TransCor

RESPONSE: Should transport via air be determined to be the most appropriate means of transport for a prisoner, TransCor will price such moves on a case-by-case basis and provide MDOC with documentation to support the cost of the move. All such moves will be scheduled pending the approval of MDOC.

c. Rate Schedules shall be set forth and **attached as an appendix** hereto, and made a part hereof. No changes in the rate schedule shall be made without written approval of the MDOC.

RESPONSE: Per the instructions in this specification, TransCor has included a Rate Schedule as part of this proposal. The Rate Schedule can be found later in this section.

d. A charge of 50% of the regular rate may be billed to the MDOC for any passenger cancellation by the MDOC not reported to the Contractor prior to four hours before scheduled departure time for intrastate transportation and eight hours before scheduled departure time for interstate transportation.

RESPONSE: TransCor agrees to a charge of no more than fifty percent (50%) of the original quoted price of the move should MDOC fail to report a cancellation less than four (4) hours prior to a scheduled pick up time for an instate order and less than eight (8) hours prior to an interstate order.

e. When billing the MDOC for transportation services, the Contractor shall include the following information in the invoice:

1. Prisoner or passenger name;
2. Prisoner's Michigan prison number;
3. Departure point and date of departure;
4. Point of destination;
5. Date prisoner transferred to MDOC custody at the home location;
6. Detail and substantiation if MDOC is assessed a minimum delay service charge.

RESPONSE: An invoice for each move that is performed will be submitted to MDOC and will list prisoner information provided to the company when the order was placed, including name, social security number, alias, gender, race, weight and height. The invoice will also reflect the location and date of pick up, as well as the location and date

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of the drop off. The number of actual, one-way billed miles will be included, and any additional surcharges or fees will be itemized. The mileage is not included in situations when a minimum charge is applicable.

f. Invoice shall include itemization of all surcharges.

RESPONSE: The number of actual, one-way billed miles will be included on each invoice, and any additional surcharges or fees will be itemized. The mileage is not included in situations when a minimum charge is applicable.

g. All invoices shall be addressed to:
Finance Division
Michigan Department of Corrections
P.O. Box 30003
Lansing, Michigan 48909

RESPONSE: TransCor acknowledges the invoice address listed above and agrees to utilize this address.

For payment and invoicing questions, please contact:
Lori Adkins, Accounts Receivable
646 Melrose Ave., Nashville, TN 37211
800/825.3320 ext. 4447, 615/240.4403 (fax)

All payments should be mailed to our remittance address:
TransCor America, LLC
P.O. Box 415000 – MSC-30268, Nashville, TN 37241-5000

1.104 Work and Deliverable

Contractor shall provide Deliverables/Services and staff, and otherwise do all things necessary for or incidental to the performance of work, as set forth below:

MICHIGAN DEPARTMENT OF CORRECTIONS SPECIFIC REQUIREMENTS FOR PICKUP REQUESTS

1. Maximum of ten-day pickup timeframe. The Contractor must be flexible to pickup prisoners with short notice due to court orders, accommodating holding facilities, etc. The Contractor is responsible for making requests for extensions.

Bidder Response to this Task:

RESPONSE: TransCor agrees to a ten- (10) day pick up notification from MDOC. The company agrees to work with MDOC to accommodate shorter notice deadlines and

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accepts responsibility for requesting extensions from holding facilities or MDOC as necessary.

2. Placing pickup requests must be available online, by fax or by phone.

Bidder Response to this Task:

RESPONSE: TransCor offers customers three methods for placing orders – via phone, facsimile or online.

In addition to the traditional means of calling or faxing in an order, TransCor launched a secure online ordering system last summer. This system is the online customer portion of our proprietary operating system, the Prisoner Extradition and Control System (PECS) and allows registered users to not only place orders online, but also trace existing orders as they move through our system. We are proud to be able to offer this convenient service to our customers and are confident PECS offers our customers the most comprehensive online services, as well as the most secure.

3. An 800 number must be available for telephone and fax.

Bidder Response to this Task:

RESPONSE: MDOC can reach our Customer Service staff toll free at (800) 737-9190. Orders can also be faxed to TransCor toll free at (800) 211-9438.

4. A confirmation of placed pickup requests must be available.

Bidder Response to this Task:

RESPONSE: When MDOC places and order with TransCor, by whichever of the three options they chose, they will receive a facsimile to confirm each order. Confirmation of an order can also be accessed via MDOC's online PECS account.

5. Online availability to query orders, review confirmations and track status of pickup requests.

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Bidder Response to this Task:

RESPONSE: TransCor's online PECS order system allows registered customers to do all of the above. As explained previously, PECS allows MDOC to track an order within our system by accesses the Query Orders option from the top menu bar. By clicking on the Query Orders tab, the screen will display that customer's 15 most recent orders in reverse chronological order. A customer can also query, or search for, any order using either the transport number, or the prisoner's name.

For each of the orders displayed, a customer can review an assortment of information, including the Transport Number, the Status of the order, the Prisoner Name, Customer and Order Notes, Holding Facility, Destination Facility, the Date the Order was Created (placed), the Pickup Deadline, the Amount or Cost of the Order and a summary Report. Depending on the Status of the individual order, Pickup and Dropoff Dates might also be displayed. Status options are: Ordered, Verified, Unscheduled, Scheduled, On Board, Billed or Cancelled. The Status information allows the customer to track a particular prisoner as he moves through the TransCor system.

6. Ground pickup must be available within the continental United States. Exceptions would include Hawaii, Alaska, Puerto Rico, etc.

Bidder Response to this Task:

RESPONSE: TransCor operates the most comprehensive ground network in the private prisoner industry. Providing coverage nationwide, TransCor is able to transport prisoners from coast to coast via the ground.

TransCor transports prisoners nationwide under the authority of the Department of Transportation (DOT), Federal Motor Carrier Safety Administration (FMCSA). TransCor's USDOT number is 426551, and the company's MC number is 239934. TransCor is also currently licensed and qualified to do business in all 50 United States. This qualification includes compliance with all applicable laws and regulations in each state, as well as all applicable federal regulations. In California, TransCor holds appropriate licensure through the Public Utilities Commission, which permits the

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company to transport passengers for hire. TransCor operates in full compliance with the regulations put forth by the Interstate Transportation of Dangerous Criminals Act of 2000, as well as applicable Department of Transportation regulations.

8. If a pickup request for a release date cannot be accomplished on a specific date, the Contractor is responsible for making other arrangements with the holding facility.

Bidder Response to this Task:

RESPONSE: Should it become necessary to request an extension from the holding on the pick up date, TransCor accepts responsibility for obtaining such an extension.

8. Medical information for inmates is to be obtained by the Contractor.

Bidder Response to this Task:

RESPONSE: After receiving an order, TransCor's Special Needs staff fax a medical information request for to the holding facility. If an order indicates the existence of a special needs condition, the staff will attempt to confirm the condition and obtain additional details from the medical staff at the holding facility. TransCor makes every attempt to obtain accurate medical information prior to attempting to pick up a prisoner.

As stated before, TransCor reserves the right to refuse to transport a prisoner should we arrive at the holding facility to discover that the prisoner has a condition unknown to either TransCor or MDOC.

1.2 Roles and Responsibilities

1.201 Contractor Staff, Roles, and Responsibilities

Identify Contractor staff who will be involved and describe in detail their roles and responsibilities. If an overall organization chart has been developed, then provide a reference to that chart as well.

Bidder Response to this Task:

45

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RESPONSE: The company employs more than 220 transportation personnel across the country, including specially trained extradition agents, logistics professionals, mechanics, training staff and trip planners. TransCor agents shall perform their responsibilities for security and control of offenders in accordance with all state and federal requirements.

All TransCor agents are properly and completely trained to successfully and lawfully perform the duties required by this RFP. A mandatory part of the basic agent training program is the successful completion of all courses and included certification courses. Such certification courses included firearms, chemical agents, and CPR/First Aid. Each of these certifications is renewed on an annual basis.

From the time that the order is placed with a member of TransCor's Customer Service staff, to the time one of our extradition agents drop the prisoner off, many TransCor employees take part in the safe, secure and timely transport of MDOC prisoners.

The Customer Service department is not only responsible for taking the order from the State, but also verifies the information received and communicates any issues that may develop with the prisoner with en route. Special Needs staff at TransCor's headquarters help ensure TransCor has the most complete understanding of each prisoner's health and medical condition, and also helps communicate and oversee any medical issues that develop while a prisoner is in our system. Trip Planners use TransCor's computer operating system and their experience to plan each prisoner's route to their destination in the most efficient manner possible.

Trip Management staff provides around the clock oversight and support to TransCor agents on the road. Trip Callers ensure that pick up, housing and destination facilities receive appropriate notice of our arrivals and activities. Accounting staff audit manifests and accurately bill customers for transport services rendered. Additional office staff support these functions and the day to day operations of the company.

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Transport services for MDOC will be primarily handled by staff in our Nashville office, although staff assigned to other regional offices will also participate in transporting MDOC prisoners dependant on their pick up location.

A change in top company leadership in January 2005 brought a new focus and vision to the company. After evaluating the company's strengths and areas of opportunity, the current President and CEO, Sharon Johnson Rion, realigned the company's structure and functions. TransCor is now organized into four main function areas: Agent Operations, Operational Support, Finance and Communications & Government Relations.

The separation and distinction of Agent Operations and Operational Support creates a clear checks and balances system and allows the respective Managing Directors more time to focus on the strengths and improvement areas of each individual function group. Giving the agents in the field the proper preparation, support and tools required for their job is critical to the success of the company and the secure transport of the prisoners in our custody.

The presence of Regional Directors at our satellite office locations enables direct supervision of our agent force at the local level. Recognizing and correcting issues quickly and at the lowest level supports the smooth flow of our operations. Likewise, talent and individual strengths are more readily identified, recognized and utilized.

Operations

Curtiss Sullivan, Managing Director of Agent Operations is the highest level of supervision for TransCor's entire agent force. Under his direct supervision are the Regional Directors who in turn provide direct supervision, guidance and oversight to the agents. Sullivan works closely with Human Resources and Staff Development and Training staff to ensure that TransCor recruits and hires the most qualified candidates available, and then provides them with the training and development opportunities to perform the duties required of them on the road.

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His realm of responsibility also extends to include active participation in the planning of the most efficient and compliant trips possible, as well as responsibility for the trip managers who track and support the teams while they are on the road.

Following more than 30 years with the Tennessee Department of Corrections, Linda Dodson began the second-phase of her career journey by joining TransCor's leadership team as the Managing Director of Operational Support, where she is responsible for human resources, staff development, quality assurance, policy and procedure development, customer service, and special needs.

