

# News From The States

# EVENING WRAP

Thanks for being here and [supporting our work](#).



By [Kate Queram](#)

---

The criminal justice system is a sprawling array of complex and chronic problems that can be nearly impossible to wrap your mind around. But we rarely have to take in the entire picture at once. The issues are so ubiquitous that you can pick pretty much any institution — one prison, one court, one police department — and find most of the same issues. It's less daunting to consider the flaws in a single entity, and it helps understand the scope of the whole thing.



## The Big Takeaway

You're probably at least passingly familiar with Georgia's Fulton County Jail, either because of [Donald Trump's weird mugshot](#) or because of its notorious reputation as a dilapidated and dangerous place. Like virtually every other jail, the facility is severely overcrowded, understaffed, and woefully ill-equipped to deal with the hundreds of inmates who require behavioral health treatment. Those chronic issues have worsened amid funding shortfalls, crumbling infrastructure and unsanitary conditions, creating an unstable and increasingly violent environment that's the subject of both a federal investigation and a state probe, [the Georgia Recorder reported](#).



*The sign appears to be in relatively good condition, so. There's that.  
(Photo by Stanley Dunlap/Georgia Recorder)*

As of Wednesday, the main jail had 1,875 beds for 1,928 inmates. Roughly a thousand of them suffer from mental health conditions. Ten people have died at the facility this year, six of them in a single month. Since last November, the jail has logged 922 inmate-on-inmate assaults, 337 fights, 293 stabbings, and 68 staff assaults. And the building itself is so dilapidated that inmates are able to fashion makeshift weapons from broken flooring and pipes, according to Amelia Joiner, chief counsel for the Fulton County Sheriff's Office.

“Each of the nearly 3,000 detainees that we have in our custody has his or her own personality stresses, court cases, family, loved ones, medical and mental health needs, educational requirements and limitations,” Joiner told [a Senate subcommittee](#) on Thursday. “And sadly, many have their own criminal affiliations or gang affiliations. The Fulton County Jail is also a city that never, ever sleeps. The doors are open 24 hours a day seven days a week, 365 days per year. Running a facility of this size is a Herculean task.”

**The mess stems from a familiar set of problems, experts said.** Chronic overcrowding has worsened amid a growing backlog of pandemic-era court cases, leaving arrestees in jail for an average of 295 days — nearly 10 times the

national average. Some are awaiting trial for serious crimes, but others are there because they can't afford bail, Joiner said. Many of those detainees require mental health treatment, which gobbles up a majority of the jail's budget, leaving little funding for staffing. At full capacity, the facility would have 1,700 employees. As of Thursday, it employed 889.

"The fiscal impact of the overcrowding has caused an increase in medical costs, food costs," Joiner said. "We've had to contract and hire some supplemental security. Our staff has to spend more of their off time supporting the jail and making sure that it is as safe as we can have. The sheriff's office is generally underfunded, and sometimes obtaining funding can be contentious."



*A sign from a protest outside of a prison in Green Bay, Wis.  
(Photo by Isiah Holmes/Wisconsin Examiner)*

**Most law-and-order topics are contentious**, particularly when they intersect with politics. In Wisconsin, Democrats and Republicans each focused on their version of criminal justice reform on Thursday. For Democrats, it was [a package of 17 bills](#) to improve conditions in the state's incarceration facilities. For Republicans, it was a proposal that would require trans and nonbinary inmates to be housed in facilities that match their sex assigned at birth rather than their gender identity, [the Wisconsin Examiner reported](#).

...I kind of don't know where to go after that comparison? I guess I'll start with the actual policy proposals, which were crafted by Democrats based on recommendations from an array of stakeholders that included formerly incarcerated people and their families. The bills were introduced at the Capitol amid recent deaths in custody and at least two prison lockdowns, edging the state's correctional facilities closer to what lawmakers described as "a breaking point."

"The purpose of this bill package is to ensure that we have humane conditions for the people who are currently incarcerated, along with increasing oversight and transparency of our jails and prisons," said state Rep. Darrin Madison, a Milwaukee Democrat and one of the bills' authors. "The people who are incarcerated, alongside their families and even some victims, are calling for change."



