

ALASKA LEGISLATURE

1423

HOUSE and SENATE FINANCE COMMITTEE FILES, 1995-1996

1 House Bill 429 states that it will only hold male and
2 female prisoners that have been classified. Okay, so basically
3 here is what you're not going to get for your \$100 million: This
4 new prison won't be a booking facility. That is what Anchorage is
5 screaming for. This won't do it. Booking facilities processing
6 people into our system is very expensive. You've got all kinds of
7 unknown factors that contribute to that expense. You've got to be
8 finger-printed. These people have got all kinds of drug problems,
9 diseases, people detoxing, fighting. I mean, go down to Sixth
10 Avenue sometime and just spend the evening down there and you will
11 see exactly what I am talking about. This affects the bottom line
12 in a very big way. You know, CCA or Wackenhut, they are not going
13 to want to get into this. This is not what their intent is here.

14 Conversely, too, this new prison probably is not going to
15 handle anything that has anything remotely to do with pre-trial
16 operations, like Cook-Inlet or like any of the other facilities
17 around the state that handle this function. Pre-trial people, they
18 break into the system, their lives are over for an extensive period
19 of time; they need special services. They need a lot more
20 visiting time. They need a lot of visits with their attorneys.
21 After every visit with their family members or after an attorney
22 visit, they need to be strip-searched. This is a very work-
23 intensive kind of thing.

24 These folks, they are not going to be interested in
25 providing this service to us. Again, it affects the bottom line.

26 House Bill 429 stipulates directly that this is not going
27 to house maximum security prisoners. Well, there is pretty sound
28 reasoning behind that. These people break a lot of things. There
29 is assault of the staff, there is assault of the other prisoners.
30 We have to house them in single cells at Lemon Creek, and they have
31 to do the same thing down at Spring Creek in Seward because they
32 are so dangerous to be around; hence the term, "maximum security."

1 Well, these folks aren't going to be interested in doing
2 that, either.

3 This facility probably won't house any prisoners that
4 require any special services. So our wing at Cook-Inlet, for
5 example, it houses prisoners of special needs; for instance, mental
6 health. You are not going to see something like here because,
7 again, it is very, very expensive.

8 The bills say they are going to house female offenders;
9 but, I think when they really take a look at that, they are going
10 to try to get away from that as quickly as they can. Because, what
11 we've found at Lemon Creek (now being designated as the long-term
12 sentence female facility for the state), women have got a very
13 different set of needs than do long-term male offenders; and we've
14 found it is very expensive to manage those needs. So I think you
15 will probably find them dumping this very quickly, if they even get
16 into it at all.

17 The facility -- one aspect I think you will find, too,
18 that's very unique (as we found with Arizona that was operated by
19 CCA), anybody that gets out of line or is for any reason
20 unmanageable, well, guess what they do? They go back to "the real
21 prison." Okay? They ship them back. I think the figure is at 25
22 to 30 people right now that they shipped back for a variety of
23 reasons.

24 So basically what we have here, probably in addition to
25 along the way, all the medical expenses are being picked up by the
26 state, all the transportation expenses (to and from the Arizona
27 facility, for example) are being picked up by the state or the U.S.
28 Marshall Service.

29 And imagine, if you will -- at Lemon Creek, which is
30 where my experience has been, we run two to three medicals per day
31 from that facility, using our Prisoner Transportation Officers, to
32 local medical service providers in the city -- imagine, if you

1 will, how many medicals are going to have to be run for a thousand-
2 bed facility. You are talking probably close to 100 a day, maybe
3 50 a day, for x-rays, these kinds of things. It's staggering.

4 Basically what this will do is just shift all these
5 costs. All these things have to be done. People have got to be
6 booked, there is going to be maximum security prisoners. All these
7 costs are going to be shifted off of this new private facility,
8 right back onto the state. So what is going to happen to our cost-
9 per-day figure? It is going to go higher. It's a losing
10 proposition.

11 So what we end up with here is basically a facility with
12 1000 beds in downtown Anchorage that doesn't do anything we need it
13 to do.

14 What we would like to propose, I think, is several
15 smaller capital construction projects, site-managed, I guess, if
16 you will, the construction at existing facilities around the state
17 that put the beds where they need to be. Because, part of the
18 reason we have to transfer people around all the time is for
19 release, and this kind of thing. Your savings in doing that is
20 lower overhead: you only have to build one kitchen. Your kitchen
21 already exists at Lemon Creek. If you add another 30 or 40 beds,
22 that is an expense you don't need to deal with; and staff can
23 absorb those kinds of increases very easily.

24 I guess all this is really secondary, though. I guess
25 the fiscal impact of these proposed bills are secondary, to me, in
26 terms of the risk to public safety that this facility poses. All
27 the concrete, razor wire, bars, electric gates, we've got
28 spotlights, searchers, electric sensor systems, all these things,
29 are really secondary to a good staff.