Biographical information on Sullivan, as well as a number of other key staff have been included later in this tab, in response to Article 1, Attachment B. A copy of TransCor's functional organizational chart has also been included in the same section for MDOC's reference and review.

1.202 State Staff, Roles, and Responsibilities

The Department of Corrections will oversee this contract. Laura Campbell, Contracts Manager, is the Contract Compliance Inspector (CCI). Her role is to oversee the Contractor's performance on a day-to-day basis during the term of the contract.

The Parole Violation Unit, the Community Residential Programs Section, the Interstate Unit of the Field Operations Administration, or the Correctional Facilities Administration, Department of Corrections, will make all prisoner transportation requests.

The receiving staff for male offenders is located at the Egeler Reception and Guidance Center, in Jackson, Michigan.

The receiving staff for female offenders is located at Scott Correctional Facility, in Plymouth, Michigan.

The invoice and payment processing will be completed by the Finance Division, Department of Corrections. The Finance Division's role is to ensure that all payments, made to the Contractor, are in compliance with the terms and conditions of the contract.

RESPONSE: TransCor has assigned Alan Proctor, Customer & Operational Support

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Manager as the MDOC and Ms. Campbell's main contact. Mr. Proctor will be available whenever MDOC needs assistance. Listed below is his contact information:

Alan Proctor, *Customer & Operational Support Manager*
(800) 825-3320 ext. 44406
(615) 240-4403 Fax
(615) 944-9061 Mobile Phone
aproctor@transcor.com

TransCor has placed a renewed focus on contract management and has realigned existing staff resources to execute this focus. The Communications and Government Relations Department is responsible for maintaining, monitoring and reviewing the contracts that TransCor has with various agencies across the country. Should MDOC have a question about their contract, they may either contact Mr. Proctor or may contact either of the following:

Ashley Nimmo Turner, *Director, Communications & Government Relations*
(800) 825-3320 ext. 44438
(615) 240-4403 Fax
(615) 406-5358 Mobile Phone
aturner@transcor.com

Ginger Fulcher, *Contracts Coordinator*
(800) 825-3320 ext. 44454
(615) 240-4403 Fax
gfulcher@transcor.com

Should MDOC need to make inquiries regarding an invoice, they should contact TransCor's finance department, specifically:

Lori Adkins, Accounts Receivable
646 Melrose Ave.
Nashville, TN 37211
(800) 825-3320 ext. 4447
(615) 240-4403 (fax)
ladkins@transcor.com

All payments should be mailed to our remittance address:
TransCor America, LLC
P.O. Box 415000 – MSC-30268
Nashville, TN 37241-5000

1.203 Other Roles and Responsibility - RESERVED

1.3 Project Plan

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1.301 Project Plan Management - RESERVED

1.302 Reports - RESERVED

1.4 Project Management

1.401 Issue Management

Issues are those things that endanger the project. It includes imminent threats and events that may have already occurred. Please specify in your bid response the issue management process that will be utilized for this project, including responsible parties, phone numbers and e-mail addresses. Identify how issues will be captured, reported and escalated.

Bidder Response to this Task:

RESPONSE: TransCor is proud of the level of customer service we provide to our customers. We acknowledge that the lack of a direct and specific contact for individual customers can adversely impact that service. To ensure ongoing communication, TransCor is assigning MDOC with a dedicated customer service representative.

This representative will be available whenever MDOC needs assistance. Listed below is the contact information for Alan Proctor, Customer & Operational Support Manager.

Alan Proctor, *Customer & Operational Support Manager*
(800) 825-3320 ext. 44406
(615) 240-4403 Fax
(615) 944-9061 Mobile Phone
aproctor@transcor.com

In this role as primary contact, Mr. Proctor will be responsible for monitoring issues before they occur, while they are ongoing and after they have been resolved to the satisfaction of all parties. He will spearhead internal efforts to address such issues that might arise and will be the conduit for keeping MDOC updated on our efforts and their outcomes.

TransCor spends significant time and resources reviewing incidents, issues and trends that develop during the course of our operations. We recognize that identifying negative

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trends and addressing customer concerns early is essential to preventing their becoming an issue that endangers our partnership with our customers. Our goal is to investigate the facts early and accurately and make any necessary operational or procedural adjustments going forward to correct the issue.

1.402 Risk Management

Risk and Issues are not the same. Risks are those things that you can assume or anticipate in a project. Issues are imminent threats or things that have already occurred. Risk management generally involves (1) identification of the risk, (2) assigning a level of priority based on the probability of occurrence and impact to the project, (3) definition of mitigation strategies, and (4) monitoring of risk and mitigation strategy. Risk assessment review should be conducted on a regular basis. Please specify in your bid response the risk management process that will be utilized for this project, including responsible parties, phone numbers and e-mail addresses. Identify how issues will be captured, reported and escalated.

Bidder Response to this Task:

RESPONSE: Since Sharon Johnson Rion returned to TransCor as President and CEO in January 2005, the company has strengthened its emphasis on risk management. Subsequent staff additions have furthered heightened our ability to capture, analyze and respond to risk areas.

The company now tracks such information as the cause of delays on each trip. From mechanical failures, weather and facility delays to staff issues, TransCor's Safety, Time & Performance (STP) tracks the root causes of the delays. These causes are then trended weekly for each region and the company as a whole, and are then compiled into monthly reports. Individual recurrent causes can then be identified and addressed. This trending of information enables TransCor to implement strategies and measure to improve our performance week over week.

Following is a recent, real time example of the success of this program. TransCor recently recognized a recurring issue with a wiring harness in our transporters. Our early recognition and communication with the manufacturer put us approximately two weeks ahead of a nationwide recognition of this manufacture default, which enabled us to obtain the necessary replacement parts before they unavailable due to high demand.

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This early recognition and quick action enabled our vehicles to keep moving and our service uninterrupted.

TransCor is committed to making sure that the occurrence of incidents is kept to a minimum. From escapes to vehicle accidents, no incident is acceptable and no incident occurs without review and adjustment. TransCor takes each incident seriously and works to make revisions to policy and practice to help safeguard against similar occurrences in the future.

TransCor recognizes the importance of risk management and continues to look for and implement procedures and programs that help safeguard our primary goal of providing safe, secure and timely prisoner transportation services.

Linda Dodson, TransCor's Managing Director of Operational Support, is responsible for overseeing the company's comprehensive quality assurance program, which extends to all areas of management and operations.

1.403 Change Management

Changes that are not within the scope of the contract will require a contract amendment and will be processed as a Contract Change Request and a change notice will be issued by the Department of Management and Budget- Acquisition Services.

If a proposed contract change is approved by the Contract Compliance Inspector, the Contract Compliance Inspector will submit a request for change to the Department of Management and Budget, Acquisition Services Buyer, who will make recommendations to the Director of Acquisition Services regarding ultimate approval/disapproval of change request. If the DMB Acquisition Services Director agrees with the proposed modification, and all required approvals are obtained (including State Administrative Board), the Acquisition Services Buyer will issue an addendum to the Contract, via a Contract Change Notice. **Vendors who provide products or services prior to the issuance of a Contract Change Notice by the DMB Office of Acquisition Services, risk non-payment for the out-of-scope/pricing products and/or services.**

Bidder Response to this Task:

RESPONSE: TransCor has read, acknowledges and agrees to this specification.

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1.5 Acceptance

1.501 Criteria

The following criteria will be used by the State to determine acceptance of the services and/or deliverables provided under this SOW:

1. Prior to the start of the engagement the Contractor will provide department staff with a detailed "scope of work" document defining the key aspects of the engagement that the Contractor will be required to complete.

2. Monthly submission of the Contractor's invoices providing the prisoner transportation details, mileage, and mileage rate of charge.

3. The Contractor must meet all previously agreed upon deadlines for prisoner transportation schedules.

4. The Contractor must respond within a mutually agreed upon timeframe, to required changes in the scope of the engagement including modifications to required completion dates or deployment of resources.

RESPONSE: TransCor has read, acknowledges and understands to this specification.

1.502 Final Acceptance

Final Acceptance will be acknowledged upon receipt and approval of items detailed in section 1.501.

RESPONSE: TransCor has read, acknowledges and understands to this specification.

1.6 Compensation and Payment

1.601 Compensation and Payment

This is a fixed unit price contract, and will be based on the cost per mile of a prisoner pickup.

RESPONSE: TransCor has read, acknowledges and understands to this specification.

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1.7 Additional Terms and Conditions Specific to this SOW

1.701 Additional Terms and Conditions Specific to this SOW - RESERVED

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TransCor
Because your officers have better things to do.

Article 1, Attachment A
Pricing

PRICE SCHEDULE
for
Michigan Department of Corrections

1. GROUND TRANSPORTATION

Prices for ground transportation services provided by TransCor America, LLC are based on the direct mileage between pick-up and drop-off points. Mileage is determined by the computer program PC*MILER/STREETS Version 16.1 or the most recent version.

1.1 The rate for an adult male will be **eighty-seven cents ($0.87)** per mile for transports.

1.2 The rate for an adult female will be **one dollar ($1.00)** per mile for transports.

1.3 Minimum Charges. A **two hundred fifty dollar ($250)** minimum charge will apply to all transports.

1.4 Discount of **fifty percent (50%)** for each additional prisoner transported between the same pick-up and drop-off locations at the same time.

1.5 **Cancellation Charge.** A charge of fifty percent (50%) of the regular rate may be billed for any cancellation not reported to TransCor prior to four (4) hours before scheduled departure time for intrastate transportation and eight (8) hours before scheduled departure time for interstate transportation.

2. SPECIAL TRANSPORTS

2.1 **Court Appearances and Release Dates.** A **two hundred fifty dollar ($250)** surcharge will be added to all transports when the prisoner has to be picked up on a specific date.

2.2 **Form VI Transports.** A **fifty-dollar ($50)** surcharge will be added to transports being done on a Form VI (Interstate Agreement on Detainers).

