



THE PAID JAILER

**How Sheriff Campaign Dollars
Shape Mass Incarceration**

About Common Cause

Common Cause is a nonpartisan grassroots organization dedicated to upholding the core values of American democracy. We work to create open, honest, and accountable government that serves the public interest; promote equal rights, opportunity, and representation for all; and empower all people to make their voices heard in the political process.

About Communities for Sheriff Accountability

Communities for Sheriff Accountability is a coalition of directly impacted organizers, faith leaders, and co-conspirators who envision a world where mass incarceration is a thing of the past, people experience a fundamental freedom of movement without fear of punishment, and communities demand better for their county.

Acknowledgments

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INTRODUCTION

In Bristol County, Massachusetts, more than 30 people have died behind bars in the last 10 years.¹ Overwhelmingly, these are people awaiting trial. Some have died because of substance withdrawal and others by suicide. And the people who remain incarcerated say that they're not receiving basic health care, including one man in Bristol County who has given us permission to share his story anonymously.

For years I complained of severe hip pain and pleaded for medical attention. After filing medical grievance after medical grievance, I was finally sent to see an outside doctor who took an X-ray.

The doctor put the X-ray on the wall, and immediately the transportation officer accompanying me said, "Wow, his hip is messed up." The doctor asked if the officer could read X-rays, and the officer said, "No, but I saw the poster in the hall, and it didn't look like this." The doctor confirmed that my hip was "totally gone" and scheduled me for surgery.

I returned to the jail and months went by without any word on my surgery. I asked for my medical records, and they told me I could not get them due to HIPPA laws. They were my records. I filed more grievances, only to be given a shoe lift and told my surgery was never approved in the first place. I found out this had happened before; other patients were only ever offered a shoe lift.

You file medical grievances, and they send you the same generic reply, "You have been seen by a provider and a plan has been made." You file an appeal, and they never respond. Period.

Yet Thomas M. Hodgson, the longtime sheriff of Bristol County and the sole leader of the jail facility, has made no changes to the health care provider, CPS Healthcare. CPS has spent more than \$20,365 on sheriffs' campaigns in Massachusetts, and \$12,040 has gone directly to Hodgson. The State of Massachusetts reports that state sheriffs paid a total of \$9.82 million in contracts to CPS Healthcare from 2012 to 2021.²

Hodgson appears to be the rule, rather than the exception, which we show in *The Paid Jailer: How Sheriff Campaign Dollars Shape Mass Incarceration*. In the United States, more than 3,000 sheriffs possess unchecked authority over arrests, incarceration, and civil enforcement. Common Cause and Sheriffs for Trusting Communities sought financial and related data from 105 sheriffs to investigate conflicts of interest and ethics issues. For this report, we define a conflict of interest when a public official (e.g., a sheriff) is in a position to receive a personal benefit (e.g., a campaign contribution) from actions or decisions made in their official capacity (e.g., awarding contracts). More specifically, we define conflicts of interest as contributions to sheriff candidates from incarceration-specific businesses, as well as other businesses and individuals that may stand to benefit by doing business with a sheriff's office (including construction, food services, and weapons manufacturers).³ Unfortunately, many conflicts of interest are not prohibited by government ethics laws.

1 Nationwide, there were 1,120 deaths reported, or a rate of 154 deaths per 100,000 people in jail," citation from Leah Wang, "Rise in Jail Deaths is Especially Troubling as Jail Populations Become More Rural and More Female," Prison Policy Initiative (June 23, 2021), https://www.prisonpolicy.org/blog/2021/06/23/jail_mortality/.

2 Massachusetts Statewide Spending, http://cthruspending.mass.gov/#/year/All%20Years/explore/0-/vendor/CORRECTIONAL+PSYCHIATRIC+SERVI/0-/cabinet_secretariat/SHERIFF+DEPARTMENTS/0/department.

3 Contributions from industries with unclear or little-documented connections to sheriffs and mass incarceration were removed from the final tally and analysis, including cosmetics providers, philanthropists, and most retail services. While contributions from these industries may create possible conflicts, our focus is directed toward companies that are most clearly involved in legally, financially, and materially benefiting from the mass incarceration industry.

In the criminal legal system, the patterns are clear and striking. Business interests can establish a relationship with sheriffs by sending even small contributions. Construction companies provide backing to sheriffs who proceed to build new jails. Health care companies fund campaigns, and then receive multimillion-dollar contracts, with no criteria for results or the health of incarcerated people. The list of donors with direct conflicts is striking and includes employed deputies, bail bonds companies, weapons dealers, and gun ranges. It is a system incentivized to jail more people and cast a blind eye to any harm suffered by those within the jails.

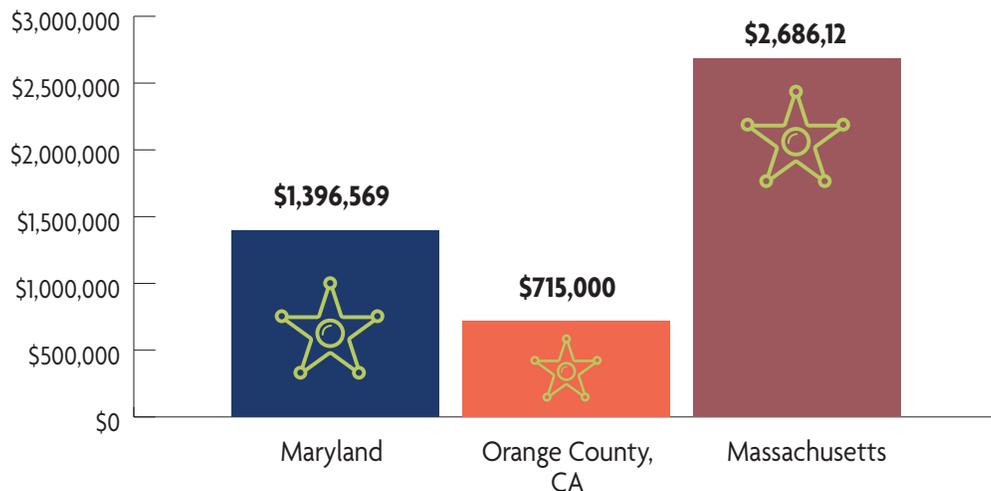
Our research, conducted in 11 states, in less than 3 percent of sheriffs offices, documents approximately 13,000 apparent conflicts of interest, primarily between 2010 and 2021. We have identified upward of \$6 million, approximately 40% of all examined contributions, that create potential conflicts of interest.⁴ We have selected these sheriffs using a combination of public interest, and random selection, so these sheriffs are more likely to represent a pattern than exceptional cases.⁵ Because the line between legal and illegal conflicts of interest varies between jurisdictions, and because many jurisdictions⁶ conflict of interest laws are woefully inadequate, we did not attempt to determine the legality of specific contributions and contracts. Occupational and employer data from campaign contributions were aggregated and categorized.⁷

Striking findings include:

- Maryland sheriffs received up to \$1,396,569 in ethically conflicted donations across 24 campaigns.
- The Orange County (CA) Sheriff accounts for \$715,000 in potential conflicts of interest.
- Massachusetts sheriffs received up to \$2,686,129 in potentially conflicted donations across just 13 sheriffs' campaigns, with sheriffs in these five counties being the top recipients: Suffolk County, \$319,002; Bristol County, \$324,870; Hampden County, \$396,604; Worcester County, \$504,516; and Plymouth County, \$738,008.

We find that there are not simply one or two conflicted contributors to sheriff elections but a wide range that represents the varied financial interests in the office. These include multinational corporations, such as GTL Solutions,

Apparent Conflict of Interest in Campaign Contributions



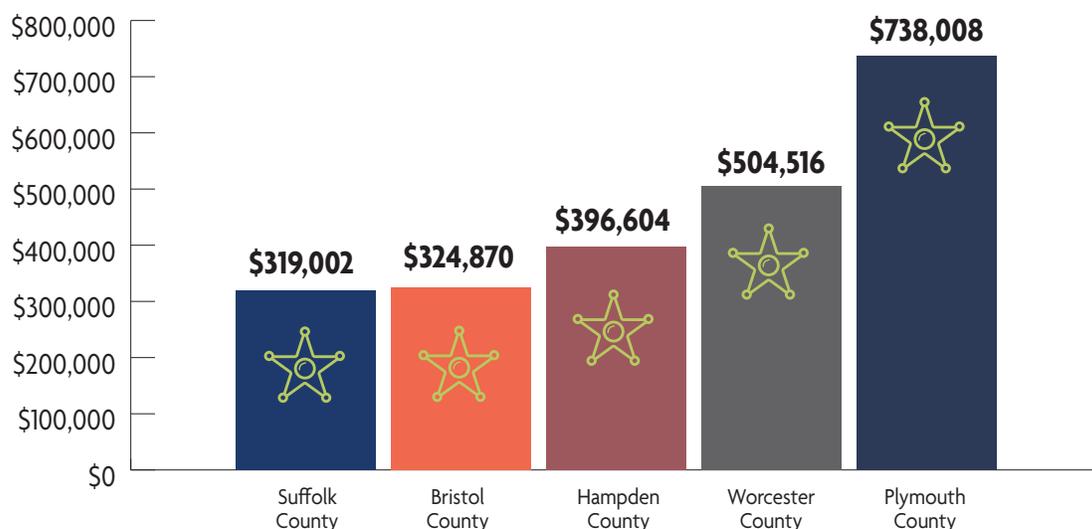
4 Information was taken from campaign finance reports. The total sum of contributions amounted to approximately \$15.7 million that went to these elected/incumbent sheriffs from all individuals, businesses, and other entities.

5 Research was often hindered by the oppositional and negligent approach sheriffs' offices took towards Freedom of Information Act (FOIA) requests. Of 104 tracked FOIA requests, sheriffs' offices only acknowledged 55 requests (52.88%). In numerous cases, data was still acquired; in other cases, useful information about a sheriff was completely inaccessible.

6 Nancy McCarthy Snyder, "Contracting for Social Services," in Melvin J. Dubnick et al., eds., *Encyclopedia of Public Administration and Public Policy* (2nd ed.; New York: Routledge, 2015), 400, notes that the mere existence of public contracts and bids is itself cause for alertness to conflicts of interest.

