



Bill Owens
Governor



Joe Ortiz
Executive Director

Colorado Department of Corrections

*REPORT TO THE SPEAKER OF THE HOUSE OF REPRESENTATIVES
AND TO THE PRESIDENT OF THE SENATE*

CONCERNING THE STATUS OF PRIVATE CONTRACT CORRECTIONAL FACILITIES

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STATE OF COLORADO

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December 1, 2002

Representative Lola Spradley
Speaker-Elect
House of Representatives

Senator John Andrews
President-Elect
Colorado State Senate

Representative Jennifer Veiga
Minority Leader-Elect
House of Representatives

Senator Joan Fitz-Gerald
Minority Leader-Elect
Colorado State Senate

Re: Annual Report concerning the status of private contract prisons

Ladies and Gentleman:

It is our pleasure to attach for your review and use the Annual Report concerning the status of private contract prisons.

This report is submitted as directed in 17-1-201 (CRS) Corrections Privatization - Requests for Proposals Process - Duties of department.

If you have any questions, please feel free to call me at (719) 226-4701.

Sincerely,

JOE ORTIZ
Executive Director

Attachment

cc: Jerry Gasko, Director of Correctional Services
Nolin Renfrow, Director of Prison Operations
Richard Schweigert, Director of Finance & Administration
Lou Archuleta, Acting Assistant Director of Offender Management
Alison Morgan, Director of Public Affairs
Michael Arellano, Chief Private Prison Monitoring Unit



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REPORT TO THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND TO THE PRESIDENT OF THE SENATE



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CONCERNING THE STATUS OF PRIVATE CONTRACT CORRECTIONAL FACILITIES

The inmate population in Colorado has exceeded the Department of Corrections' physical capacity since 1988. The local jail backlog's conditions ultimately resulted in out-of-state housing contracts with private correctional corporations. The Department monitored the out-of-state facilities' effectiveness. The Department experienced significant costs associated with out-of-state placement of inmates. By December, 1998, the Department completed the return of all Colorado inmates to contract facilities physically located in Colorado. As offender populations continue to grow, along with future projections, the reliance on contracted housing services appears permanent.

There are four private contract prisons in Colorado. They are: Bent County Correctional Facility (BCCF), Crowley County Correctional Facility (CCCF), Huerfano County Correctional Center (HCCC) and Kit Carson Correctional Center (KCCC). The Department contracts directly with the Counties and the City of Burlington, who are in turn responsible for local oversight and to support the facility operation in the event of an emergency. These political subdivisions have subcontracted the operation of the facilities to private correctional corporations. The Crowley County Correctional Facility is operated by Dominion Correctional Corporation, the other three are operated by the Corrections Corporation of America. As required in 17-1-202 (1)(c) C.R.S., each of the facilities have achieved accreditation by the American Correctional Association (ACA), which reflects achievement of national standards in corrections.

Crowley County Correctional Facility is currently owned by Reckson and Associates and is managed by Dominion Corporation. As of November 21, 2002, the new owner of CCCF will be Corrections Corporation of America. This will leave the CDOC with only one private prison operator in the state. CCA will begin the conversion November 23, 2002 and expects a 45-day transition period.

The Private Prisons Monitoring Unit (PPMU) was created in 1999; its mission is to provide effective and efficient oversight of the contract facilities, ensuring the safety and security of the public, staff and inmates. Its vision is to provide a seamless transition of services between public and private facilities, resulting in consistent offender management and program services. To successfully accomplish these goals, the PPMU enforces contract provisions which direct the private contract prison operations. In addition to facility monitors, the PPMU staff includes program area specialists, who are able to provide credible feedback and advice to facility management in their respective areas. The facility monitors spend from 50-75% of their time in the facilities providing case management oversight, conducting security and program audits, and training contract staff in essential functions such as Code of Penal Discipline (COPD) processes and case management. The staff conduct unannounced visitor program and drug interdictions to discourage the introduction of contraband into the facilities. The PPMU coordinates interagency emergency drills to increase preparedness and to

test the facilities' emergency plans.

Contracts in place for the Fiscal Year 2002/2003 reflect a per diem rate of \$52.47 per inmate per bed-day, with no increase in the per diem monitoring fees charged to the Counties by the Department. The cost to house offenders in private facilities will require and will most likely exceed the full appropriation provided in the Long Bill due to an increase in offender population growth.

A supplemental request will be submitted for disposition to the General Assembly. Fiscal year 2002 and 2003 funded capacity is 2,378 of the 3,507 total private bed capacity. We have been exceeding that number since August 1, 2002. Current projections for June 2003 are 3,200 offenders.

In May of 2001, HB 01-1370 was enacted, directing the Department to issue a request for proposal (RFP) for the construction and operation of a private contract prison to serve as a parole and revocation center which shall contain at least 300 beds. This facility is envisioned as providing assessment, treatment, and programming services to inmates who meet the mandated criteria. Major program concentrations in this facility will be drug and alcohol, life skills, and community reintegration services. The ultimate outcome should be decreased recidivism rates for inmates who have successfully completed their program. The RFP was released on November 30, 2001 with a deadline for submission of proposals on June 1, 2002. On April 4, 2002 the bid submission date was extended to September 6, 2002 at the request of a prospective offeror. As of this report, four bidders have submitted their proposals and the initial evaluation of these proposals is under way. The Department is requesting approval for another RFP for additional bed needs of approximately 1200-1500 general population private beds.