30 A good staff working inside your prisons keeps things
31 from getting out of hand inside. It keeps escapes from happening.
32 What this bill does is allow a private corporation to staff a

1 prison with private security guards. Private security guards do a
2 real good job of patrolling the shopping malls; but, as I am sure
3 it not too big a stretch of your imagination to understand,
4 shoppers and kids running through a mall are a whole lot different
5 than prisoners walking down a security hallway, convicted felons.
6 I mean, it's apples and oranges there.

7 As I understand it, these private security guards, as
8 Representative Mulder says, are going to meet the Police Standards
9 Council, they will have the same standards we do currently. I
10 don't see how it is possible, frankly. I don't see it.

11 We've got a number of open positions right now we
12 couldn't fill if we wanted to. We've got, I think, 30 to 40
13 positions, something in that neighborhood. I know our facilities
14 are all grossly understaffed right now, and it is not because we
15 don't want to fill the positions. People are just not there. We
16 start out with a group of 150 people when we decide to have an
17 academy, and we will be lucky if we can get 25 to actually qualify
18 to go through this thing; because, right now new COs are -- a
19 person wanting to be a CO has the same standards as a person
20 wanting to be a police officer. They have to undergo an extensive
21 background check, they've got to pass a mental health screen --
22 well, a whole battery of psychological testing. Then, they get to
23 do an interview. If they pass the interview, we recommend them to
24 go to the academy. They get through the six-weeks basic academy,
25 they are sent to a facility where they have to go through a three-
26 month Field Training Officer Program. If they get through that,
27 they have to go on and complete a one-year probationary period.

28 We got to this system for a reason. What we are talking
29 about in this bill is going back to something where we are
30 basically hiring people off the street. Although the bill says
31 that the standards will be the same, we cannot find people that
32 meet those standards now and I don't know where we are going to

1 find another 300 people to staff a 1000-bed facility. I just don't
2 see it.

3 Essentially, I guess behind all these, too, is the State
4 assume all the liability for this place. I've got a good friend
5 who is in insurance; he's an insurance adjuster here in town. He
6 did a scan on the data base around the country and found that none
7 of these places are currently underwritten by a major insurance
8 operation. They are all self-insured, using their own assets; or,
9 which is generally the case, the government agency they work for
10 assumes the liability for them. That is something we need to
11 consider here. Because, when you pay less, you do get less.
12 Turnover is going to be high.

13 I guess we have to ask: Are these private security
14 guards going to jump in and break up fights inside the facilities?
15 And if they don't, is the state going to be sued because they
16 don't?

17 Are they going to be willing to terminate escapes?
18 Really think about what that means. Are these people going to
19 shoot somebody that is trying to get over the fence? I mean, are
20 they really willing to do that for eight bucks an hour, ten bucks
21 an hour, fifteen bucks an hour with no benefits? I don't know. I
22 mean, what kind of people are you going to attract to do this job?

23 I guess in closing, you've got a lot of staff members to
24 work for you on this committee. Please ask them to do some
25 research. Okay? Don't just -- Wackenhut and CCA will paint a
26 very, very good picture of these facilities. They will do a good
27 selling job on you, and I know they've got a lot of good
28 information out there. They do have a lot to offer. But what I
29 would ask you to do is to do some research through the periodical
30 indexes, check out the newspapers of towns where these facilities
31 exist right now and see what these people have to say. I think you
32 will find what I've read so far -- and I've read just a little bit

1 -- is that the citizens in these places are very, very concerned.
2 They are concerned about staffing, they're concerned about escapes.
3 These aren't just concerns about what if, what might happen. These
4 things have happened there. They have had a lot of violence in
5 these places because they are understaffed, experience is lacking.
6 I guess this is all I can ask.

7 Thanks very much for your time. Do you have any
8 questions?

9 CHAIRMAN PORTER: Marc, thank you very much.
10 Representative Bunde?

11 REP. BUNDE: Thank you.

12 Just correct my assumption if it is wrong. I understand
13 your concerns about not booking and pre-trial and about women and
14 this raising the costs. Did I understand, then, that if you as a
15 state employee worked at a state facility that didn't do those
16 things, that then that cost would come down?

17 ANTRIM: Absolutely, absolutely. You bet, you bet.
18 Because, what you're looking at is, a \$107-figure is an average of
19 what it costs all our facilities. Obviously, it is more expensive
20 out in Bethel to operate.