7 Contributions from industries with unclear or little-documented connections to sheriffs and mass incarceration were removed from the final tally and analysis, including cosmetics providers, philanthropists, and most retail services. While contributions from these industries may create possible conflicts, our focus is directed toward companies that are most clearly involved in legally, financially, and materially benefiting from the mass incarceration industry.

Apparent Conflict of Interest in Massachusetts



with an interest in contracts that require incarcerated people to pay to call their loved ones. These contributors also include local mom-and-pop shops, such as gun ranges that want sheriffs to more quickly issue permits to carry concealed weapons.⁸ Contribution limits differ greatly by state, and many companies will have multiple employees, or a whole family of leadership, donate to the candidate. At the same time, businesses of all sizes are able to seek attention by donating.⁹ Besides enriching sheriffs' campaign accounts, this money incentivizes arrests, incarceration, and a host of related practices that too often prioritize profit over human lives.

Sheriffs are politicians who make major decisions about health and safety for millions of Americans—and they shouldn't be up for sale to the highest bidder. Alongside carceral reforms and community investment, small-dollar democracy programs can amplify the voices of those most impacted by overincarceration and can help to reenvision a justice system that works for everyone and not just a wealthy few.

Summary of Findings

Current incumbents in 48 counties we researched received campaign contributions from these industries:

- Construction companies and real estate businesses** gave sheriffs' campaigns at least \$1,620,611 across 1,010 separate transactions. These companies benefit by receiving lucrative contracts for the design and construction of jails and other law enforcement facilities. Others seek added protection for their properties or more speedy evictions. One sheriff accepted more than \$675,000 (including cash and in-kind campaign contributions) from a real estate developer and then handed the contributor more than \$35 million in contracts and fees on foreclosed properties.¹⁰

8 The sheriff of Santa Clara County, California, is under review by a civil grand jury for her alleged exchange of campaign contributions for concealed gun permits (Damian Trujillo, "Civil Grand Jury Examining Santa Clara County Sheriff's Office: Sources," NBC Bay Area, October 8, 2021, <https://www.nbcbayarea.com/news/local/south-bay/civil-grand-jury-examining-santa-clara-county-sheriffs-office-sources/2677430/>).

9 Campaign contribution rules in New Mexico limit contributions to any sheriff candidate from any individual person or entity at \$5,200 per election cycle, with increases governed by changes in the Consumer Price Index (<https://www.sos.state.nm.us/candidate-and-campaigns/how-to-become-a-candidate/campaign-contribution-limits/>). Florida, on the other hand, places the limit at \$1,000 per election cycle without any apparent schedule for changes (<https://dos.myflorida.com/elections/candidates-committees/campaign-finance/>). In Maryland, there is a \$6,000 limit from a person to a political campaign in one election cycle (Maryland State Board of Elections, "Summary Guide Maryland Candidacy & Campaign Finance Laws," pg. 42, https://elections.maryland.gov/campaign-finance/documents/Summary_Guide_2017_final.pdf). In Alabama, a state that has not been included in this report, the state has placed no limit on campaign contributions from individuals and entities to county election campaigns. Instead, each gift over \$100 triggers a reporting requirement; contributions of \$20,000 and higher are simply required to fill out another kind of report (Major Contribution Report; Alabama Secretary of State, "Candidate Filing Guidelines," [2022 cycle], <https://www.sos.alabama.gov/sites/default/files/Candidate%20Filing%20Guidelines%202022.pdf>).

10 Matt Miller, "Businessman Convicted of Bribing Pa. Sheriff Gets No Mercy from Federal Court," *Penn Live, Patriot-News*, January 5, 2021, <https://www.pennlive.com/news/2021/01/businessman-convicted-of-bribing-pa-sheriff-gets-no-mercy-from-federal-court.html>.

Who gives to sheriff campaigns?



**Construction companies
and real estate businesses**

\$1,620,611



**Tech and Telecom
companies**

\$216,847



Legal firms

\$326,878



**Medical businesses and
professionals**

>\$260,000



Transportation companies

\$286,826



Energy industry

\$70,679

- Representatives of **legal firms** and related services gave \$326,878.70 across 1,099 separate donations. Many of these contributors represent the sheriffs' offices on wrongful death and misconduct cases. Some of these contributors even handled the public records requests issued in researching this report.¹¹
- **Transportation companies donated** \$286,826, including towing and hauling businesses, across 599 transactions. Sheriffs' offices spend millions to purchase, modify, and repair their vehicles, including cars, boats, and aircraft. Sheriffs also rely on towing companies for impounding vehicles. Moving companies benefit when the sheriff calls them when evicting someone from their residence.¹²
- **Telecom and Tech companies** donated \$216,847 to these sheriffs. Many sheriffs' offices are high-tech enterprises, dishing out millions of dollars in contracts to companies that handle services such as phone calls with incarcerated people, surveillance, and weapons systems. Sheriffs' offices often draw commissions from services they provide to incarcerated people, including up to 85% site commissions on every phone call.¹³
- **Medical businesses and professionals** donated more than \$290,000 in at least 640 contributions to the analyzed campaigns. At least \$55,465 came from providers who also held contracts with these same sheriffs. For example, the Bristol County and Suffolk County (Massachusetts) sheriffs received \$20,140 from invested correctional medical professionals during a time in which 62 incarcerated people died in these jails.¹⁴

¹¹ For example, Erlingson Banks, PLLC (Baton Rouge, Louisiana) processed our FOIA request for the East Baton Rouge Sheriff's Office between March and June 2021. The same company contributed at least \$7,000 to Sheriff Sid Gautreaux (East Baton Rouge, Louisiana) between 2014 and 2017.

¹² One local business volunteered to reporters that it exceeds \$120,000 in annual receipts from these evictions, which it calculates as about 20% of its business (https://www.mlive.com/news/us-world/2012/01/moving_evicted_tenants_is_big.html).

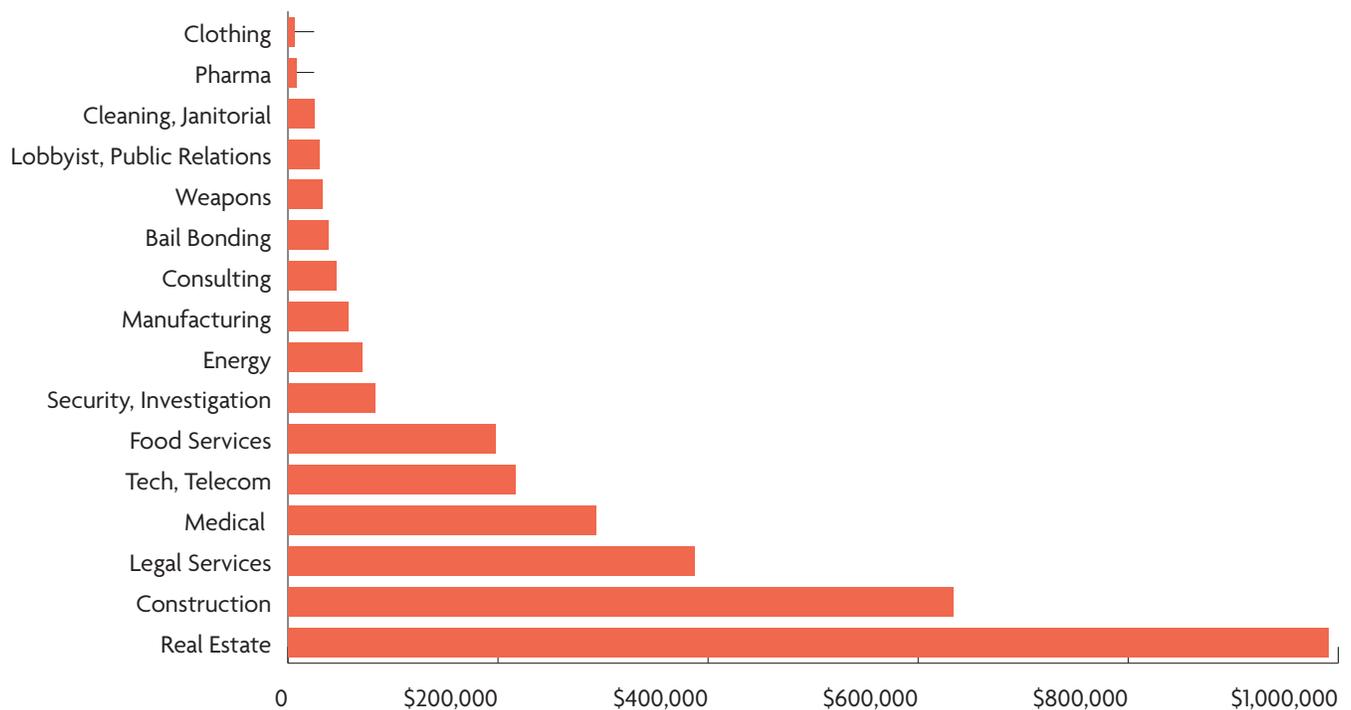
¹³ Recent examples are found in Karina Wilkinson, "Massachusetts Prison and Jail Phone and Video Rates Background Sheet," 2 (https://www.prisonpolicy.org/scans/mass_contracts/ma_prison_and_jail_phone_rates_fact_sheet.pdf).

¹⁴ Report by Beth Healy and Christine Willmsen, "Pain and Profits: Sheriffs Hand Off Inmate Care to Private Health Companies," WBUR News, March 24, 2020, <https://www.wbur.org/news/2020/03/24/jail-health-companies-profit-sheriffs-watch>, which lists 31 deaths in each jail. Hodgson (Bristol County, Massachusetts) and Tompkins (Suffolk County, Massachusetts) received more than \$50,480 from the wider medical profession (Hodgson received \$32,730 from medical professionals from 2008 to 2018; Tompkins in Suffolk received \$17,850 in the same interval).

