



STATE OF MICHIGAN
DEPARTMENT OF CORRECTIONS
LANSING

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DATE: July 22, 2004

TO: Senator Alan Cropsey
William Van Regenmorter
Representative Mike Pumford
Carol Viventi, Secretary of the Senate
Gary Randall, Clerk of the House of Representatives

FROM: Heidi Washington
Administrative Assistant

SUBJECT: Annual Report on the Michigan Youth Correctional Facility

Michigan Compiled Laws 791.220g requires the Department of Corrections to report to the Senate and House committees responsible for legislation concerning corrections and to the Clerk of the House of Representatives and the Secretary of the Senate, on the operation of the Michigan Youth Correctional Facility. Attached is a copy of that report as required by statute.

If you have questions regarding this report, or request additional information, please feel free to contact me.

**Report to the Legislature
Michigan Youth Correctional Facility
July 2004**

Pursuant to Section 20g of 1953 Public Act 232, as amended, being MCL 791.220g, the State of Michigan received the authority to contract with the private sector for operation of a 480-bed correctional facility for offenders age 19 and under who were within the jurisdiction of the Circuit or Recorder's Court. This Act was amended to include offenders age 19 and under who were within the jurisdiction of the Probate or Family Court. The Act was amended again in June 2000 to permit, with some restrictions, the Department of Corrections to place any prisoner age 19 and under at this facility.

The Act also permitted this facility to be built and operated by a private corporation. In June 1997, Wackenhut Corrections Corporation was awarded the bid to build and operate this facility. Construction of the facility was completed in June 1999 and the facility opened on July 27, 1999. In January 2004, the corporation changed its name to The GEO Group, Inc.

The purpose of the Michigan Youth Correctional Facility (MYC) is to house prisoners in the above noted age group in a secure facility while at the same time providing educational training to assist prisoners in obtaining their General Education Development (GED) certificate, counseling programs, leisure time activities, and prison job opportunities that will prepare the prisoners for entry into an adult male correctional facility. Before prisoners turn 20, they are transferred to a department operated prison to serve the balance of their sentence(s).

Section 20g of 1953 Public Act 232, as amended, being MCL 791.220g, (7) requires:

Once each year, the department shall report on the operation of the facility. Copies of the report shall be submitted to the chairpersons of the house and senate committees responsible for legislation on corrections or judicial issues, and to the clerk of the House of Representatives and the secretary of the senate.

This report on the operation of the facility is designed to fulfill the obligation of the department under the statute. The report contains information obtained through separate audits regarding quality of programs offered, health care adherence to National Commission on Correctional Health Care/American Correctional Association (ACA) standards and the readiness of the facility to be accredited by ACA.

DEPARTMENT OVERSIGHT

Department of Corrections (DOC) oversight of this privatized facility is provided by an on-site contract monitor and a contract administrator who operates out of the Administration and Programs Administration of the DOC. Shirlee Harry assumed the position of Contract Monitor on July 7, 2003. She came to MYC from the Earnest C. Brooks Correctional Facility in Muskegon where she served as Deputy Warden. Ms. Harry's experience in the DOC began in 1976. The contract monitor's work location is at the MYC. The monitor's daily contact with prisoners, staff and the warden of the facility enable her to review the operation of the facility to ensure compliance with the contract.

The Contract Administrator interacts with corporate staff from GEO Group, Inc. to resolve any contract compliance issues, and assesses liquidated damages for breach of contract. Along with the Deputy

Director for the Office of Purchasing, Department of Management and Budget, the Contract Administrator negotiates with GEO Group, Inc. any additional issues which arise from changes in departmental policy, court action which involves Michigan prisoners or problems within their corporation which impact on the contractor's ability to operate the facility.

ADMINISTRATION OF THE FACILITY

The administrative staff at MYC has experienced some changes over the past year. Frank Elo continues as warden of the facility as does Allen Haigh as Deputy Warden. The facility is currently interviewing to fill a vacant Deputy Warden position.

The facility will be audited by ACA for reaccreditation in July of this year. The initial accreditation in July of 2001 gave the facility an outstanding score, failing only two non-mandatory ACA standards out of over 400 standards.

The facility is in compliance with staffing requirements of the contract. However it continues to be a challenge to the facility to keep all positions filled. Warden Elo instituted a system of overlapping officer training academies whereby each month the facility hires a small number of officer trainees. This has eliminated the large fluctuations in officer staffing levels as each month a small number graduate. Previously the facility hired staff for one large academy which then graduated in four months.

