively.

## THE UNINTENDED DEATH SENTENCE: INCARCERATION & COVID-19: A CALL TO DECARCERATE.



"As I'm sure you have heard, [incarcerated people] throughout the country are extremely vulnerable to COVID-19," Hall writes in a letter sent to Davidson County General Sessions and state trial court judges. "Therefore, **I need a substantial reduction** in the Davidson County [incarceration] population. We all know about 'social distancing' by now. Unfortunately, that is next to impossible in jails. What is possible is to reduce the population to a level that creates significant isolation opportunities."

**-Sheriff Daron Hall**

## COVID-19 IN CORRECTIONAL FACILITIES: SCIENCE & THE SHERIFF

COVID-19 has already proved to wreak havoc in our correctional facilities across the state with no end in sight. On March 24, 2020, community organizations submitted this [Supreme Court Petition](#) about concerns related to COVID-19 in jails, juvenile detention centers, prisons and ICE detention centers across the state. On July 2, 2020, News Channel 4 WSMV reported on the first mass testing in Nashville jails, finding that 180 incarcerated people tested positive with an additional 360 incarcerated people on COVID restriction. On August 6, 2020, Tennessee Lookout reported that in the Nashville Juvenile Detention facility--where we pay over \$315.00 per day to cage our children--there were 10 positive cases of the 21 youth tested. In [Tennessee prisons](#), we have seen a total of 4,388 positive cases and 12 people have died so far, the first of whom was incarcerated for having alcohol in his home at a routine home visit. On August 31, 2020, a 64 year old woman detained on a \$500k bond for failure to appear in court became the first reported COVID-19 death in a Nashville jail.