*Calling for change.  
(Photo by Scott Olson/Getty Images)*

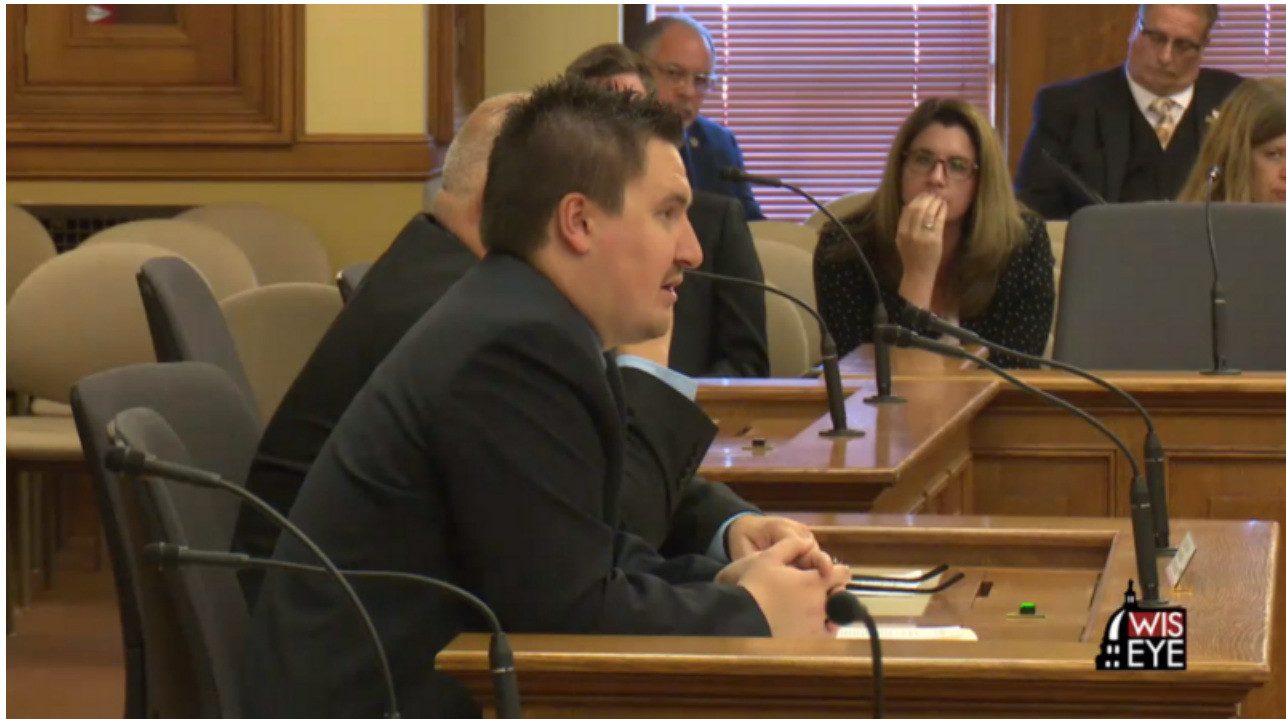
**The bills would enact a host of those changes**, from benefits like free feminine hygiene products and a certain number of heated baths per week to additional privileges (writing utensils, hygiene products) for people in solitary confinement. One measure mandates the creation of a public dashboard tracking solitary

confinement, lockdowns and complaints for each facility; another aims to increase oversight by ensuring that lawmakers and members of the public have access to jails and prisons.

The package also includes two proposed constitutional amendments — one that would move jail oversight from county sheriffs to county governments, and one that would ban slavery in all forms and raise the minimum wage for incarcerated people from 40 cents to \$2.33 per hour.

The policies amount to comprehensive reform within the system, but they are not a fix for the system itself, said state Rep. Ryan Clancy.

“This is not the solution to mass incarceration,” he stressed. “This is harm reduction to the incredible damage that we do inherently when we incarcerate people.”