The contract monitor attends all meetings between corporate management and facility managers regarding facility operations, financial requirements and quality assurance.

The GEO Group, Inc. has remained solely and entirely responsible for the acts of its employees, servants and subcontractors. The contractor has not hired any individual who would otherwise be precluded from state employment with the Michigan Department of Corrections and has trained all of their employees using the State training modules. The management of the facility has acted responsibly to discipline or separate employees whose actions violated rules.

RECORDS MANAGEMENT & REIMBURSEMENT

The contractor is required to retain prisoner files in both paper form and through the computerized system. The appropriate paperwork is present in prisoner files and information on prisoners who have transferred out of the facility has been up to date.

The contractor is required to obtain victim restitution and court ordered payments from the prisoners at the MYC and to remit these payments to the Department. The facility has complied with this requirement. It should be noted that the facility has also complied with health care prisoner co-payments.

SECURITY AND CONTROL

In the past year, the contractor has filled all positions under the staffing plan; however separations require continual hiring and training.

Two security towers and an alert response vehicle along with required double fencing, alarm systems and

a multitude of video cameras permit the staff at the MYC to monitor both prisoner and employee behavior.

From July 1, 2003, until June 30, 2004, there were 155 incidents at the MYC which by department policy are required to be reported as critical incidents. Of those critical reports, 23 involved assaults on staff, 16 were assaults on prisoners, while the remainder of the critical incidents involved suicide threats/attempts, use of chemical agents, cell destruction and use of force such as cell rushes and top-of-bed restraints. This is an increase from the previous 12-month period which recorded 115 critical incidents, 29 which were assaults. It should also be noted that during the previous reporting year the prisoner capacity was raised from 450 to 480, which would allow for a ratio increase for this reporting period.

In the past year, 2,459 misconducts were written in which DOC Hearing Officers made the following determinations: 1,918 guilty findings, 234 not guilty findings, 295 dismissals and 12 are pending. This year's misconduct statistics show a reduction in the number of tickets written and a decrease in the number of not guilty and dismissed misconducts.

In addition, since July 1, 2003, 1,325 grievances were filed utilizing the facility's grievance procedure. It is notable that only 6 grievances have been filed to Step III, down from 15 in the previous reporting 12 months.

The contractor continues to monitor and reduce contraband in the facility by performing personal and cell searches. Random drug testing of prisoners has resulted in only one positive finding of drug use. The contractor has conformed to the department property policy, has issued sufficient clothing to prisoners to remain in compliance with requisite court orders and maintains a laundry schedule so that prisoners have sufficient clean clothing.

FOOD SERVICE

The contractor provides three meals a day per prisoner to assure this population is receiving 3,500 calories per day. Fifteen prisoners are currently on special medical diets as directed by health care staff. Custody supervision is present in the two dining rooms where prisoners are fed in small groups to avoid mingling of prisoners from different housing units and to prevent physical altercations between prisoners.

DOC central office staff worked closely with corporate staff to develop new menus that conform to DOC nutritional standards.

The contractor is in compliance with its obligation under the National School Lunch Program.

Prisoners who work in the kitchen are not permitted to utilize knives. There was one employee accident in the kitchen and 32 prisoner accidents. All of the accidents were minor and did not require more than on-site medical care.

HEALTH SERVICES

The contractor has implemented all contractual requirements regarding health care services.

Provision of services for mentally ill prisoners is a requirement of the Michigan Department of Community Health (MDCH). MDCH has provided these services by subcontracting with Northern Clinical and Diagnostic Associates, LLC.

COUNSELING AND PROGRAMMING

Both Master Social Worker (MSW) positions are filled. Segregation rounds are being made and the anger management and sex-offender therapy groups are in process. The cognitive restructuring program called “New Steps” has conducted three complete cycles with 50 prisoners finishing the program.

There are four case managers and a supervisor who review prisoner files with the prisoners and prepare the necessary reports and classification documents for prisoner files.

EDUCATION

There are six academic teachers, one life skills instructor, one vocational instructor and one contract horticulture instructor at the prison as well as an education director. One teacher continues to pursue further education at the expense of the contractor to obtain a special education certificate. Meanwhile, the Michigan Department of Education has granted a waiver so that this teacher can provide special education to prisoners who qualify. In the past year, 113 GED certificates have been awarded, compared to 107 last year. Seventy-seven (77) prisoners completed the substance abuse program, 38 completed the computer program, 42 completed the janitorial maintenance program and 11 completed the horticulture program. There are 21 full-time academic students, 213 half-time academic students, 52 vocational students, 15 involved in life skills, 42 in substance abuse education and 69 taking in-cell studies (administrative segregation and detention prisoners).