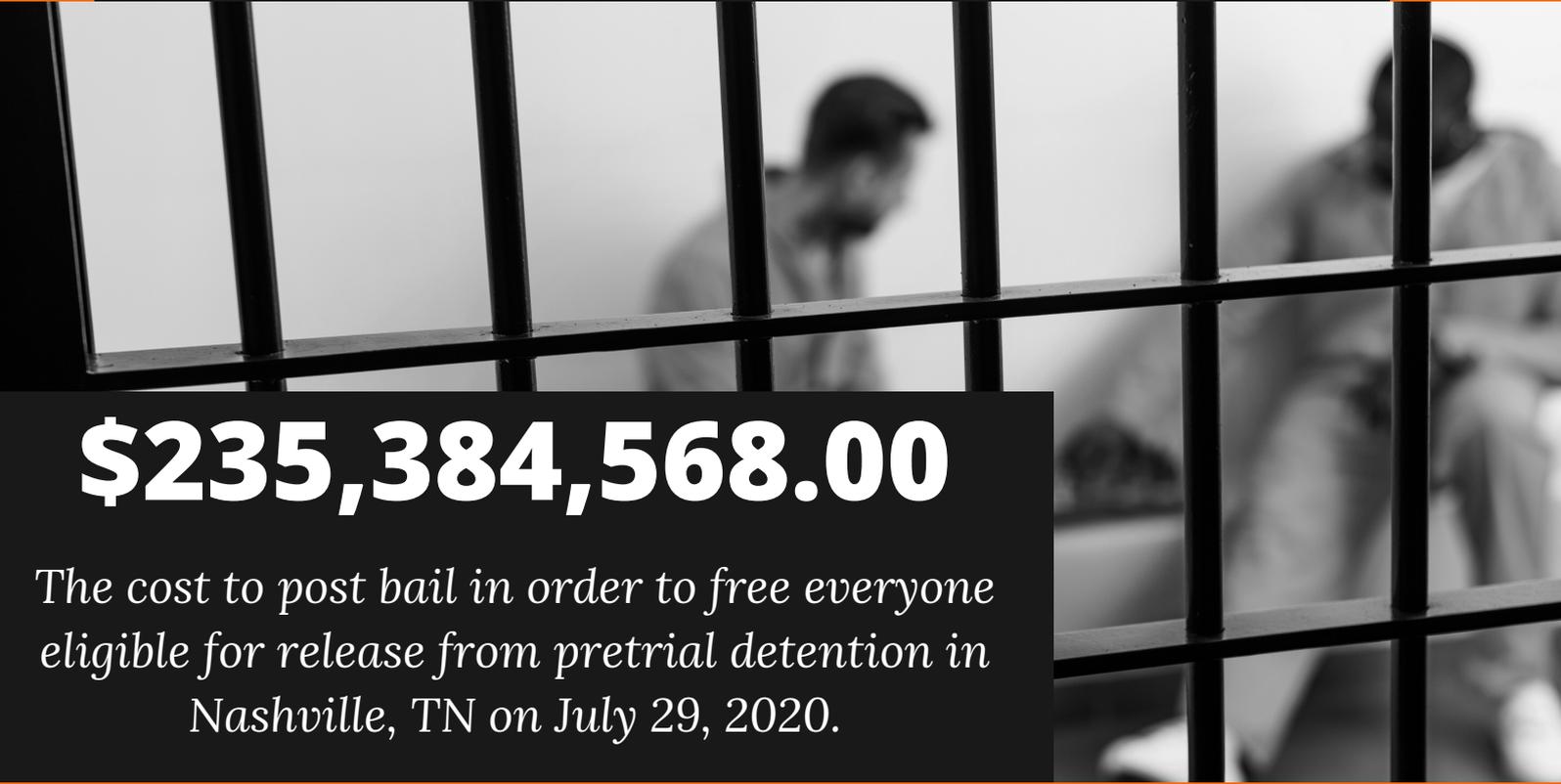
Since the pandemic began, the scientific community has called for decarceration. Dr. Jennifer Gaddy, PhD, a researcher at Vanderbilt University in infectious disease in her Affidavit for Decarceration for COVID-19 said, "it is my professional judgement that individuals placed in correctional facilities are at a significantly higher risk of infection, morbidity, and mortality associated with COVID-19 as compared to the population in the community. These facilities are NOT a safer place for prisoners during the pandemic outbreak...It is my professional judgement that reducing the size of the populations within jails, prisons, and detention centers can be a critical mechanism to reduce risk for prisoners, staff, and their surrounding communities...Because an outbreak in jails, prisons, and detention centers poses a risk for spillover into the community, and due to the severe disease outcomes associated with COVID-19, I am strongly recommending that individuals who can be safely and appropriately decarcerated should be evaluated for immediate release." Poverty, illness (including mental illness and addiction), trauma, survival, missing court, technical violation, brain underdevelopment, disability, race, immigration status, gender or whatever the root

cause may be, it should not be a death sentence. That is the exact situation for our community members who are in Nashville jails in the time of COVID-19. Sheriff Hall is in full agreement on the urgent need to decarcerate the jails en masse. "I need a substantial reduction in the Davidson County [incarceration] population." he says, "We all know about 'social distancing' by now. Unfortunately, that is next to impossible in jails. What is possible is to reduce the population to a level that creates significant isolation opportunities," explains Sheriff Daron Hall.

## SCABIES AT MDF: A CAUTIONARY TALE

In July 2017, incarcerated people and staff at MDF had to resort to federal lawsuits to expose a failed response to a chronic scabies outbreak in Metro Detention Facility jail. A scabies infestation consists of tiny mites that drill themselves into a person's skin and lay eggs, which leads to an aggressive rash and excruciating itching. The mites that cause highly contagious scabies can be killed with simple treatment, but the months of cries from incarcerated people and staff went unanswered causing the outbreak to continue to spread throughout the jail to incarcerated people and staff. Since jails are not closed systems, the outbreak compromised public health at large as it spread to volunteers, to the courthouse, to attorneys, and into the community.

Similarly, Tennessee prisons have demonstrated the potential continuous impact of COVID-19 on people who are incarcerated across our city due to rapid spreading and lack of treatment. For example, approximately 4,700 people incarcerated in Tennessee are known to have been infected with hepatitis C. In spite of the availability of medicine that often cures this deadly disease, Tennessee prisons have struggled to get funding for the drugs, as they cost more than \$10,000 per patient. As a result, Tennessee prisons saw at least 56 hepatitis C-related deaths of incarcerated people between 2013 and 2017. The lack of containment and treatment of hepatitis C is especially relevant, since people who have existing chronic medical issues may similarly be at higher risk of serious illness from COVID-19.

