

JPR–Franklin County Citizens' Complaint

TIMELINE

September 8, 2019	“Arizona Prison Scandal: Cell Doors that Don’t Lock, Maintenance Funds Misused” article in <i>Prison Legal News</i> (Ex. YYY)
August 1, 2021	Prison Legal News publishes an article “Whistleblowers: Software Bug Keeping Hundreds of Arizona Prisoners Beyond Release Dates” describes Sr. Advisor Joe Profiri’s direct involvement in prison software rollout full of bugs, causing hundreds of inmates to be kept beyond their release dates. (Ex. AAAA)
December 5, 2022	Sen. Hester’s interview with 40/29’s On The Record cites the known need for increased prison capacity, confirms the DOC’s estimates of over 1,000 beds needed and says the information “he is getting” projects a 3,000 bed prison is more in line with that project costing the state \$750m. He further describes the initial search process stating “Well right now we’re kind of surveying all of Arkansas... who wants a new prison built in your county, many counties will say no we are not interested in that... hopefully one will say we are very interested in that and we want the jobs.” (Ex. P)
January 3, 2023	Governor Sanders announces intent to nominate Joe Profiri as AR Secretary of Corrections. (Ex. WWW)
March 27, 2023	Governor Sanders announces the Protect Arkansas Act to address “truth in sentencing” as well as her plans to build a 3000-bed prison with the construction price of \$470 million dollars and annual operating budget of \$31 million. (Ex. UUUU)
May 3, 2023	WDD Architects attends a meeting called by DBA where all departments present had a “high level discussion” on critical data that could be utilized within state agencies to advance the Prison Project, outlined in the email containing the full timeline of their work on the project on May 9, 2024, to Sec.

Lindsey Wallace.. Several state agency Secretaries and Directors were stated to have been present. WD&D begins to perform demographic study to determine available properties and which areas of the state that could sustain the necessary workforce. ([Ex. VVVV](#))

August 28, 2023

Arkansas Justice Reinvestment Initiative addresses the Legislative Recidivism Reduction Task Force and discusses criminal justice trends and the recommended next steps for Arkansas to address the growing issues outside simple brick and mortar investment, specifically to address our poor trends in recidivism and incarceration where we not only among top leaders in the nation but the world. ([Ex. KKK](#))

November 17, 2023

Now Governor's Office Senior Advisor, Joe Profiri, then Corrections Secretary, testifies, "I have specific criteria associated with where that prison should be constructed.... I have to ensure the quality of work life for those employees that work at that facility which means that the commute has to be reasonable from their homes and that it has to be close to highways and the land has to be suitable for construction of such a facility. In addition, the community has to embrace the fact that a prison would go into their community or near their community. So, all those factors will be associated with and written into the procurement action that the vendor who proposes to build the facility will have to inform us of the location and community buy-in with regards to where the prison will be located. That process is underway." We now know that the vendor who proposes to build the facility was selected two weeks prior to closing on the Mill Creek Mountain property; therefore, had no real say in the site selection, location, nor did the State attempt any community buy-in with the communities surrounding Mill Creek Mountain, a location that does not offer a reasonable commute to most potential employees in the laborshed. ([Ex. Y](#))

November 17, 2023

The Executive branch holds a press conference criticizing the Board of Corrections for denying a bed expansion the BOC deemed unsafe the week prior absent specific

investments. This begins the legal battle and communicative breakdown between the Constitutionally mandated oversight body and the Executive branch. This breakdown has led to failures in critical decision making, information sharing, and most importantly eliminated any priority of being responsible stewards of the Arkansas taxpayer dollar as they are obligated by oath to execute. In response to this criticism, the Chairman of the Board explains a key reason for rejecting the request was the severe staffing shortages and the inability to find suitable candidates, especially in the more remote regions of the state. This response highlights the reason access to a US highway is among the most critical criteria to fulfill in a hard to staff industry. ([Ex. LLL](#) & [Ex. MMM](#))