21 At Lemon Creek, for example, we just did a recent study
22 as part of a new program we started out there. We found it was \$77
23 a day to house at Lemon Creek, and that is totally inclusive of all
24 these various things, medical costs being probably the largest
25 component, and transportation. You know, these expenses are
26 static. This \$59 a day that we're paying in Arizona, that doesn't
27 cover it. Okay? It does not cover it.

28 CHAIRMAN PORTER: If that all, Representative Bunde?

29 REP. BUNDE: You also mentioned, eight, ten, fifteen
30 dollars an hour and that you have a gap. What would you have to
31 offer as a wage to fill that gap?

32 ANTRIM: I would have to offer -- I don't want to

1 slide out of the question. I would have to say you would have to
2 offer whatever it would take to get people of caliber, of quality.
3 I mean -- I guess I have to look to the people we turn down to fill
4 the positions we have now. I mean, apparently the idea here is
5 that we are so grossly overpaid that we're just a big white
6 elephant that needs to be eliminated. Why do we have so many open
7 positions? I guess that is kind of the rhetorical thing I want to
8 ask here. I mean, it's not because we don't want to fill these
9 positions. Believe me, our staffs are so overworked. I mean, we
10 want to get people into these spots, but the folks are just not
11 there in the community.

12 And I think it is responsible for us to have this --
13 people around the state like these standards because it eliminates
14 a lot of things, the potential for prisoner abuse. I mean, we've
15 got gun towers at our facility. You don't want somebody that is
16 less than totally stable handling a .38 rifle. I'm sorry, that's
17 just not a good picture. Okay?

18 So I guess I would want to pay whatever it would pay. I
19 think we're there right now. I think we're there right now.

20 REP. BUNDE: I certainly don't want your job; I
21 understand. They would have to pay me a great deal to do that.
22 But again, the positions are unfilled, but yet you say you are at
23 that level now. So does it need another \$5 an hour? What does it
24 need?

25 ANTRIM: I don't know. I honestly can't answer.
26 Sorry.

27 CHAIRMAN PORTER: Representative Toohey?

28 REP. TOOHEY: Thank you.

29 Would you give the approximate salary of a level-entry
30 guard at one of the facilities -- at Lemon Creek, after training.
31 What is the base entry salary?

32 ANTRIM: Uh --

1 REP. TOOHEY: Please answer my question. Nobody
2 seems to want to today.

3 (Laughter)

4 ANTRIM: I want to, okay?

5 (Laughter)

6 I want to answer.

7 It's a Range 13, is what it is.

8 REP. TOOHEY: Range 13.

9 FROM THE COMMITTEE: You can look it up in the
10 salary schedule.

11 REP. TOOHEY: That's what I say, I don't have the
12 book.

13 ANTRIM: It's a Range 13 on the Correctional Officer
14 schedule.

15 REP. TOOHEY: A Range 13.

16 FROM THE COMMITTEE: It's a different scale from
17 ours.

18 FROM THE COMMITTEE: Oh, it is a different scale
19 than ours?

20 ANTRIM: It's a Range 13, and it is on an 84-hour
21 workweek. So it is --

22 FROM THE COMMITTEE: It's different, the workweek?

23 ANTRIM: Yes.

24 FROM THE COMMITTEE: You're not talking about a
25 whole lot of money.

26 ANTRIM: I think it's about 13 or 14 bucks an hour.

27 CHAIRMAN PORTER: Maybe you guys can come up with
28 that information and pass it along?

29 ANTRIM: Oh, absolutely. I can forward that to all
30 your offices.

31 CHAIRMAN PORTER: Let me -- before we have anymore
32 questions -- let me just tell the audience and the people on the

1 teleconference that it is past the time this committee runs
2 already, and I have convinced my members to stay here till 3:30,
3 which is a half an hour into other commitments, including mine and
4 Representative Green's; but we will do that. But that is far as we
5 can go today. We will continue Friday with this one, since we are
6 on such a roll. And, hopefully, anybody that can be with us on
7 Friday that isn't able to testify today can do that.

8 Representative Green, go ahead and ask one more question.
9 But what I am going to ask after that is, if there is anybody here
10 in Juneau that is here from out-of-town to testify on this bill --
11 after this question -- please raise your hand and I will try to get
12 you in and out so that you can go.

13 REP. GREEN: You mentioned -- and I am sure this can
14 be accomplished -- the difference between the cost that is being
15 shown for incarceration now out-of-state and what the additional
16 medical and transportation, what that boils down to. Was that like
17 a five-dollar or a fifteen-dollar bid, some rational number that we
18 could add onto shipping them outside?

