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## COLORADO DEPARTMENT OF CORRECTIONS

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

December 1, 2008

**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**

**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**



## Colorado Department of Corrections

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

Bill Ritter, Jr.  
Governor

*December 1, 2008*

Aristedes W. Zavaras  
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, adherence to the contract, 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, program, staffing and food service audits, and training contract staff in essential functions such as Case Management, Code of Penal Discipline (COPD) processes and specialty training such as Armed Transport. 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 as an offshoot from Offender Services. 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 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. The State also employs the services of the Park County (Jail) for 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). HB 08-1363 amended CRS:17-1-105.5. **Contract rates.** The per diem rates for housing state offenders in private contractual facilities had previously been determined by the annual general appropriations bill. As of July 1, 2008, the per diem is at rates that are negotiated by the Department-not to exceed maximum rate provided in the annual general appropriation bill.

The general appropriations bill also states that if the contracts were not fully executed by June 1, 2008, the per diem rate would be the same as the previous fiscal year. The contracts were fully executed by June 1, 2008 so the per diem rates for FY 08/09 are \$54.93 per inmate per bed-day to house state prisoners in private prisons and a per diem rate of \$50.44 per inmate per bed-day to house state prisoners in local jails has been instituted as of July 1, 2008.

The general population capacity of all of the private facilities is 6,136. 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)	1,388/906	Male
Crowley County Correctional Facility (CCCF)	1,616/1,583	Male
Huerfano County Correctional Center (HCCC)	752/726	Male
Kit Carson Correctional Center (KCCC)	1,488/1,020	Male

The fifth private correctional facility is the High Plains Correctional Facility (HPCF) which is located in Brush, Colorado. This facility is owned and operated by Cornell Companies, Inc., a Houston, Texas-based privately-held corporation. HPCF incarcerates female offenders. The general population bed capacity at HPCF is 272 and presently 254 general population beds are occupied.

There is a sixth private correctional facility which 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 pre-parole and revocation center that was monitored by the Private Prisons Monitoring Unit from its inception to August 1, 2007. At that time, it went under the supervision of Adult Parole and Community Corrections. We include their population figures when reporting population amounts of all the private facilities. Currently, the facility has a general population bed capacity of 728 with a current General Population count of 641 offenders.

On January 27, 2006, a request for proposal (RFP) was issued to solicit proposed long-term solutions from the private sector for up to 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. It was determined that the facility will now house male rather than female offenders as the growth of female offenders has not been as rapid as anticipated when the RFP was issued. The official groundbreaking of the facility was September 10, 2008. The expected completion date is November 1, 2009. PPMU attends monthly construction meetings with Cornell Companies, DOC Facility Management Services and Miron Construction in attendance.

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. All contract facilities have achieved initial accreditation.

With the completion of the expansions at the Bent County Correctional Facility and the Kit Carson Correctional and the Hudson facility set at least 12-18 months in the future, and with the declining availability of state or private beds, it was inevitable that the DOC would need to seek out of state solutions for prison beds. In December 2006 and January 2007, the DOC sent 480 inmates to the North Fork Correctional Facility in Sayre, OK, a CCA owned facility. It was expected that the DOC would use the North Fork facility for at least three years. The expansions at both BCCF and KCCC were completed quickly allowing for an earlier than expected return of the offenders from Oklahoma. All 480 Colorado inmates housed in Sayre, OK were returned to Colorado in May and June 2008.

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 and High Plains Correctional Facility

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

**Number of Offenders** 5,772 Contracted ADP.

**Physical Plant** These contracted facilities are rated as capable of safely maintaining 5,800 (GP & Seg beds).offenders.

Special Needs Offenders		BCCF	CCCF	HCCC	KCCC	HPCF
Sex Offenders		242	454	205	222	1
Mental Health/Chronic Needs		108	295	136	119	29
Medical 4 (no S's at privates)		7	10	5	3	1

<u>OFFENDER ASSIGNMENTS:</u>		BCCF	CCCF	HCCC	KCCC	HPCF
<b>Institutional Support</b>	Food Service	100	810	425	671	38
	Laundry	12	9	5	7	13
	Maintenance	6	20	30	12	0
	Recreation	39	47	36	35	28
	Porters	559	0	12	672	45
	Clerks	0	0	0	0	0
	Library	0	0	0	0	0
	Law Library	0	4	13	7	6

Industries		BCCF	CCCF	HCCC	KCCC	HPCF
Recycling		4	0	0	0	0
K-9 Program		0	0	0	0	9
Canteen		0	0	0	0	0

Academic/Vocational	<u>Academic Education</u>	BCCF	CCCF	HCCC	KCCC	HPCF
	ABE/ESL	0	0	0	0	0
	GED	95	242	127	173	15
	Cognitive Education	0	0	0	0	0
	Life Skills	0	0	0	0	0

	<u>Vocational Education</u>	BCCF	CCCF	HCCC	KCCC	HPCF
	Business	0	0	0	0	0
	Canine Behavior Modification	0	0	0	0	9
	Computer	34	73	1	59	21
	Construction Technology	0	91	0	0	0
	Electronics Technology	37	21	33	0	0
	Horticulture Science Tech.	0	22	0	17	0

	Hobby Shop	0	0	0	0	0
	Industrial Technology	0	0	0	0	11
	Janitorial	24	29	12	0	0
	Plumbing	0	0	0	15	0
	Social Science	15	39	0	0	0
	Woodshop	0	0	0	0	0
Clinical Services/ Treatment		BCCF	CCCF	HCCC	KCCC	HPCF
	Sex Offender Treatment	N/A	N/A	N/A	N/A	N/A
	Mental Health/Core Curr	0	62	0	12	2
	Drug and Alcohol Recovery	0	181	2	2	0
Unassigned	<u>Temp. Unassigned Offenders</u>	BCCF	CCCF	HCCC	KCCC	HPCF
	Unassigned	139	254	102	105	25

**Food Service** The five private facilities provide meals to over 5,000 offenders. The four CCA facilities contract for this service with Canteen, Inc. HPCF operates its own food service.

