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🌸 (</subscribe/digital/>) Record-Setting \$7 Million Settlement Caps LaSalle's Legacy at Texarkana Jail

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by Matt Clarke

A \$7 million settlement reached in April 2023 marked the latest chapter in a sordid tale of mismanagement at Bi-State Jail (BSJ) in Texarkana, Texas, by former private operator LaSalle Corrections. But the family-owned prison profiteer, based in Ruston, Louisiana—which ended its contract to run BSJ in February 2021—has left a trail of death in other lockups, too.

Often using legal maneuvers and a confusing array of similarly named companies to avoid legal liability, the company generally insists on secrecy when it settles a claim brought by survivors of a deceased prisoner or detainee. However, the family of one victim at BSJ, Holly Barlow-Austin, insisted on reporting the \$7 million they accepted to settle the lawsuit filed over her torturous death due to denied medical care, the largest jail death payout in Texas history.

Perhaps because it was no longer managing the jail, or perhaps because videos of Barlow-Austin's months-long ordeal were so gut wrenching and likely to lead to a much higher jury award, LaSalle agreed to let the settlement be made public, perhaps a first for the secretive company that operates jails and prisons in multiple states.

LaSalle is unique among large private prison companies in that it is owned by a family. William McConnell and his son Clay run the firm. But LaSalle is not a single entity. Instead, it is a web of LLCs. Some have similar names, confusing potential plaintiffs and occasionally causing a lawsuit to be dismissed for naming the wrong corporate entity as a defendant. The LLCs headed and largely owned by the McConnells include LaSalle Management, LaSalle Corrections, LaSalle Corrections IV, LaSalle Corrections West, LaSalle Correctional Center, McConnell Southeast Corrections, LaSalle Southwest Corrections, McConnell Southeast Holdings, Southwestern Correctional, WMC Enterprises, Medical Supplies, Bayou Correctional Center, Catahoula Correctional Center, Jackson

Correctional Center, Lincoln Correctional Center, Red River Correctional Center, River Correctional Center, and Richmond Correctional Center. For this report, they are collectively referred to as LaSalle.

In addition to owning the lion's share of LaSalle LLCs, William McConnell is a Methodist minister and former director and vice-president of the now-defunct Rush Ministries in Bossier City, Louisiana. He is also the president of Polytechnic Ammunition Company of Ruston, which holds a patent on a lead-free composite polymer bullet, and he is a registered agent for Correct Aviation of Ruston.

The 921-bed BCJ is also unique in that it straddles the state line between Texas and Arkansas in Texarkana, a community that spreads over four counties in two states. This creates confusion: In which jurisdiction should a prisoner file a lawsuit? The correct answer is Bowie County, Texas, which has responsibility for the jail and contracted its operation to LaSalle for a decade from 2010.

The legacy of LaSalle at BSJ included several detainee deaths from denied medical care. Lawsuits against the firm note its history of accusing prisoners of “faking” ailments and denying medical care even when there are obvious symptoms of severe medical distress that cannot be faked, such as high blood pressure, high heart rate and fever. Detainees who deteriorate to the point that death is likely are often “released” and taken to a hospital. This not only relieves LaSalle of the burden of paying for terminal medical care but also exploits a loophole in Texas law requiring jail deaths to be reported to the Texas Commission on Jail Standards (TCJS).

TCJS investigations at BSJ have determined that LaSalle employees falsified jail records, failed to complete training courses, lied about those courses, beat prisoners or denied them medications, while also avoiding mandatory reporting of in-custody deaths by releasing prisoners to hospitals or families just before they died—and also avoiding any jail conditions investigation by TCJS. Other investigations determined that LaSalle staff unnecessarily exposed some 7,000 prisoners and detainees to the virus that causes COVID-19 at nine Louisiana jails or prisons the company operated. LaSalle also operated a “filthy” detention center in Georgia where immigration detainees were allegedly subjected to unwanted hysterectomies, as PLN reported. [See: PLN, Jan. 2023, p.56.]

Barlow-Austin's Sad Story

The story of Barlow-Austin's death began with her arrest for a misdemeanor probation violation on April 5, 2019. When booked into BSJ, she was in good health. Her vitals at intake were normal, with a blood pressure (BP) reading of 118/73. Her HIV infection and bipolar disorder were well controlled by medication.

But jail staff did not give her any medication, at least not at first. So her husband, desperate to get the medication regime going again, brought her prescription medications to the jail on April 8, 2019. Yet she didn't get her first dose until four days later—and then it was limited to her anti-HIV and anti-depression medications. Five days after that, on April 17, 2019, she was finally given her antifungal medication. But it was too late; the medication was preventative, so it did nothing to ameliorate a raging fungal infection that Barlow-Austin had acquired over the previous dozen days.