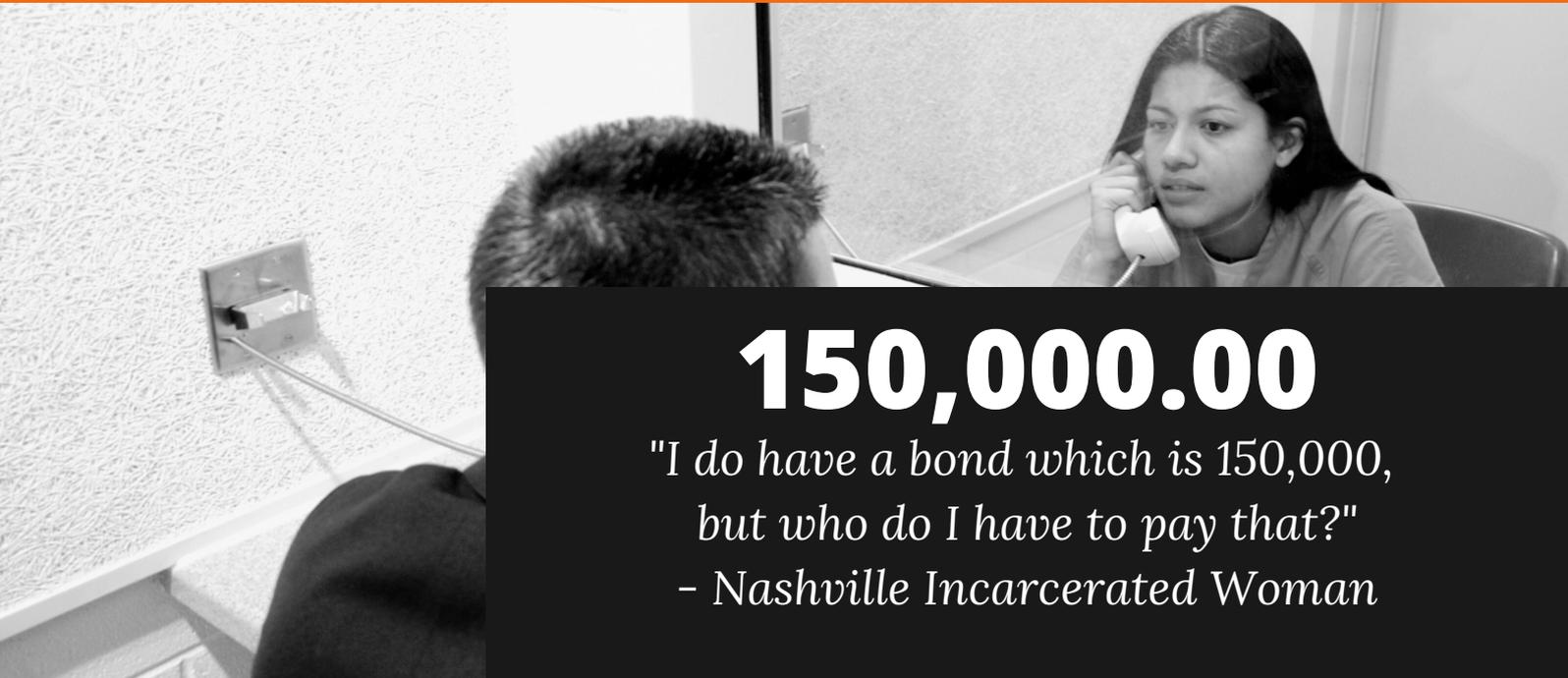
**THE IMPACT OF BAIL ON PRETRIAL DETENTION IN NASHVILLE**

# \$235,384,568.00

*The cost to post bail in order to free everyone eligible for release from pretrial detention in Nashville, TN on July 29, 2020.*

We have enough beds to close and repurpose MDF jail today, but to protect the people inside in the wake of COVID-19 and beyond, we must also push to decarcerate, including those of whom are only locked up because they are too poor to pay bail. In *Southerners on New Ground (SONG) Nashville's 2019 Court Watch Report* they detailed that "All too often in our observations of Davidson County's Night Court, we witnessed similar unjust bail practices: many people were absent from

their own bail hearings, did not have defense counsel, had bail hearings that were unbelievably short, were not asked questions about themselves or their needs for getting back to court, and were overwhelmingly not released on their own recognizance or even released for pretrial services, despite presenting no threat to public safety." Bail and pretrial detention criminalize poverty when we need to be investing in the empowerment of Nashvillians.



