

Inter-Office
MEMORANDUM

DEPARTMENT OF PUBLIC SAFETY

No. _____

Suspense: _____

May 14, 2005

TO: James L. Propotnick., Acting Director

THROUGH: Frank Lopez, DEP-C
Edwin Shimoda, IDA
Shari Kimoto, Mainland/FDC Branch Administrator *AKM*

FROM: Howard Komori, Supervisor, Mainland/FDC Branch *H Komori*

SUBJECT: **GRW BRUSH CORRECTIONAL FACILITY (COLORADO) REPORT ON MONITORING TRIP - May 10-12, 2005**

The quarterly audit-monitoring trip was completed between May 10-12, 2005 at the Brush Correctional Facility (BCF) in Brush, Colorado. The monitoring team consisted of Mr. Howard Komori (Supervisor, Mainland/FDC Branch), Mr. Scott Jinbo (Contract Monitor), Ms. Elena Chancheck (Sgt. WCCC) and Mr. Wesley Mun (Health Care Administrator). The last monitoring trip of the Brush facility was completed the week of February 22-25, 2005.

BRUSH CORRECTIONAL FACILITY (BCF)

The total housing capacity at BCF is 250 beds. Currently there are 80 Hawaii inmates, 28 Wyoming inmates and 39 Colorado inmates, totaling 147 inmates. Hawaii's inmate population remained the same from previous audit. Wyoming inmate population dropped by 15 inmates and by the 16th of this month all inmates will be out of BCF. This pull-out was partially due to the State of Colorado enforcing their laws against housing closed custody inmates in any private prisons within the state and Wyoming Department of Corrections decision to move the inmates out due to recent events that occurred at the facility. Colorado's inmate population decreased by 34 inmates. The drop was due to inmates progressing thru Colorado Department of Corrections (CDOC) system. CDOC held back sending inmates to BCF until BCF cleared a security audit, which was conducted during the week of April 18th. Based on BCF clearing the audit, CDOC plans to increase their population at BCF over the next couple of months to a maximum of 90 inmates. The first shipment of inmates would start on May 17th with 10 inmates.

ENTRANCE INTERVIEW - BRUSH CORRECTIONAL FACILITY

On Tuesday, May 10, 2005, we arrived at the Brush facility at 0900 hours. BCF's Warden, GRW President and GRW Vice President of Operations were present. We requested an update of what has happened in the facility since our last audit back in February 2005. GRW President indicating the following:

- Introduced the new Warden at BCF. The warden's first day at the facility was May 09, 2005. He also introduced the new Vice President of Operations. Both employees come with excellent background. Both were Wardens whose specialty is to turn-around problem institutions. They have over 30 years experience in the correctional field.

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- The VP of Operations is also an auditor for the American Correctional Association
- CDOC have been coming into BCF almost on a daily basis to conduct audits, sweeps and questioning of staff. The report from CDOC indicates full compliance for the facility.
- Colorado DOC conducted a security audit during the week of April 18, 2005. BCF passed the audit with no serious problems. Based on this audit, CDOC will increase their count of inmates at the facility.
- A New substance abuse manager has started classes back in April 2005.
- The education department has discontinued the use of para-pros.

The Vice President of Operations has been the Acting Warden since the former Acting Warden and Chief of Security resigned back on April 21, 2005. He indicated the following:

- Key control has been upgraded per CDOC recommendation.
- Sanitation has improved.
- Grievance control has been assigned to a civilian staff.
- New telephone system to go online next week. This will affect the civilian staff only.
- New food service manager.
- CDOC staff has retrained all correctional officers.
- Medical Keep on Person (KOP) has been implemented.
- Update contract with local hospital to provide on-site services since 3/16/05.
- New Warden to select new Chief of Security.
- CDOC to increase count of inmates from next week Tuesday (5/17/05).
- Currently have 63 staff members, however, will over hire to 71 because of staff turn-over.
- The local prosecutor has not filed any charges against the former substance abuse manager. (This individual was not involved with any Hawaii inmates).
- Hired a new Case Manager for the Hawaii inmates.
- Former Case Manager for Hawaii inmates is now the ACA accreditation manager.
- Hopes to have BCF ACA accredited within the next 8 months.
- Informed us that CDOC has new private prisons administrator.

The Hawaii staff asked the new warden the following questions:

What is your vision for the Brush facility?

Wants all of the inmates to have programming to keep them busy. Hopes to increase teachers by utilizing part-time instructors from the two surrounding community colleges to have them teach classes. Working with inmates to have more structure within the prison. Wants to bring in correctional industries (CI) program to BCF. Some of the CI programs are: dog program – training dogs from the

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kennel to become assistant to disabled person, knitting program and finally, raising pheasants – to be sold to the general public for food.