- Businesses in the **energy industry** have been known to use sheriffs as their own private security forces, sometimes even paying them for violent force.¹⁵ Our research found that at least \$70,679 was donated to sheriffs from segments of the energy sector. At least \$7,500 of this went to a sheriff in rural Eddy County, New Mexico, where petroleum producers are among the few contributors. The sheriff has gone on record to work “closely and aggressively” with industry partners to protect the oilfields.¹⁶

The resources to win a sheriff’s election vary dramatically from place to place, from a few thousand to millions of dollars. The private-sector contributors tend to scale their funding based on local campaign finance limits, but the pattern is consistent. Incumbent sheriff candidates are running for reelection based on money to be made from every sector of the offices.

Contributors to winning/incumbent sheriffs’ elections originating in industries mentioned in the report



Are sheriffs elected to protect corporations or people? The answer is often clear but not comfortable. Without campaign finance reforms, unrestricted political contributions flow from self-interested organizations that desire some sort of profit in return.

15 For instance, reports show that Minnesota sheriffs shared intelligence and provided enforcement for the Canadian oil company Enbridge, a scandal reportedly impacting the finances and practices of Minnesota sheriffs’ offices of Aitken, Beltrami, Cass, Chisago, Marshall, McLeod, Pennington, and Wright Counties (Alleen Brown, “Local Cops Said Pipeline Had Influence over Government Appointment,” *The Intercept*, April 17, 2021, <https://theintercept.com/2021/04/17/enbridge-line-3-minnesota-police-protest/>; Alleen Brown, “Local Cops Said Pipeline Had Influence over Government Appointment,” *The Intercept*, April 17, 2021, Minnesota Police Expected Pipeline Budget Boost to Fund New Weapons,” *The Intercept*, July 22, 2021, <https://theintercept.com/2021/07/22/minnesota-pipeline-line-3-police-budget-boost-enbridge/>; and Audrey Carleton, “An Oil Company Paid Police \$2 Million to Defend Its Pipeline From Protests,” *Motherboard, Vice*, August 9, 2021, <https://www.vice.com/en/article/4avp3w/an-oil-company-paid-police-dollar2-million-to-defend-its-pipeline-from-protests>).

16 Mike Smith, “Eddy County Sheriff’s Office Addresses Oilfield Thefts,” *Carlsbad Current-Argus*, December 18, 2019, <https://www.currentargus.com/story/news/2019/12/18/eddy-county-sheriff-goes-after-oilfield-crimes-county/2686822001/>. The sheriff has taken other corporate contributions to his office as direct pay for extra enforcement (Mike Smith, “Eddy County Commission Approves \$25K for Overtime Sheriff’s Patrols,” *Carlsbad Current-Argus*, May 5, 2021, <https://www.currentargus.com/story/news/2021/05/05/eddy-county-commission-approves-overtime-construction-patrol-money/4931285001/>).

In the next section of this report, we describe the role of sheriffs, followed by an explanation of the role that corporations connected with the office play in the lives of incarcerated people. The report then details a clear pattern of conflict, with troubling consequences in a growing system of mass incarceration and in the lives of incarcerated people. The report concludes with a set of policy recommendations, including recommendations for getting mass incarceration money out of the political system.

In Pinellas County (Florida), Sheriff Bob Gaultieri has contracted with G4S to transport incarcerated people, even as they made fatal mistakes. In one case in 2013, a G4S employee, with a checkered past as a sheriff's deputy in a neighboring county, failed to intervene as a person in his custody, Thomas Morrow, was severely injured and later died.¹⁷ Morrow's wife, speaking to *USA Today*, blamed the sheriff and G4S "who chose 'to save a buck' by hiring 'these incompetent people who should never be involved in law enforcement.' 'Putting people's lives at risk,' she said, 'that's exactly what he did by hiring G4S.'"¹⁸ In 2018, in a separate case, a G4S driver waited five minutes while failing to check on Luis Nieves in his vehicle even after noticing during the ride that he was failing to move—Nieves died of positional asphyxiation, blocked breathing.¹⁹

Gaultieri defended G4S, and, as far as we can tell, has continued to renew the contract—G4S is currently hiring for transportation jobs in the county.²⁰ And Gaultieri received his rewards. In last year's election, in the closing weeks, a G4S-connected group called Wackenhut PAC donated \$1,000 directly to Gaultieri's campaign and \$5,000 to a supporting committee.²¹ G4S has also contributed to other sheriffs in Florida.²² G4S was founded in 1954 as Wackenhut. Drew Levine, the U.S. president of G4S, is the chair of the PAC.

THE OFFICE OF SHERIFF AND WHY IT MATTERS

The more than 3,000 sheriffs' offices across the country have enormous and often unchecked power. While their role differs by state, they usually play three major formal roles.

First, like police officers, sheriffs and their deputies make arrests, particularly in rural and suburban areas. Sheriffs' deputies make more than 2 million arrests each year, and with their firearms, they kill more than 400 people.²³

Second, sheriffs control most jails in the country, where approximately 746,000 individuals are confined at any given time, about three-quarters (75%) of whom are awaiting trial because they cannot afford to pay their bond.²⁴ The terrible conditions in these jails resulted in more than 4,998 deaths of incarcerated people between 2008 and 2019, a number that continues to rise every year.²⁵

17 Murphy, Penzenstadler, and Barton, "A Security Empire Deployed Guards."

18 Murphy, Penzenstadler, and Barton, "A Security Empire Deployed Guards."

19 Kathryn Varn, "Sheriff's Office Investigating Death in Pinellas Jail Van Ruled Accident," *Tampa Bay Times*, October 30, 2018, <https://www.tampabay.com/news/publicsafety/sheriffs-office-investigating-death-in-pinellas-jail-van-ruled-accident-20181031/>.

20 <https://careers.g4s.com/en/jobs/inmate-transport-officer/36617>.

21 https://www.voterfocus.com/CampaignFinance/candidate_pr.php?op=rp&e=26&c=pinellas&ca=983&sd=1203&rellevel=4&dhc=11463&committee=N.

22 For example, Sheriff Grady Judd of Polk County, Florida, has recently taken contributions from William Isbell of G4S (\$500 on September 10, 2019, and \$461.33 on July 31, 2020).

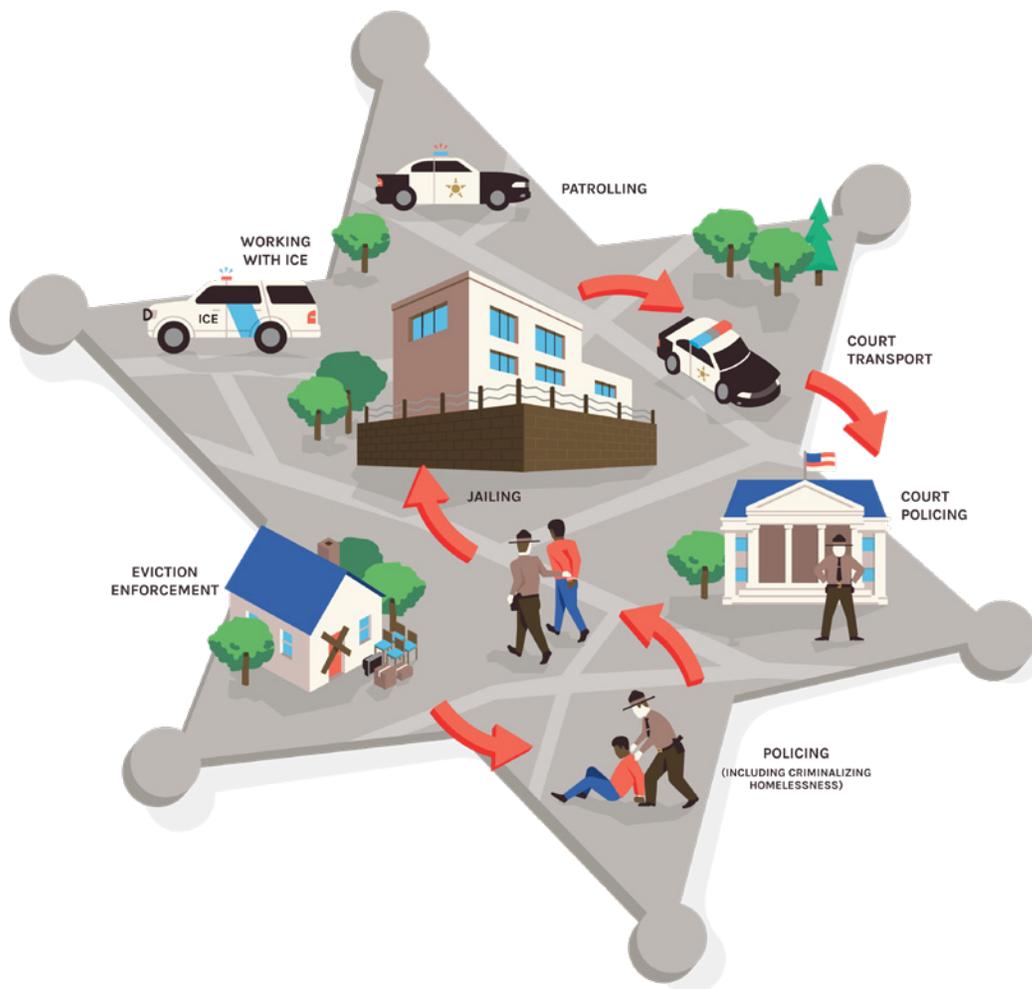
23 Philip McHarris, Felicia Arriaga, and Max Rose, "Defund Sheriffs: A Toolkit for Organizers," *Defund Sheriffs*, 4, last accessed November 12, 2021, https://drive.google.com/file/d/1M0DMClac610DEL0E_LY5Eb-sGkAm9j5/view.

24 Wendy Sawyer and Peter Wagner, "Mass Incarceration: The Whole Pie 2020," *Prison Policy Initiative*, March 24, 2020, <https://www.prisonpolicy.org/reports/pie2020.html#slideshows/slideshow1/2>.

