

CR 1.25/2007  
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# STATE OF COLORADO

## COLORADO DEPARTMENT OF CORRECTIONS

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Bill Ritter, Jr.  
Governor  
Aristedes W. Zavaras  
Executive Director

December 1, 2007

**Representative Andrew Romanoff**  
Speaker  
House of Representatives

**Senator Peter Groff**  
President  
Colorado State Senate

**Representative Mike May**  
Minority Leader  
House of Representatives

**Senator Andy McElhany**  
Minority Leader  
Colorado State Senate

**Re: Annual Report concerning the status of private contract prisons**

Ladies and Gentlemen:

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,

**ARISTEDES W. ZAVARAS**  
*Executive Director*

**Attachment**

cc: Gary Golder, Director of Prisons  
Karl Spiecker, Chief Financial Officer  
Lou Archuleta, Deputy Director of Prisons  
Trevor Williams, Associate Director of Private Prisons Monitoring Unit  
Karen Hoff, Department of Education



Bill Ritter, Jr.  
Governor

## Colorado Department of Corrections

### REPORT TO THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

### AND TO THE PRESIDENT OF THE SENATE

December 1, 2007



Aristedes W. Zavarns  
Executive Director

### **CONCERNING THE STATUS OF PRIVATE CONTRACT CORRECTIONAL FACILITIES**

The External Capacity Subprogram, Private Prison Monitoring Unit (PPMU), provides oversight of standards and practices in contracted County Jails and Private Prisons to ensure consistent treatment of offenders throughout Colorado Corrections facilities. The Subprogram funds payment for two housing entities: (A) County Jails - temporary housing to adjudicated offenders awaiting evaluation or placement through the Denver Reception and Diagnostic Center or subsequent placement in the BVCC Colorado Corrections Alternative Program (Boot camp), (B) Private Prisons - contracted long-term facilities providing housing which offer programs and services similar to those within the Department of Corrections. The mission of the Private Prison Monitoring Unit (PPMU) is to provide effective and efficient oversight of the private 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 a minimum of 20 hours per week in the facilities providing operations 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 conducts 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.

The Private Prisons Monitoring Unit (PPMU) was created in 1999, and until 3 years ago, was a cash funded unit with a monitoring fee paid by the private prisons. The current fiscal year funding comes from the General Fund. The Department is mandated statutorily to monitor the private prisons. The level of resources needed for monitoring private prison operations is largely dependent upon the number and size of the facilities, their geographical location and the number of inmates housed in each. As the private prison population continues to increase, the duties and responsibilities of the Private Prisons Monitoring Unit (PPMU) also increases.

The PPMU underwent a legislative audit in 2005. This performance audit was conducted pursuant to Section 2-3-103, C.R.S., which authorizes the State Auditor to conduct audits of all departments, institutions, and agencies of state government. Sixteen recommendations were made by the audit committee to improve PPMU's oversight of the private facilities. PPMU has fully implemented the audit recommendations. As a result of these recommendations, the contract for FY 2005/2006 contained significant changes. Some of the major changes include minimum staffing requirement levels, food service compliance, and licensure of medical clinics and liquidated damages for contract non-compliance. PPMU has developed a Footprints program to track and correct deficiencies.

The Department contracts directly with local municipalities, County or City, 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. We have chosen to renew (extend) the FY 05/06 contracts via option letters. There have been a few minor amendments with some pending. The current contract is extended until June 30, 2008. As mandated by Senate Bill 07-239, a per diem rate of \$52.69 per inmate per bed-day to house state prisoners in private prisons and pre-release and parole revocation facilities has been instituted as of July 1, 2007. Also per Senate Bill 07-239, a per diem rate of \$49.69 per inmate per bed-day to house state prisoners in local jails is in place.