# 150,000.00

*"I do have a bond which is 150,000, but who do I have to pay that?"  
- Nashville Incarcerated Woman*



*"We have an opportunity to create something that will directly benefit the community. We can seize this opportunity, or continue to target and cage black, brown, and poor neighbors. Lets choose to invest in our people, and end a system designed to destroy."*

*Theeda Murphy, No Exceptions Prison Collective*

On December 19, 2019, Governor Bill Lee's Criminal Justice Investment Task Force released an [interim report](#) that included a comprehensive package of data-driven policy recommendations for the state legislature that sought to improve public safety, increase support for re-entry, reduce recidivism, and address unmet needs that ultimately make Tennessee communities safer. Some of the task force findings include: "Tennessee's prison population grew 12 percent over the past decade, driven by a growth in time served due to increasing sentence lengths and decreasing parole releases. Despite a growing prison population and increasing corrections budget, Tennessee's recidivism rate remains high. Tennessee's female incarceration rate ranks 11th-highest in

the nation, with female felony admissions increasing 12 percent over the past decade. Individuals in custody spent 23 percent longer, or an average of 11 months more time incarcerated in FY2018 than they did in FY2009, driven by steadily increasing sentence terms and a decline in the number and rate of releases to parole. Despite incarcerating more people and spending over \$1 billion annually on corrections in the state budget, Tennessee has the fourth highest violent crime rate in the nation and a high recidivism rate, with nearly half of individuals rearrested within three years of their release from custody. These trends are especially noteworthy in light of 34 states reducing both their imprisonment and crime rates during the same period from 2008 to 2017."

## CASE STUDIES: JAIL AND PRISON CLOSURE AND REPURPOSING PROJECTS ACROSS THE UNITED STATES



### GRACE MARKETPLACE

Gainesville Correctional Institution was opened in 1991 with a capacity of 507 beds. The prison was closed in 2012 due to budget cuts. It has since been repurposed to become a one-stop-shop for people without housing, providing food, shelter, and services aimed to end homelessness called Grace Marketplace. Since opening, GRACE has contributed to a 30% drop in homelessness in Alachua County.



### HAYWOOD PATHWAYS

Haywood Correctional Center was a minimum security prison in North Carolina that has been closed & repurposed as the Haywood Pathways Center. The repurposing project led by churches & community groups transformed the old prison to a multi-use site that includes a halfway house, homeless shelter and soup kitchen.