25 Peter Eisler, Linda So, Jason Szep, Grant Smith, and Ned Parker, "Why 4,998 Died in U.S. Jails before Their Day in Court," *Reuters*, October 16, 2020, <https://www.reuters.com/investigates/special-report/usa-jails-deaths/>

Finally, sheriffs play a lead role in civil enforcements, a wide range of powers that extend from tax collection to conducting evictions to providing gun permits to enforcing mask mandates.²⁶ Between the year 2000 and 2020, civil forfeitures have enriched law enforcement at the expense of impoverished people to the tune of \$68.8 billion.²⁷ Working mothers trying to raise children were evicted by sheriffs' deputies carrying AR-15 assault rifles and driving armored vehicles.²⁸ Sheriffs disrupt working people's fragile finances and lives.

The Role of the Sheriff



Sheriffs claim that the office is integral to “America’s democratic fabric;”²⁹ or, as former U.S. attorney general Jeff Sessions said, a “critical part of the Anglo-American heritage of law enforcement.”³⁰ However, sheriffs do not reflect

26 Kimberly Kindy, “Boosted by the Pandemic, ‘Constitutional Sheriffs’ Are a Political Force,” *Washington Post*, November 2, 2021, https://www.washingtonpost.com/politics/constitutional-sheriffs-elections-trump-pandemic/2021/11/01/4c14c764-368b-11ec-91dc-551d44733e2d_story.html

27 Lisa Knepper, Jennifer McDonald, Kathy Sanchez, and Elyse Smith Pohl, “Policing for Profit: The Abuse of Civil Asset Forfeiture, 3rd edition,” Institute for Justice, December 2020, <https://ij.org/report/policing-for-profit-3/>.

28 East Bay DSA (@DSAEastBay), “Did you know the Alameda County Sheriff’s office has a tank and soldiers with AR-15s? They’re out here evicting and arresting the @moms4housing at 5am. There is nothing happening at 2928 Magnolia St that justifies this level of force,” *Twitter*, January 14, 2020, 9:06 AM, <https://twitter.com/DSAEastBay/status/1217085556032593920?s=20>.

29 Roger Scott, “Office of Sheriff,” National Sheriffs Association, <https://www.sheriffs.org/about-nsa/history/roots>; see the broader discussion offered in “Preserving the Office of Sheriff by Continuing the Election of our Nation’s Sheriffs,” https://www.sheriffs.org/sites/default/files/tb/Preserving_the_Office_of_Sheriff_Through_Election.pdf.

30 Robin Washington, “About the ‘Anglo-American Heritage of Law Enforcement,’” Marshall Project, February 13, 2018, <https://www.themarshallproject.org/2018/02/13/about-the-anglo-american-heritage-of-law-enforcement>. Similar remarks appear, alongside numerous influential but spurious historical claims, in Hon. Elford A. Cederburg, “The Office of Sheriff—From Bible Times to Today,” *Congressional Record, Extensions of Remarks (House of Representatives)*, Monday, January 27, 1969, 1896.

our nation's diverse communities. Roughly 90% of sheriffs are white males.³¹ Sheriffs become deeply rooted into their positions. The average sheriff's tenure in office is around 24 years across multiple terms,³² and many pass their position to a hand-picked successor. Funds pouring into sheriffs' offices and campaigns accentuate the selective democracy inherent in sheriffs' elections.³³

Few people know that sheriffs are also tasked with enforcing voting rights for eligible individuals serving time for a misdemeanor or awaiting trial.³⁴ Because this is little-known, most of the approximately 746,000 people in jails, of whom are disproportionately Black, are often denied the right to vote.³⁵

The people held for detention in sheriffs' jails are disproportionately Black males and, in a growing rural/suburban trend, impoverished women.³⁶ Rural communities are relying on jails to house and treat women whose arrests are typically precipitated by abuse, illness, and financial destabilization. It is estimated that roughly 84 percent of these women are mothers of young children or are pregnant at the time of incarceration.³⁷

In each of the roles they play, sheriffs and their deputies exercise enormous discretion over who goes to jail and who lives and dies. Sheriffs' administration of the criminal legal system ought to be guided by equity and fairness, and a commitment to ending centuries of racist outcomes. Instead, sheriffs are mired in conflicts of interest, with powerful special interests doing everything they can to squeeze a little money from each person incarcerated or arrested, adding up to billions of dollars in profit.

CORPORATIONS THAT INTERACT WITH SHERIFFS

Corporations see the sheriff as the head of a major bureaucracy, with lucrative potential.

While the public often thinks of sheriffs almost exclusively as law enforcement, corporations see the sheriff as the head of a major bureaucracy, with lucrative potential. This bureaucracy ranges in size from a handful of staff members to budgets that can rise into the hundreds of millions of dollars and thousands of employees. Corporations encroach on each of the sheriff's three roles (policing, jailing, and civil enforcement).

31 "Confronting the Demographics of Power: America's Sheriffs," Reflective Democracy Campaign, June 2020, <https://wholeads.us/wp-content/uploads/2020/06/reflectivedemocracy-americaassheriffs-06.04.2020.pdf>.

32 James Tomberlin, "'Don't Elect Me': Sheriffs and the Need for Reform in County Law Enforcement," *Virginia Law Review* 104.1 (March 2018): 113–56, here citing 143.

33 Tomberlin, "'Don't Elect Me,'" p. 144.

34 The sheriffs' role in ensuring eligible incarcerated individuals have access to their ballot is discussed in Patrick Potyandy and Jai Rajagopal, "Voting behind Bars: Ensuring Meaningful Ballot Access in Colorado's Jails," Common Cause Education Fund (Oct. 2020), 8–9, <https://www.commoncause.org/colorado/resource/voting-behind-bars/>.

35 https://www.prisonpolicy.org/reports/jail_voting.html

36 "Criminal Justice Fact Sheet," NAACP, <https://naacp.org/resources/criminal-justice-fact-sheet>, last accessed November 12, 2021; Ben Brazil, "Black and Latino People Disproportionately Booked in Orange County Jails, Study Finds," *Daily Pilot*, April 21, 2021, <https://www.latimes.com/socal/daily-pilot/entertainment/story/2021-04-21/black-and-latino-people-disproportionately-booked-in-orange-county-jails-study-finds>, which is based on research from UCLA's Ralph J. Bunche Center for African American Studies; Aleks Kajstura, "Women's Mass Incarceration: The Whole Pie 2019," Prison Policy Initiative, October 29, 2019, <https://www.prisonpolicy.org/reports/pie2019women.html>; Joshua Page, et al. "A Debt of Care: Commercial Bail and the Gendered Logic of Criminal Justice Predation," *RSF: The Russell Sage Foundation Journal of the Social Sciences* 5.1 (2019): 56.

37 Elizabeth Swavola, Kristine Riley, and Ram Subramanian, "Overlooked: Women and Jails in an Era of Reform," report released by Vera Institute of Justice, 12, <https://www.vera.org/downloads/publications/overlooked-women-and-jails-report-updated.pdf>. See also Peter Eisler, Linda So, Jason Szep, and Grant Smith, "Dying Inside: The Hidden Crisis in America's Jails; Part 4: Fatal Neglect: As More Women Fill America's Jails, Medical Tragedies Mount," *Reuters*, December 16, 2020, <https://www.reuters.com/investigates/special-report/usa-jails-women/>.

Our research builds off the work of Worth Rises, Prison Policy Initiative, and others who have shown the deep link between private-sector contractors and the institutions charged with public safety. The following are business sectors that contributed roughly \$6 million in conflicted contributions to 48 elected/incumbent sheriffs over approximately 10 years, mostly between 2010 and 2021.³⁸ Businesses influences every point of a sheriff's powers:

- In the policing role, sheriffs purchase body armor, uniforms, guns, and vehicles. Deputies go on patrol shouldering thousands of dollars in technology and other equipment, while customized security cameras, drones, and helicopters keep watch from above. *Over the past 10 years, political contributions of approximately \$210,000 from tech and telecom companies, \$30,000 from weapons industries, and \$14,000 from law enforcement suppliers show the stake these businesses have in the sheriff's policing role.* The sheriffs then have the incentive to put more deputies on the street and to use more expensive forms of weaponry.
- In the jailing role, private companies often provide health care, phone systems, food, and commissary services. They receive contracts to design and build new jails or to do the janitorial service in the jail. *This power of sheriffs was not lost on the construction companies that, over the past 15 years, contributed about \$631,000, in addition to \$200,000 from food services companies (including some that service jails exclusively), nearly \$25,000 from cleaning and janitorial services, and over \$29,000 from companies that provide telephone service both inside and outside of jails.*³⁹ The sheriffs then build new jails and hire contractors who have no incentive to make sure incarcerated people live and thrive when they leave.
- In the civil enforcement role, sheriffs often work closely with real estate, locksmith, and moving companies on the eviction process. They issue weapons permits to private citizens and security permits to commercial/residential alarm companies. *Approximately \$990,000 in real estate contributions, \$83,315 from security and investigative firms, and even portions of the \$358,819 from other government employees between 2006 and 2021 speak to the price of the sheriff's civil authority.*

These arrangements hum along largely unnoticed by the public and undisturbed by oversight from other government agencies. Meanwhile, the balance sheets of companies and sheriffs are thriving in the same climate. Jail bars are first sketched out as rows and columns on balance sheets, cells to be filled in later with the rich color palette of a county's population. Sheriffs and corporations conspire behind the scenes to keep spreadsheets "in the black," most often at the cost of Black lives.

WEBS OF INFLUENCE

Conflict of interest is a feature, not a bug, of the sheriff's office. Each entity that contributes to a sheriff's campaign becomes a viable thread in a sheriff's web of influence.⁴⁰ Sheriffs attain and retain their power by fostering such networks of influence. This can look like a secret conversation behind closed doors or public handshakes, major state professional associations,⁴¹ and backslapping at "one of the premier political schmooze-fests in Massachusetts."⁴²

38 Conflicted contributions were identified among the sum of approximately \$15.7 million that went to these elected/incumbent sheriffs from all entities combined, including business and individual donations. These contributions were totaled from state and local campaign finance reports.

39 Securus accounted for \$7,650 of this \$29,000, in addition to general telecom and tech companies, such as Verizon and AT&T, that provide sheriffs with technology for the field, office, and jail.

