February 26, 2005

TO: Richard Bissen Jr., Director
THROUGH: Frank Lopez, DEP-C
           Edwin Shimoda, IDA
           Shari Kimoto, Mainland/FDC Branch
FROM: Howard Komori, Supervisor, Mainland/FDC Branch
SUBJECT: GRW BRUSH CORRECTIONAL FACILITY (COLORADO) REPORT ON
MONITORING TRIP – February 22-25, 2005

The quarterly audit-monitoring trip was completed between February 22-25, 2005 at the Brush Correctional Facility (BCF) in Brush, Colorado. The monitoring team consisted of Mr. Howard Komori (Supervisor, Mainland/FDC Branch) and Mr. Scott Jinbo (Contract Monitor). The last monitoring trip of the Brush facility was completed the week of October 1-2, 2004.

BRUSH CORRECTIONAL FACILITY (BCF)

The total housing capacity at BCF is 250 beds. Currently there are 80 Hawaii inmates, 43 Wyoming inmates and 73 Colorado inmates, totaling 196 inmates. Hawaii's inmate population increased 22 inmates or 38% from the last audit. Wyoming inmate population dropped by 27 inmates due to the State gradually pulling inmates back to Wyoming. Colorado's inmate population increased by 27 due to an increase female inmate population in Colorado. Colorado DOC plans to increase their population at Brush in the future by 92 inmates. The 92 are currently housed in county jails around the state. GRW Corporation is planning to expand the beds at BCF from 250 to 308 due to Colorado DOC's projection of inmates being transferred to the Brush facility. The 48 additional beds will be constructed in the Truman building, which currently houses the Honor dorm.

ENTRANCE INTERVIEW – BRUSH CORRECTIONAL FACILITY

On Wednesday, February 23, 2005, we arrived at the Brush facility at 0745 hours. BCF's Acting Warden, GRW President, GRW Vice President of Operations and BCF's Acting Chief of Security were present. We requested an update of what has happened in the facility since our last audit back in October 2004. Acting Warden indicating the following:

- Colorado DOC has concluded the investigation regarding inmates involved in sexual allegations.
- Colorado DOC has filed charges against the correctional officer involved. There is zero tolerance regarding any type of misconduct against inmates by correctional staff.
ENTRANCE INTERVIEW (cont'

- There is an on-going investigation with two Hawaii inmates trying to bring in contraband. Based on recorded telephone conversations with family members, money has been sent to staff members in order to bring cigarettes into the facility. Currently, three staff members are out on administrative leave due to this incident. The two inmates may incur contraband misconducts. Criminal charges will be filed against the Correctional officer for trying to bring in contraband into the facility.
- Colorado DOC conducted a massive shakedown three weeks ago. No drugs or contraband were found however, the audit concluded that the inmates have excess properties stored at the facility.
- Colorado DOC conducted a security audit during the week of February 14-18, 2005. The major concern was 15 to 16 staff members have not finished training thru the DOC basic correctional training course. Colorado DOC was to bring in their staff for the next 30 days at GRW's expense to retrain the current staff as well as provide basic training for the staff that has not completed the course. Colorado DOC will also provide an ACA coordinator to help BCF pass the ACA accreditation.
- Several Hawaii inmates have started to take college continuing education courses.
- The dining hall has added a salad bar and rice is served daily.
- The inmates were informed of BCF former Warden resignation on February 19, 2005.
- Hawaii inmates heard rumors about being moved out of BCF to Alaska.

The Hawaii team brought up the following concerns

What is the progress in the sexual misconduct against staff members?

GRW president apologized regarding the incidents that happened within the last few months. GRW have been open about what has happened and reported the incidents immediately to Colorado DOC officials. GRW/Brush has a zero tolerance policies against any type of serious conduct against inmates. The correctional officer that was involved with the two Hawaii inmates was terminated by GRW and is facing criminal charges. The other correctional officer that was involved with the Wyoming & Colorado inmates is on administrative leave pending completion of the Colorado DOC investigation. The officer passed a polygraph test regarding the incident. The civilian staff member has resigned from his position of Substance Abuse Administrator and is facing criminal charges.