December 6, 2023

Department of Corrections Senior Auditor Tommy James submits a memo outlining three of the five prisons where Corrections Secretary Joe Profiri wants to add temporary beds that are inadequately staffed to properly supervise the influx of prisoners. He adds that the sewer systems at all five facilities are already operating beyond their rated capacities, and adding prisoners will exacerbate the strain. This demonstrates that a broader distribution of the taxpayer dollar is critical to maximize our investment and the most prudent approach in any expansion plan ([Ex. NNN](#) & [OOO](#))

December 11, 2023

Anne Laidlaw forwards DBA's responses to questions asked during call regarding the delivery method of the project and if the project can be delivered with the \$470 million allocated. Seemingly this is a follow up from information that began to be obtained during the May 3, 2023, meeting and on-call work with WD&D Architects and agency Secretaries and Directors. The answer to that question, though not shared with the public, was a resounding no.

"The first question to be answered by ADC is what is truly needed in # of beds and level of security? Based on preliminary estimates from WD&D and the DLR Group, the current budget will not deliver 3000 beds. However, the project development can be phased in a number of ways to

construct and deliver what the budget will allow based on current market conditions. The project can be designed in such a way that it can be phased utilizing a design of wings or sections that do not all have to be completed and operational at one time. The phasing would require the core of the facility housing the infrastructure for operations to be completed in the first phase along with the number of beds that funding will allow. For example, the first phase of development may result in the completion of 3 wings of the design providing 1500 beds. While that phase of development is under construction, the design team can be getting ready for the 2nd phase to bring on “X” more beds, etc. should funding become available. It is possible if additional funding can be made available each biennium, the entire project could be completed by the same contractor without the contractor leaving the site.” ([Ex. L](#))

December 13, 2023

Anne Laidlaw outlines the initial timeline and decision making processes for narrowing down three top locations following a meeting with the Governor and to meet the timeline of an Industry Day announcement in January. She introduces the included team to Chris Bell, DBA Real Estate Services Administrator who will be the lead in site selection. ([Ex. I](#))

December 14, 2023

Arkansas Board of Corrections votes to suspend the Secretary of Corrections. ([Ex. PPP](#))

December 19, 2023

In an email response to the December 13, 2023, Laidlaw email, Richard Cooper with the Department of Corrections outlines the criteria for the site selection. ([Ex. I](#))

January 1, 2024

Provisions of Protect Arkansas Act passed in 2023 begin to go into effect.

January 9, 2024

DBA Real Estate Site Selection Presentation ([Ex. C](#))

January 10, 2024

Arkansas Board of Corrections Votes to terminate Joe Profiri. Hours later the Executive branch hires him as a Senior Advisor. ([Ex. QQQ](#))

January 11, 2024	The Arkansas Democrat Gazette publishes an article titled “Arkansas’ fired prisons chief did ‘crazy things’ in Arizona, says union head” outlining Joe Profiri’s time in Arizona. (Ex. AA)
January 19, 2024	DBA Real Estate Site Selection presentation including modified criteria for site search. (Ex. C)
February 8, 2024	GIS Director Johnson emails Deputy Director Duran noting that the formula provided by the workforce expert he contacted in order to help evaluate potential sites makes no sense to him. (Ex. LL)
February 24, 2024	Governor Sanders submits capital improvement appropriation requests to JBC, including \$330m for the prison project. (Ex. W)
March 1, 2024	Update to DBA Real Estate Site Selection presentation noting that updated criteria rules out most rural properties from consideration. (Ex. C-1)
March 8, 2024	Mate Cate of Mosaic Solutions emails Dir. Anne Laidlaw to broker an introduction of his client, Vanir Construction Management, to engage in “informally discussing” the project though understanding “there may be a few political and financial hurdles to overcome before the formal planning and construction phases can get started.” Mr. Cate mentions he received her contact information from Sr. Advisor Profiri. (Ex. NNNN)
April 1, 2024	In an email from Dir. Anne Laidlaw to TSS Chief of Staff Alex Johnston, Ms. Laidlaw informs her the “green light” had been given to secure property options for the “big project” and requests her assistance in outreach with local contacts for a site in Mulberry. In the response to Ms. Johnston, Ms. Laidlaw explains she and Chris understand that there would be no reason to proceed if there was no local support from the City/County. The email further reiterates the need to keep the use of the property secret. As we have since

learned, no such consideration was provided to the residents of South Franklin County and the surrounding communities, many who subsequently pass Resolutions opposing the Franklin County Project shortly after its announcement.

