

**Report to the Legislature  
Michigan Youth Correctional Facility  
November 2002**

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

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

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

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

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

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

### **Department Oversight**

Department of Corrections (DOC) oversight of this privatized facility is provided by two on-site contract monitors and a contract administrator who operates out of the executive division of the DOC. The contract monitors are located at the MYC. Their daily contact with prisoners, staff and the warden of the facility enable them to review the operation of the facility to ensure compliance with the contract and to ensure that the facility is operated by the same standards as other Michigan correctional facilities.

The contract administrator interacts with Corporate staff to resolve any contract compliance issues, and assesses liquidated damages for breach of contract. Along with the Deputy Director for the Office of Purchasing, Department of Management and Budget, the contract administrator negotiates with the Corporation any additional issues which arise from changes in departmental policy, court action which involves Michigan prisoners or problems within the Corporation which impact on the contractor's ability to operate the facility.

### **Administration of the Facility**

The administrative staff of the facility has remained the same over the past year as Frank Elo continues as warden of the facility. Deputy Warden Ibezim left employment with Wackenhut Corrections Corporation and was replaced with Deputy Warden Acevado.

The facility received ACA accreditation in July 2001. The facility received an outstanding score and failed to pass only two non-mandatory ACA standards out of over 400 standards.

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

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

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

### **Records Management and Reimbursement**

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

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

### **Security and Control**

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

Two security towers and an alert response vehicle along with required double fencing, alarm systems and a multitude of video cameras have permitted the staff at the MYC to monitor both prisoner and employee behavior.

From July 1, 2001, until June 30, 2002, there were 90 incidents at the MYC which by departmental policy are required to be reported as critical incidents. Of those criticals, 9 involved assaults on staff or other prisoners, while the remainder of the critical incidents involved suicide threats/attempts, use of gas, cell destruction and use of force such as cell rushes and top-of-bed restraints. There is a marked reduction from the previous 12 month period which had 158 criticals with 48 of those being assaults. It is clear that the staff is more experienced and the general population more attuned to what is expected of them.

In the past year, 2,968 misconducts were written in which DOC Hearing Officers made the following determinations: 2,210 guilty findings, 246 not guilty findings and 512 dismissals.

In addition, the facility has a grievance procedure in which prisoners filed 2,426 grievances from July 1, 2001, to June 30, 2002. It is notable that of these, only 42 grievances have been filed to Step III. This indicates that at the MYC, grievances are being sufficiently addressed at the first two steps which are at the facility level.

The contractor has been able to keep contraband out of the facility, has conducted the appropriate amount of personal and cell searches and drug testing of prisoners continues to reveal zero instances of drug usage. The contractor has conformed to the department property policy, has issued sufficient clothing to prisoners to remain in compliance with requisite court orders and maintains a laundry schedule so that prisoners have sufficient clean clothing.

### **Food Service**

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

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

Prisoners who work in the kitchen are not permitted to utilize knives. There have been nine employee accidents in the kitchen and 54 prisoner accidents. All of the accidents were minor and did not require more than on-site medical care.

### **Health Services**

The contractor has implemented all contractual requirements regarding health services. In September 2001 the facility received accreditation from the National Commission of Correctional Health Care.

Provision of services for mentally ill prisoners is a requirement of the Michigan Department of Community Health (MDCH). MDCH has provided these services by subcontracting with Northern Clinical and Diagnostic Associates, LLC. Northern Clinical replaced West Michigan Community Mental Health in April 2002. This arrangement has worked well and all staff appear dedicated to their task.

### **Counseling and Programming**

At this time, both social worker positions are filled, segregation rounds are being made and the anger management and sex-offender therapy groups are in process. The facility has implemented a cognitive restructuring program called "New Steps."

The facility received a federal grant which enabled two assistant case managers to be hired. The case manager supervisor oversees the classification of prisoners and supervises the three case managers and two assistant case managers. The case managers hold minor misconduct hearings.

Legislation was passed in August 2000 which required the facility to house prisoners age 16 and under separately from the older prisoners. The facility added an officer on both the morning and afternoon shifts to assist in supervising prisoners in this age group.

The facility's protective segregation unit remains in compliance with department policy.

### **Education**

There are seven academic teachers and one life skills instructor at the prison as well as an education director. One of the teachers has agreed to pursue further education at the expense of the contractor to obtain a special education certificate. Meanwhile, the Michigan Department of Education has granted a waiver so that this teacher can provide special education to prisoners who qualify. In the past year, 104 GED certificates have been awarded, compared to 98 last year. Fifty-one prisoners completed the substance abuse program, 55 prisoners completed life skills, 35 completed the computer program and 33 completed the maintenance program. There are 33 full-time academic students, 143 half-time academic students, 56 vocational students, 17 life skills students, 28 substance abuse education students and 32 students taking in-cell studies (administrative segregation and detention prisoners).

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

The contractor is providing two vocational education programs. The janitorial maintenance program

is a 120 hour program which has 15 students enrolled. The computer literacy program is also a 120 hour program which has 15 students enrolled. Each of these vocational programs meet half days.

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

### **Work Programs**

There are 178 prisoners at the MYC who have been given full-time work assignments, up from 157 last year. Prisoner work assignments follow the same descriptions as those jobs in the DOC and prisoners are paid the same amounts as they would be if they were performing the same job in a state-run facility. At this time, prisoners are assigned as porters, food service workers, library clerks, laundry workers, commissary workers and grounds maintenance workers. No prisoners are assigned to a work assignment outside the security perimeter. The contractor is required to follow MIOSHA standards for health and safety.

### **Recreation**

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

### **Commissary**

The contractor provides access to a commissary where prisoners can purchase hygiene and food items. This age group is prone to purchasing candy, soda and other sweet items. By contract, any profits from the commissary may be placed in a prisoner benefit fund. A prisoner benefit fund was established and has been audited. There were no findings of errors in the report which was submitted to the Office of the Auditor General.

### **Religious Activities and Volunteers**

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

### **Housekeeping, Grounds Maintenance and Repairs**

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

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

## **Challenges in the Past Year**

Similar to last year, the biggest challenge the contractor continues to face is hiring, training and retaining sufficient staff as required under the staffing plan. As the line staff continue to gain experience, they will be more adept at managing this group of youthful, exuberant, volatile and impulsive prisoners. The management team of the facility contains a wealth of corrections experience.

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

## **Summary and Conclusion**

The operation of this facility has greatly improved over the past year. It has a very experienced and competent administration in place with many years of combined institutional experience.

The department continually audits the facility for the quality of security, programming, health care, financial requirements, property and ACA accreditation readiness.

It should be emphasized that throughout this year, Wackenhut Corrections Corporation has demonstrated a willingness to take whatever steps are necessary to fulfill the requirements of the contract and to make this contract work.