Is the State of Wyoming going to pull their inmates out from Brush?

Both GRW President and Vice President met with the Wyoming DOC officials two weeks ago regarding this topic. Wyoming DOC indicated that they received two letters from Colorado DOC that forced them to consider moving their inmates out of Colorado. The first letter indicated that any inmates who scored close custody on the Colorado DOC classification system must be moved out of the state. Although this letter did not affect female inmates at Brush, it did affect the male inmates housed in other facilities. The second letter from Colorado DOC requested Wyoming to moved their inmates out of Brush so Colorado DOC can move their inmates into the facility. There is a Colorado statute that can force out-of-state inmates out of the private prisons if Colorado DOC needs the space. GRW Vice President of
ENTRANCE INTERVIEW (cont'd)

Operations indicated that contracts would be honored with Wyoming as well as Hawaii about bed space concerns. GRW is adding an additional 48 beds to accommodate Colorado DOC's bed space request so Wyoming can stay. GRW VP did indicate that Wyoming DOC has scaled back inmates due to the sexual misconduct by staff members but indicates that Wyoming DOC will continue to house their inmates at BCF.

There was a concern about distribution of medicine in the last audit. Did BCF implement the KOP (keep on person) medication system?

The medical department hasn't implemented it yet. However, they are closer to finalizing the KOP program. GRW VP of Operations indicated that it is taking longer than anticipated because in other GRW facilities, they have always used the pill line method, which involves the inmate to go to the medical department to take their medication.

Have BCF implemented urinalysis testing?

Acting Warden indicated that the entire 58 inmates were tested back in October 2004 with three inmates testing positive for drugs. Since then, they have tested random 7% of the Hawaii Population with negative results.

What is the progress of the City of Brush and them being able to sign a contract with the State of Hawaii?

GRW president responded by stating that the Representative for the District of Brush introduced a bill in the 90-day legislative session to enable for the city of Brush to sign directly with the State of Hawaii to house inmates at BCF. The previous attempt thru the Colorado Attorney General's office was not progressing as needed. GRW is hopeful that it will pass the legislature.

Upon completion of the entrance interview, monitor Jinbo went on a tour of the facility with Acting Warden and GRW president. Supervisor Komori started to inspect the infrastructure for any deficiencies.

SECURITY

The previous night (February 22, 2005) monitor Jinbo and myself inspected BCF. We arrived at 2330 hours at the facility. As soon as we exited our vehicle, a private vehicle with no lights on parked behind our vehicle. A female correctional officer asked us what our business was at the facility. We identified ourselves as monitors for the Hawaii inmates and were there to inspect the facility at night. Two other officers arrived at the front gate. We showed our identification, which they took and came back approximately 10 minutes late indicating that we were cleared by the Hawaii DOC list. Correctional Officer then escorted us thru the main building. We observed the following:

- There is one officer assigned to each pod. Eight officers total during each shift.
- Lock down is at 2200 hours (10 pm) on weekdays, 0000 hours (12 am) weekends. Many inmates were still awake watching TV or talking with their cellmates.
SECURITY (cont' t)

- They were one inmate talking on the phone at midnight. Hawaii inmates are able to use the phone until 0000 hours because of the time difference from Hawaii. Colorado & Wyoming inmates are allowed phone calls until lock-down time only.
- The doors to each room were secured.
- Cleaning material (mop, broom, bucket) were left outside unsecured
- Walk thru to each pods are done every twenty minutes during third watch (2200 – 0600 hours).

Shift commander Lieutenant escorted us to the Truman building which is utilized for classroom space and honor dorms. Upon inspection, the following was found:

- Classroom space was locked and secured.
- Main control board was malfunctioning. Sections of the building were indicating doors open. [redacted] indicated they have work orders to repair board.
- Doors to inmate’s rooms were left open so inmates can access restroom facilities, which is across the hallway from sleeping quarters.
- Shower facilities are across the hall. Inmates allowed to wear own pajamas.
- Cleaning material (mop, broom, bucket) were left outside unsecured

SECURITY CONCERNS

- There is a conflict regarding what lock-downs means to the BCF staff. They indicate lock-down is at 2200 hours on weekdays but they still let Hawaii inmates talk on the phone till 0000 hours.
- Cleaning materials left unsecured.
- Main control board malfunctioning in Truman building.
- Facility actually operates as minimum/community custody but is designed to operate as medium custody.