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Article 1, Attachment B
Organizational Chart, including Key Personnel

The following pages contain a copy of TransCor's Functional Organizational Chart, as well as profiles on the following key personnel:

- **Sharon Johnson Rion**, President and Chief Executive Officer
- **Linda A. Dodson**, Managing Director, Operational Support
- **Curtiss Sullivan**, Managing Director, Operations
- **Alan Proctor**, Operations and Customer Support Manager
- **Dick Reiley**, Customer Relations Manager
- **Jamie Batson**, Customer Service Manager
- **Robert Simmons**, Regional Director, Nationwide
- **Sarah Irick**, Director of Planning and Optimization
- **James Crouch**, Trip Planner, Midwest Region
- **Larry Coates**, Operations Commander
- **Charles Westbrook**, Operations Commander

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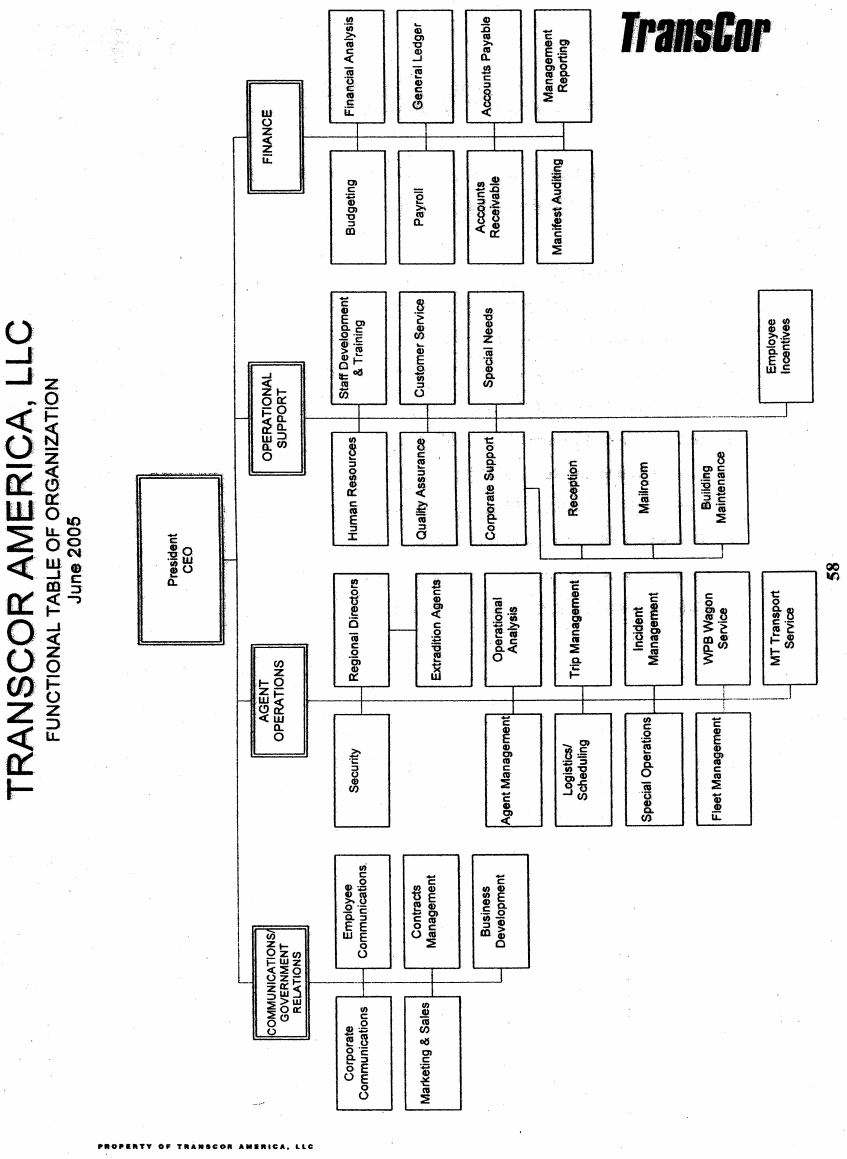
TRANSCOR AMERICA, LLC
FUNCTIONAL TABLE OF ORGANIZATION
June 2005
TransCor
President CEO
FINANCE
Financial Analysis
General Ledger
Accounts Payable
Management Reporting
Budgeting
Payroll
Accounts Receivable
Manifest Auditing
OPERATIONAL SUPPORT
Staff Development & Training
Customer Service
Special Needs
Employee Incentives
Human Resources
Quality Assurance
Corporate Support
Reception
Mailroom
Building Maintenance
AGENT OPERATIONS
Regional Directors
Extradition Agents
Operational Analysis
Trip Management
Incident Management
WPB Wagon Service
MT Transport Service
Security
Agent Management
Logistics/ Scheduling
Special Operations
Fleet Management
COMMUNICATIONS/ GOVERNMENT RELATIONS
Employee Communications
Contracts Management
Business Development
Corporate Communications
Marketing & Sales
58
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Sharon Johnson Rion
President and Chief Executive Officer

Ms. Johnson Rion's 35-year career has included serving as the administrator, warden and/or project director responsible for the start-up of state prisons, local jails and prisoner transportation services in the United States, Australia and England. Since 1997, Ms. Rion operated SJR Associates, a correctional consulting firm that worked with numerous government agencies and professional organizations. She was first named President and CEO of TransCor in 2001 and retired in 2003. She rejoined the company in the same position in January 2005.

Corrections Corporation of America
Nashville, Tennessee

- Director, International Operations
- Project Director, HMP Blankenhurst
- Warden, Metro-Davidson County (TN) Detention Facility
- Warden, New Mexico Women's Correctional Facility

Maryland Department of Public Safety
Division of Correction
Baltimore, Maryland

- Warden, Maryland Correctional Institute for Women
- Director, Program Services

Commission on Accreditation for Corrections
Rockville, Maryland

- Assistant Director

American Bar Association
Washington, D.C.

- Assistant Director, National Offender Services Coordination Program

Police Foundation
Washington, D.C

- Communications Director

International Association of Chiefs of Police
Gaithersburg, Maryland

- Research Associate

Atlanta Regional Planning Commission
Atlanta, Georgia

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- Technical Assistant Planner

Ms. Rion is also past and present member of numerous organizations:

American Correctional Association
- Board of Governors, 1990-1992
- *Previous committees:* Chair: Long Term Institutions; Member: Ethics, Long Range Planning, Nominating, Program, Standards, Children's Initiatives, Women's Task Force, Field Advisory Committee for Standards and Accreditation, and Steering Committee to implement performance-based standards for community residential services
- *Current:* Vision Statement and Youthful Offenders in Adult Jails and Prisons Task Forces

Association of Women Executives in Corrections, President, 2001-2003, Susan M. Hunter Award Chair, 2005-06
Commission on Accreditation for Corrections, Commissioner, 2001-2005
National Institute of Corrections, Management Development Consultant
National Conference for Women in Corrections and Juvenile Justice
Advisory Board Member, 1994-Present
National Program Chair, 2000
North American Association of Wardens and Superintendents
President, 1990-1992
Chair, Board of Directors, 1993; Board Member 1985 & 1994 to present
Secretary, 1986; Second Vice President, 1987; First Vice President, 1988-89
State of Maryland
Governor's Task Force on Addictions & Criminal Justice System, 1984-85
Governor's Task Force on Rehabilitation an Counseling, 1985-86
Governor's Committee to Study Sentencing and Correctional Alternatives for Women Offenders, 1986-88
Washington, DC, Halfway House for Women
Board of Directors, 1979; Chairman 1980-81

Ms. Rion received her Bachelors Degree from the University of Georgia in Athens, Georgia. She has also authored and collaborated on numerous publications.

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TransCor

Linda A. Dodson
Managing Director, Operational Support

Ms. Dodson came to TransCor in June 2005 following more than 30 years with the Tennessee Department of Corrections (TDOC). While with TDOC, she held progressively more responsible roles for planning, policy development, and administration, including more than seven years of successfully managing/supervising administrative support services for a large correctional institution and 13 years in a correctional regional office or central office with regional or statewide responsibility.

Tennessee Department of Corrections
Nashville, Tennessee

- Warden, Tennessee Prison for Women, Nashville, Tennessee
- Deputy Commissioner, Central Office
- Assistant Commissioner of Adult Institutions, Central Office
- Regional Administrator, East Region, Pikeville, Tennessee
- Administrative Services Assistant 5, East Region, Pikeville, Tennessee
- Associate Warden, Southeastern Tennessee State Regional Correctional Facility, Pikeville, Tennessee
- Criminal Justice Planner, Central Office
- Research Analyst, Central Office

Tennessee Law Enforcement Agency
Nashville, Tennessee

- Records Maintenance Technician

Ms. Dodson is also a present member of numerous organizations:

American Correctional Association, 1985-2005
Association of Women Executives in Corrections, 1995-2005
North American Association of Wardens and Superintendents, 2005
Tennessee Correctional Association, Lifetime Member

Ms. Dodson received her Bachelors Degree in Business Administration Management from Middle Tennessee State University in Murfreesboro, Tennessee.

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Curtiss D. Sullivan
Managing Director, Agent Operations

Mr. Sullivan joined TransCor in 2004 following a distinguished 21-year career in the U.S. Marine Corps. His service in the Marine Corps included posts responsible for logistics, training and management. Mr. Sullivan has extensive experience in logistics and logistical support operations of a diverse range of transportation operational management theories and information systems.

Ingram Book Group
Nashville, Tennessee

Operations Supervisor

U.S. Marie Corps

- Senior Enlisted Advisor: Inspector-Instructor, Chattanooga, Tennessee
- Senior Enlisted Advisor: Inspector-Instructor, RFTA Davens, Massachusetts
- Assistant Military Advisor/Instructor, U.S. Naval Academy, Maryland
- Assistant Logistics/Operations Officer, Okinawa, Japan
- Logistics/Hazardous Material Coordinator, Camp LeJeune, North Carolina
- Senior/Drill Instructor, Parris Island, South Carolina
- Career Planner/Human Recourses Coordinator, Jax, Florida
- Traffic Management Coordinator, Okinawa, Japan
- Traffic Management Coordinator, Camp Pendleton, California

Mr. Sullivan is also past and present member of numerous organizations:

Marine Corps League
Semper Fidelis Society
Non-Commissioned Officers
Drill Instructor Association

Mr. Sullivan has received extensive military training, his military training includes the following:

- *Leadership:* Senior Enlisted Advisor Course, Staff Non-Commissioned Adv Officer Course, Staff Non-Commissioned Career Course, Drill Instructor School, Non-Commissioned Officer Course
- *Logistics:* Combat Service Support School, Logistic/Embarkation School, Traffic Management
- *HazMat:* Hazardous Material Management School
- *Survival:* Water Safety Survival Instructor School, Mountain Leaders School, Airborne/Paratrooper School

Mr. Sullivan received his Associate of Arts Degree in Business Management from University of Maryland in College Park, Mayland.

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P. Alan Proctor
Customer and Operational Support Manager

Mr. Proctor joined TransCor as a Director of Sales and Marketing in January 2003 and was named Customer and Operational Support Manager in August 2005. He joined the company with over 15 years of experience in sales, account development and operations management in the printing industry. Proctor also served as the Chief of Staff and Director of Community Service for the Davidson County Sheriff's Office in Nashville, Tennessee.

Proctor Printing
Nashville, Tennessee

- Family Owned Business

Davidson County Sheriff's Office
Nashville, Tennessee

- Chief of Staff
- Director of Community Services
- Campaign Coordinator

Mr. Proctor received his Bachelor of Arts Degree in Management and Human Relations from Trevecca Nazarene University in Nashville, Tennessee.