What is your style of management?

Indicated that she is the type that works with both inmates and staff members. She has an open-door policy to all staff members and encourages the staff member to resolve any problems first before any intervention by the warden.

Upon completion of the entrance interview, everybody went on a tour of the facility with Warden, VP of Operations and GRW president.

I assigned Sgt. Chancheck to use the new security audit form to check on the security of the facility, Mr. Mun was to look at the health care portion and both Scott Jinbo and myself were to interview all of the inmates about the condition of the facility and the overall concerns on inmate issues.

AMERICAN CORRECTIONAL ASSOCIATION (ACA) ACCREDITATION

The former case manager for the Hawaii inmates is now the accreditation manager for the facility. GRW is projecting now to have the facility accredited within eight (8) months from now.

CASE MANAGEMENT

GRW hired a new case manager for the Hawaii inmates. The case manager recently graduated from the University with a sociology degree and her experience in a prison setting is minimal. The former case manager of the Hawaii inmates as well as the other case manager has trained her. Her on-the-job training is progressing slowly. The Hawaii inmates are taking advantage of the situation and basically running the office for her. With the copy machine located in her office, inmates are copying items for themselves and interrupting her office visits with other inmates. She handles the entire Hawaii & Wyoming population which totals 107 out of 147 inmates. We suggested that the load be split equally between the two case managers. We also recommended the case manager's office be moved out of the living area of the inmates for more control.

EDUCATION

Currently, there are only GED/ABE classes being taught by the Brush education staff. They are scheduling to start a coping skills class at the end of May 2005. The coping skills class is a 6 week/8 hour's week totaling 48 hours involving the following: Money management, cognitive thinking, reintegration, anger management, domestic violence and double you. There is one vocational training class that is the computer classes involving Microsoft XP, Word & Excel classes.

NOTE: 4 Hawaii inmates graduated from GED this month. The graduation ceremony was scheduled for May 13 at 1300 hours.

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SUBSTANCE ABUSE PROGRAM

GRW has a new Substance Abuse Manager since April 2005. The A.R.P. Drug & Alcohol class currently has 11 Hawaii inmates enrolled. Previously this was a 6 month class and now told that it is a 1 year program. We requested that the Warden provide us with a curriculum for this program.

FIRE SAFETY

The Nebraska Safety and Fire Company inspected the facility back on April 30, 2005. There were no safety or fire violations found.

NEW COLORADO CLASSIFICATION FOR FEMALE INMATES

Effective July 1, 2005, CDOC will implement a new classification schedule for female offenders. Previously, classification instrument was male oriented but used for female offenders. This new classification scale is designed to assess female offenders at a lower range of custody level.

The new instrument will qualify more of WCCC's closed custody inmates for BCF however; we still need CDOC's approval before Hawaii inmates can enter the Brush facility.

HEALTH CARE

Mr. Wesley Mun handled the medical audit of this trip. Summarizing his concerns are as follows:

- Inadequate Medical Doctor (MD) staffing hours. Per NCCHC standards of 5 MD hours per 100 inmates / per week, Hawaii would like to see at least 40 hours a month coverage.
- Brush Medical staff are perceived as "rude", uncaring and argumentive towards Hawaii inmates. Many women do not want to receive health care services from the health care department (all staff to include the administrator).
- No dentist in the facility. This has been a problem since the arrival of the inmates. This creates less accessibility for routine dental care.
- Inmates feel that they have no access to their own medical information in the records.
- The original visit to BCF identified the 'animal manure' smell that was detectable outdoors. Although the facility has no control regarding the smell of manure, it can be concluded that the smell creates the appearance of an 'unhealthy' environment that has prevented many inmates from utilizing any outdoor activities.

GRIEVANCE PROCESS

BCF has assigned a civilian staff to handle the grievance log. The facility uses the CDOC grievance policies # 850-04 for their standards. BCF previously incorporated the use of an informal grievance procedure where the inmate would have to resolve the problem by dialoging with the person they filed the grievance against. There have been situations where the inmate would not go to medical because the

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GRIEVANCE PROCESS (con't)

staff member held the grievance paper in their hand and said 'what about the grievance you filed against me?' BCF has eliminated the informal grievance process and incorporated the use of the formal grievance only. The process for a formal grievance now is to receive a blank grievance form from the case manager, fill it out, and return it to the case manager. The case manager then would turn it into the grievance officer.