Most interesting regarding this site, the 25 mile population map used to ensure the ability of a sufficient recruitment pool shows the available workforce for this site exceeds that of the 30 mile map used to justify the Franklin County prison site without manipulating the data as they did with Mill Creek Mountain location. Further, the Mulberry location provided far superior access for the commuting employee, which is repeatedly stated as critical for the State's successful site selection yet inexplicably abandoned for the Franklin County prison site. ([Ex. RRR](#) & [Ex. SSS](#))

April 26, 2024

Matt Cate, from the March 8, 2024 email, responds to Dir. Anne Laidlaw. In her email, Dir. Laidlaw references getting off the phone with "Joe" (presumably Profiri) and "we look forward to a visit soon." Mr. Cate responds that he thinks "we should try and meet in person", bringing Tim (presumably of Vanir), and "we are definitely grabbing Joe for dinner!" ([Ex. TTTT](#))

May 9, 2024

Glenn Woodruff of WDD Architects emails Sec. Lindsey Wallace, informing her of the time of work performed on the prison project during the previous year. Within the attached timeline, it is revealed WDD and DLR advised the State on August 12, 2023 that the program of study they had commissioned to understand the cost implications of a 3000-bed prison resulted in a preliminary cost estimate of \$1.2 billion dollars. At that point they were instructed to "go back to the drawing board" and come back with a program that would meet the minimal ACA requirements, the needs of the compound, within the \$470 million dollar budget. ([Ex. VVVV](#))

May 16, 2024

Vanir Executive Director of Justice Tim Hancock emails a 'thank you' to Dir. Laidlaw, Senior Advisor Profiri, Deputy Dir. Bell, Nathan Alderson, and Dorian White, after being

invited to and subsequently meeting about the “upcoming prison project.” He expresses confidence they established a firm “foundation” that would mark “the beginning of robust and mutually beneficial relationship.” Included on the email from Vanir included Codi Newsom and Bob Fletcher. Also included is Mate Cate from the March 8, 2024 email correspondence. ([Ex. GGG](#))

June 25, 2024	State issues RFQ for Owner’s Representative services based on document previously sent from Vanir for FCI Leavenworth. (Ex. II)
June 26, 2024	The Fort Smith site is identified as a site to put under option. Deputy Dir. Chris Bell forwards broker William Callahan another site location in a February 29, 2024, email from Dir. Shelby Johnson, “the Fort Smith one.” This is in reference to one of the many long-studied sites that were considered for the project. Dep. Dir. Bell notes, “We identified this site early on but were given direction to focus our efforts on other sites. As the result of an internal meeting this morning we’d like to have this one under purchase option as well.” (Ex. IIII)
July 3, 2024	GIS intern finds online property listing for Franklin County site. (Ex. O)
July 3, 2024	<p>Shelby Johnson emails colleagues that he has found a new potential site to assess (the Franklin County site), notes workforce not great and access not great, but it’s flat enough and for sale. Calls Highway 215 a “back road.”</p> <p>ADH notes that there is 3m gal/day excess capacity in Ozark’s water system but that size and capacity for flow is unknown and may require upgrades. (Ex. D)</p>
July 8, 2024	Anne Laidlaw notes in an email that she’s visited the site and doesn’t think it’s viable. “If it were on the other side of the river, it would be a jack pot.” (Ex. M)
July 10, 2024	Anne Laidlaw again notes in an email to Joe Profiri that she doesn’t believe the site is viable. (Ex. N)