*Incredible damage, incoming.  
(Screenshot via the Wisconsin Examiner)*

**Meanwhile in a Senate hearing room,** Republicans attempted to frame their anti-trans proposal as a simple clarification of a current law that prohibits people of different sexes to be housed in the same correctional facility. The bill, which would require trans and nonbinary people to be placed in facilities (and strip-searched by officers) that correspond with their sex assigned at birth, provides a “technical definition” of “the term ‘sex,’” closing what state Rep. Ty Bodden

described as a “loophole” that has “allowed for situations where biological men are housed with biological women and ... strip searching biological females, all because [they] identify as the opposite sex.”

Bodden said he was alerted to the “issue” in conversations with constituents and employees within the state Department of Corrections. Which is possible, I guess, if his constituents happen to be particularly knowledgeable about the state’s penal code (I mean, who among us), and if he also happened to chat with corrections employees who aren’t at all knowledgeable about federal prison laws.

Specifically, they’d have to be in the dark about the [Prison Rape Elimination Act](#), which requires facilities to consider placement of transgender and intersex inmates on a case-by-case basis. Any “written policy or actual practice that assigns transgender or intersex inmates to gender-specific facilities ... based solely on their external genital anatomy violates the standard,” according to guidance issued by the U.S. Department of Justice in 2016.



*Jails and prisons are overcrowded, underfunded, inadequately staffed and filled with a lot of people who shouldn't be there, but sure, let's talk about genitals.*

*(Photo by Darrin Klimek/Getty Images)*

**Republicans had no answer for this inconvenient fact, so they resorted to nonsense,** saying that the bill would address hypothetical instances in which a person lies about being transgender in order to choose their own placement. I know this is nonsense because people do not run around claiming to be transgender when they aren't — of late, that's just a one-way ticket to having your medical care, bathroom usage and general existence targeted by Republican lawmakers — and also because the federal law, which requires a case-by-case assessment of placement for people identifying as transgender, *already accounts for this scenario.*

State Sen. Jesse James almost sort of acknowledged this, telling Democrats that the federal law “comes down to the safety of the inmates within the institution,” and so does the bill, because it “helps address that element when it comes to the specific definition of sex.” See? It can't *violate* the law when it *helps address that element* of the law. Samesies! Legal!

Democrats gave that speech the attention it deserved, which is to say they ignored it in favor of explaining *for the millionth time* that (unnecessary) proposals like this only further stereotypes members of the LGBTQ+ community as somehow inherently dangerous, despite a mountain of data indicating that they are far more likely to be victims of violence than to perpetrate it.

“One of the things that concerns me about this bill is that it plays into that narrative that trans people are somehow dangerous,” said state Sen. Kelda Roys, a Madison Democrat.

The bill won't become law, thanks to Gov. Tony Evers, a Democrat who has vowed to veto any policy targeting the LGBTQ+ community. But I'm sure it will pass the GOP-majority legislature anyway, because why bother with substantive policy when you could do this instead? There'll be plenty of time later on to fix Wisconsin's jails and prisons. I mean, it's not like [those problems are going anywhere](#).

**Problems:** [Alabama Supreme Court gives go ahead for execution by nitrogen hypoxia ... Idaho has obtained lethal injection chemicals. But state law protects where they came from. ... How Mississippi's troubled prison system has fared under Tate Reeves and Burl Cain ... Though scaled back by Nevada lawmakers, restorative justice plans still making progress, report says ... Drugs, violence, missing property are common complaints in New Jersey prisons, monitor says ...](#)

[Lawmakers take a bipartisan first step toward repealing Pennsylvania’s death penalty ...](#) [South Dakota task force: Young adults up to 25 need special attention from courts, corrections ...](#) [Emails still missing from former West Virginia Gov. Jim Justice’s administration in lawsuits over jail, foster care conditions ...](#) [Two West Virginia correctional officers plead guilty to conspiracy for assault that led to inmate’s death](#)



## State of Democracy

Somebody watched [a sold-out Beyoncé concert](#) from Louisiana Gov. John Bel Edwards’ suites at the Caesars Superdome in New Orleans on Sept. 27. But nobody seems to know *who* — not even the governor’s office, [the Louisiana Illuminator reported](#).