AMERICAN CORRECTIONAL ASSOCIATION (ACA) ACCREDITATION

Colorado DOC mandates any private prisons within the state be certified within 18 months of opening a facility. Former Warden was the main person responsible for getting BCF into compliance for an ACA audit. Since his resignation, they are currently no one assigned to this task. Colorado DOC will bring in their staff member to help BCF get to audit status. Colorado DOC also gave GRW until June 2005 to pass audit of BCF by the American Correctional Association.

CASE MANAGEMENT

There are two unit managers at BCF. One of the unit managers handles all of the Hawaii inmates concerns. Her duties at BCF also encumbers the following:

- Shift Commander
- Training Officer
CASE MANAGEMENT (con't)

Due to her multitude of duties, the unit manager is unable to perform 100% of her time towards helping the Hawaii inmates. Contract monitor Jinbo was able to talk with the unit manager during her break from teaching PPCT to the new recruits. GRW must provide the unit manager more time towards helping the Hawaii inmates or hire a case manager to take the load off of the unit manager.

EDUCATION

There are two staff members teaching. Many of the classes are self-taught programs utilizing workbooks and led by inmates (para-pros) who have completed these courses. The staff teacher makes their rounds between classes to monitor the classrooms and intervenes when necessary. Pre-GED, GED and ABE are taught by staff members. Colorado DOC’s audit indicated that this arrangements must be changed to reflect an instructor teaching with the inmates as teachers aide only. GRW is in the process of correcting this situation. This is also a serious concern to Hawaii.

SUBSTANCE ABUSE PROGRAM

Currently, the position of substance abuse administrator has been vacant for the past three weeks. The previous administrator resigned due to sexual misconduct against inmates. GRW has interviewed one candidate and will interview another next week. The program is in suspension until a new administrator is hired.

FOOD SERVICE

There are still no documents showing that all of the kitchen workers completed health and safety classes in the kitchen. All of the workers did have hair covered and wore gloves. The menu that day was tortilla with lentle, cheese, beans, hamburger meat, Spanish rice and sauc. The meal was tasty. That evening, they were served turkey with mashed potatoes, apple pie and vegetables. None of the inmates complained about the meals. Lack of proper training certification in the kitchen is a concern.

FIRE SAFETY

I inspected all of the fire extinguishers located thru-out the facility. Every unit was in compliance and have been inspected and certified by an outside vendor. The facility has an smoke evacuation system installed into the entire building. When smoke is detected, automatic doors close and the fans blow the smoke out of the unit ASAP. Water sprinklers activate upon sensing of heat.
INMATE’S CONCERNS

We conducted a meeting with all Hawaii inmates in the dining room late in the afternoon. We broke the meeting into two sessions. Session one involved inmates from the IIonor dorm and pod B, second session from pods C & D. These are some of the concerns the inmates had:

- Medical coverage inadequate. Many inmates indicated that when they submit emergency request for pain during the evening times, they are denied and told to follow-up the next day
- Dental coverage inadequate. If inmate doesn’t have money in their account, they are not allowed to purchase partials. Some dental work is considered elective and denied by BCF.
- Medication denied. Inmates also indicated that prescription drugs that were given to them at WCCC were substituted or denied when they arrived at BCF
- Problems with pre-sentence credits
- WCCC not processing paperwork (reduction of minimum)
- Honolulu newspapers and OIA publications still not forwarded by Oklahoma DOC
- Work furlough eligibility

INMATES DATABASE

The Hawaii inmates were told that their original institutional files are with the Mainland/FDC Branch as of November 26, 2004. The Mainland/FDC Branch now handles the completion of reduction of minimum term documents and screening for work furlough eligibility. The new criteria’s are they must complete their recommended RAD programs before they are eligible for work furlough. They were also told to submit their completed certificates to so she can copy the certificates and send them to the Mainland/FDC branch for verification. They understand there is not enough space at TJ Mahoney or Project Bridge to bring everybody back who are within 18 months of their TPD and misconduct free but we will work with WCCC and their furlough program.