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Robert Simmons
Regional Director, Nationwide

Mr. Simmons joined TransCor in 1996 as an Extradition Agent and Bus Driver. Following numerous promotions, Simmons assumed the role of Regional Director/Nationwide, with responsibility to assist with the daily scheduling and operational needs of the nationwide network. Prior to his career with TransCor, Simmons served in the U.S. Navy and as a commercial driver for 14 years.

TransCor America, LLC
Nashville, Tennessee

- Assistant Director of Operations, Rockledge, FL
- Assistant Director of Agents, Nashville, TN
- Interim Manager, Texas Operations, Taylor, TX
- Dispatch Coordinator/Operations Chief
- Extradition Agent

United States Navy

Seaman, E3, Perth Amboy, New Jersey

Mr. Simmons received his Associate Degree in Criminal Justice from Mater Dei College in Ogdensburg, New York.

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Article 1, Attachment C
Labor Rates

TransCor refers the MDOC to Article 1, Attachment A, which contains the proposed rate schedule for this contract.

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Article 1, Attachment D
Deliverables

Following is information about TransCor as a company and our experience.

TransCor America, LLC (TransCor) is the largest and most experienced prisoner transportation company in the country. Founded in Tennessee in 1990, the company was acquired by Corrections Corporation of America (CCA) as a wholly owned subsidiary in 1994. TransCor continues to operate as a subsidiary of CCA (NYSE: CXW) and is proud to remain not just the largest company, but also the largest American-owned company in the industry.

During the past 15 years, TransCor has transported over 720,000 prisoners at all security levels. The company has experience in transporting males and females, adults and juveniles at all security levels, by both ground and commercial and charter aircraft.

We lead the industry in compliance with local, state and federal regulations applicable to our industry, including the Interstate Transportation of Dangerous Criminals Act of 2000, pertinent Department of Transportation regulations and Ohio's Revised Code. We are confident that our operational policy, procedures and practices are sound and that we provide a safe, secure and humane prisoner extradition alternative.

TransCor partners with law enforcement and corrections agencies throughout the country to provide prisoner transportation and extradition services. Our partners can be found at the local, state and federal levels, and include many state departments of corrections. TransCor is a proud corporate member of the National Sheriff's Association.

The Company operates 24 hours a day, seven days a week, 365 days a year. To support the agents in the field, trip managers continuously staff the company's operations center in Nashville, in order to regularly communicate with active teams, monitor their movement and transactions and provide assistance when needed. A senior member of the staff is also always on call to provide additional oversight, support and advise when situations arise that require their involvement.

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TransCor's objective is to provide safe, secure and humane prisoner transportation services at a cost-effective rate. The company has established policy, procedure and practice that has been, and continues to be, refined to provide the highest and most reliable service in the industry. Backed by a proprietary, state-of-the-art operating system, online customer ordering capabilities and expert staff, TransCor operations are by far the most professional, value-added service available in the industry.

TransCor is the leader for many reasons. A professional staff, proven performance and properly maintained vehicles are our core strengths. For 15 years we have been gaining the experience and expertise necessary to meet the unique needs of each of our customers. We continue to improve our performance and the level of service we offer our customers.

We understand the scope of the Department's needs and expectations, and stand ready and able to meet them. From our online capabilities to our trained agents on the road, TransCor is your partner for extradition services. The scope of our services includes a single move for a local agency to more than 640 moves annually for our largest customer.

Representative of our entire history, please see the breakdown below outlining the number of moves TransCor has performed in the previous four years. These moves represent our partnership with customers coast to coast at the local, county, state and federal levels.

	2001	2002	2003	2004
Total Annual Moves	36,469	34,484	40,531	35,259

TransCor's headquarters are located in Nashville, TN. Regional offices are also located in Banning, CA; Palm Beach, FL; Rockledge, FL; Bozeman, MT; and Taylor, TX. TransCor's main hub facilities are located in El Centro, CA; Hopkinsville, KY; Taylor, TX; and McElhattan, PA. In addition to the established hub locations, TransCor also has a system of designated secure meet locations located at strategic points throughout the country.

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In addition to a comprehensive nationwide ground network, TransCor offers enhanced convenience and coverage to law enforcement and corrections agencies in California, Florida, Montana and Texas. In these states, TransCor operates extensive in-state operations that save time and money for customers with intrastate transportation needs.

TransCor maintains a $50 million liability insurance policy, and names Hillsborough County as an additional insured party. Specifically, the company maintains the following insurance:

- ***Comprehensive General Liability - coverage for professional/law enforcement liability in an amount not less than fifty million dollars ($50,000,000.00).***
- ***Automobile Liability - including coverage for automobiles in an amount not less than fifty million dollars ($50,000,000.00), combined single limit (CSL).***
- ***Worker's Compensation Insurance in an amount not less than one million dollars ($1,000,000.00) per occurrence with all States Endorsement type.***

Proof of TransCor's insurance has been included in this bid in Section 2, Tab D of our response.

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Article 1, Attachment E
Project Plan

TransCor requests that our proposal as a whole be viewed as our plan for continuing to provide prisoner transportation services to the Michigan Department of Corrections.

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Article 1, Attachment F
Service Level Agreement

TransCor reserves the right to negotiate a resulting Service Agreement with the State of Michigan and the Michigan Department of Corrections.

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Appendix B

Federal Regulation Information

TransCor

INTERSTATE TRANSPORTATION OF DANGEROUS CRIMINALS ACT OF 2000 AND DEPARTMENT OF TRANSPORTATION REGULATIONS

Effective January 27, 2003, private prisoner transportation companies became responsible for bringing their policies, practices and operation into compliance with a number of minimum performance standards promulgated from the Interstate Transportation of Dangerous Criminals Act of 2000.

As of September 2003, TransCor operations are in compliance with the regulations promulgated from the Interstate Transportation of Dangerous Criminals Act of 2000.

These regulations set minimum performance standards that were not previously present in our industry, and TransCor has spent the past three years adjusting our operations, including our agent and vehicle resources, training curriculum, scheduling and planning efforts, to ensure that we are in full compliance, and remain so.

The Interstate Transportation of Dangerous Criminals Act of 2000 covers such areas as agent to offender ratio, female agents being present during the transportation of female offender, offender restraints, agent training, agent uniforms, offender uniforms and drive times. TransCor has made conscious efforts to develop and implement policy, procedure and practice consistent with the standards, efforts that have had significant impacts on our operating expenses.

In 2003, the DOT announced revisions to Code of Federal Regulation Title 49, making it applicable to all prisoner transportation companies, whether or not their fleet was previously covered by DOT regulations. The revised regulations went into effect as of December 10, 2003 and encompass trip scheduling, driver logbooks and DOT physical examinations. TransCor has distributed logbooks to all drivers, as well as provided training in the proper usage of the books and completed DOT physicals to ensure our drivers are operating in compliance with the new regulations.

Most importantly, we solicited an official opinion from the DOT as to the applicability of these regulations on the prisoner transportation industry in general and TransCor specifically. The DOT response affirmed the applicability of the regulations, stating that we operate as for-hire motor carriers who receive direct compensation for the transport of passengers in interstate commerce and are therefore subject to the operating authority requirements contained in the new regulations.

TransCor is confident in stating that we were the first company in the industry to pursue and achieve compliance with the Interstate Transportation of Dangerous Criminals Act of 2000. We are equally certain that our ongoing and full compliance with the DOT regulations puts us in a unique category in our industry. Bringing our operations into compliance with these regulations was the responsible thing to do. We can only hope that our competitors feel the same

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responsibility. We feel that companies that do not comply are not operating in a safe and secure manner by running their officers over the 15-hour on-duty limit and not housing the prisoners. And above all, we hope that as a public agency, you are compelled to hold the companies you partner with to the highest standard by calling the DOT and inquiring about the compliance of the company you have selected as your partner for the transportation of parole violators.

It is important to point out that, unlike law enforcement and corrections agencies with whom we partner to provide offender extradition and transportation services, TransCor is not privy to and provided with a complete criminal history of offenders we are asked to transport. Consequently, TransCor manages all offenders being transported as maximum security. As such, we do not differentiate between the "violent" and "non-violent" offenders, as does the federal legislation. TransCor policy, procedure and practice specific to health, safety, offender rights, restraints, and uniforms apply to all offenders in our system, regardless of age, sex, race, ethnicity or religion.

To ensure our ongoing compliance with applicable DOT regulations, TransCor has retained an outside transportation consulting company, Fleet Safety Services, Inc. of Worcester, Mass., to review our driver logbooks and driver qualification files. This company is also helping us organize a self-audit program, as well as performing a mock audit of TransCor each year.

In addition to soliciting outside expertise to help ensure compliance, TransCor is also taking ongoing internal steps to keep our operations in line with DOT regulations. Trips are scheduled to keep drivers within the mandated on-duty times, training on the regulations and driver logbooks has been incorporated into our basic training curriculum, logbooks have been distributed to all drivers, as well and DOT physicals have been completed on all drivers and all new hires.

A copy of the regulations created by the Interstate Transportation of Dangerous Criminals Act of 2000, as published in the Federal Register, as well as a copy of the TransCor's Compliance Report has been included as the following pages of this section.

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TRANSCOR COMPLIANCE REPORT
FOR
THE INTERSTATE TRANSPORTATION OF DANGEROUS CRIMINALS ACT OF 2000

Over the past few years, TransCor has made conscious efforts to develop and implement policy, procedure and practice consistent with the standards now promulgated by the Interstate Transportation of Dangerous Criminals Act of 2000, also known as Jeanna's Act. TransCor is one of the organizations that worked with the U.S. Department of Justice in formulating the regulations.

In addition, TransCor is proud to be the company contacted by the American Correctional Association to work in concert with its staff to create the first draft of performance-based standards for the prisoner transportation industry.

It is important to point out that, unlike law enforcement and corrections agencies with whom we partner to provide prisoner extradition and transportation services, TransCor is not privy to and provided with a complete criminal history of prisoners we are asked to transport. Consequently, TransCor manages all prisoners being transported as maximum security. As such, we do not differentiate between the "violent" and "non-violent" prisoner, as does the federal legislation. TransCor policy, procedure and practice specific to health, safety, prisoner rights, restraints, and uniforms apply to all prisoners in our system, regardless of age, sex, race, ethnicity or religion.

Compliance Report

As of September 2003, TransCor is in complete compliance with all federal standards. The following address how TransCor has and continues to comply with each:

Pre-employment screening

TransCor completes the required pre-employment screening, inclusive of: fingerprint-based criminal background check, motor vehicle record check, credit check, physical examination, pre-employment drug test, and personal interview.

All candidates who are found to have prior felony convictions or a state or federal conviction for a misdemeanor crime of domestic violence are disqualified for employment.