*Shoulda put a guest list on it.  
(Photo by Getty Images)*

A public records request produced no documents. A spokesman for Edwards said that because the governor and his wife didn’t attend the concert, there may not be a formal guest list. But “tickets were provided to staff, friends, family and



legislators as requested and available,” he added.

The state-owned Superdome has provided free suite seats to governors for decades as part of the operating agreement between the facility, the New Orleans Saints and ASM Global, the stadium’s manager. In 2019, the two boxes had a combined capacity of [61 seats](#) — 39 in one, 22 in the other — but Edwards’ office and Superdome officials declined to say Thursday if renovations had affected those numbers.

Edwards has been open about guest lists at Saints games, but major sporting events and concerts tend to be touchier subjects. In 2008, then-Gov. Bobby Jindal [gifted Hannah Montana concert tickets](#) to staff members and lawmakers while simultaneously pushing ethics legislation and carping at state officials for cronyism. The suites have also been a sore point for officials who don’t enjoy similar perks, including New Orleans Mayor LaToya Cantrell, [who said it’s “shameful”](#) that city officials don’t have *their* own luxury boxes.

“Elected officials should not seek office for perks,” sniffed New Orleans City Councilman JP Morrell. “But if you want a suite at the Superdome, you’re free to run for governor.”

**Seems like a lot of work:** [Transparency advocates hear public input on proposal to enshrine FOIA in Arkansas Constitution](#) ... [Colorado Rep. Ken Buck criticizes Jan. 6 committee process in Trump trial testimony](#) ... [Speaker of the Idaho House says new \\$120 million business system Luma doesn’t work](#) ... [Who’s paying for all those campaign ads in Kentucky?](#) ... [Maryland audit raises concerns about efforts to purge the dead from voter rolls](#) ... [Michigan city council candidate doubles down on comments about Holocaust, pedophilia and homosexuality](#) ... [How the outcome of the 2023 Mississippi governor’s race might not be known for days after Election Day](#) ... [Missouri uses power of the pocketbook to prevent divestment in Israel](#) ... [Ohio Democrats are leading vote-by-mail ballots in election on abortion, marijuana](#) ... [Control of two South Jersey districts is key in next week’s legislative races](#) ... [In Tennessee, district attorney prosecutes ten people for voter fraud](#) ... [Texas activist David Barton wants to end separation of church and state. He has the ear of the new U.S. House speaker.](#)



From The Newsrooms

- [One year out: how a free and fair 2024 presidential election could be under threat](#)
- [Spending mess in Congress could arch over into pivotal 2024 election year](#)
- [Companies can't hire. Is a Rhode Island job tax credit program the best way to attract business?](#)
- [Florida Democratic chair doubts Florida Supreme Court's fairness on abortion initiative](#)
- [Controversial PragerU videos gain educational foothold in a handful of states](#)



## One Last Thing

RIP, [Netflix DVDs](#). To be honest, I thought you were already dead.

# News From The States

A PROJECT OF STATES NEWSROOM

Did someone forward you this newsletter?

[SUBSCRIBE](#) | [LEARN MORE ABOUT OUR NEWSROOMS](#) | [FOLLOW](#)



---

©News From The States, all rights reserved.

[www.newsfromthestates.com](http://www.newsfromthestates.com) | [info@newsfromthestates.com](mailto:info@newsfromthestates.com)

Manage your donation and subscription preferences [here](#).

Add [info@newsfromthestates.com](mailto:info@newsfromthestates.com) to your [address book](#) to ensure delivery.

Did someone forward you this newsletter? [Click here](#) to get it delivered to your inbox.

States Newsroom – News From The States

1414 Raleigh Rd #127

Chapel Hill, NC 27517

United States

You are receiving this email because you opted in via our website or States Newsroom. If you believe you

received this message in error or wish to change your subscription, please (Unsubscribing is not supported in previews).