The general population capacity of all of the private facilities is 4,607. There are six private contract prisons in Colorado. Four of these facilities are owned and operated by Corrections Corporation of America, a Tennessee based public corporation. The CCA facilities are:

Facility	General Population Bed Capacity/Beds Occupied	Type of Offender
Bent County Correctional Facility (BCCF)	699/675	Male
Crowley County Correctional Facility (CCCF)	1,616/1,536	Male
Huerfano County Correctional Center (HCCC)	752/693	Male
Kit Carson Correctional Center (KCCC)	768/760	Male

The fifth private correctional facility is the facility formerly known as the Brush Correctional Facility (BCF) located in Brush, Colorado. This facility was previously owned and operated by GRW, a Tennessee-based privately-held corporation. Effective May 1, 2007, Cornell Companies, Inc. purchased the facility and renamed it High Plains Correctional Facility. Cornell Companies is a Texas-based privately-held corporation. HPCF incarcerates female offenders and Cornell Companies will continue to operate it as such. The General Population bed capacity at HPCF is 272 and presently 237 general population beds are occupied.

The sixth private correctional facility is the Cheyenne Mountain Re-Entry Center (CMRC), owned and operated by CEC (Community Education Centers)-based in Roseland, New Jersey. This facility is a result of the enactment of HB 01-1370, directing the Department to issue a request for proposal (RFP) for the construction and operation of a private contract prison to serve as a pre-parole and revocation center to contain at least 300 beds. This facility provides assessment, treatment, and programming services to inmates who meet the mandated criteria. Major program concentrations include drug and alcohol, life skills and community re-entry services. The ultimate outcome should be decreased recidivism rates for inmates who have successfully completed programs. CMRC began accepting inmates on August 15, 2005. The facility has a General Population bed capacity of 500 with a current General Population count of 474 inmates at the facility. The department continues to fill the available beds. CMRC was built with a capacity of 750 beds, but the initial contract granted a capacity of 500 beds. A new contract granting a capacity of 750 beds was finalized in June 2007. As of August 1, 2007, CMRC went under the supervision of Adult Parole and Community Corrections, so the Private Prison Monitoring Unit no longer monitors this facility.

As required in 17-1-202 (1)(c) C.R.S., each of the CCA facilities has achieved accreditation by the American Correctional Association (ACA), which reflects achievement of national standards in corrections. The High Plains Correctional Facility achieved initial accreditation in May 2006 and CMRC achieved their initial accreditation May 2, 2007.

On December 16, 2005, a request for proposal (RFP) was issued to solicit proposed long-term solutions from the private sector for up to approximately 2, 250 Level III/medium security adult male prison beds in the State of Colorado. The RFP was awarded to both CCA and the GEO Group. CCA is expanding both the Bent and Kit Carson facilities. The expansions of both of these facilities will be by 720 beds. The estimated completion date of the Bent expansion is March 2008 with the Certificate of Occupancy being granted in May 2008. Kit's estimated completion date is February 2008 with the Certificate of Occupancy being granted in April 2008. GEO proposed a 1,500 bed facility in Ault, CO. In July 2006, DOC and GEO met to discuss the proposed Implementation Agreement. GEO requested a minimum bed guarantee be granted to them. DOC informed GEO that the department did not agree that a bed guarantee would be beneficial to the Colorado DOC. Over the course of the next several months, GEO did not sign the proposed Implementation Agreement due to their desire for a bed guarantee. Based upon this fact, on April 24, 2007, the DOC rescinded its Notice of Intent to Award to the GEO Group for this RFP.

On January 27, 2006, a request for proposal (RFP) was issued to solicit proposed long-term solutions from the private sector for up to approximately 750 Level III/medium security adult female prison beds and services to be provided in the State of Colorado. This contract was awarded to Cornell Companies. The Cornell facility will be located in Hudson, CO.