Many Hawaii inmates indicated they have filed formal grievances during the month of April 2005, however, the monthly log showed only one inmate on the log. The formal grievance is a 4-part form with the inmate retaining the goldenrod copy. None of the Hawaii inmates who complained about grievances not being addressed showed me their copy of the formal grievance. There is no proof of BCF staff not addressing grievances.

However, in order to prevent grievances from being lost in the transition, we recommended a secured grievance box to be located in the atrium and Trument building hallway, and the grievance officer having the only key to that box for confidential purposes.

SECURITY

BCF has completed all re-training of officers and completed back-ground checks on all staff members. Due to the high turn over (17 out of 42) of security staff over the past three months, the enforcement of policies thru-out the facility is inconsistent. Elena Chancheck conducted portions of the security audit. Summarizing her concerns are as follows:

- The master control main entrance door is not working properly, which poses a breach of security.
- The male work line supervisors working with one inmate in the shop area may open the supervisor up for possible sexual allegations.
- There is one officer monitoring two separate quads, if an altercation occurs, the officer will be slow to respond or unable to respond in a timely manner.
- The pod office in each housing unit should be relocated so the officer can maintain visual contact with the inmate.
- BCF is under manned and posts are currently vacant.

INMATE'S CONCERNS

We met with every inmate individually over the three days. These are some of the concerns the inmates had:

- Attitude of correctional staff members.
- Retaliation by correctional staff members.
- Inconsistent enforcing of policies by staff members.
- Grievance being misplaced, threats by staff for filing grievances.
- Massive leaking of rain in building.
- Reading of legal mail w/o presence of inmate.
- Staff reading legal mail before it is sent from the facility
- Mail not being sent out, articles about BCF being confiscated.

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INMATE'S CONCERNS (con't)

- Sexual remarks by staff are being reported by inmates.

EXIT INTERVIEW

The exit interview was conducted at 1630 hours with GRW President, VP Operations, Warden, Acting Chief of Security, Lieutenant, Case Managers for both Colorado & Hawaii, ACA Accreditation manager, Grievance manager, Health Care Administrator, Mental Health Coordinator, Education Director and Maintenance Supervisor. The exit interview lasted until 1830 hours. Major concerns were stated as follows:

- Sexual Remarks still being made by BCF staff towards Hawaii inmates (as reported by the inmates).

Recommend emphasizing in staff meetings consequences of harassment and annual sexual harassment classes for all staff members.

- Allegations of retaliation against Hawaii inmates from correctional staff.

Recommend staff member be reassigned with no contact with Hawaii inmates.

- Opening of legal mail without inmate present/reading of legal mail before sending out.

Recommend all legal mail being opened in presence of the inmate and a legal mail log be maintained.

- UA testing not being done.

Recommend starting immediately.

- Leaking of rain into housing area.

GRW fixing problem with rooftop patchwork.

- Major incidents not being reported to Hawaii staff.

Two serious incidents happened recently that Hawaii was not informed of:

1. The first was all of the pilot lights were off in the gas stove in the main kitchen. Somebody turned on all of the stove, leaking gas into the facility. A staff member smelt gas in the atrium and immediately turned the gas off.
2. The second incident was a fire in the Trument building. When the heater was turned on, the dust inside the vents started to burn causing smoke to come out of

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EXIT INTERVIEW (con't)

the vents. The fire department was called to the building. There was no major damage to the system.

VP of Operations indicated they will inform us by either phone or fax to the office of any serious incidents in the future.

- Para-pros being hired again in education department.

VP of Operations indicated the title will be called 'Tutors' instead of para-pros.

- Updated status of inmates going to court on contraband charges.

Information regarding court appearances is not received by facility due to Sheriff picking up inmates at the facility. They are informed two days prior to courtroom hearing when the transports will be done.

- Health care staff attitude.

VP of Operations indicated that two nurse practitioners would be terminated due to our report.

- Selling of Girl Scout cookies (contraband) by staff to inmates and allowing to purchase the cookies using spendable funds.

VP of Operations and the Warden were not aware of this incident but will follow-up.

MONITORS OVERVIEW

The past three months at the Brush facility have been turbulent times. They have experienced the resignation of the Warden, Chief of Security, Substance Abuse manager, food service manager and approximately 30% of the correctional staff members. The GRW Corporation also released the Vice President of Operations who oversaw the facility. With that amount of turn-over of staff, it is expected that the strength of the staff and organization would be tested. However, with the help of the CDOC employees, the retraining of the correctional staff, and most importantly, bringing in two highly qualified personnel (VP of Operations & Warden both with over 30 years of Correctional experience), BCF should be on track to recover from the past incidents at the facility.

BCF should be on track to recover from the past incidents of...

C: [REDACTED] GRW
Warden [REDACTED] BCF

PSD 1005 (3/88)