The facility has a library staffed with a librarian. In addition, the academic teachers schedule their entire classes into the library several times a week so that prisoners can further utilize the library. The library also includes a full law library and the contractor provides updates for the law library on CD-ROM.

The contractor is providing three vocational education programs. The janitorial maintenance program is a 120-hour program with 30 students enrolled. The computer literacy program is also a 120-hour program with 12 students enrolled. The Horticulture program, Master Gardener, was developed by Michigan State University, and involves 10 students. Each of these vocational programs meets for 2-hour increments, 4-5 days per week.

Classes are also held in the segregation unit and in the “16 years old and under” unit. Prisoners in those units are able to attend classes in an environment away from the general population of the facility.

WORK PROGRAMS

There are 202 prisoners at the MYC who have been given full-time work assignments, down from 223 last year. Prisoner work assignments follow the same descriptions as those jobs in the DOC and prisoners are paid the same amounts as they would be if they were performing the same job in a state-run facility. At this time, prisoners are assigned as porters, food service workers, library clerks, laundry workers, commissary workers and grounds maintenance workers. No prisoners are assigned to a work

assignment outside the security perimeter. The contractor is required to follow MIOSHA standards for health and safety.

RECREATION

Prisoners in general population are permitted two hours of recreation per day. These recreational periods are in the outside yard, weather permitting. The contractor has a recreational director who plans activities appropriate to this age group. Recreation in punitive and administrative segregation conforms to the requirements set in departmental policy and ACA standards.

COMMISSARY

The contractor provides access to a commissary where prisoners can purchase hygiene and food items. This age group is prone to purchasing candy, soda and other sweet items. By contract, any profits from the commissary are placed in a prisoner benefit fund. A prisoner benefit fund was established and undergoes an annual audit.

RELIGIOUS ACTIVITIES AND VOLUNTEERS

The contractor employs a full-time chaplain who ministers to prisoners, provides religious services and supervises the volunteers. Volunteers provide religious programs, AA and NA.

On July 31, 2003, a dog therapy program through volunteers of Pawfect Companions Canine Group was instituted. Volunteers bring in trained therapy dogs to interact with prisoners experiencing behavioral problems or short-term bereavement/stress issues. Volunteers visit once a week for one hour with as many as five dogs for one-on-one therapy with prisoners. Currently there are 15 prisoners actively rotating visits. There are 48 prisoners on a waiting list. A prisoner may be placed on the list by his own volition or through staff or by an Outpatient Mental Health Team recommendation. This program is monitored by one of the Master Social Workers.

HOUSEKEEPING, GROUNDS MAINTENANCE AND REPAIRS

The contractor is required to assume responsibility for paying the cost of and repairing all damage to the structure and fixed furnishings and equipment which is caused by prisoners, visitors, the contractor and its employees or subcontractors. In addition, the contractor is required to develop and implement facility sanitation, cleaning and maintenance procedures.

Improvements have been made in the housekeeping of the living units. Weekly fire inspections are being completed, trash is being removed timely and pest control is completed on a regular basis.

CHALLENGES IN THE PAST YEAR

Similar to last year, the biggest challenge the contractor continues to face is hiring, training and retaining sufficient staff as required under the staffing plan. As the line staff continues to gain experience, they

will be more adept at managing this group of youthful, exuberant, volatile and impulsive prisoners. The management team of the facility contains a wealth of corrections experience. In spite of a deputy warden vacancy, the warden and existing deputy warden has over 58 years of corrections work history.

As the facility continues to mature, Warden Elo has been working on the problem of staff retention. Action has been taken to separate poor and ineffective staff, and policy and procedures have been rewritten to provide better direction for staff.

SUMMARY AND CONCLUSION

The operation of this facility shows steady improvement over the years. MYC continues to have an experienced and competent administration in place with many years of combined institutional experience. The contract monitor also brings many years of institutional experience to the facility.

The department continually audits the facility to ensure the highest levels of security, property management, programming, health care and financial requirements are maintained, as well as ACA accreditation readiness.

It should be emphasized that throughout this year, The GEO Group, Inc. has demonstrated a willingness to take necessary steps to fulfill the requirements of the contract and to make this contract work. Notwithstanding issues that need correction, this prison has been a safe and secure facility in its fifth year of operation.