While awaiting the completion of the above mentioned expansions and new facility, and with the declining availability of state or private beds, it was inevitable that the CDOC would need to go out of state for beds. In December 2006 and January 2007, the CDOC sent 480 inmates to the North Fork Correctional Facility in Sayre, OK. It is a CCA owned facility. The Private Prisons Monitoring Unit has two monitors assigned to the facility at any given time. They operate on a two week rotation and reside in Sayre during their rotation. The assignment is typically for a 3-6 month period and then new monitors are assigned. The other members of the unit-such as the medical, mental health and food services liaisons routinely make monitoring visits to NFCF as well. It is expected that the CDOC will likely utilize the North Fork facility for at least one more year.

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.

Exhibit A:

**SERVICES PROVIDED BY PRIVATE CONTRACT PRISONS**

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 tables describe program services that are available this year at the private facilities:

**PRIVATE PRISONS:** Bent County Correctional Facility, Crowley County Correctional Facility, Huerfano County Correctional Center, Kit Carson Correctional Center, High Plains Correctional Facility and Cheyenne Mountain Re-Entry Center

**Offender Custody Level/Mix** Medium, Minimum R, and Minimum

**Number of Offenders** 4,193 Contracted ADP.

**Physical Plant** These contracted facilities are rated as capable of safely maintaining 4,864 (GP & Seg beds).offenders.

Special Needs Offenders		BCCF	CCCF	HCCC	KCCC	CMRC	HPCF
Sex Offenders		242	454	205	222	1	1
Mental Health/Chronic Needs		108	295	136	119	62	29
Medical 4 - 5		8	10	12	4	1	1

<u>OFFENDER ASSIGNMENTS:</u>		BCCF	CCCF	HCCC	KCCC	CMRC	HPCF
<b>Institutional Support</b>	Food Service	74	189	100	136	67	49
	Laundry	7	11	5	9	11	9
	Maintenance	10	25	38	11	12	0
	Recreation	35	57	27	23	N/A	24
	Porters	172	353	30	277	N/A	39
	Clerks	N/A	1	1	0	1	N/A
	Library	N/A	N/A	N/A	0	N/A	N/A
	Law Library	N/A	4	11	6	N/A	5

<b>Industries</b>		BCCF	CCCF	HCCC	KCCC	CMRC	HPCF
	Recycling	6	N/A	N/A	N/A	N/A	N/A
	K-9 Program	N/A	24	N/A	23	N/A	9
	Canteen	N/A	N/A	N/A	N/A	1	N/A

<b>Academic/Vocational</b>	<u>Academic Education</u>	BCCF	CCCF	HCCC	KCCC	CMRC	HPCF
	ABE/ESL	51	80	77	0	1	0
	GED	78	110	135	149	53	18
	Cognitive Education	N/A	N/A	N/A	N/A	N/A	N/A
	Life Skills	15	28	33	18	127	23

	BCCF	CCCF	HCCC	KCCC	CMRC	HPCF
<u>Vocational Education</u>						
Business	0	0	0	62	0	0
Computer	31	68	34	38	24	18
Construction Technology	0	20	0	0	0	0
Electronics Technology	14	40	30	0	0	0
Horticulture Science Tech.	0	24	33	0	0	0
Hobby Shop	0	52	0	0	0	0
Janitorial	11	33	19	0	0	0
Plumbing	0	0	0	0	0	0
Social Science	15	31	29	0	0	0
Woodshop	0	78	0	0	0	0