Mr. Ortiz sent letters to the county entities in August, 2002 inquiring as to whether they had any plans or intent to expand their facilities. As of this date, we have not received any affirmative replies. In August, 2002 the Wyoming Department of Corrections was housing over 400 inmates at the Crowley County Correctional Facility. At that time, Mr. Ortiz sent a letter to Ms. Judy Uphoff, Wyoming Department of Corrections Director, explaining our dilemma with regards to offender bed planning and projections. It was explained to Ms. Uphoff that the Department was currently projecting utilization of every available bed space within the next 12 to 18 months solely for Colorado offenders. When it was calculated that the impact of the approximate 400 offenders from Wyoming was realized, the projection became even more critical for Colorado and that we would have only 12 months of available bed space. Because of this, it was realized that the day would soon come that we would need the beds currently occupied by Wyoming offenders. It was suggested in the letter to Ms. Uphoff that the Department meet with her to develop a plan which would be beneficial to all parties concerned.

As the correctional environment has evolved, the Colorado General Assembly has developed statutory language to support the PPMU operations, and has provided the impetus necessary to add "teeth" to our contracts. The private contract facilities are mandated by statute to provide a range of dental, medical, psychological services and diet, education, and work programs at least equal to those services and programs provided by comparable state correctional facilities. The following table describes program services that are available this year at the private facilities:

Offender Custody Level/Mix	Medium, Minimum R, and Minimum
Number of Offenders	2,378 Contracted ADP in FY '02/03, Est. 400 Out-of-State Offenders to be housed in CCCF and KCCC.

Physical Plant

These contracted facilities are rated as capable of safely maintaining 3507 offenders.

	BCCF	CCCF	HCCC	KCCC
Special Needs Offenders				
Sex Offenders	184	196	n/a	n/a
Mental Health/Chronic Needs	2	0	n/a	n/a
Medical 4 - 5	2	11	6	n/a

OFFENDER ASSIGNMENTS:

Institutional Support	BCCF	CCCF	HCCC	KCCC
Food Service	91	126	63	95
Laundry	14	25	7	9
Maintenance	13	57	33	10
Recreation	42	66	25	18
Porters	105	152	81	164
Clerks	incl	19	n/a	5
Library	3	11	6	2
Law Library	2	incl	6	3
Barber Shop	4	17	4	4
Administration	0	0	7	1
Commissary/Whse	4	3	7	8
Medical	2	6	6	1
Hobby Shop	0	52	8	2
Intake/Supply	1	3	3	1
Yard Maintenance	0	53	2	n/a
Tutors	16	56	2	22
Chaplain	7	3	1	4
Photographer	n/a	1	n/a	1

Industries

N/A

Academic/Vocational

<u>Academic Education</u>	BCCF	CCCF	HCCC	KCCC
ABE/GED	124	94	61	122
ESL	incl	61	20	16
Cognitive Education/Life Skills	n/a	23	n/a	21
<u>Vocational Education</u>	BCCF	CCCF	HCCC	KCCC
Building Trades	n/a	86	n/a	10
Computer	71	90	20	34
Business Management	n/a	0	n/a	n/a
Janitorial	0	65	23	19
Horticulture	n/a	27	6	n/a

Academic/Vocational (cont.)

<u>Vocational Education (cont.)</u>	BCCF	CCCF	HCCC	KCCC
Electrical Mechanical	n/a	n/a	12	n/a
Electronics	18	71	n/a	n/a
Hobby Shop Participants	28	52	8	26
In-Cell Hobby Shop	29	162	n/a	150

Clinical Services/
Treatment

	BCCF	CCCF	HCCC	KCCC
Sex Offender Treatment	n/a	17	n/a	10
Mental Health/Core Curr.	27	21	n/a	50
Drug & Alcohol Recovery	32	576	20	3
Anger Management	10	16	23	43

Actual Unassigned

<u>Temporarily Unassigned Offenders</u>				
Offenders OTC/OTM unassigned	5	32	n/a	21

Offenders in Punitive/Admin. Seg. 10	29	n/a	19
Unassignable status (medical)	8	8	4
Unassigned	7	n/a	111

Food Service

The four private facilities provide meals to over 3500 offenders. All facilities provide this service except for HCCC which contracts for this service at their facility.

Laundry

Provides laundry services and delivery to 3,500 offenders

Community Labor

BCCF runs a recycling center and is assisting DOC to prepare Ft. Lyon's facility for occupancy. In addition, BCCF offenders read books to tape for visually impaired. CCCF builds cabinets for Habitat for Humanity. HCCC work crews provide 200 hours/month to facility and community projects.

The capacities and current populations of the four private facilities are as follows:

<u>Facility</u>	<u>Total Capacity</u>	<u>On Grounds</u>	<u>Other States #'s</u>
BCCF	724	609	
CCCF	1185	652	Wyoming 347
HCCC	778	642	
KCCC	820	601	Wyoming 36

The Colorado PPMU has been recognized nationally as a model in progressive contract facility management. The unit continues to be called upon by other agencies for feedback and information by those who are interested in pursuing or improving contract housing services for their inmates. Officials come to Colorado to discuss our procedures and experiences and tour contract facilities in Colorado.