**Laundry** Provides laundry services and delivery to approximately 5,000 offenders

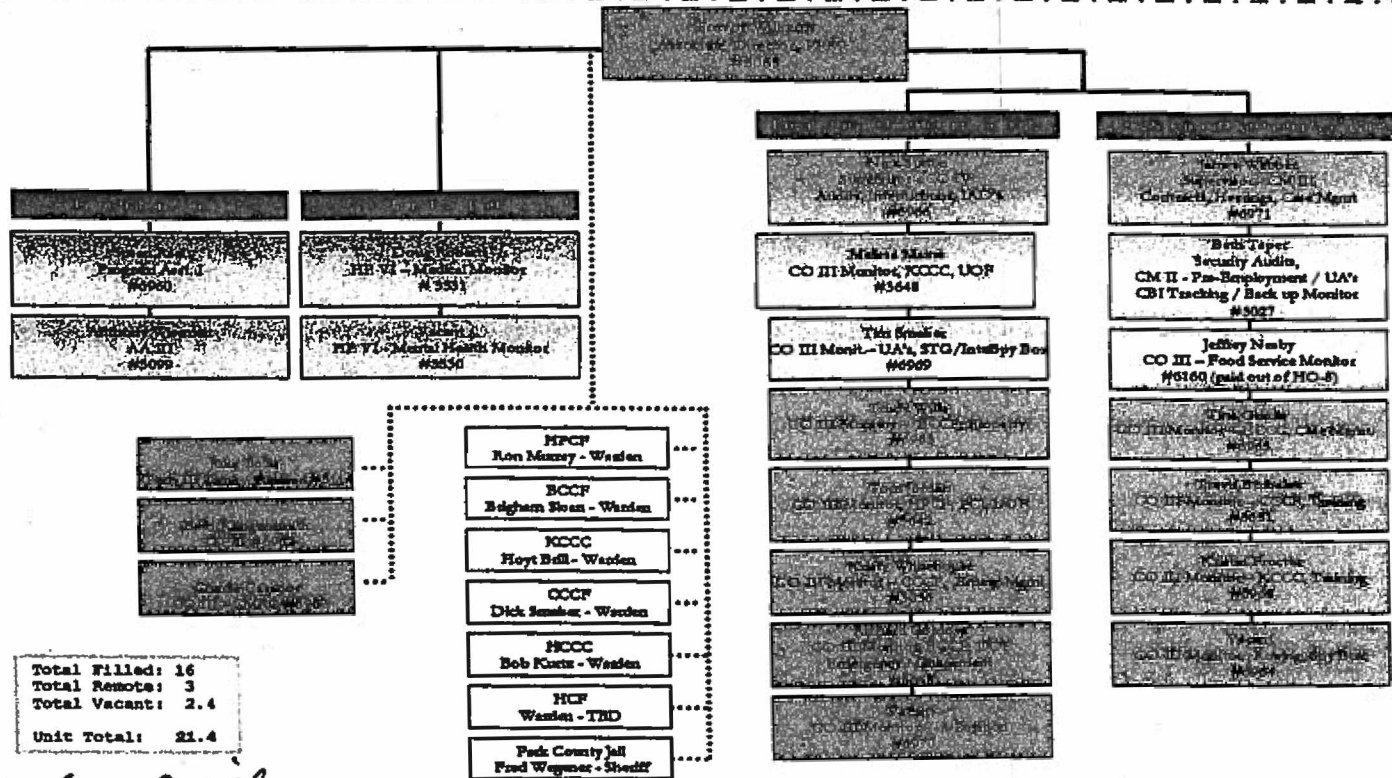
**Community Labor** BCCF runs a recycling center using 4 offenders. CCCF does a number of projects for Habitat for Humanity to include building cabinets, manufacturing roof trusses and recently has been involved in the Country Manor Retirement housing project. The facility recently began Department of Labor apprentice programs. Those programs are Laundry Machine Repair, Maintenance Repair, Construction Painter, Plumbing and Combination Welder. HCCC has a few offenders working on various community projects. Community Labor does not apply to Kit Carson Correctional Center or High Plains Correctional Facility.

**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. In addition, BCCF has a reading program for offenders where they can read a book to their child while being recorded. The CD and book are then mailed to the offender's child. CCCF conducts CDOT Flagger certification classes. CCCF continues its partnership with Friends of Retired Greyhounds in an Adoption/Foster Care Program. HPCF has classes in Flagging.

Exhibit B

PPMU ORGANIZATIONAL CHART

Colorado Department of Corrections  
 Private Prisons Monitoring Unit (PPMU) - Organizational Chart, Effective Oct 1, 2008



Total Filled: 16  
 Total Remote: 3  
 Total Vacant: 2.4  
 Unit Total: 21.4

*Trevor Williams*  
 Trevor Williams

Date 11/01/08

Remote Positions      Contracts