July 12, 2024	In person meeting between Laidlaw and Profiri.
July 17-18, 2024	Gov. and Damon Hininger (CoreCivic CEO) both attend the RNC.
July 22, 2024	GIS Dir. Johnson proclaims "Site selection done" email. (Ex. K)
July 25, 2024	Sellers execute the Purchase & Sale Agreement (Ex. G)
July 26, 2024	An email from Craig Corder, Chief Engineer with the Department of Health was sent to Shelby Johnson outlining present infrastructure and qualified that it might be able to provide water for the project but the state would need to contact Jack Wells with Riversouth Rural as the amount that Riversouth Rural could supply was unknown. We know now that contact did not occur prior to agreeing to purchase the land. (Ex. D)
July 29, 2024	ADFA counter-executes the Purchase & Sale Agreement. (Ex. G)
August 13, 2024	Christopher Bell emails Anne Laidlaw about speaking with "our soil expert" and that a conversation with him would be helpful. They subsequently plan to talk with him about one of their maps, pictures they took on site, and he would be able to use that information to tell them "a lot of what" they needed to know. Rather than engaging in thorough geotechnical analysis to protect the taxpayer for efficient constructability, they relied on soil analysis, an informal conversation, and pictures previously taken on a site visit by state employees for their chosen due diligence method. (Ex. III)
August 26, 2024	Arkansas Development and Finance Authority President Mark Conine addresses state employees Kimberly Helble and Jake Bleed, asking for a reminder to "put the land purchase for the new prison on the September board agenda."

In response to the email, Bleed replied "It's not for a prison though. It's a land purchase in Franklin County and we are purchasing it to pursue our own corporate purposes."

This reporting is further evidence the State made zero effort at obtaining community buy-in and purposefully concealed their decision making while mocking the very community they intend to disrupt. ([Ex. TTT](#))

October 1, 2024	Arizona article regarding multiple leadership problems handling Covid outbreak in prisons. (Ex. ZZZ)
October 3, 2024	Survey of Franklin County site completed. (Ex. BB)
October 14, 2024	Dir. Anne Laidlaw testifies in response to the question, "I'm just curious, where is this proposed facility going to be built?" by Representative Joy Springer in the ALC Subcommittee. Dir. Laidlaw responds, "We have not selected a site yet so we're still working on that. In fact the Owner's Representative will help us with finalizing our options for the best site for, that's most suitable for the facility." After subsequent questioning trying to determine if a site had been selected by Rep. Springer, Dir. Laidlaw outlines the decision making process including "we have looked at many, many sites. We're working with criteria for the facility which involves workforce numbers, access to emergency services, infrastructure, there's quite a bit of criteria. Workforce is a heavily driving criteria for the site as well." (Ex. HHHH)
October 18, 2024	Vanir's contract approved by ALC, funding to draw from funds originally appropriated for Calico Rock expansion. (Ex. JJ)
October 22, 2024	Contract number 4600055460 begins for Professional Consultant Services between the Department of Corrections and Vanir Construction Management, Inc. to last through October 21, 2028 with "possible terms" outlined for up to seven consecutive years until October 21, 2031. (Ex. GGGG)
October 30, 2024	Governor Sanders announces on local radio that Franklin County has been selected as the site for a new state prison.

October 31, 2024	<p>ADFA holds a board meeting to approve closing on the Property. ADFA President tells the board that the use could be an airport, a prison project, or anything that benefits the state and notes that they would be authorizing the purchase with the intent of transferring ownership to another state agency.</p> <p>The State of Arkansas, through the Arkansas Development Finance Authority, purchased the real property located at 📍 6310 AR-215, Charleston, AR 72933 for \$2,950,000.00. (Ex. HH)</p>
September 1, 2024	Texas Sunset Advisory Commission Staff Report released. (Ex. CC)
September 17, 2024	An addendum was filed to the Franklin County prison site's PSA extending due diligence by one day. (Ex RRRR)
November 4, 2024	Julie McCallister with ECCI emails Anne Laidlaw regarding environmental and engineering work on the project after seeing the announcement regarding the new prison. She outlines that her wetlands expert identified potential 404 issues as well as cultural and threatened and endangered species on the site. Laidlaw confirms in her response that Vanir will be looking into these issues in the coming months, further confirming the state did not conduct the most basic due diligence prior to purchase. (Ex. TT)
November 7, 2024	Town hall held in Charleston. (Ex. OO)
November 7, 2024	Greenwood City Council passes Resolution opposing the Franklin County prison project. (Ex. PPPP)
November 7, 2024	Site Assessment sent to BOC for the first time, hours before their scheduled vote to accept the property. (Ex. B)
November 8, 2024	Shelby Johnson confirms in an email to Anne Laidlaw, Christopher Bell, and Mike Beaber (Vanir) that he had spoken to the director of ADEQ that they have a list of

certified Environmental Phase I practitioners confirming this specific due diligence was not completed prior to purchase as is best practice for any major real estate investment. ([Ex. EEEE](#))