19 I know you may not have it now, but can you get that for
20 us?

21 ANTRIM: I can probably get that for you, yes, I
22 could. Yes, Representative Green.

23 REP. GREEN: We've been doing it, so --

24 ANTRIM: Yeah, okay. I will try to get that to you
25 as soon as I can.

26 REP. GREEN: Okay.

27 ANTRIM: Thank you again.

28 CHAIRMAN PORTER: Marc, thank you very much.

29 (end of excerpt/bhc)
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EXCERPTS OF TESTIMONY

LEGISLATIVE TELECONFERENCE 1/31/96 and 2/2/96

RE: HB428 AND HB429

DAY 1

(Tape 1, R2587, 3:25 p.m.)

CHAIRMAN PORTER: Okay. We've got ten minutes.

What I will try to do is ask -- go around the state here, and in ten minutes ask if you could just keep your comments to about two minutes. And we will first start just at the top of my list, we have Gary Sampson in Seward.

Gary, are you still there?

SAMPSON: Yes, I am.

CHAIRMAN PORTER: Gary, could we have your testimony and your affiliation, please.

TESTIMONY OF GARY SAMPSON, COII, ASEA/AFSCME Local 52

SAMPSON: Yes. My name is Gary Sampson. I am the Corrections Representative for the Alaska State Employees Association.

The introduction of these bills is a cause of great alarm for us, and should be for all citizens of the state. As we see the costs of prisons's operations rising everywhere across the country, we realize that there is no quick, cheap fix for correctional problems. The desire to cut costs, however, should not be, cannot be the primary concern of Corrections. Quality of service, safety and security must be the primary concerns.

I've traveled throughout the country talking to Correctional officials and I am confident to state that the quality of service provided by the Alaska Department of Corrections is the best in the country. They operate a safe, secure prison system, which is free of corruption, and treat the prisoners humanely, and has a very high caliber employee. It is doubtful that this

1 standard will be matched by any private company. Incidents in
2 private facilities across the country require that you look beyond
3 the pie-in-the-sky sales pitches of private corporations. You need
4 to look at the facts.

5 Throughout the country it has been noted that privately
6 run facilities are frequently compromised on security in an effort
7 to maximize profit. Since labor makes up about 60 percent of the
8 operational costs of a correctional facility, reducing staff and
9 limiting training seems to be a vital part of the strategy of
10 private corporations that operate prisons. There are often
11 dramatic increases in escapes and assaults in privately run
12 facilities. This is caused by the lack of sufficient, well-trained
13 and competent employees, again in an attempt to increase profits at
14 the public expense. It is not possible to reduce labor cost
15 without debasing the quality of the workforce and, with it, the
16 conditions of confinement for prisoners. In an effort to reduce
17 costs, inmates services are cut, often in violation of the
18 contracts which they have made with the state. These programs are
19 often essential for the reformation of prisoners. Many times,
20 inmate medical services have been cut, which have led to many
21 lawsuits.

22 On top of all this is the basic fact that there is little
23 evidence that a privately run facility saves any money over a
24 publicly run facility. Numerous studies by the National Institute
25 of Justice, the National Institute of Corrections, the General
26 Accounting Office among others, have concluded that there were no
27 significant savings in going private. And in fact, many private
28 prisons may well cost more in the long run, not only in dollars but
29 also in the health and safety of prison staff and other law
30 enforcement officers.

31 Remember that the primary purpose of Corrections is to
32 provide a public service and to provide for the public security.

1 The primary purpose of a private company is to make a profit; and
2 these two purposes are contradictory. The one has served our
3 citizens well; the other will put our society in jeopardy.

4 As we have indicated, our organization, ASEA and AFSCME,
5 will be happy to work with you in providing alternatives that may
6 be a more viable solution to the problem than looking to private
7 companies.

8 Thank you very much.

9 CHAIRMAN PORTER: Thank you, Gary.

10 (end of excerpt/bhc)

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Date of Committee Action: 2/2/96

The JUDICIARY Committee considered:

HB 428

HOUSE BILL NO. 428

LEASE-PURCHASE CORRECTIONAL FACILITY

"An Act giving notice of and approving a lease-purchase agreement for construction and operation of a correctional facility in the Third Judicial District, and setting conditions and limitations on the facility's construction and operation."

recommends it be replaced with the following committee substitute CSHB 428 the same title a new title

additional referral to _____ Committee
 attached amendment(s)

ADOPTS: _____ Letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept) _____ APPROVES PREVIOUS: (Dept/Date) _____
 fiscal note(s) DOT/RE/Corrections fiscal note(s) _____

Revenue/Administration
 zero fiscal note(s) _____ zero fiscal note(s) _____

SIGNING WITH RECOMMENDATIONS	DP	DNP	NR	AM
<u>Priscilla Porter</u>	<input checked="" type="checkbox"/>			
<u>Don Bonds</u>	<input checked="" type="checkbox"/>			
<u>Joseph [unclear]</u>			<input checked="" type="checkbox"/>	
<u>[unclear]</u>	<input checked="" type="checkbox"/>			
<u>Michael [unclear]</u>		<input checked="" type="checkbox"/>		
<u>Betty [unclear]</u>		<input checked="" type="checkbox"/>		

CHAIR'S SIGNATURE _____

HB

428

(FILE 2)

HFIN

FILE

THE FOLLOWING TAPES WERE IN FOUND IN
THE COMMITTEE FILE BUT WERE REMOVED
AND ARE NOW KEPT WITH THE COMMITTEE
TAPES.