40 Until greater transparency and higher reporting standards are achieved, the extent of these networks will be hidden by a variety of tactics, such as supposed "individual" contributions from executives of businesses that are heavily invested in gaining sheriffs' contracts.

41 "Where Do NC Police Get Policies on Use of Force, Shootings?" *News Observer*, July 14, 2021, <https://www.newsobserver.com/news/local/crime/article252736438.html>.

42 Patrick Johnson, "Handshakes, Smiles and Comfy Shoes: Hampden County Sheriff Nick Cocchi's Annual Cookout Returns at Springfield Elk's Club," *Masslive*, August 21, 2021, <https://www.msn.com/en-us/news/us/handshakes-smiles-and-comfy-shoes-hampden-county-sheriff-nick-cocchi-e2-80-99s-annual-cookout-returns-at-springfield-elk-e2-80-99s-club/ar-AANtkTj?ocid=uxbndblng>.

The high visibility of the office permits a sheriff to gain attention and financial benefit while solidifying political power for another run. The visibility belies a tremendous absence of transparency.

Powerful incumbent sheriffs have the capability of overwhelming their challengers' bank accounts with the depth of their donor databases; in many cases, donors have been cultivated for over a generation between a sheriff and their hand-selected successor.⁴³

Medical providers, tech corporations, bail bonding services, construction, real estate companies, third-party security and investigation firms, and suppliers of weapons and other equipment are just parts of a massive web of influence and power. The following section offers a glimpse of the interplay between corporate interests, campaign contributions, and what is supposed to be a sheriff's sworn duty: to protect and serve.



Medical Services

Our research found at least \$290,000 in direct contributions from medical providers backing victorious sheriff candidates. Health care for jails and prisons is a growth industry, with new companies forming constantly and doctors gaining access and influence with sheriffs through campaign contributions. These companies seem agnostic to the “do no harm” philosophy of traditional medicine, as shown by their abysmal treatment of incarcerated people. The model is entirely profit-based, so it is not uncommon for incarcerated people to be charged a \$350 fee to receive service in jail.⁴⁴

Health care for jails and prisons is a growth industry, with new companies forming constantly and doctors gaining access and influence with sheriffs through campaign contributions.

Five major health care companies currently dominate the captive marketplace in jails and prisons: Wellpath Holdings (formerly Correct Care Solutions), NaphCare, Corizon, PrimeCare Medical, and Armor Correctional Health Services. These and other companies are widely implicated

in wrongful deaths, injuries, and unusual suffering. A ground-breaking report from Reuters found the largest health care providers responsible for increasing death rates in jails.⁴⁵ Our analysis of campaign finance reports reveals health companies of all sizes openly court sheriffs around the country with campaign cash and favors.

CorrectHealth LLC made its first recorded political contribution in Louisiana on Halloween of 2008, starting with a \$1,000 donation to the campaign of former Jefferson Parish sheriff Newell Normand. Since then, records show \$56,150 in contributions from the controversial company to Governor John Bel Edwards, Lt. Governor Billy Nungesser, several state legislators, and county sheriffs. Sheriff Sid Gautreaux of East Baton Rouge, Louisiana, accepted \$2,000 from CorrectHealth in October 2019.⁴⁶ CorrectHealth LLC first assumed control of the East Baton Rouge parish correctional medical services in 2017, over the objections of medical professionals working at the jail.⁴⁷ At least 22 people died in the East Baton Rouge Parish Prison between 2015 and 2019, and not a year went by without multiple casualties oc-

43 For example, the previous and current sheriff of Hampden County, Massachusetts, appears to have developed continuity in political, philosophical, and financial traditions across two generations reaching back to 1974, when Michael Ashe was first elected (“Retired Sheriff Michael J. Ashe, Jr.,” Hampden County Sheriff’s Department, <http://hcsdma.org/sheriff-ashe-bio/>).

44 Marsha McLeod, “The Private Option,” *The Atlantic*, September 12, 2019, <https://www.theatlantic.com/politics/archive/2019/09/private-equitys-grip-on-jail-health-care/597871>.

45 Jason Szep, Ned Parker, Linda So, Peter Eisler, and Grant Smith, “Special Report: U.S. jails Are Outsourcing Medical Care—and the Death Toll Is Rising,” *Reuters*, October 26, 2020, <https://www.reuters.com/article/us-usa-jails-privatization-special-repor/special-report-u-s-jails-are-outsourcing-medical-care-and-the-death-toll-is-rising-idUSKBN278IDH>. This survey of 500 jails found that the biggest carceral health care providers were responsible for increasing death rates beyond what would normally be expected in government-run facilities

46 He joins the mayor of East Baton Rouge, Sharon Weston Broome, who accepted \$2,500 in March 2019.

47 Andrea Gallo, “East Baton Rouge Prison Health Care Headed to Private Company, Despite Pleas from Nurses,” *The Advocate*, November 22, 2016, https://www.theadvocate.com/baton_rouge/news/article_192e97ec-b11d-11e6-8b5e-2bfd8629089.html.

curing.⁴⁸ Reports show that more incarcerated individuals have died in the East Baton Rouge Parish Prison than any other Louisiana jail, and most reported deaths are due to medical concerns.⁴⁹

CorrectHealth contributed to at least four other sheriffs in Louisiana, including:

- \$5,800 to Sheriff Craig Webre of Lafourche Parish between 2009 and 2019.
- \$1,050 to Sheriff Gerald Turlich Jr. of Plaquemines Parish in 2017.
- \$300 to Sheriff James Pohlmann of St. Bernard Parish in May 2017.
- \$5,000 to Sheriff Marlin Gusman of Orleans Parish in 2010 and 2011.⁵⁰

In many cases, it does not take tremendous amounts of money to get a sheriff's attention. In Harford County (MD), Dr. Carl A. Hoffman contributed \$1,400 to Sheriff Jeff Gahler.⁵¹ Less than four months later, the sheriff's office signed a \$3.1 million contract with Hoffman's PrimeCare Medical, Inc.⁵² This decision is just a continuation of Harford County Detention Center's long track record of tragic outcomes.⁵³

Small contributions sometimes supplement more generous off-the-books perks. The former owner of Correct Care Solutions lavished former Norfolk (VA) Sheriff Bob McCabe with "large cash loans that were never repaid...trips to resorts and casinos for McCabe, and...pricey gifts and premium tickets to sporting events, concerts and other events."⁵⁴ Correct Care's founder and CEO admitted in federal court that he used these gifts to bribe Sheriff McCabe, who in August 2021 was found guilty of these federal charges.⁵⁵ These bribes led to the demise of Correct Care Solutions. In reality, the "downfall" was a lucrative buyout by H.I.G Private Equity, which also lists Securus among its many holdings.⁵⁶ The renamed entity, Wellpath, is thriving and expanding despite its sordid practices.⁵⁷

In Massachusetts, NaphCare paid at least \$7,100 to Suffolk County Sheriff Tompkins's campaign.⁵⁸ At the same time, 31 incarcerated persons died under the dubious care of Sheriff Tompkins and NaphCare in the Suffolk County Jail.⁵⁹ Per life lost under NaphCare's treatment, the Tompkins campaign took in \$229 from the company.

48 Ariel Salk, "Study Claims East Baton Rouge Parish Prison Has the Highest Death Rate in the State," KLFY.com, June 24, 2021, <https://www.klfy.com/louisiana/study-claims-east-baton-rouge-parish-prison-has-the-highest-death-rate-in-the-state>. The study referenced in the article is Loyola University New Orleans College of Law, "Louisiana: Deaths behind Bars, 2015–2019," June 2021, <https://www.incarcerationtransparency.org/wp-content/uploads/2021/06/LA-Death-Behind-Bars-Report-Final-June-2021.pdf>, relevant statistics by year on page 47.

49 Salk, "Study Claims East Baton Rouge Parish Prison."

50 Matt Sledge, "New Orleans Jail Deputy Abandoned Female Employee Trapped by Inmates, Lawsuit Says," Nola.com, June 5, 2021, https://www.nola.com/news/courts/article_9cbffa8c-c573-11eb-85be-7f27bc9e111e.amp.html?utm_medium=nondesktop&utm_source=push&utm_campaign=tecnaviaapp&utm_content=&utm_term=

51 Two amounts dated February 6, 2018 (\$500), and June 15, 2018 (\$900). Additional donations from other PrimeCare staff also appear in finance reports from 2019.

52 Harford County, "Board of Estimates Meeting, October 9, 2018," 2, https://www.harfordcountymd.gov/AgendaCenter/ViewFile/Minutes/_10232018-1065. Mr. Timothy Keggins of the sheriff's office presented the Request for Proposal for "Inmate Medical Services" (Solicitation No. 18-213), followed by a recommendation for an "award in an amount not to exceed \$3,115,000 to PrimeCare Medical, Inc. of Harrisburg, PA."

53 Aaron Cahall, "Harford County Detention Center Supervisor Capasso Retiring after 25 Years of Services," *The Dagger*, March 13, 2012, <http://www.daggerpress.com/2012/03/13/harford-county-detention-center-supervisor-capasso-retiring-after-25-years-of-service/>. Marlyn Barnes died of reported suicide after only one night in jail, Baltimore October 5 ("Justice for Marlyn Barnes and All Prisoners," *Struggle-La Lucha*, September 15, 2019, <https://www.struggle-la-lucha.org/2019/09/15/baltimore-oct-5-justice-for-marlyn-barnes-and-all-prisoners/>); on alleged mistreatment, *Conaway vs. Capasso*, Civil Action No. RDB-17-3534, <https://www.leagle.com/decision/infdc020180625846> (the facts were not denied, but the complaint was not awarded); further alleged mistreatment (*Gainey vs. Capasso*, Civil Action No. PX-17-1242, June 14, 2008, <https://casetext.com/case/gainey-v-capasso>).

54 Jane Harper, "Businessman Who Bribed Former Norfolk Sheriff Bob McCabe Pleads Guilty," *The Virginian-Pilot*, October 6, 2021, <https://www.pilotonline.com/news/crime/vp-nw-boyle-plea-20211006-m2nhilrcszhw5nqcvydo2op7iu-story.html>.