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| November 8, 2024 | Board of Corrections holds a special meeting, is presented with the Site Assessment, and votes to accept the Property. |
| November 21, 2024 | Franklin County Quorum Court passes Resolution opposing the Franklin County prison project. (Ex. QQQQ) |
| December 1, 2024 | Natalie Cadena and Adam Watson testified to Arkansas lawmakers about the area resident concerns regarding the site selection. |
| December 5, 2024 | Charleston City Council passes Resolution opposing the Franklin County prison project. (Ex. OOOO) |
| December 6, 2024 | In an article by the Arkansas Advocate, when asked if there's a possibility the prison won't be built at the site, Senator Ben Gilmore stated officials needed to be good stewards of taxpayer money and there is a "very slim likelihood that we look at any other land." This dismisses the fact that they were not good stewards of taxpayer money in failing to conduct the most basic due diligence that would be expected to be conducted prior to closing on any site selection for any significant economic development, especially the second largest in the state's history. Inexplicably, being good stewards of taxpayer dollars apparently does not include following industry best practices. (Ex. S) |
| December 10, 2024 | Board of Corrections holds a special meeting to approve lease of the property from ADFA to DOC, discusses concerns that this is an attempted end-run around the legislative approval for transfer of title, assures everyone it is not. Lease is for \$1/year, for a one year term and dated 12/11/2024. (Ex. FFFF) |

January 7-8, 2025	Vanir in person kick off event scheduled. Joey McCutchen and Adam Watson tried to attend and were threatened with arrest for criminal trespass if they did not leave.
January 13, 2025	Lavaca City Council passes Resolution opposing the Franklin County prison project. (Ex. MMMM)
January 23, 2025	State begins to inquire about moving the high voltage transmission lines that traverse the property, months after closing on the site. (Ex. UU)
February 10, 2025	City Council of Ozark, AR approves resolution opposing prison project. (Ex. FFF)
February 27, 2025	JBC takes up appropriation request from Governor's Letter. Sec. Wallace answers majority of questions with some version of "I don't know." (Ex. Q)
February 27, 2025	South Dakota announces it is abandoning its similarly priced but strikingly smaller \$825 million dollar 1500-bed facility outside of Sioux Falls after spending \$54 million on the project. (Ex. GG)
March 3, 2025	Vanir produces a one page estimate increasing the estimated project cost to \$825 million dollars. (Ex. H)
March 14, 2025	Jared Wiley with ARDOT emails Senators Bryan King and Gary Stubblefield a pavement analysis showing significant work will be required prior to construction on most of the roads leading to the site. (Ex. YY)
March 20, 2025	Joe Profiri delivers testimony on behalf of the Department of Corrections stating "the last prison we built was in 2008" and that he wishes he knew why Sec. Wallace couldn't answer their questions initially (Ex. R) During the same testimony, Mr. Profiri states his understanding of the roadways are they are "no different than the roadways anywhere in the state" ... and there is "no

issue associated with whatever load that is going to be necessary to construct the facility.” ([Ex. WW](#))

March 20, 2025

ARDOT Director Jared Wiley emails Senators Bryan King and Gary Stubblefield the very evening of Mr. Profiri’s testimony that “We estimate the remaining highways that we analyzed would need additional pavement structure prior to construction.” He estimates those costs to be at least \$500,000.00 per mile. ([Ex. YY](#))

May 9, 2025

HDR submits its fee proposal to Vanir that outlines a range of fees for represented bed capacities per an earlier discussion on April 24, 2025. The proposal outlines that some fees do not change with the bed capacity ranges they outline (from 1750 to 3000) as certain capacities of infrastructure would be needed regardless to bring the facility to the eventual 3000-bed capacity desired. ([Ex. JJJJ](#))