TransCor also requires random drug testing and applicable DOT-required drug testing for all extradition specialists/agents throughout the tenure of their employment with the company.

Employee training

All candidates for employment as TransCor extradition specialists/agents must successfully complete a 100-plus hour pre-service Basic Agent Training Program, successfully complete all required certifications, pass post-instruction tests to demonstrate proficiency, and pass the comprehensive final exam.

1

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All trainees must successfully complete the following certification courses to be employed as TransCor extradition specialists/agents: First Aid, CPR, blood and airborne pathogens, use of force, use of pressure point techniques, use of chemicals; use of restraints, and firearms.

All trainees must also successfully complete and pass post-instruction tests for: ethics and professionalism, map reading, defensive driving, prisoner and vehicle searches, incident reporting and report writing, trip documentation, emergency preparedness, and prisoner rights.

Upon successful completion of and graduation from the Basic Agent Training Program, each agent completes two trips under the supervision of senior personnel, who serve as the officer-in-charge (OIC) and complete a written evaluation of all aspects of the new agent's performance. During this Field Training Program, the OIC continues the practical application of the information presented during basic pre-service training. If a negative report is received on either trip, the new agent is assigned to a third trip for evaluation with a different OIC. If the problem persists, the agent is terminated.

In addition to the initial training, TransCor requires each agent to successfully complete 40 hours of annual re-certification and in-service training.

Maximum driving time

By policy, procedure and practice, TransCor has always complied with the Department of Transportation (DOT) regulation at 49 CFR 395.3 when operating buses. Our vans are also regulated under these DOT guidelines as of December 10, 2003. TransCor has modified scheduling and operational policies and practices to ensure full compliance with the regulations in these vehicles as well. TransCor's compliance has been audited and confirmed by DOT.

The DOT standards regulating all TransCor vans, transporters and buses, with which we are fully compliant, mirror those on-duty regulations specified by the Interstate Transportation of Dangerous Criminals Act of 2000. Our compliance is documented via logbooks and monitored by our dispatch staff.

All ground transports, regardless of vehicle type, follow these guidelines.

Moreover, as of August 12, 2003, the DOT promulgated new regulations that fall within the Act. These new regulations are specific to the drive time and compliance regulations, and provide an enforcement arm under DOT. As of December 10, 2003, Federal Regulation 28CFR97 went into effect and applies to all prisoner transportation companies, whether or not their fleet was previously covered by DOT regulations. The new standards encompass trip scheduling, driver logbooks and DOT physical examinations. TransCor has distributed logbooks to all drivers, as well as provided training in the proper usage of the books and completed DOT physicals to ensure TransCor drivers are currently operating in compliance with the new regulations.

Guard-to-prisoner ratio

TransCor policy requires the minimum 6:1 prisoner to agent ratio.

Employee uniforms and identification

2

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TransCor agents wear readily identifiable uniforms, including bronzed, engraved nameplates, identification badges and carry detailed credentials. By policy, TransCor agents present their credentials to personnel at correctional facilities in order to gain authorized entry.

Clothing requirements for transported violent prisoners

TransCor initiated a procedure for prisoner uniforms as a result of Ohio Revised Code 5120.64(B) and 311.29(E) when transporting Ohio prisoners. We have now expanded the use of the bright orange, two-piece prisoner uniforms, which are clearly marked "TCA INMATE", for all prisoners being transported.

Mandatory restraints to be used while transporting violent prisoners

TransCor policy requires that all prisoners to be transported in full restraints. Prisoners are also interconnected for additional security. All TransCor vehicles carry a supply of prisoner restraints.

Notification of local law enforcement prior to scheduled stops

By policy, all scheduled stop locations are given a minimum of 24-hour notice. TransCor provides agencies with no less than 24-hour notice prior to picking up or dropping off a prisoner. In addition, TransCor contracts with correctional facilities, both jails and prisons, nationwide to provide secure housing for prisoners in transit and provides them with 24-hour notice prior to arrival. A limited number of agencies require notice longer than 24 hours, and TransCor complies with their instruction.

Immediate notification of local law enforcement in the event of an escape

By policy, procedure and practice, TransCor agents must take specific steps in the event of an escape, including the immediate notification of local law enforcement officials. TransCor also has an internal mechanism for contacting the contracting agency about the escape.

Each TransCor vehicle is equipped with a global positioning system (GPS) and in-vehicle communication system (IVCS), which allow for real time communications with the central operations center, located at TransCor headquarters. GPS also enables the agents in the vehicle to transmit emergency messages. All vehicles also carry cellular telephones.

Standards to ensure the safety of violent prisoners during transport

TransCor takes every precaution and applies available resources to ensure safe and secure transport services for the prisoners being transported, for our extradition specialists/agents, for the general public, and for our customers. To that end, TransCor maintains proactive inspection and monitoring systems to identify, study and resolve variables that have potential to cause safety concerns.

TransCor has a comprehensive vehicle preventive maintenance program to ensure that all vehicles are safe and well maintained. Our maintenance program exceeds the industry standard for all classes of vehicles operated by the company. Also, the extradition specialists/agents conduct and document pre- and post-trip inspections. Each vehicle receives a thorough inspection by an experienced mechanic at the conclusion of standard transportation runs.

3

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All vehicles are equipped with efficient communications systems capable of immediate notification of state and local law enforcement in the event of an emergency. Also, all TransCor vehicles are equipped with First Aid kits, CPR micro shields, biohazard spill kits, biohazard disposal bags, sharps containers, motion sickness bags, disposable gloves, and no less than one fire extinguisher and emergency triangle.

TransCor Policy 7-2: Legal Rights of Prisoners On Board prohibits the mistreatment of prisoners, including prohibitions against any form of discrimination; personal, physical, verbal or sexual abuse; corporal punishment; harassment; and, damage to prisoner property. TransCor's policy addresses a broader spectrum of issues than those cited in the federal legislation.

TransCor transports juveniles separately from adults. By policy, juveniles are handled as special moves and not included for transport in our nationwide system.

TransCor policy, procedure and practice require that female prisoners be transported in separate compartments from male prisoners. Also, it is TransCor's policy to have a female agent present when transporting female prisoners.

As referenced earlier, all TransCor extradition specialists/agents are trained in the handling and restraint of prisoners, prisoner searches, proper use of firearms and other security equipment, and have received specialized training in the areas of harassment and sexual harassment.

TransCor policy, procedure and practice require that prisoners be fed three meals per day, have restroom stops every three to four hours, travel in vehicles having proper heating and ventilation, and be provided climate-appropriate clothing. TransCor buses traveling across country carry a supply of blankets during cold weather months.

TransCor policy prohibits the use of tobacco in our buses at all times. However, we have historically allowed prisoners traveling in vans to smoke when the vehicle is stopped for meals and restroom breaks. Effective April 14, 2003, TransCor no longer allows smoking or the use of tobacco, in any form, in any vehicle by staff or prisoners.

Compliance Monitoring

TransCor initiated a quality assurance program that assisted in the improvement of our operations and service provision. We continue to upgrade our management information, communications and monitoring systems to improve safety, increase efficiency, and ensure compliance with all applicable statutes, regulations and contracts.

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Office of the Attorney General
28 CFR Part 97
[OAG 100F; AG Order No. 2640-2002]
RIN 1105-AA77

Establishment of Minimum Safety and Security Standards for Private Companies That Transport Violent Prisoners

AGENCY: Office of the Attorney General, Department of Justice.
ACTION: Final rule.

PART 97--STANDARDS FOR PRIVATE ENTITIES PROVIDING PRISONER OR DETAINEE SERVICES

Sec.
97.1 Purpose.
97.2 Definitions.
97.11 Pre-employment screening.
97.12 Employee training.
97.13 Maximum driving time.
97.14 Guard-to-prisoner ratio.
97.15 Employee uniforms and identification.
97.16 Clothing requirements for transported violent prisoners.
97.17 Mandatory restraints to be used while transporting violent prisoners.
97.18 Notification of local law enforcement prior to scheduled stops.
97.19 Immediate notification of local law enforcement in the event of an escape.
97.20 Standards to ensure the safety of violent prisoners during transport.
97.22 No pre-emption of federal, State, or local laws or regulations.
97.24 No civil defense created.
97.30 Enforcement.

Authority: Pub. L. 106-560, 114 Stat. 2784 (42 U.S.C. 13726b).

Sec. 97.1 Purpose.

This part implements the provisions of The Interstate Transportation of Dangerous Criminals Act of 2000, Public Law 106-560, 114 Stat. 2784 (42 U.S.C. 13726b) (enacted December 21, 2000) (``the Act''), to provide minimum security and safety standards for private companies that transport violent prisoners on behalf of State and local jurisdictions.

Sec. 97.2 Definitions.

(a) Crime of violence. The term ``crime of violence'' has the same meaning as in section 924(c)(3) of title 18, United States Code. Section 924(c)(3) states that the term crime of violence means an offense that is a felony and has as an element the use, attempted use, or threatened use of physical force against the person or property of

another, or that by its nature, involves a substantial risk that physical force against the person or property of another may be used in the course of committing the offense.

(b) Private prisoner transport company. The term ``private prisoner transport company'' (``company'') means any entity, other than the United States, a State, or an inferior political subdivision of a
State, that engages in the business of transporting for compensation individuals committed to the custody of any State or of an inferior political subdivision of a State, or any attempt thereof.

(c) Violent prisoner. The term ``violent prisoner'' means any individual in the custody of a State or an inferior political subdivision of a State who has previously been convicted of or is currently charged with a crime of violence or any similar statute of a State or the inferior political subdivisions of a State, or any attempt thereof.

Sec. 97.11 Pre-employment screening.

Private prisoner transport companies must adopt pre-employment screening measures for all potential employees. The pre-employment screening measures must include a background check and a test for use of controlled substances. The failure of a potential employee to pass either screening measure will act as a bar to employment.

(a) Background checks must include:

(1) A fingerprint-based criminal background check that disqualifies persons with either a prior felony conviction or a State or Federal conviction for a misdemeanor crime of domestic violence as defined in 18 U.S.C. 921;

(2) A Credit Report check;

(3) A physical examination; and

(4) A personal interview.

(b) Testing for controlled substances.

(1) Pre-employment testing for controlled substances must be in accordance with applicable State law.

(2) In the event that there is no applicable State law, pre-employment testing for controlled substances must be in accordance with the provisions of Department of Transportation regulations at 49 CFR 382.301 which will apply regardless of whether a private prisoner transport company is covered by Department of Transportation regulations.