The next day, she submitted a medical request form complaining of persistent headache, dizziness and a knot on her neck. She was seen the day after that by a LaSalle nurse, who noted Barlow-Austin's BP was 134/83—high, but not overly alarming. By then, though, she could not move her right leg.

She was transferred to a “medical observation cell,” which is a cruel misnomer; nobody, neither guards nor medical personnel, seemed to observe anything as, over the next 55 days, her condition deteriorated. Even when she was seen by a nurse, she was scorned as a “faker.” Video surveillance captured LaSalle nurses discussing how she was “faking it” even as, by their own measurements, her BP soared in response to the fungal infection. It was recorded at 156/85 on April 10, 2019, which was high enough to cause concern except it didn't. By May 1, 2019, it was 156/85 and her heart was beating 130 times a minute. By month end, her white blood cell count was 84, indicating that her immune system was no longer functioning. Yet though these are symptoms of serious medical distress that cannot be faked, nurses continued to call Barlow-Austin a faker. Guards zoomed by her cell, logging checks on her even as video surveillance recorded them not sparing her cell so much as a glance.

By June 1, 2019, Barlow-Austin was totally blind and suffering continuous excruciating headaches. Staff would open her food slot and place trays of food or glasses of water in it. But physical, visual, and cognitive impairments caused by the infection made it impossible for her to find the door or feed herself. The infection had robbed her of her sight, so she spent her days writhing in pain on the filthy floor of her cell, unwashed, in clothing matted with filth, and unable to stand. When she begged for water, staff ignored her and made notations that she had “refused” it. And all of this was captured by recorders monitoring the video feed from her cell and the adjacent hallway.

When she was finally taken to the hospital on June 11, 2019, Barlow-Austin was near death. Her pupils were fixed and dilated in blindness. She was severely dehydrated and malnourished, even emaciated. LaSalle did not inform her family of her hospitalization. When they found out on their own, LaSalle refused to allow visitation until the sheriff personally intervened. Then she died. The suit filed by her family withstood multiple attempts at dismissal before it was finally settled. See: *Mathis v. Sw. Corr., LLC*, 2021 U.S. Dist. LEXIS 172515 (E.D. Tex.).

The family was represented by Seattle attorneys Erik J. Heipt and Edwin S. Budge, along with Texarkana attorney William David Carter, who reported that the \$7 million settlement amount included their costs and fees.

Other Settlements Kept Secret

Other families of dead BSJ prisoners and detainees have sued LaSalle successfully, but when they settled the terms were confidential. One of those suits was filed for Franklin Brooks Greathouse, 59, who died at BSJ on March 10, 2019, about three months before Barlow-Austin's demise. He reported having suffered a seizure. Guards ignored him and he was found dead in his cell the next day. Carter represented Greathouse's family in a federal civil rights action that was settled in secret on December 20, 2021. See: *Greathouse v. Sw. Corr. LLC*, USDC (E.D. Tex.), Case No. 5:21-cv-00002.

Another settlement LaSalle kept secret was reportedly reached in April 2019 in the death of Michael Sabbie, 35. He was being returned from court to BSJ on July 22, 2015, when he complained of shortness of breath. In response, BSJ guards said he was faking. When he persisted in complaining, they allegedly threw him to the ground and pepper sprayed him. Then five guards piled on top of him. Unsurprisingly, he told them, “I can’t breathe” a total of 19 times before he passed out. They ignored him and he died a few hours later.

BSJ’s report attributed Sabbie’s death to natural causes, a whitewashing LaSalle might have gotten away with but for surveillance video found by Heipt, who also represented the family in this suit.

“Michael Sabbie is not the first inmate to die after being written up for faking an illness,” Heipt added.

Another detainee who died was Morgan Angerbauer, 20, after she was arrested on June 28, 2016, for violating probation she received for drug charges. A diabetic, she told BSJ medical staff that something was wrong with her blood sugar levels. They placed her in a medical observation cell but then allegedly ignored her—even as she started vomiting and became unable to stand. Guards wanted to send her to the hospital, but LaSalle LPN Brittany Johnson refused to let them call 911. Instead, she tried to measure Angerbauer’s blood sugar levels but could not get a reading because they were so high.

Nevertheless Johnson diagnosed the problem as low blood sugar—something LPNs are not permitted to do—and gave Angerbauer glucose. That boosted her already high blood sugar levels into the fatal range. After Angerbauer’s death, Johnson lost her nurse’s license, pleaded guilty to misdemeanor negligent homicide, and received a six-month jail sentence with 90 days suspended, as PLN reported. [See: PLN, Sept. 2018].

Carter represented her family in the ensuing lawsuit, after Angerbauer’s mother, Jennifer Houser, objected to an earlier \$200,000 settlement negotiated by Carter in 2017. On February 7, 2020, the lawsuit was dismissed following a confidential settlement. *Houser v. LaSalle Mgmt.*, Case No. 5:16-cv-00129 (E.D. Tex).