## II. FACILITY MISSION DEFINITION (continued)

	BCCF	CCCF	HCCC	KCCC	CMRC	HPCF	
Clinical Services/ Treatment	Sex Offender Treatment	N/A	N/A	N/A	N/A	N/A	
	Anger Management.	12	48	21	13	9	
	Substance Abuse - SSIC	12	22	28	36	19	
Unassigned	<u>Temp. Unassigned Offenders</u> Unassigned	BCCF 159	CCCF 169	HCCC 92	KCCC 368	CMRC 20	HPCF 67
Food Service	The six private facilities provide meals to over 4,300 offenders. The four CCA facilities contract for this service with Canteen, Inc. CMRC contracts with Aramark and HPCF operates its own food service.						
Laundry	Provides laundry services and delivery to approximately 4,300 offenders						
Community Labor	BCCF runs a recycling center using 5 to 6 offenders. In addition, BCCF offenders read books to tape for visually impaired. CCCF does a number of projects for Habitat for Humanity to include building cabinets, manufacturing roof trusses and recently completed the Crowley County Elementary School locker project. The facility recently began Department of Labor apprentice programs. Those programs are Laundry Machine Repair, Maintenance Repair, Construction Painter, Plumbing and Combination Welder. HCCC has a few inmates working on various community projects. Community Labor does not apply to Kit Carson Correctional Center, High Plains Correctional Facility and Cheyenne Mountain Re-Entry Center.						
Unique Features of Facility	KCCC, HCCC and HPCF currently participate in a K-9 companion program and KCCC participates in Wheels for the World; a wheelchair refurbishing program. BCCF recently began a reading program for offenders where they can read a book to their child while being recorded. The CD and book will then be mailed to the offender's child. CCCF continues its partnership with Friends of Retired Greyhounds in an Adoption/Foster Care Program. HPCF has classes in Flagging. CMRC's unique feature is that they are geared towards reintegration as inmates are preparing for parole.						



Colorado Department of Corrections  
 Private Prisons Monitoring Unit (PPMU) – Organizational Chart / Effective Nov. 15, 2007

**Trevor Williams**  
 Associate Director, PPMU  
 #3055

**Security & Monitoring Unit**

**Kevin Furton**  
 CO IV –  
 Security & Monitoring Unit Supervisor  
 #6966

**James Webber**  
 CM II  
 Contracts, Audits, Special Projects  
 #3648

**Beth Taper**  
 CM II – Pre-Employment / UA's  
 CBI Tracking/ Security Audits / EAD's  
 Back up Monitor  
 #3027

**Jeffrey Nesby**  
 CO III – Food Service Monitor  
 #6160

**Tom Jordan**  
 CO III Monitor – KCCC / UOF  
 #3642

**Anthony Wiseman /Trudy Willis**  
 CO III Monitor – \_CCCF\_  
 #6963 / # 9-6963

**Richard Boldridge**  
 CO III-Monitor - HCCC  
 #6964

**Melissa Maine NCF**  
 CO III Monitor  
 #3645

**Tina Gurule**  
 CO III Monitor – BCCF  
 #6965

**Scott Dauffenbach NCF / STG**  
 CO III Monitor  
 #6968

**Kristy Whitehouse HPCF / UOF**  
 CO III Monitor  
 #3036

**Justin Dash**  
 CO III Monitor – CCCF /STG /  
 Intl / Spybox #3651

**Vacant \_\_\_\_\_**  
 CO III Monitor (Halftime)  
 #6970

**Vacant \_\_\_\_\_**  
 CO III Monitor  
 #6969

**Administrative Support**

**Susan Rael**  
 Program Asst. I  
 #6960

**Liz Hageman**  
 AA III  
 #3099

**CCCF**  
 Dick Smelser - Warden

**NCF**  
 Fred Figueroa - Warden

**HCCC**  
 Bob Kurtz - Warden

**HPCF**  
 Ron Murray - Warden

**BCCF**  
 Brigham Sloan - Warden

**KCCC**  
 Hoyt Brill - Warden

**Park County Jail**  
 Fred Wegener - Sheriff

**Clinical Support**

**Dana Bustos**  
 HP VI - Mental Health Monitor  
 #3530

**Vacant**  
 HP VI – Medical Monitor  
 # 3531

**Srinivas Duggirala**  
 ITP II #6962

**Julie Tollis**  
 Time / Release #3114

6 of 6

Total Filled: 16  
 Total Remote: 2  
 Total Vacant: 3  
 Unit Total: 21

Trevor Williams *Trevor Williams* Date 11/15/07

Remote Positions      Contracts