55 Correct Care Services: <https://www.justice.gov/usao-edva/pr/co-conspirator-former-norfolk-sheriff-pleads-guilty-bribery-scheme>; Sheriff McCabe: <https://www.wavy.com/news/local-news/norfolk/ex-norfolk-sheriff-bob-mccabe-found-guilty-on-all-public-corruption-charges/>.

56 <https://higprivateequity.com/portfolio/alpha/all/us>.

57 The company advertises 2,574 hiring opportunities in 33 states. Of these job listings, 471 are for Georgia alone; other major signs of expansion include Massachusetts, with 291 positions; California's 268 openings; and 208 in Florida (<https://wellpathcareers.com/search/>, last accessed October 28, 2021).

58 Dollar total is based on our research; also reported in Healy and Willmsen, "Pain and Profits."

59 Healy and Willmsen, "Pain and Profits."

With the preceding scenarios in mind, it is sobering to ponder the untold stories that lie behind more than \$290,000 contributed by medical providers in sheriffs' campaign reports.⁶⁰ It is even more sobering in light of the estimated \$8.1 to \$13.1 billion spent on correctional health care each year in the United States.⁶¹ Billions of dollars are earmarked under the header of "medical care," leading to endless suffering, neglect, and death.



Telecom and Tech Companies

Our research found at least \$216,847 in contributions to sheriff candidates from a range of telecom and technology companies. Approximately \$12,000 of this amount was given by companies that solely deal in the law enforcement and incarceration sector, while the remainder of companies have various kinds of relationships to law enforcement.

Securus, like Wellpath, operates under the umbrella of H.I.G Private Equity. Securus is reported to hold at least 2,600 contracts,⁶² and the company's name shows up in sheriffs' campaign finance reports across the country. The corporation already holds jail communication contracts in Norfolk and Essex Counties (Massachusetts) and is actively courting other sheriffs' offices.⁶³ Two Securus representatives are responsible for more than \$7,000 in contributions to the sheriffs in Essex, Hampden,⁶⁴ Middlesex, and Norfolk counties in Massachusetts. One of these donors has confusingly listed her company and occupation in different ways for different sheriffs, making it more difficult to gain the full picture of Securus's operations in Massachusetts and perhaps elsewhere.⁶⁵

Securus and GTL both have a history of using campaign contributions to paper over illegal activities.⁶⁶ In Orange County (California), GTL, one of the major service providers, improperly recorded phone calls between incarcerated people and their attorneys—after a web of contributions, including to candidates for district attorney and board of supervisors, they quietly received a renewed contract.⁶⁷

Jails and their corporate contractors routinely charge incarcerated individuals more than \$1 a minute, plus additional fees that quickly balloon. The national average for a 15-minute call from jail is \$5.74, but the cost exceeds \$10 in more than half of all states with jails and can exceed \$20 in four states.⁶⁸ The federal minimum wage is \$7.25 per hour, meaning that a 15-minute phone call could cost twice as much as the caller's earnings in an hour.

As large companies like Securus and GTL grow their footprints, fledgling law enforcement tech companies grow alongside them, reinforcing the web of influence at all levels—large, medium, and granular. For example, Synergistic

60 This is in addition to the sobering realization that sheriffs' campaign reports are often woefully incomplete and sometimes misleading. Many of the contributions noted in this report were identified only after extensive research.

61 The figure of \$8.1 billion: Pew Trusts, "Prison Health Care Costs and Quality," October 18, 2017, <https://www.pewtrusts.org/en/research-and-analysis/reports/2017/10/prison-health-care-costs-and-quality>; \$13.1 billion, Peter Wagner and Bernadette Rabuy, "Following the Money of Mass Incarceration," Prison Policy Initiative, January 25, 2017, <https://www.prisonpolicy.org/reports/money.html>.

62 As of 2015, according to Peter Wagner, "Uncovering Securus' Profits," Prison Policy Initiative, June 19, 2015, <https://www.prisonpolicy.org/blog/2015/06/19/securus-profits/>.

63 Securus Technologies holds contracts with 10 county jails and the Massachusetts Department of Corrections.

64 Hampden County, Massachusetts, is distinct in that this county contracts with ICSSolutions for its carceral calls. This contract was scheduled to end on September 30, 2021. Contract data from Prison Policy Initiative (https://www.prisonpolicy.org/scans/mass_contracts/ma_prison_and_jail_phone_rates_fact_sheet.pdf).

65 When Patricia Auger contributed to Hampden County, Massachusetts, sheriff Nichola Cocchi, she listed her employer as Evercom (\$500 on July 26, 2016) and then Securus (\$500 on July 26, 2017); her role as a Securus representative is established as far back as December 13, 2014 (\$500 to Middlesex County Sheriff Peter Koutoujian). When donating to Essex County, Massachusetts, sheriff Kevin Coppinger, she lists herself as an "administrative assistant" (\$1,000 on July 4, 2020); to Sheriff Cocchi, she is an "advisory account manager."

66 Samantha Hogan, "Class-Action Lawsuit Alleges Illegal Wiretapping at Maine Jails," *Bangor Daily News*, August 7, 2020, <https://bangordailynews.com/2020/08/17/news/class-action-lawsuit-alleges-illegal-wiretapping-at-maine-jails/>.

67 Nich Gerda, "From Outrage to Silence: Improper Recording of Attorney-Client Prisoner Calls in Orange County Goes Unmentioned as Jail Phones Contract Is Renewed," *Voice of OC*, April 19, 2021, <https://voiceofoc.org/2021/04/from-outrage-to-silence-improper-recording-of-attorney-client-prisoner-calls-in-orange-county-goes-unmentioned-as-jail-phones-contract-is-renewed/>.

68 Former FCC Commissioners Mignon Clyburn, Michael Copps, Gloria Tristani, Letter to Mr. Tom Gores, Platinum Equity, Beverly Hills, California, May 15, 2020, <https://www.platinumequity.com/getmedia/f282c7b5-33b7-4de5-b84e-4518afc6b3c1/Tom-Gores-Reponds-to-Former-FCC-Commissioners.pdf.aspx>, 3–5, last accessed November 22, 2021.

Software Integrated (SSI) is a Georgia corporation that provides surveillance, data storage, and other technological tools for law enforcement. It began as a small local firm in 2005, but thanks to the collaboration between SSI, Georgia's sheriffs, and larger jail-tech companies like NCIC Inmate Communication,⁶⁹ the company presently boasts of over 300 law enforcement contracts. Other security companies are following this robust pattern of growth.

Massive telecommunications giants are eager for lucrative data and telephone contracts with sheriffs. According to data collected by the Electronic Frontier Foundation and the Reynolds School of Journalism at the University of Nevada, Reno, surveillance agreements have been established between 1,552 sheriffs' offices (and related county agencies) and corporations, such as Axon, DJI, and Motorola.⁷⁰ In turn, technology is deployed at jails, in patrol cars, and nearly anywhere else one can imagine a cell phone signal reaching.

Massive telecommunications giants are eager for lucrative data and telephone contracts with sheriffs.

In East Baton Rouge, Louisiana, alone, Sheriff Sid Gautreaux has received the enthusiastic support of large tech and telecom firms, including the following:

- Motorola Solutions (\$5,500)
- General Informatics (\$7,500)
- AT&T (\$12,500)
- EMCO Technologies (\$20,800)

In Bernalillo County, New Mexico, Motorola Solutions, Inc. PAC (multicandidate) gave \$1,000 to Gonzales on May 2, 2017. The sheriff's department "maintains a voluntary registry of private and personal surveillance cameras through Motorola Solutions."⁷¹

Bail Bonding Companies

Approximately 470,000 people are being held in jails pretrial with no criminal conviction, likely because they cannot afford bail. Median bail for felonies is \$10,000, which is eight months of income for a typical person detained.⁷² Many of the tragedies that occur during pretrial incarceration can be traced to the practice of bail bonding, which keeps people in jail if they are unable to pay for release from jail.

The role of a bail bonding company is providing pledge money or property as bail for the appearance of a defendant in court.⁷³ In this system, people with more resources are generally permitted greater freedom, while impoverished people remain in what is *de facto* a debtors' prison. Bail bonding agents and companies make their profit from charging non-refundable fees—for example, 10 percent for state charges. This fee serves as compensation for posting bail.

Standing at the meeting point of money, civil rights, and liberty, contributions by bail bonding companies offer a litmus test of where a sheriff's ethical commitments lie.⁷⁴ We discovered at least \$36,000 in direct contributions from bail bonding companies, spread out across more than 30 transactions between 2013 and 2021, including donations to:

69 NCIC Inmate Communication's current distribution by state and correctional institution can be found at <https://account.ncic.com/AddFundsArea>.

70 Source: "Atlas of Surveillance," <https://atlasofsurveillance.org/download.csv?location=>, last accessed November 5, 2021.

71 <https://atlasofsurveillance.org/a/aos1120-bernalillo-county-sheriff-s-office-camera-registry>.

72 These statistics were provided by Sawyer and Wagner, "Mass Incarceration."

73 Bail bonding laws vary from state to state. For an example of processes governing bail bonding in California, for instance, see the overview given by the California Department of Insurance, "Bail Bonds," <http://www.insurance.ca.gov/01-consumers/170-bail-bonds/>, last accessed November 15, 2021.

74 Bail bond agents are almost exclusively found in the United States. In most other countries, the practice is illegal. The sheriff of at least one county we considered, Hampden County, Massachusetts, has spoken out in favor of bail reform, Taylor Knight, "Hampden County officials pushing for bail reform bill to be passed," WWLP, May 25, 2021, <https://www.wwlp.com/news/i-team/hampden-county-officials-pushing-for-bail-reform-bill-to-be-passed/>.