### CLOSE THE JAIL ATL

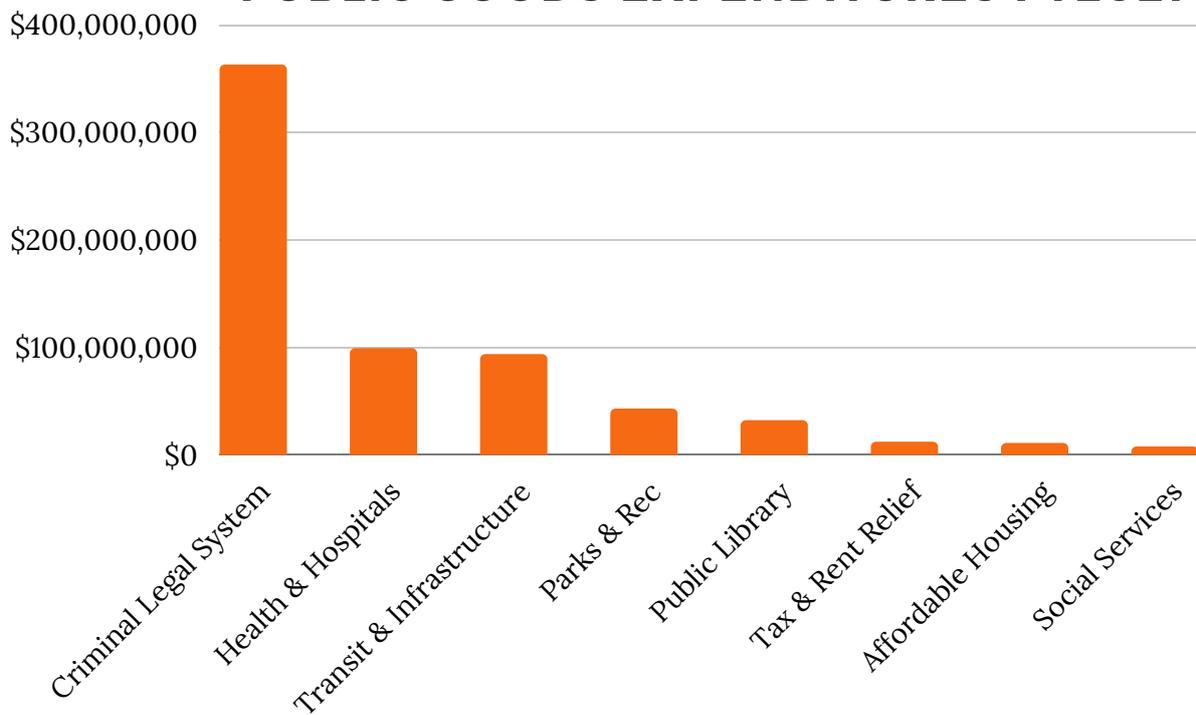
The #CloseTheJailATL Campaign won legislation in May of 2019 to close and repurpose the jail through a Community-Led Taskforce. But their campaign is not over—they still have to repurpose the facility into a Center for Wellness & Freedom, reallocate \$32.5 million back into the community, & decriminalize the "broken windows" offenses that populated the jail.

# WE DON'T NEED MORE JAIL BEDS, WE NEED MORE COMMUNITY INVESTMENT

*"The jail needs to be fully shut down. People are dying in there from COVID-19. As Angela Davis once said, 'Prisons don't disappear social problems, they disappear human beings.' The money they use to fund jails could be repurposed into the community to create opportunities and healing. Grassroots organizations actually creating change in the community can help with housing, education, services for families, counseling, and more but they don't have the funding needed. It's time for those in power to take action, to close down unnecessary, costly jail cells, and to actually invest in our communities."*

*- Jawharrah Bahar, Free Hearts, Incarcerated Loved One in MDF*

## PROPOSED CRIMINAL LEGAL VS. PUBLIC GOODS EXPENDITURES FY2021



Thousands of people in the Nashville community have made it crystal clear that we want to decarcerate and divest from harmful systems that criminalize and disenfranchise our people and instead use our taxpayer money to invest in our community members so that we can all heal and advance our lives and the lives of our loved ones and our community. From [Nashville People's Budget Coalition Report](#), (see the graph above) Mayor Cooper had "proposed a budget to spend more of our money on the criminal legal system than all of health care, social services, affordable housing, transit, infrastructure, libraries, parks, community centers, and rental and tax relief services combined."

Although his budget did not pass, the budget that did go into effect continues to misprioritize what people in Nashville really need to survive and thrive, especially through this pandemic. Some Metro Council members have renewed their commitment to work to bring this collective vision of divesting from harmful systems and investing in community sourced solutions to pass when given the next opportunity. This is a fresh new opportunity for the city of Nashville to do the right thing and show the people of Nashville that they care about us as human beings and do not want to disappear us from sight simply because we need support and community care.



## CONCLUSION

Prior to the pandemic, the sheriff was already overseeing Nashville's largest expansion of jail and prison infrastructure in years despite consistent declining incarceration rates in Nashville. Our vision for Nashville does not include giving yet another \$5 million in "start up" costs for a facility that is not needed.