EXIT INTERVIEW

The exit interview was conducted at 1630 hours with GRW President and VP Operations. Acting Warden and Acting Chief had previous commitments and were excused by GRW president. The exit interview lasted unit 1900 hours. Major concerns were stated as follows:

- The medical conditions stated by inmates regarding being told to return the next day for medical even though the inmate was in pain; wrong medication being applied for rash; previously prescribed medical being substituted with different medication or withholding medication.

Head medical administrator was brought into the exit interview and responded as follows:

- Medical unit is open from 0600 – 1400 hours for medical call
- After hours coverage from 1400 – 2200 hours for emergency only
  Emergency constitutes cuts, severe burns not headaches.
EXIT INTERVIEW (cont')

- Inmates were notified back on February 4, 2005 that OTC purchases (i.e. aspirin, Tylenol, cough syrup, laxatives) needs to be purchased from commissary. Will not supply during medical exam.
- Inmates previously, take advantage by always submitting request after hours depleting supplies of OTC drugs.
- Inmates have been taken off certain medications that doctors felt were too strong for inmates. They were substituted with lower dose.

GRW President & VP intervened and indicated their concern about the safety of the inmate when an emergency request is made after hours and having to wait until commissary a week later is unacceptable. They told Health Care Administrator that medication should be given if inmate doesn’t have OTC with them. The Administrator will make sure they have a list of OTC drugs inmates have purchased thru commissary. If inmate’s records show no purchase, they will issue medication at that time.

- Inmates were charged each time they visited medical even though it was same condition

Health Care Administrator indicated they are following Hawaii policies regarding how to charge inmates for visits. The problem is on the initial visit they are charged but the policy states if the inmate initiates a request, they will be charged for each request. If the clinic request the inmate to return for a follow-up then there is no charge. Many of the inmates are continuously writing request to medical which results in been charges for each visit. We told the Health Care Administrator that we will follow-up with PSD’s Health Care Administrator Wesley Mun regarding this situation.

- Dentist – inmates are not able to get dental check
- Not able to get partials or repairs to teeth.

Health Care Administrator said they are only able to secure appointments if the private dentist has space in his appointment book. No private dentist wants to enter the correctional facility to perform any type of dental work at BCF so medical arranged to have inmates transported to the outside dentist office for dental work. It will take time to take care of the entire population because of the limited appointment slots. Many of the Hawaii inmate’s teeth need major repair due to drug use and improper hygiene. Pursuant to the contract with GRW, dental services are covered and therefore BCF must make better effort to afford dental services to the inmates in a timelier manner.

- Hawaii’s Unit Manager multiply duties are affecting her ability to help the Hawaii inmates completing their reclass, reduction of minimum, counseling

GRW VP said they would make sure the Hawaii unit manager spent more time with the Hawaii inmates.

- Para-pros (inmate teacher), inmates felt that they will still be teaching classes while instructor watching. If there are monitors on premise, instructors will then take-over teaching the class.

GRW President indicated that would not happen.
MONITORS OVERVIEW

The recent security audit, sexual misconduct by staff and mass shake down by Colorado DOC has made the staff at BCF more aware of their conduct and professionalism. Colorado DOC is committing their own staff members to re-train private prison staff in making sure that the Brush facility survives. They have made available their ACA accreditation staff to make sure Brush passes the ACA audit. There are no other states in this nation that will make these commitments to keep a private prison company in business. GRW Corporation wants to continue to provide excellent service to their customers. Together, the Colorado DOC and GRW Corporation will make the Brush a professional facility.

Finally, we have requested from Colorado DOC and the State of Wyoming monitoring unit their audits and investigations recently done at BCF.

C: [Redacted]
GRW
BCF