- Sheriff John Anderson, City of Baltimore, Maryland (\$1,320)
- Sheriff Darren Popkin, Montgomery County, Maryland (\$2,000)
- Sheriff Douglas Mullendore, Washington County, Maryland (\$1,000)
- Sheriff Don Barnes, Orange County, California (\$5,050)
- Sheriff John Wilcher, Chatham County, Georgia (\$2,400)

In Gwinnett County, Georgia, the sheriff and bail bonds companies are locked in investigations over accusations that Keybo Taylor demanded support from bail bonds companies, including Anytime Bail Bonding, in order to do business with the county.⁷⁵ In Clayton County, Georgia, the sheriff received more than \$51,250 in bail bonding contributions since 2015, with more than \$22,000 from Anytime Bail Bonding. The required reporting fields for employer and occupation were left blank for all of these contributions.⁷⁶

Construction Companies and Real Estate

Our research found \$1,620,611 in contributions from construction and real estate companies to the sheriffs in this report. Under the umbrella of construction, we include everyone from the million-dollar architecture firm that designs massive structures to a local plumbing company that is contracted to install a small outdoor drain on one of these facilities—and everything in between. Real estate interests can include anything from the sale of properties for county development and construction to contributions in return for stepped-up patrolling of a real estate developer’s property. Between the cracks of all these arrangements are myriad opportunities for grift, graft, and bribery.

Conflicts of interest take on various forms in this arena, as we see on a single busy day of campaign receipts for Prince George County (MD) Sheriff Melvin High. On November 17, 2017, Sheriff High received numerous conflicted contributions, including \$500 from Arel Architects, which has secured two active contracts with the county,⁷⁷ and two \$2,000 contributions from managers of other county contracts.⁷⁸

Between the cracks of all these arrangements are myriad opportunities for grift, graft, and bribery.

Our research discovered many more hundreds of cases of direct contributions from construction companies to victorious sheriffs’ campaigns over the past 15 years, including:

- Sheriff Mike Evans, Calvert County, Maryland (\$96,415)
- Sheriff Scott Adams, Cecil County, Maryland (\$6,260)
- Sheriff Douglas Mullendore, Washington County, Maryland (\$4,120)
- Sheriff Nicholas Cocchi, Hampton County, Massachusetts (\$28,404)
- Sheriff Kevin F. Coppinger, Essex County, Massachusetts (\$9,550)
- Sheriff Thomas N. Bowler, Berkshire County, Massachusetts (\$7,840)
- Sheriff James Cummings, Barnstable County, Massachusetts (\$7,840)
- Sheriff Thomas Hodgson, Bristol County, Massachusetts (\$23,470)
- Sheriff Don Barnes, Orange County, California (\$66,150)

75 Tom Regan, “Metro Sheriff Backs Down Following Lawsuit by Bail Bonding Service, Remains under Investigation,” WSB-TV, June 28, 2021, <https://www.wsbtv.com/news/local/gwinnett-county/metro-sheriff-backs-down-following-lawsuit-by-bail-bonding-service-remains-under-investigation/WBZKHD3BNRG4THJH-BEQW32EHX1/>.

76 Contributions came from Paul Steward, Kelly Steward, Christopher Bohrer, Kelly Bohrer, Robin Hall, and Scott Hall, who are all affiliated with Anytime Bail Bonding.

77 Contribution to Sheriff Melvin High, November 17, 2017, \$500. Two county contracts for architectural services and “public safety piers” run from March 11, 2020, to February 13, 2022, and from March 23, 2021, to March 22, 2022, respectively.

78 Amir Ahmad of AD&C Management Co. (\$2,000 on November 17, 2017) and VMP Construction Co. Inc. (\$2,000 on November 17, 2017).

In East Baton Rouge County, Sheriff Sid Gautreaux received over \$150,000 from construction companies over the span of a decade. During this time, the sheriff has also worked to secure approvals and land donations for a new jail in his parish.⁷⁹ The total of construction contributions to Sheriff Gautreaux balloons to \$214,950 when 2008 is included. This is a tremendous sum of money to donate toward a now four-term sheriff who has either run unopposed or won with over 70% of the vote.

In Bernalillo County, Guzman Construction donated to Sheriff Gonzales's campaign in 2015 and again in 2017. In 2021, Guzman Construction was awarded a \$2.4 million contract to demolish a county jail and create a parking area.⁸⁰ Further, the company's principal players are collaborating with Jeff Apodaca, former Democratic primary candidate for New Mexico governorship, to become active in real estate and the legal cannabis business. Pay-to-play schemes abound in Sheriff Gonzales's world, alongside allegations of election fraud still being investigated by state authorities.⁸¹



Uniform and Apparel Suppliers

Suppliers of police uniforms and similar apparel items for law enforcement and incarceration contributed at least \$36,000 over 15 years to incumbent sheriffs. Deputies, civil correctional staff, and incarcerated persons all wear apparel and accessories.⁸² As a mandatory expenditure, uniforms provide dependable and often lucrative annual contracts for businesses.

These 32 instances of campaign contributions from clothing companies include the following contributors from law enforcement apparel contractors:

- Sheriff John Wilcher, Chatham County, Georgia (\$2,250)
- Sheriff Lewis Evangelidis, Worcester County, Maryland (\$3,400)
- Sheriff Nicholas Cocchi, Hampden County, Massachusetts (\$2,100)

Sheriff Sid Gautreaux of East Baton Rouge, Louisiana, has taken in at least \$16,000 from just one law enforcement uniform provider, Guidry's Uniforms.⁸³ In the year before the election, Gautreaux spent \$270,000 for new uniforms that prominently featured his name.⁸⁴ In Chatham County, Georgia, where a partial uniform contract was last valued in excess of \$410,000,⁸⁵ a \$250 donation from Patrick's Uniforms of Florida coincided with a standing contract.



Investigative and Security Companies

Third-party investigation and security companies contributed at least \$83,315 to sheriffs in the counties. These businesses provide an array of services that can include support for solving criminal cases, additional security inside of jails, training for deputies, and even investigating important ethics questions that arise in county government. Some security companies overlap significantly with the tech industry or transition into that sector as funding becomes more secure.

79 Ryan Broussard, "EBR Sheriff: State to Give up Land for New Parish Prison," *The Advocate*, May 1, 2014, https://www.theadvocate.com/baton_rouge/news/crime_police/article_6e4875e5-1f34-5866-b168-518763897e4b.html.

80 Jessica Dyer, "County to Demolish Former Jail," *Albuquerque Journal*, January 12, 2021, <https://www.abqjournal.com/1535513/county-to-start-razing-old-downtown-jail.html?amp=1>.

81 Carolyn Carlson, "What Could Happen Next for Manny Gonzales? Could the Sheriff and Mayoral Candidate Face Felony Charges?" *The Paper*, November 2, 2021, <https://abq.news/2021/11/what-could-happen-next-for-manny-gonzales/>.

82 In some cases, the apparel is subsidized, and in other cases, the individual must pay for their own.

83 IAlso listed as Tom Meagher, Inc., and additional donations from the owner, Thomas Edward Meagher III.

84 https://www.theadvocate.com/baton_rouge/news/crime_police/article_2ccf3e4e-4994-11e8-bd13-07373781a7ab.html.

85 <http://agenda.savannahga.gov/content/files/uniform-accessories-purchasing-summary.pdf>.

Universal Investigation Services is a company that handles investigations into Bernalillo County, New Mexico, governmental ethical complaints, and their contributions to Sheriff Gonzales damage their credibility as unbiased investigators.⁸⁶ Other examples of contributions in recent years include the following:

- Sheriff John Anderson, Baltimore (City), Maryland (\$1,185 from Watkins Security, World Wide Investigation LLC, and others)
- Sheriff Mike Evans, Calvert County, Maryland (\$9,600 from Electronic Security Services, Inc.)
- Sheriff Raymond Fisher, Baltimore County, Maryland (\$2,750 from Citizens Protection Agency, LLC)
- Sheriff Gary Hofman, Queen Anne's County, Maryland (\$1,305 from Patriot Security Group)
- Sheriff Steve Tompkins, Suffolk County, Massachusetts (\$3,250 from Securitas, Security Service Specialists, and others).

Custom Security Systems, Inc. of Baton Rouge, Louisiana, was retained on a five-year contract by the East Baton Rouge Sheriff's Office from 2015 until at least December 31, 2020.⁸⁷ The company relies upon approval from the sheriff for each residential alarm installation they provide to the public.⁸⁸ Thus, the company stands to lose business, not only their public contracts but also their public residential services, if they fall out of favor with Sheriff Gautreaux. This provides context for the company's decision to contribute at least \$17,500 to the sheriff's campaign.

In a troubling trend, our research found sheriffs engaged in undisclosed cooperation with a variety of shadowy security firms, often with no documentation beyond the fragments provided in campaign finance reports and scanty data from sources such as social media posts. Many sheriffs rely on private-sector transportation to move incarcerated people between locations. One of the most prominent companies, G4S, provides guns and transportation and has been implicated in a series of scandals across the world, including the scandals in Pinellas County.⁸⁹

These companies grow virtually unnoticed in counties across the country, as unwitting residents are subjected to greater degrees of surveillance and danger at the hands of private contractors to local elected law enforcement officials.

POLICY RECOMMENDATIONS

The system of the sheriff is deeply enmeshed with a system of law enforcement designed to incarcerate and over police Black, Latinx, and indigenous people. Communities for Sheriffs Accountability, a coalition of organizers, faith leaders, and allies, has put forward a set of [policy recommendations](#), including ending the construction of new jails and making sure no one dies inside. The Movement for Black Lives has a full set of recommendations focused on policing and reinvesting in communities. Others have described the need to reform contracting laws and to make

86 Three contributions of \$250 each appear in Gonzales's campaign reports. Universal Investigation is contracted to investigate the county's internal political matters and has tremendous potential to slant contention partisan issues beyond the scope and eye of the public. For example, in 2017, New Mexico Public Employees Retirement Association Board member Patricia French (municipal affairs) became the target of accusations from fellow board members, who moved to hire Universal Investigation for an investigation. The accusations and investigation have a partisan/racial edge. The estimated cost for an investigation with Universal Investigations was \$6,000–\$7,000. When Claudia Armijo (state affairs) introduced the motion to hire Universal Investigation to investigate and John Melia seconded, Loretta Naranja Lopez petitioned the board to dismiss "this 'personal and discriminatory act immediately.'" For the purposes of this report, it is sufficient to argue that investigators determining innocence and guilt in such controversies should not be donating to partisan candidates. Sources: Scott Wyland, "New Mexico State Employee Accuses Governor's Office Staffer of Ethics Breach," *Santa Fe New Mexican*, March 3, 2021, <https://nmpoliticalreport.com/2021/03/03/new-mexico-state-employee-accuses-governors-office-staffer-of-ethics-breach/>; <https://www.nmpera.org/assets/uploads/board-meeting-files/august-2017/08312017-Board-minutes-signed.pdf>.