Our community needs an expansion of health care. We need low income housing. We need greater educational opportunities. We need fresh, healthy and affordable food. We need accessible health care and counseling. Where this city spends its dollars is a reflection of the priorities it has towards the community.

Nashville is better, safer and healthier when we decarcerate and reallocate funds away from cages and back into our community. We have an opportunity to do something truly great and truly restorative.

## THE CALL TO ACTION

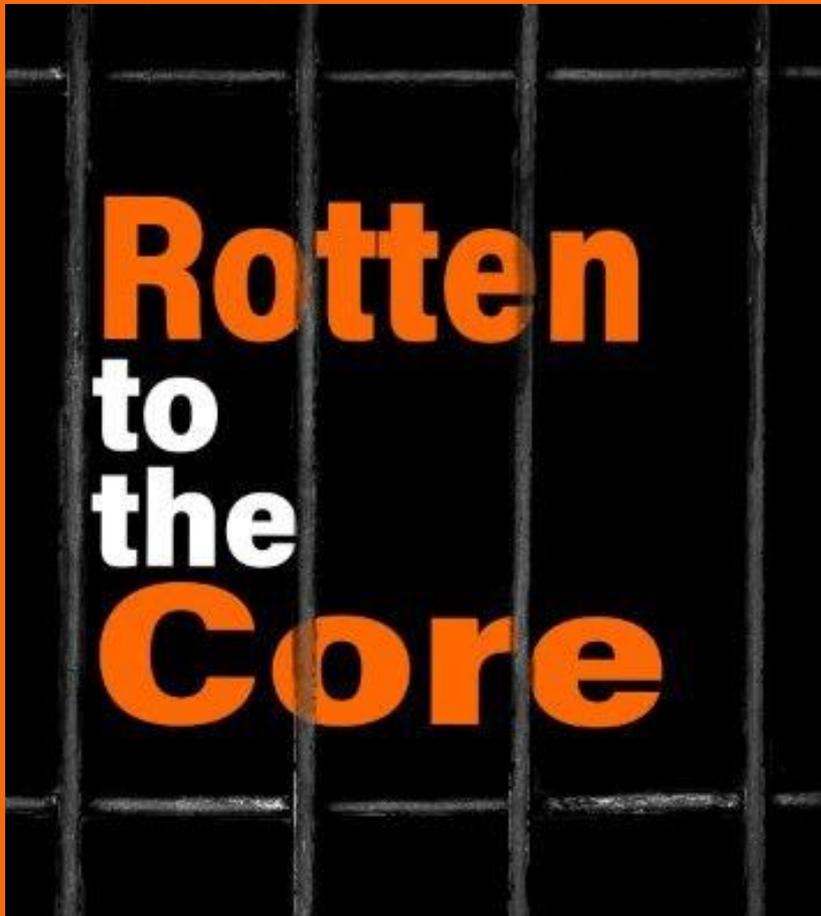
Metro Nashville Government, we are asking you to take bold action. We demand converting the use of Metro Detention Facility from a jail to something that will actually make our community safe and continue the trend of decarceration by releasing our neighbors, half of whom have not been convicted of a crime but are condemned by poverty. Nashvillians deserve better. And we can make it happen. Together.

## QUOTE FROM IMPACTED LOVED ONE

*“There’s no one that really has the incarcerated peoples’ best interest at heart. It’s not safe in [the jail] because in certain places there are no ways to stay in touch and to know how our loved ones are being treated. COVID-19 is a deadly virus and you just can’t socially distance in a cage. I’m scared every day for my child. The administration has to be held accountable for all of the immense harm caused to our loved ones.*

*Jails and prisons are not solutions.  
We need to work towards real solutions.”  
-Michelle Griffin, Mother*

## COALITION MEMBERS



Black Lives Matter Nashville  
Enough Is Enough  
Free Hearts  
Gideon's Army  
Healthy and Free Tennessee  
Mercy Junction Justice and Peace  
Middle TN Democratic Socialists of America  
MIX - Movements Including X  
No Exceptions Prison Collective  
SONG Nashville  
Unheard Voices Outreach  
Women's March  
Workers Against Racism (WAR)  
Workers' Dignity

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