(c) The criminal background check references in paragraph (a)(1) of this section may not be submitted directly to the FBI or any other Federal agency. The private prisoner transport companies must arrange the procedures for accomplishing the criminal background checks with their contracting governmental agencies. In the event that the private prisoner transport company is contracting with a privately run incarceration facility, and not directly with a governmental entity, the private prisoner transport company will have to make arrangements through the private incarceration facility to have the checks completed by the governmental entity ultimately requesting the transport.

Sec. 97.12 Employee training.

Private prisoner transport companies must require the completion of a minimum of 100 hours of employee training before an employee may transport violent prisoners. Training must include instruction in each of these six areas:

(a) Use of restraints;
(b) Searches of prisoners;
(c) Use of force, including use of appropriate weapons and firearms;
(d) Cardiopulmonary resuscitation (CPR);
(e) Map reading; and
(f) Defensive driving.

Sec. 97.13 Maximum driving time.

Companies covered under this part must adhere to the maximum driving time provisions applicable to commercial motor vehicle operators, as set forth in Department of Transportation regulations at 49 CFR 395.3 which will apply regardless of whether a private prisoner transport company is covered by Department of Transportation regulations.

Sec. 97.14 Guard-to-prisoner ratio.

Companies covered under this part must adhere to certain minimum standards with respect to the number of employees required to monitor violent prisoners during transportation. Private prisoner transport companies must ensure that at least one guard be on duty for every six violent prisoners transported. This requirement does not preclude a contracting entity from establishing more stringent guard-to-prisoner ratios.

Sec. 97.15 Employee uniforms and identification.

(a) Employee uniforms. Uniforms used by private prisoner transport companies must meet the following requirements:

(1) Uniforms must be readily distinguishable in style and color from official uniforms worn by United States Department of Justice employees who transport violent offenders;

(2) Uniforms must prominently feature a badge or insignia that identifies the employee as a prisoner transportation employee; and

(3) Uniforms must be worn at all times while the employee is engaged in the transportation of violent prisoners.

(b) Employee identification. Identification utilized by private prisoner transport companies must meet the following requirements:

(1) The identification credentials must clearly identify the employee as a transportation employee. The credentials must have a photograph of the employee that is at least one inch square, a printed personal description of the employee including the employee's name, the signature of the employee, and date of issuance; and

(2) The employee must display proper identification credentials on his or her uniform and ensure that the identification is visible at all times during the transportation of violent prisoners.

Sec. 97.16 Clothing requirements for transported violent prisoners.

Companies covered under this part must ensure that all violent prisoners they transport are clothed in brightly colored clothing that clearly identifies them as violent prisoners, unless security or other specific considerations make such a requirement inappropriate.

Sec. 97.17 Mandatory restraints to be used while transporting violent prisoners.

Companies covered under this part must, at a minimum, require that violent prisoners be transported wearing handcuffs, leg irons, and waist chains unless the use of all three restraints would create a serious health risk to the prisoner, or extenuating circumstances (such as pregnancy or physical disability) make the use of all three restraints impracticable.

Sec. 97.18 Notification of local law enforcement prior to scheduled stops.

When transporting violent prisoners, private prisoner transport companies are required to notify local law enforcement officials 24 hours in advance of any scheduled stops in their jurisdiction. For the purposes of this part, a scheduled stop is defined as a predetermined stop at a State, local, or private correctional facility for the purpose of loading or unloading prisoners or using such facilities for overnight, meal, or restroom breaks. Scheduled stops do not include routine fuel stops or emergency stops.

Sec. 97.19 Immediate notification of local law enforcement in the event of an escape.

Private prisoner transport companies must be sufficiently equipped to provide immediate notification to law enforcement in the event of a prisoner escape. Law enforcement officials must receive notification no later than 15 minutes after an escape is detected unless the company can demonstrate that extenuating circumstances necessitated a longer delay. In the event of the escape of a violent prisoner, a private prisoner transport company must:

(a) Ensure the safety and security of the remaining prisoners;

(b) Provide notification within 15 minutes to the appropriate State and local law enforcement officials;

(c) Provide notification as soon as practicable to the governmental entity or the privately run incarceration facility that contracted with the transport company; and

(d) Provide complete descriptions of the escapee and the circumstances surrounding the escape to State and local law enforcement officials if needed.

Sec. 97.20 Standards to ensure the safety of violent prisoners during transport.

Companies covered under this section must comply with applicable State and federal laws that govern the safety of violent prisoners during transport. In addition, companies covered under this section are to ensure that:

(a) Protective measures are in place to ensure that all vehicles are safe and well-maintained;

(b) Vehicles are equipped with efficient communications systems that are capable of immediately notifying State and local law enforcement officials in the event of a prisoner escape;

(c) Policies, practices, and procedures are in effect to ensure the health and physical safety of the prisoners during transport, including a first-aid kit and employees who are qualified to dispense medications and administer CPR and emergency first-aid;

(d) Policies, practices, and procedures are in effect to prohibit the mistreatment of prisoners, including prohibitions against covering a prisoner's mouth with tape, the use of excessive force, and sexual misconduct;

(e) Policies, practices, and procedures are in effect to ensure that juvenile prisoners are separated from adult prisoners during transportation, where practicable;

(f) Policies, practices, and procedures are in effect to ensure that female prisoners are separated from male prisoners during transportation, where practicable;

(g) Policies, practices, and procedures are in effect to ensure that female guards are on duty to supervise the transportation of female violent prisoners, where practicable;

(h) Staff are well trained in the handling and restraint of prisoners, including the proper use of firearms and other restraint devices, and have received specialized training in the area of sexual harassment; and

(i) Private transport companies are responsible for taking reasonable measures to insure the well being of the prisoners in their custody including, but not limited to, necessary stops for restroom use and meals, proper heating and ventilation of the transport vehicle, climate-appropriate uniforms, and prohibitions on the use of tobacco, in any form, in the transport vehicle.

Sec. 97.22 No pre-emption of federal, State, or local laws or regulations.

The regulations in this part implement the Act and do not pre-empt any applicable federal, State, or local law that may impose additional obligations on private prisoner transport companies or otherwise regulate the transportation of violent prisoners. All federal laws and regulations governing interstate commerce will continue to apply to private prisoner transport companies including, but not limited to: federal laws regulating the possession of weapons, Federal Aviation Administration or Transportation Security administration rules and regulations governing travel on commercial aircraft, and all applicable federal, State, or local motor carrier regulations. The regulations in this part in no way pre-empt, displace, or affect the authority of States, local governments, or other federal agencies to address these issues.

Sec. 97.24 No civil defense created.

The regulations in this part on private prisoner transport companies are not intended to create a defense to any civil action, whether initiated by a unit of government or any other party. Compliance with the regulations in this part is not intended to and does not establish a defense against an allegation of negligence or breach of contract. Regardless of whether a contractual agreement establishes minimum precautions, the companies affected by the regulations in this part will remain subject to the standards of care that are imposed by constitutional, statutory, and common law upon their activities (or other activities of a similarly hazardous nature).

Sec. 97.30 Enforcement.

Any person who is found in violation of the regulations in this part will:
(a) Be liable to the United States for a civil penalty in an amount not to exceed $10,000 for each violation;
(b) Be liable to the United States for the costs of prosecution; and
(c) Make restitution to any entity of the United States, of a State, or of an inferior political subdivision of a State, that expends funds for the purpose of apprehending any violent prisoner who escapes from a prisoner transport company as the result, in whole or in part, of a violation of the regulations in this part promulgated pursuant to the Act.

Dated: December 19, 2002.
John Ashcroft,
Attorney General.

[FR Doc. 02-32608 Filed 12-24-02; 8:45 am]
BILLING CODE 4410-BB-P

FMCSA RULE, Published in the 8/12/03 *Federal Register*
Excerpts: (*not,* the effective date has been changed to 12/10/03)

SUMMARY: FMCSA amends the Federal Motor Carrier Safety regulations (FMCSRs) to require that motor carriers operating commercial motor vehicles (CMVs), designed or used to transport between 9 and 15 passengers (including the driver) in interstate commerce, must comply with the applicable safety regulations when they are directly compensated for such services and the vehicle is operated beyond a 75 air mile radius (86.3 statute miles or 138.9 kilometers) from the driver's normal work-reporting location. The agency has revised its proposed distance threshold to focus on the distance that the driver operates the vehicle, as opposed to the distance that the passengers are transported. These motor carriers, drivers, and vehicles are now, through this rule, subject to the same safety requirements as motor coach operators, except for the commercial driver's license, and controlled substances and alcohol testing regulations. This rule implements section 212 of the Motor Carrier Safety Improvement Act of 1999 (MCSIA).

DATES: This final rule is effective on September 11, 2003. *Compliance Date.* Affected motor carriers must be in compliance with this rule no later than November 10, 2003.

Part 396 requires that each motor carrier must have a systematic inspection, repair, and maintenance program for the CMVs it operates, and must ensure that vehicles are in safe and proper operating condition at all times. They must also maintain records to document compliance with these rules. In addition, motor carriers must ensure that each vehicle is inspected at least once every 12 months by a qualified inspector/mechanic and that any motor carrier employee responsible for the adequacy of any brake-related inspection, repair, or maintenance work meets certain minimum qualifications. They must also maintain records to document compliance with these rules.

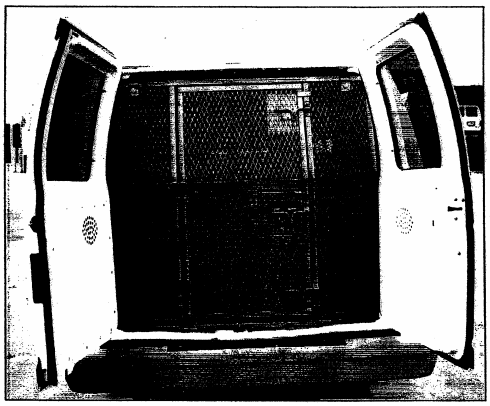
Motor carriers must ensure that their drivers comply with the hours-of-service requirements of part 395, including reporting, record keeping, verifying, and responding to law enforcement requests. No driver of a passenger-carrying CMV may drive more than 10 hours following 8 consecutive hours off duty. No driver may operate a passenger-carrying CMV if the driver has been on duty more than 15 hours following 8 consecutive hours off duty (regardless of whether he or she drove). Furthermore, drivers of passenger-carrying CMVs must not drive after being on duty 60 hours in any seven consecutive days if the motor carrier does not operate CMVs every day of the week (60-hour rule), or after being on duty 70 hours in any eight consecutive days if the motor carrier operates CMVs every day of the week (70-hour rule). For drivers that operate passenger-carrying CMVs beyond a 100 air-mile radius of the normal work-reporting location, a record of duty status (log book) is required to document the number of hours on duty and the number of hours driving.