87 East Baton Rouge Parish Sheriff's Office, "Contracts/Agreements July 1, 2015, to December 31, 2020," <https://drive.google.com/file/d/1fVqBHBS5R8Wd616rgTX-A5ozYo4oDvliC/view?usp=sharing>.

88 As of August 19, 2021, form for "Alarm User Permit Application" is available here: <https://17wdx3y2en0uqdklcvyn8c9-wpengine.netdna-ssl.com/wp-content/uploads/2012/08/ebroso-permit-form.pdf>.

89 Brett Murphy, Nick Penzenstadler, and Gina Barton, "A Security Empire Deployed Guards with Violent Pasts across the U.S. Some Went on to Rape, Assault or Kill," *USA Today*, October 30, 2019, <https://www.usatoday.com/in-depth/news/investigations/2019/10/30/dangerous-guards-low-cost-security-g-4-s/3994676002/>.

sure incarcerated people can connect to loved ones on the outside and that no incarcerated people have financial burdens from their time inside.

Research shows one major barrier to change: a political and campaign finance system that not only reinforces but strengthens the status quo and leaves people's lives behind.

We have not ranked the reforms listed below in order of importance. Indeed, campaign finance reforms generally demonstrate the strongest impact when combined together. We propose restrictions on contributions from entities "doing business" with sheriffs' offices; changing the way we pay for political campaigns; and strengthening transparency and disclosure laws.

1. End contributions from entities doing or seeking business with the sheriffs' office

Further, some jurisdictions such as Connecticut and New York City limit contributions to campaigns from individuals and entities doing or seeking business with the state or city. This is one strong attempt to **limit the quid pro quo from special interests**, such as the special interests behind mass incarceration funding or other powerful lobbies with seemingly wealthy special interests. If such restrictions were implemented for sheriff campaigns, we could see a reduction in the number of political contributions from self-interested individuals and entities and a reduction in lucrative government contracts handed to political donors.

2. Amplify the voices of more everyday Americans, by changing how we pay for political campaigns

Citizen-funded elections amplify the voices of everyday Americans over wealthy special interests by boosting the role of small-dollar donors in our elections. Under one form of citizen-funded election programs, known as a matching funds program, candidates raise small-dollar contributions and receive a generous subsidy from the government. Under another, qualifying contributions are raised in order to qualify for a lump-sum grant from the government. And, under yet another, residents of a jurisdiction receive vouchers worth a specified amount (e.g., \$100), which they may give to their candidate of choice. All of these programs, regardless of mechanics, boost the role of small donors and are worth consideration.

This is particularly key because overall across America, our elected leaders are raising more money from a smaller share of the population. This leads our elected leaders down a dangerous path shared by many sheriffs. They are listening more to a handful of deep-pocketed donors and interests than to everyday Americans. If we want to ensure that everyone has a meaningful voice in politics and that policies are more responsive to public needs and less influenced by wealthy donors, we need to put citizen-funded election programs at the center.⁹⁰

Small-donor democracy programs are voluntary programs that reduce barriers for new candidates from less wealthy and less connected backgrounds to seek elected office. Some were created after cities or states were rocked by corruption scandals, which

Small-donor democracy programs demonstrate what is possible when candidates and elected leaders are freed from excessive reliance on special interest money. They are able to push for better policies, such as providing free telephone calls for people inside prisons and jails.

90 Beth A. Rotman and Lisa Nightingale, "Amplifying Small-Dollar Donors in the Citizens United Era," Common Cause, September 2020, 19–21, available at <https://www.commoncause.org/connecticut/our-work/reduce-moneys-influence/protect-citizens-elections-program/>.

can make the public cynical—or spark change.⁹¹ After scandals rocked the state and sent a state treasurer and the governor to prison in Connecticut, there were loud calls to address the ties between wealth and policy outcomes, which often begin on the campaign trail.⁹² Small-donor democracy programs demonstrate what is possible when candidates and elected leaders are freed from excessive reliance on special interest money.⁹³ They are able to push for better policies, such as providing free telephone calls for people inside jails and prisons. It is no coincidence that both New York City and Connecticut have small-donor democracy programs for campaigns and were one of the first to make jail and prison phone calls free. These programs free candidates from endless dialing for dollars while running for office and boost the voices of everyday Americans of every race and from every zip code. More people from more diverse backgrounds, women, and people of color are able to run for office and win. Once they are in office, they are more likely to focus on the needs of larger swaths of everyday Americans.⁹⁴

By reducing barriers to running for office, more people with diverse backgrounds run for office. Senator Gary Winfield of Connecticut has been an outspoken supporter of citizen-funded elections from the beginning, explaining,

Without public financing, I would not have been a viable candidate. Without the grant funds provided by the Citizens' Election Program, the ability to mount a sustainable campaign would have been almost impossible. I am a candidate of color and I did not come from money. I was not the candidate picked by a political party or machine apparatus. The Citizens' Election Program made it possible for me to run and serve the public as one of them.⁹⁵

There are not yet many such programs for sheriffs' races, although a number of states and cities have proven "models," including "full" public financing, matching funds programs, and voucher programs.

To highlight a key example of change, Connecticut became the first state to **make all phone calls from incarcerated people free of charge**. New York City became the first major city to do the same. Both have small-donor democracy programs with high participation rates.

Small-donor democracy programs, including the programs in Connecticut and New York City, demonstrate what is possible when elected leaders are freed from the stranglehold of wealthy special interest money.⁹⁶

3. Strengthen transparency and disclosure laws

We also need to **strengthen transparency and disclosure laws** so that everyone knows who is funding campaigns. Hidden undisclosed funds are undemocratic, and wealthy special interests have fought hard to lobby against proposed improvements to disclosure and lobbying laws. Meanwhile, hundreds of millions of dollars enter our elections from secret sources, and the law has not been able to keep up.

91 Eli Newman, "Corruption Scandals Can Make the Public Cynical—or They Can Spark Change, Advocate Says," *NPR's Morning Edition*, October 25, 2021, <https://wdet.org/posts/2021/10/25/91597-corruption-scandals-can-make-the-public-cynical-or-they-can-spark-change-advocate-says/>.

92 Eli Newman, "Corruption Scandals Can Make the Public Cynical."

93 Rotman and Nightingale, "Amplifying Small-Dollar Donors."

94 Rotman and Nightingale, "Amplifying Small-Dollar Donors."

95 Rotman and Nightingale, "Amplifying Small-Dollar Donors," 13.

96 Rotman and Nightingale, "Amplifying Small-Dollar Donors," 18-22.

CONCLUSION

The business practices reviewed in *The Paid Jailer* are often hidden from the public eye. Even among legal experts, who ought to know better, the sheriff is “largely overlooked, and even at times misunderstood or dismissed” as a subject of study.⁹⁷ Meanwhile, the webs of influence grow, and businesses and sheriffs extract every available resource from those captured in the carceral net. The web is being enlarged at an alarming rate, and the ravenous entities at the top continue to build, capture, and feast on resources and lives while whole communities are being destroyed.

Delay is hardly an option given these stakes. The paid jailer must either be reformed or replaced by a more beneficial, positive, and effective means of bringing safety to communities.

⁹⁷ Aaron Littman, “Jails, Sheriffs, and Carceral Policymaking,” *Vanderbilt Law Review* 74.4 (May 2021): 861–950 (<https://cdn.vanderbilt.edu/vu-wp0/wp-content/uploads/sites/278/2021/05/28074050/Jails-Sheriffs-and-Carceral-Policymaking.pdf>)

Research Basis and Methodology

The data for this report was primarily collected from campaign finance disclosure reports (CFDR) and contract documents from county sheriffs' offices and jails. These were mostly obtained through Freedom of Information Act (FOIA) requests and web portals that host county data. This data was then analyzed to detect overlap between contracts and contributors, or for any other contribution that creates potential conflict of interest. Collection, analysis, and initial drafting of this report were conducted across 7.5 months, from February 27 to October 11, 2021. Detailed figures such as the number of FOIA requests and their effectiveness have been incorporated into the report body and footnotes. The selection of counties for research was determined through a combination of factors, including representation of all sizes of counties and in distinct regions of the country, and of sheriffs from both major parties.

The standard of apparent or potential conflict of interest was employed in selecting business entities and business sectors for analysis. Apparent and potential conflicts of interest included contributions that indisputably created conflict of interest, as well as contributions from comparable businesses and business executives operating in the same sector, which also have the potential to create a clear conflict of interest in any comparable jurisdiction. Information on individual donors (e.g., occupation and employer) was frequently omitted from CFDRs, even in jurisdictions where this is a requirement. For this reason, business ties of individual donors were queried in a wide variety of major databases and in sources that are unique to a particular locale; pertinent individual information has been incorporated for its potential to create conflicts of interest with a sheriff or carceral institution. Local data presented additional challenges and complexity that are less problematic in large-scale studies operating under uniform regulations and conditions. There is a broad range of variance between sets of data that come from various counties, and major changes to basic parameters unevenly occur across regions over time. Laws and regulations governing sheriffs' elections vary from one county or state to the next. There is no uniform standard governing contribution limits, election cycles, or campaign finance reporting requirements; additionally, regional limits and standards change and adapt over time. Finally, this analysis takes into account many instances of misleading, false, withheld, or incomplete CFDRs and contract data. Lack of transparency by sheriffs' offices constituted the primary obstacle to research and analysis.

The purpose of this report is to inform and catalyze advocates and community organizers, calling attention to a virtual blind spot in law enforcement reform. It is constructed for a general readership, and does not constitute a detailed study of individual races or locales. This consideration is indicated through the frequent use of general figures. The report sheds light on general practices that are in need of transparency and reform; it does not purport to furnish legally binding allegations or to provide endorsements regarding any candidate or government representative.

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