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INDEX Side B

INTERIM HEARINGS

SUB COMMITTEE ON CORRECTIONS

HOUSE FINANCE COMMITTEE

NOVEMBER 14, 1995

PRIVATIZATION + CORRECTIONS

TAPE 1 of 2

542 standard dictating cassette

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INTERIM HEARINGS

SUBCOMMITTEE ON CORRECTIONS

HOUSE FINANCE COMMITTEE

NOVEMBER 14, 1995

PRIVATIZATION + CORRECTIONS

TAPE 2 of 2

542 standard dictating cassette

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Tapes

~~Copies of minutes listed below were originally included in this file. The minutes are available on the legislative computer database. In order to save space copies of minutes have not been left in the files.~~

Mary Pagenkopf

House Finance Committee, Corrections Subcommittee
Interim Hearing on Corrections
Cost Savings Opportunities in the Dept. of Corrections
November 14, 1995

Tapes 1 and 2



LEGISLATIVE TELECONFERENCE NETWORK

SIGN-IN SHEET 50887

Testimony by Invitation
PLEASE PRINT

SPONSOR: House Finance Subcommittee
 SUBJECT: CORRECTIONS AND PRIVATIZATION
 START/END TIME: 10: DATE: 11/14/95

	Name/Representing	Address	Zip	Phone No.	Testify	Observe	Bill No.
1.	WAYNE Bolen	5916 CAMROSE DR ANCHORAGE	99504	265-0225 ⁰¹²³	-		
2.	Claude "French" Mongeau	TADUMPT FCC	99645	746-8061	✓	✓	
3.	DENNIS GEARLY	1689 C ST Suite 204	99501	274 1688	✓	✓	
4.	Mary Anchorage	P.O. Box 211066 AK	99521	265-0221		✓	
5.	Gary Webster	P.O. Box 200581 Anch.	99520	277-7651	✓		
6.	OLE Larson	P.O. Box 2595 Palmer	99645	576-3658	✓	✓	
7.	Phae Lyon	SJC		267-7795		✓	
8.	CAM Prodes, MTNT Ltd.	P.O. Box 309, McGrath AK	99627	524-3391		✓	
9.	Don Valak Local 71	2516 ARCTIC BLVD. ANCH AK	99503	274 7211	✓	✓	
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11.							
12.							
13.							
14.							
15.							



ALASKA STATE LEGISLATURE
HOUSE OF REPRESENTATIVES



CHAIR,
LEGISLATIVE COUNCIL

CO-CHAIR,
HOUSE SENATE COMMITTEE
ON MILITARY AND
VETERANS AFFAIRS

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MILITARY AFFAIRS TOP
ANCHORAGE CAUCUS

REPRESENTATIVE ELDON MULDER
DISTRICT 23 MULDOON-Ft. RICHARDSON

Interim Hearing
on
Privatization and Corrections
by the
Corrections Subcommittee of the House Finance Committee
Rep. Eldon Mulder, Chair

Anchorage Legislative Information Office
716 W. 4th Ave
Tuesday, November 14, 1995
10:00 AM - 1:00 PM

10:00 AM
Opening Remarks by Chairman

11:30 AM - 12 Noon
Claude Mongeau, Food Service PCC
Wayne Bolen, Food Service CIPT

10:15 AM - 10:45 AM
Ole Larson, CO at Hiland Mountain CC
Dennis Geary, So Central Dir, APEA

12 Noon - 12:30 PM
Don Valesko, Business Manager
Public Employees Local 71

10:45 AM- 11:00 AM
Jeff Wiseman, Correctional Officer
Palmer CC

12:30 PM - 12:45 PM
Gary Webster, Superintendent
Sixth Avenue CC

11:00 AM- 11:30 AM
Kelly Brown
ASEA

12:55 PM
Wrap Up and Adjournment

The times listed for presentations are a general guide and may not be specifically adhered to. The Subcommittee must adjourn before 1:00 PM because the full Finance Committee convenes at 1:00 PM

Interim Hearing on Corrections
Cost Savings Opportunities
in the
Department of Corrections
Corrections Subcommittee
House Finance Committee
November 14, 1995

Opening Statement
by
Representative Eldon Mulder, Chair

I would like to welcome members of the Corrections Subcommittee of the House Finance Committee.