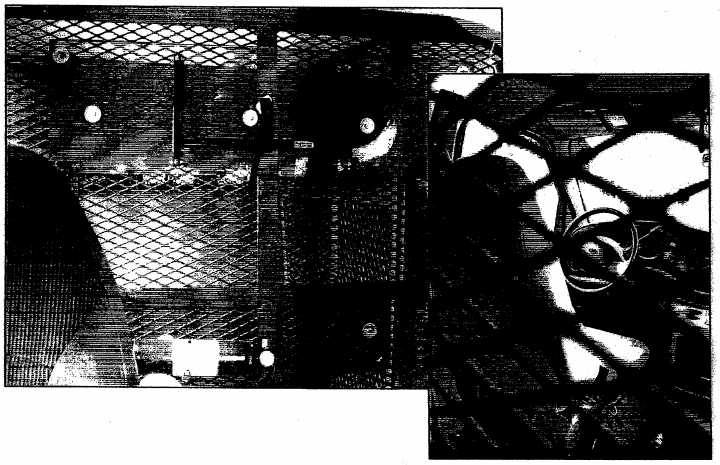
Drivers subject to the rule are required to obtain a medical examiner's certificate. After the effective date of this rule, motor carriers will have 90 days (or 120 days from the **Federal Register** publication date) to comply with the safety regulations. The agency believes this is sufficient time for the affected motor carriers to establish and implement safety management controls to achieve compliance with the FMCSRs.

Appendix C

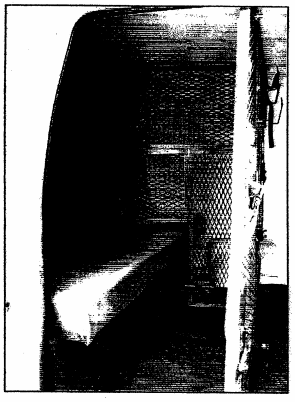
TransCor Vehicles

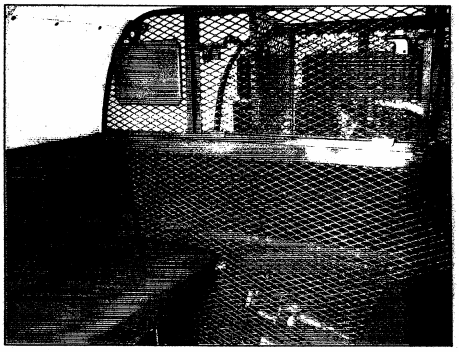
TransCor 12-Passenger Van

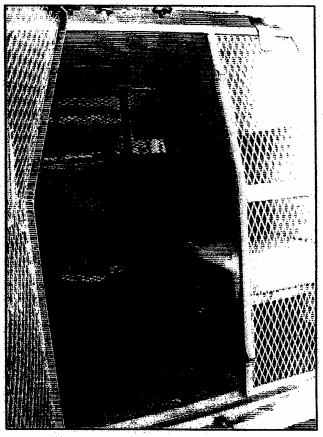


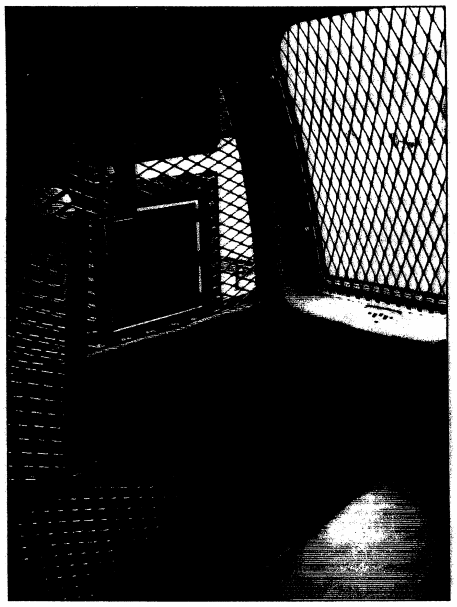


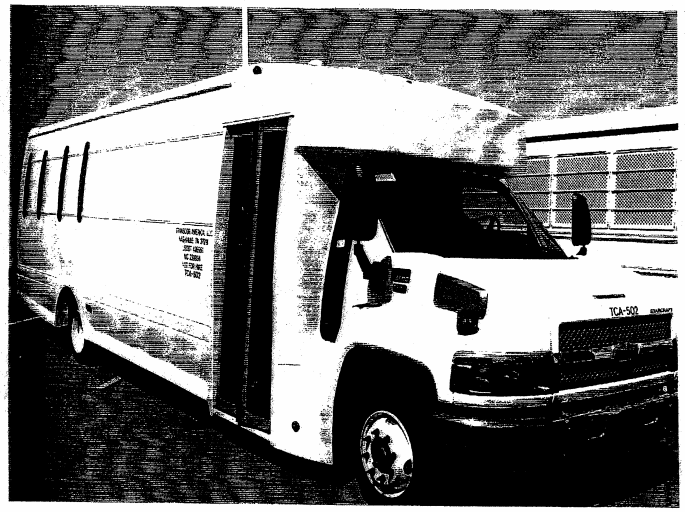
The compartmentalized interior of the vans allows for the separation of male and female arrestees, as well as meet CALEA standards governing the presence of a partition between prisoners and the agent driving area.



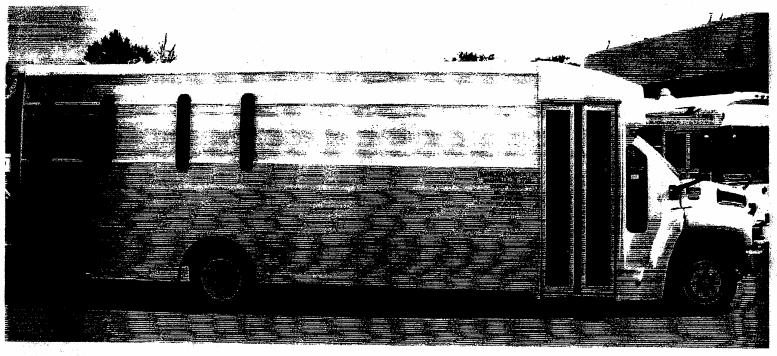


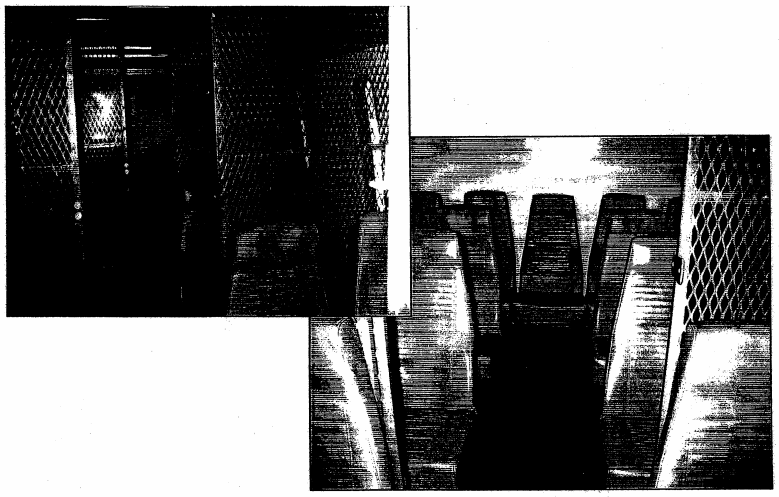




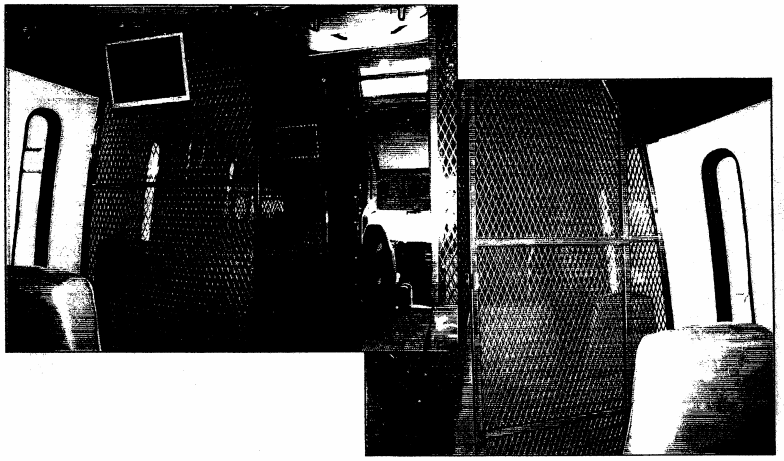


TransCor 23-Passenger Transporter

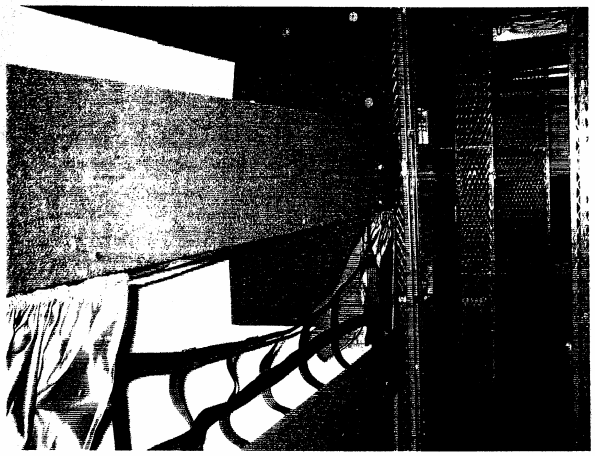


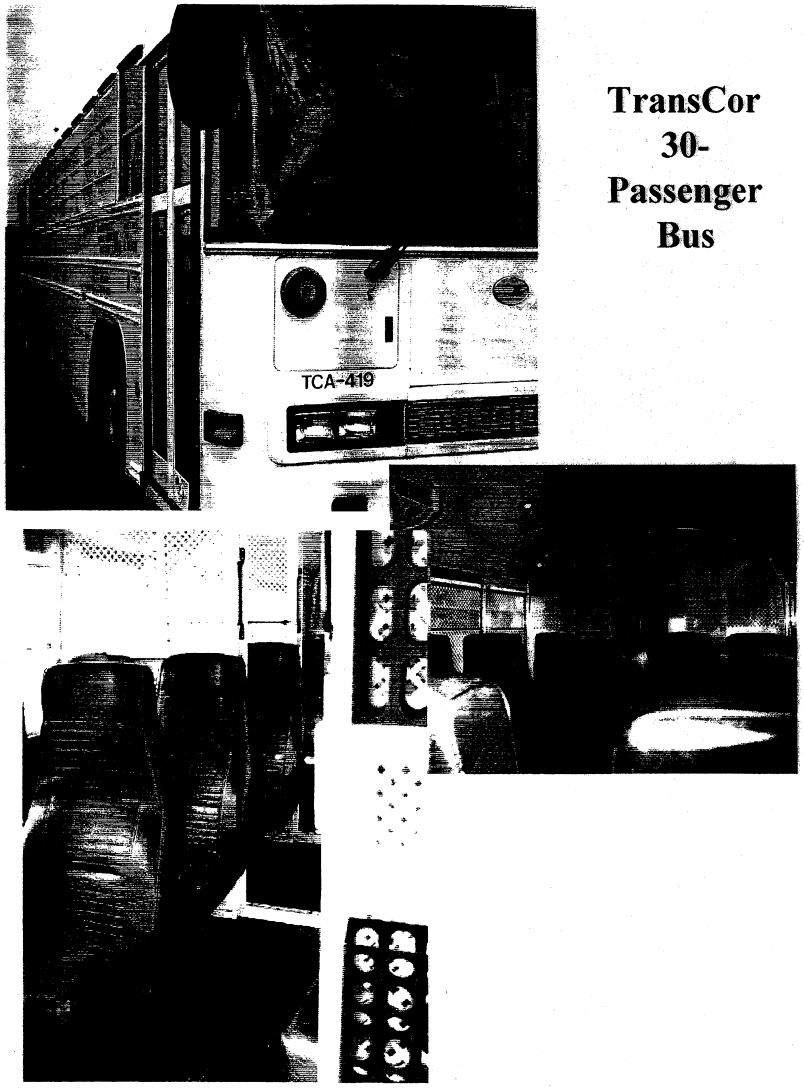


TransCor's fleet currently features two sizes of transporters – an 18- and a 23-passenger.