May 18, 2025

The River Valley Democrat Gazette publishes an article by Penny Weaver entitled “Proposed site for new Arkansas prison doesn’t have enough groundwater, longtime water well drillers say.” Their advice, “Move.” ([Ex. DDD](#))

May 20, 2025

HDR Cromwell submits a Revised Fee Proposal subsequent a call on May 15, 2025. This proposal outlines the HDR as the Prime Contracting entity and outlines partner firms that will be providing the specific services for each of their areas of expertise. This proposal lowers the design threshold of the facility even further from the originally conceptualized mid, min, max security facility providing flexible solutions to the DOC to a now 2500-bed dormitory style housing complex and 250 double occupancy cell facility and describes the Professional and Administrative Support services as “minimal... only enough to meet ACA minimum standards.” ([Ex. KKKK](#))

June 18, 2025

Joe Profiri receives a letter from the Project Director with Vanir, Mike Beaber, outlining the preliminary site assessment work by McClelland Engineering, Inc. including the preliminary geotechnical report, Phase I, Section 404

Wetland Delineation, Cultural Resources Literature and Records Search, and Threatened and Endangered Species Evaluation were completed. Rather than ensuring feasibility and efficient constructability by testing the site before purchase, the state chose to complete these preliminary tests six months after closing on the property. ([Ex. E](#))

June 27, 2025

Teresa Lee, Managing Engineer with the Department of Health responds to an email thread originating from Jeff Stone, P.E. with ADH who had forwarded an article from the Arkansas Democrat Gazette regarding the approval of wells to be drilled at the site where his commentary was “I hope they have a geologist involved because I don’t think that a good well is a given in the proposed area.” Ms. Lee’s comment was she had sent the same information to Evelyn earlier and “She doesn’t have much hope in them finding enough water in the area either.” ([Ex. EEE](#))

July 26, 2025

Democrat Gazette reports on Vanir’s expenditures for alcohol and first class travel, reimbursed by the Arkansas taxpayer. ([Ex. DDDD](#))

July 27, 2025

The Northwest Arkansas Democrat Gazette reports that talks with the city of Fort Smith about providing water were preliminary but that it could not be provided any sooner than 6 years from now and that schedule was “very, very, very aggressive” and cost approximately \$240 million dollars in upgrades. ([Ex. AAA](#))

August 11, 2025

Arkansas Advocate reports Hardin’s escape blamed in part on lower security housing based on misclassification. ([Ex. BBBB](#))

August 13, 2025

Sec. Wallace testifies to the Joint City/County/Local committee in Rogers that she knows it to be a fact that the state did everything it could due diligence wise prior to the purchase of the property. ([Ex. I](#))

Members of Gravel & Grit accompanied by a member of the Franklin County River Valley Coalition, who was the JP for

the area of the prison site at the time of its announcement, testify in public comments to the joint committee. Of those officials in attendance, most Senators, Representatives, and State officials left prior to or during public testimony; continuing the dismissal of taxpayer and local community's concerns that has unfortunately not been uncommon in our endeavors with some public officials. We do express our deepest and sincere gratitude to the late Senator Gary Stubblefield (Chair) and Senator Bryan King for being our public champions and inviting us to speak to those tasked with determining the fate of both our community and future generations of our families. We also would like to thank Representative Justin Gonzales (Chair), Senator Jim Petty (Vice-Chair), Representative Jon Milligan, Board of Corrections Member Lee Watson, and Director of GIS Shelby Johnson for staying to hear our concerns. ([Ex. LLLL](#))

August 21, 2025

Sen. Hester gives an interview noting that most of the people in the area are for the project and those who aren't want to see violent criminals walking around on the streets. ([Ex. JJJ](#))

August 23, 2025

Vanir representatives note that the company is directed by the Department of Corrections. ([Ex. CCCC](#))

August 28, 2025

An Article in the Northwest Arkansas Democrat Gazette reports the flow rates from the test well assessment would provide only 10% of what the correctional facility would require to operate. ([Ex. BBB](#))