At our last hearing we focused on privatization. Prior to and at that hearing, I made it clear that folks who are not interested in privatization would have an opportunity to share their feelings with the committee. I expect today we might hear some reaction to privatization. I hope we also hear some ideas for efficiencies that are available to us under the current structure.

As the announcement of the hearing indicated, we want to hear about cost saving opportunities from Department of Corrections employees. I believe employees can share many ways of dealing with our budget imperatives that still provide quality correctional services in Alaska.

At the last hearing, information was submitted suggesting private facilities were less safe than public facilities. I asked Mr. DeWitt, our committee staff, to get us some information on that topic. He is waiting for hard copy on that issue, but found some interesting information.

He spoke with Larry Karacki, Research Division of the Federal Bureau of Prisons. Mr. Karacki shared that incidents in federal prisons involving 5 or more inmates had increased from 24 in FY 89 to 116 in FY 94. He also reflected that federal prisons have experienced 5 - 7 major incidents and 31 incidents involving 5 or more inmates since the "Million Man March" in October raised the question of unfair incarceration for crack cocaine users vs. the incarceration for sellers. The federal Bureau of Prisons has no private contract prisons at this time.

Representative Eldon Mulder
Opening Statement
November 14, 1995
Page 2

There have been at least 2 well-publicized prison problems since our last hearing. One occurred in a public prison in Arkansas and one in a private prison in Tennessee.

Mr. DeWitt also spoke with Mr. Reid Montgomery at the College of Criminal Justice at the University of South Carolina. Mr. Montgomery does continuing research on disturbances in prisons. He is in the middle of conducting a major survey covering the past 10 years -- Mr. Sauser, of our Department of Corrections, participated in the survey and reported that Alaska has never had a prison riot. Mr. Montgomery reflected that he could not identify any characteristic difference in disturbances or safety between public and private institutions. He could differentiate between facilities with well trained and poorly trained staffs and between those with and without well-trained response teams. He suggested that required standards and monitoring the standards in prisons is the key to low incidence of disturbances in prisons. Mr. Montgomery said prison safety is not a function of ownership, but of the standards required of the prison, whether public or private.

There are many other issues that may concern the committee, Department of Correction employees, and the public. I hope we can focus on those other issues and on cost saving opportunities within the Department.

We are very limited on time because the Finance Committee will convene at 1:00. Therefore, I must keep us on schedule. Please be complete in your presentations. Don't feel compelled to use every second allotted if you can be more brief. If we finish scheduled presentations, we can open the hearing to nonscheduled presentations, until our time runs out. For the record, I think it is important to note that presentations today are individual or on behalf of employee groups. Folks are not speaking on behalf of the Department of Corrections or the Administration. I appreciate the willingness of employees to come forth and share their own ideas with us.

Before we move to our first presentation, does any member of the Committee wish to make comments?

We will begin this morning with Dennis Geary representing APEA and Ole Larson a member of APEA and a Correctional Officer and Assistant Superintendent at Hiland Mountain Correctional Center.

CORRECTIONS

Is Anything Working?

The numbers are intimidating: Nearly 1 million men and women live behind bars in state prisons—a number that has tripled in the past 15 years. States now spend more than \$20 billion a year to keep them there and another \$2 billion a year to build new correctional facilities.

Moreover, the overall operational costs of corrections—everything from maximum-security cells to probation and parole officers—is now roughly 6 percent of state operating budgets, a quantum leap from 1980, when corrections spending was barely a blip on a line within a state's operating budget.

Although corrections expenditures don't improve an economy, educate children or build for the future, public opinion polls suggest that the taxpaying public has no objection to policies that increase those expenditures.

And therein lies the crux of the GOVERNING conference "Getting Tough on Crime: What Works in Corrections and At What Cost." The conference, which took place this summer in Durham, North Carolina, sponsored by the North Carolina Crime Commission, the state of North Carolina, Digital Products Corp. and the Hazelden Foundation, examined answers to the question posed by Joseph Lehman, Maine's commissioner of corrections: "How do you take the political pressure to get tough on crime and link that with the resources allocated to these issues?"

Addressing the conference, North Carolina Governor James B. Hunt Jr. outlined his state's approach, balancing tougher, more certain punishment with stronger prevention programs. Colorado Attorney General Gale Norton came down squarely on the side of harsher treatment for inmates in prison, detailing steps states could take to maximize prison capacity, including sleeping prisoners in shifts to reduce the need for additional beds.