Each transporter features work space for the agents and staff bunks. Each transporter is also equipped with on-board restroom facilities.





TransCor 30-Passenger Bus

Appendix D

TransCor Special Needs Prisoner Protocol

TransCor

SPECIAL NEEDS PRISONER PROTOCOL

Revised Edition/Effective August 31, 2005

TransCor is proud of being a full-service prisoner extradition/transportation company. Our goal is to move all types of prisoners, including those with special needs. However, many special needs prisoners cannot be moved in our normal system due to their health care issues. Consequently, we want to offer you an alternative whenever possible.

Prisoners who cannot be moved in our normal system due to medical issues require special consideration, which we call a "flex" transport. This flex alternative method can be either by ground or by air, depending on the specifics of the individual prisoner being moved. Flex moves are quoted on an individual basis.

The following protocols determine whether a prisoner can be accepted into the normal system or requires a flex transport.

When an order is received, TransCor faxes a medical authorization form to the holding facility and requests the information to be returned within twenty-four (24) hours. This information is reviewed by our Special Needs Medical Staff to assist in determining any special transport requirements.

All prisoners who are transported in the normal system must be able to ride seated in a vehicle for up to a maximum of five (5) days without making more than normal stops for meals and restroom breaks; be able, with only minimal assistance, to walk short distances and board and disembark from a vehicle in full restraints; they cannot have a contagious condition or have dietary restrictions that preclude eating meals from fast food establishments. Normal stops for restroom breaks are made every three to four hours. (Buses and Transporter vehicles also have a restroom on-board.)

For moves in the normal system, a ten (10) day supply of medication or a prescription for a ten (10) day supply must be provided by the holding facility, unless otherwise noted. A prescription for HIV/AIDS medication must have prior approval by the customer due to the expense.

All flex transports (air or ground) require a three (3) day supply of medication. Prescriptions are not sufficient and will not be accepted in lieu of medication for flex moves.

All prescriptions filled by TransCor will be billed to the customer.

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BROKEN LIMBS IN CASTS

The prisoner must be able to ride comfortably in a sitting position, without the broken limb requiring elevation. The cast cannot preclude the use of restraints. While the use of a cane or crutch is acceptable, the prisoner cannot be confined to or require a wheelchair. Although a wheelchair may be used to or from the transportation vehicle, the prisoner must be able to bear his/her own weight with minimal assistance for boarding and leaving the transportation vehicle. Any prisoner whose condition does not meet these guidelines must be transported as a flex.

CARDIAC/CORONARY CONDITIONS

The prisoner must be considered medically stable to travel by the health care authority at the holding facility. Any prisoner whose condition does not meet these guidelines or requires close monitoring of vital signs must be considered for a flex transport. Prisoners who have been prescribed medication that affects the heart rate/ rhythm or is on a prescription blood thinner must be evaluated on a case-by-case basis.

COLOSTOMY/URINARY CONDITIONS REQUIRING BAGS

These prisoners must always be flexed. The prisoner must be able to change bags without assistance. No prescriptions are allowed in lieu of supplies and medications for these prisoners.

DIABETES

The prisoner must be able to monitor his/her blood sugar as needed and be able to self-administer all injections without assistance. A glucometer (blood sugar tester) and a ten-day supply of insulin and supplies (testing strips, syringes, etc) must be provided. If a glucometer and supplies are not provided, TCA will purchase, and the customer will be billed for the expense. The purchased glucometer and supplies will remain with the receiving location.

Due to the fact that meals are provided from fast food establishments, the inmate must be able to do finger stick blood sugar testing at least every forty-eight (48) hours while in transport, absent a Doctor's orders to the contrary. Any prisoner, who will be in the system longer than twelve (12) hours and is unable to do his/her own testing and/or injections, or needs sliding scale insulin, must be moved as a flex transport.

FRACTURED JAW WITHOUT WIRING

The prisoner may be considered for transport in the normal system only if, after discussion with the holding facility regarding any dietary restrictions, those dietary restrictions can be provided in the regular system and do not preclude eating meals from fast food establishments.

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FRACTURED JAW WITH WIRING

Any prisoner with a fractured jaw that is wired will only be considered for a flex, preferably by air. A ground flex can be considered only if the total trip duration will be equal to or less that an air-flex. A medical provider will be required to accompany these types of moves.

HEPATITIS

A prisoner with Hepatitis "A" (a respiratory contagion) must be scheduled as a flex. If air movement is required, a non-commercial flight must be arranged.

A prisoner with Hepatitis "B" or "C" cannot have open sores or wounds to be considered for transport in the normal system.

Prisoners with Hepatitis B and C who are not accepted for transport in the normal system will be considered for flex transport.

HIV/AIDS

Prisoners with HIV/AIDS will be considered on a case-by-case basis.

Prisoners who are diagnosed HIV positive, do not have open sores or wounds, and are medically stable may be moved in the normal system unless other considerations require a flex transport. Other considerations may include, but are not limited to, a combative or uncooperative prisoner or one who has other medical issues that require a flex transport.

MENTAL HEALTH CONDITIONS

The prisoner must be medically and mentally *manageable* and non-violent. The prisoner will only be moved after consultation by the TCA Special Needs Department with the appropriate mental health care authority at the holding facility.

PREGNANCY

All pregnant prisoners will be evaluated on an individual basis.

During their first trimester, (twelve (12) weeks) most pregnant prisoners can be considered for transport in the normal system if there are no other existing conditions that would warrant a flex.

All pregnant prisoners who are considered "high risk" and are over 3 months/12 weeks, with gestation age documented by the physician, will be considered only for flex transport. Normal transportation can be considered only if the total trip durations will be equal to or less that a flex move.

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High risk would include but not be limited to: prisoners under the age of 18 or over the age of 35; anticipated multiple births; complications in this or other pregnancies; prior miscarriages; the number of previous pregnancies; and, drug use history.

PROSTHETIC DEVICES

All prisoners with prosthetic devices, artificial arms and/or legs, will be transported in the normal system if there are no other reasons for a flex transport. These prisoners will be restrained in the normal fashion. The search of these inmates will include the removal of the prosthesis, an inspection of same, and reapplication of the prosthetic device. Care will be taken with the prosthetic device at all times.

RESPIRATORY CONDITIONS

Any prisoner who requires oxygen during transport or is on any form of breathing treatment except for an inhaler must be considered for flex. All such instances will be considered on a case-by-case basis and will include a medical consultation with the holding facility. A medical provider may be required.

SEIZURES

Any prisoner having a history of seizures must have the seizures under control with medications. If the prisoner has a history of seizures and they are not under control, the prisoner will only be considered for a flex transport.

SEVERE OBESITY

Morbidly obese prisoners will be considered on a case-by-case basis for transport in the normal system. Flex transporting may be required.

SLEEP APNEA

Any prisoner requiring a sleep apnea monitor will require a flex move, if the trip requires more than 12 day-time hours.

SUICIDAL IDEATIONS

A prisoner who has been diagnosed as suicidal, has made a recent attempt, and/or is or has been recently under suicide watch or precautions requires a flex transport. The prisoner will only be moved after consultation and clearance with the appropriate mental health care authority at the holding facility.

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TUBERCULOSIS

If the prisoner has a positive skin test, he/she must also have a negative chest X-ray and/or be on appropriate medication for a sufficient period of time to be considered non-contagious. If the medical authority cannot certify, in writing, that the prisoner has a negative chest x-ray or is no longer contagious by virtue of medication, the prisoner will not be transported.

WOUNDS

Prisoners with wounds that require dressing can be moved in the normal system if the wound is not open or draining and if a dressing change is required, the inmate can change his/her own dressing. Otherwise a flex move will be required. (Note: all prisoners with Multi-Resistant Staph Aureaus (MSRA) must have been on an antibiotic treatment at least five (5) to ten (10) days and be cleared by medical at the holding facility.

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Appendix E

Pricing Agreement

TransCor
Because your officers have better things to do.

Article 1, Attachment A
Pricing

PRICE SCHEDULE
for
Michigan Department of Corrections

1. GROUND TRANSPORTATION

Prices for ground transportation services provided by TransCor America, LLC are based on the direct mileage between pick-up and drop-off points. Mileage is determined by the computer program PC*MILER/STREETS Version 16.1 or the most recent version.

1.1 The rate for an adult male will be **eighty-seven cents ($0.87)** per mile for transports.

1.2 The rate for an adult female will be **one dollar ($1.00)** per mile for transports.

1.3 Minimum Charges. A **two hundred fifty dollar ($250)** minimum charge will apply to all transports.

1.4 Discount of **fifty percent (50%)** for each additional prisoner transported between the same pick-up and drop-off locations at the same time.

1.5 **Cancellation Charge.** A charge of fifty percent (50%) of the regular rate may be billed for any cancellation not reported to TransCor prior to four (4) hours before scheduled departure time for intrastate transportation and eight (8) hours before scheduled departure time for interstate transportation.

2. SPECIAL TRANSPORTS

2.1 **Court Appearances and Release Dates.** A **two hundred fifty dollar ($250)** surcharge will be added to all transports when the prisoner has to be picked up on a specific date.

2.2 **Form VI Transports.** A **fifty-dollar ($50)** surcharge will be added to transports being done on a Form VI (Interstate Agreement on Detainers).