When investigating the deaths of Greathouse, Sabine, and Angerbauer, TCJS found video evidence showing guards filling out cell observation logs before the start of shifts.

Smoking Roach Killer and Untreated Asthma

Those are the most egregious BSJ cases, but other LaSalle facilities had their share too. For instance, Javon Kennerson, 37, who had known mental health issues, died at the Catahoula Correction Center in Louisiana on December 21, 2021, after smoking roach killer while he was on suicide watch. His mother sued, but LaSalle got the lawsuit tossed after it discovered Kennerson had a minor child who would have been the proper plaintiff under Louisiana law. See: *Bartie v. LaSalle*, Case No. 1:21-cv-04074 (W.D. La.).

The National Police Accountability Project reported that LaSalle facilities were out of compliance with minimum jail suicide standards 29 times within a five-year period preceding 2023, during which 10 LaSalle prisoners and detainees perished while on suicide watch. They were among 51 deaths recorded in LaSalle-managed facilities between 2014 and 2022.

Cecil Williams, 20, died of an untreated asthma attack at the Madison Parish Correction Center in Tallulah, Louisiana, on July 9, 2020. At intake, Williams told LaSalle staff that he had severe asthma. Later, he told a nurse that he had run out of albuterol for his emergency inhaler. While suffering an asthma attack then, he collapsed and died, after banging on the dormitory door in an attempt to get the nurse's attention. In response, she said, "stop playing ... and wait."

According to court documents, the nurse told other prisoners to drag the unconscious Williams back into the dorm. Guards and the nurse refused to perform CPR on him, but other prisoners did so for about an hour. When emergency responders were finally summoned, they found no pulse or heartbeat and pronounced Williams dead.

Represented by the Law Office of Shannon L. Batiste in Port Allen, Williams' three minor children filed a federal civil rights lawsuit against LaSalle. Trial was set for October 2023, but that has been delayed, possibly for settlement negotiations. PLN will update developments as they are available. See: *Beachem v. LaSalle Corr., LLC*, USDC (W.D. La.), Case No. 3:21-00299.

Not all prisoner abuse in LaSalle-operated facilities is fatal, of course. In 2020, five prisoners received a \$177,500 settlement after they were pepper sprayed while handcuffed and kneeling at Richmond Correctional Center in Quachita Parish, Louisiana, in 2016. Five former guards pleaded guilty to federal charges related to the assault and false reports they filed to cover it up, receiving sentences ranging from 15 to 60 months imprisonment. [See: PLN, Dec. 2020, p.40.]

LaSalle tried to keep the settlement secret. Vinet's father said, "I told my son I'd give him 20 grand not to sign (the settlement agreement) and let the truth come out." He got to keep his money and his son collected from LaSalle after the Associated Press sued to make the settlement agreement public and won. That lawsuit was based on a 2017 Louisiana Supreme Court ruling that the state's public records laws apply to private entities performing public functions.

LaSalle is not even a good employer, according to anonymous employee reviews that give it a score of 2.3 out of 5.0. The U.S. Department of Labor also recently penalized LaSalle over \$125,000 for failing to pay its contract employees' fringe benefits at LaSalle Correctional Center in Olla, Louisiana.

Although one of the smaller players on the private prison stage, LaSalle incarcerates more people than some state prison systems. At the beginning of 2021, it was managing 17,318 prison and jail beds in 5 states: 8,204 in Louisiana, 6,905 in Texas, 1,201 in Georgia, 860 in Arizona, and 144 in New Mexico. It is important to publicize LaSalle's abuse of prisoners and detainees, as well as its efforts to hush-up payouts it's been forced to make afterward. That way, anyone considering contracting with LaSalle will know to put penalties and monitoring provisions into the contract. It would be even better if public entities would simply cease contracting with private prison companies that put profits ahead of humane incarceration.

Sources: AP News, The Advocate, HuffPost, Louisiana Voice, Northwest Arkansas Democrat-Gazette

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Level	District Court
Conclusion	Settlement
Damages	7,000,000

Mathis v. Southwestern Corr., LLC

United States District Court for the Eastern District of Texas, Texarkana Division

September 10, 2021, Decided; September 10, 2021, Filed

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Greathouse v. Sw. Corr. LLC

Year	2021
Cite	USDC (E.D. Tex.), Case No. 5:21-cv-00002
Level	District Court
Conclusion	Settlement
Attorney Fees	Unknown
Damages	Unknown

Bartie v. LaSalle

Year	2021
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Year	2020
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Cite	Case No. 5:16-cv-00129 (E.D. Tex)
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Level	District Court
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Conclusion	Settlement
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Attorney Fees	Unknown
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Damages	Unknown
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