BY PENELOPE LEMOV

Describing the political pressures that influence corrections policy, Mark Mellman, a pollster for many Democratic political candidates and officeholders, and Glen Bolger, who does the same for Republicans, explained that crime and corrections are hot political issues in part because the public sees the former as a key indicator of the breakdown of the country's social fabric and the latter as a prime reason for a growing distrust of government. A frequent product of these concerns: mandatory sentences that increase punishment and laws that make prison time harsher. Most voters who endorse such get-tough measures know little about their costs or alternative measures. Indeed, as Bolger put it, they tend to have a "sledgehammer reaction."

It is this reaction that tends to be measured—and becomes the perceived political wisdom—in an "ordinary" poll, which James Fishkin, a professor of government at the University of Texas, defines as a

poll in which people are asked what they think about an issue to which they are not necessarily paying attention.

In contrast are "deliberative" polls, in which people are asked their opinion after they've had time to study an issue. In one such poll that Fishkin ran in Manchester, England, on the subject of crime, punishment and prisons, people answered questions quite differently after they learned more about the costs, alternative punishments and causes of crime.

The number of persons opting for sending more offenders to prison, for instance, dropped from 57 percent to 38 percent after a period of lectures and discussion of the issue. "If the public is confronted with trade-offs and realities, if they're engaged in an issue, there can be major shifts in opinion," Fishkin told the conference.

SPENDING SMART, ACTING TOUGH

The cost of punishment was clearly a flashpoint for frustration expressed by most of the legislators and corrections officials who attended the conference. As



New York State's boot camps are no-frills prisons that reduce corrections costs and send the public a strong signal that the state is tough on crime.

Steven Gold, who runs the Center for the Study of the States, pointed out, corrections costs rose rapidly during the 1980s, at a rate of 14 percent a year, a pace which has slackened in recent years but will accelerate again as state prison systems feel the impact of new construction and recently passed sentencing laws, such as three-strikes and no-parole measures.

And that's why everyone involved in corrections is keying in on ways to lower the cost of punishing lawbreakers—without appearing to coddle them.

North Carolina's "truth in sentencing" law, which links sentences imposed to available prison space, was highlighted as a way to control spending and make sure costly prison space is reserved for the most violent criminals. Criminals are sentenced according to a grid, set by the legislature, that determines time in prison based on the violence of the crime and the history of the criminal.

The North Carolina system is designed to end "seat-of-the-pants" correctional policies. But in order to get there from here—to keep prison space available for hardened criminals without spending extraordinary sums to add more prison space—the new policy requires alternative means of punishing nonviolent felons: day reporting centers, substance abuse treatment centers, intense-supervision probation, community service chores, the use of monitoring devices and in-home confinement.

New York State's boot camp program has also produced some cost-saving news. There is much debate about the effectiveness of shock incarceration for young inmates. Before one can intelligently dis-

cuss their effectiveness, one must define success, said Martin Horn, the former executive director and chief operating officer of the New York State Division of Parole. Boot camps don't work for all nonviolent first-time offenders, but New York State's boot camp program, the largest in the country with capacity for 1,500 inmates, has reduced corrections costs, given the public a no-frills prison, added to the perception that the state is tough on crime and, for some inmates, broken the criminal cycle.

Horn's numbers add up this way: The Shock Incarceration Program has saved the corrections department an estimated \$367 million in both operating and capital costs over the past five years. For every 100 shock inmates who make it through the program, the state saves \$2.1 million it would otherwise have had to spend on the care and custody of these inmates.

Some alternative programs such as boot camps tend to widen the net—that is, judges sentence to the programs criminals they might otherwise have placed on probation. New York State controls this phenomenon by taking the boot camp sentence out of a judge's hands. Inmates are chosen for shock incarceration—a sentence that is usually shorter but more rigorous than a regular prison sentence—by the corrections department and only after the person has been tried and sentenced to jail or prison. In that way, boot camp is limited to the prison-bound.

Horn also noted that a post-boot camp program was beginning to have success in keeping "graduates" from returning to the criminal justice system. "Platoons" of graduates are kept together after boot camp—just as the U.S. Marines keep platoons together after boot-camp training—and probation officers supervise their activities more intensely and actively help the graduates get jobs.

CASHING IN ON ROAD GANGS

One sore point for corrections officials is the widespread notion that inmates in state prisons are coddled, spending their days lolling in front of a television set, rousing only to eat their three free meals a day and shoot a few rounds of hoops.

That isn't a particularly accurate view. Many prisons run work farms, operate prison shops and put inmates to work in prison kitchens, laundries and the like. Most do so as a means of controlling prisoner behavior: "Idle time," as one conferee noted, "is riot time."



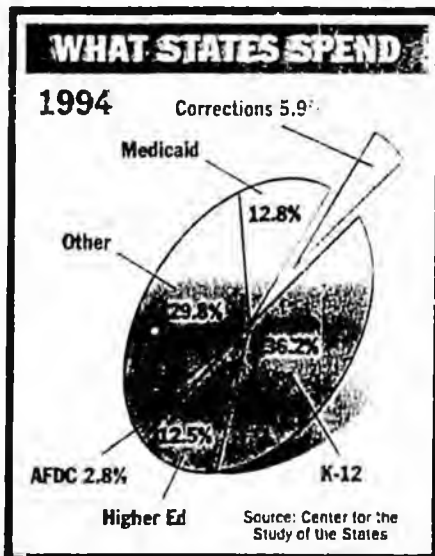
'If the public is confronted with trade-offs and realities, if they're engaged in an issue, there can be major shifts in opinion.'

—James Fishkin, professor of government, University of Texas

Inmates from some prisons go out on road gangs to pick up trash, clear ditches or clean debris from clogged waterways. Such outside-of-prison work has significant possibilities, said Franklin Freeman, secretary of North Carolina's Department of Corrections. "The general public feels that inmates do not work," he said. "because the work is not visible." To make it obvious, North Carolina posts big signs at such sites: "Inmates at Work."

"Whether prisoners are seen out on a four-lane road or the information about work programs is generated by repeated press releases, you can correct the impression that prisoners lie around and watch television," Freeman said. It is, however, more expensive to work prisoners than warehouse them. Road gangs, in particular, are costly. One officer can oversee 100 inmates working inside a prison, but it takes one officer for every 12 to 14 inmates outside prison walls.

In closing, Maine's Lehman summarized the dilemma facing public officials: "Fiscally, things are going to get tougher. But we have to figure out how we can once again infuse public policy with what we know works and what doesn't. That's the challenge for the future." □



Ried Montgomery

11/8/95

Summer in NJ
Tennessee Problem

ACA has Jack Force Course

With all Riots in Public no Assurance There

need to Assure Remaining

Build STANDARDS INTO CONTRACT

Anderson Publishing

Book on ~~AND~~ PERSON VIOLENCE

^{START FE} Turnover RATE of CO & Changing Correction's Comm
SWOP System

ATICA - Faulty Bolt on MAIN GATE (Security)

Riots - issue is Response Team

4/1/86 Rickland Riot -

got SWAT TEAM quickly + put it DOWN

11/8/95

LARRY KARACKI 202-724-3118

~~SUBJECTIVE~~

Reid Montgomery

Disturbances

JAN 75 - MAY 88

College of Criminal Justice U of S. Carolina

803-777-4412

Boj Passions Reported

17 ^{MAJOR} incidents in 10 1/2 yr period

Group Misconducts 50+ MORE INMATES INVOLVED
scattered to ESCAPE

FY 94 - 106

FY 89 - 74

INCREASE IN INMATE VS INMATE OCCURANCES

LESS IN OR RESPONSE TO STAFF

SINCE WILLIAM-MAN MARCH RE CRACK COCAINE ISSUE CONFIDENCE

5-7 MAJOR

31-32 5+ INCIDENTS

NO CONTACT OUT FOR NON IMMIGRATION

LIKES CCA FOLKS - HAD A DISTURBANCE IN TENN

PROBLEMS FROM N. CAROLINA PRISONERS


JOHN CLARK 202-514-8585

Private Practices

DEPARTMENT OF CORRECTIONS

MEMORANDUM

to: Representative Eldon Mulder

from: Jerry Shriner 

re: information request

date: August 21, 1995

I sorry this response isn't more timely. I hope it has not caused any inconvenience.

1. From 1989 to the present there have been 13 suicides in Alaska's prison system.
2. During the same period of time there have been 12 escapes.
3. Lockdowns occur perhaps twice per year throughout the system. It is difficult to define which are "serious". Sometimes they are done in response to a specific incident which has occurred and threatens the security of the public, staff, inmates or the facility. Other times they are preventative and intended to avoid the threatening act.
4. Electronic monitoring is under consideration at this time. As you know, it was tried before with less than acceptable results. Use of EM that is both in keeping with the needs of public safety and is cost effective is our goal. We are working on the specifics of how and with whom we can accomplish our objectives in these two critical areas.

I have enclosed a report profiling our inmate population which I believe you will find useful.

from the desk of...

Jerry Shriner
Special Assistant
Department of Corrections
240 Main, Suite 700
Juneau, AK 99801

cc:

(907) 465-4640
Fax (907) 465-3390



HEARING FILE 11-14-95

FROM CLE CARSON

ALASKA BOARD OF PAROLE

Board of Parole
P.O. Box T
Juneau, AK 99811-2000

ORDER OF MANDATORY PAROLE

RE: Parolee RELEASED PAROLE SUPERVISION EXPIRES

The following terms and conditions are effective on the release date shown on the CERTIFICATE OF MANDATORY RELEASE for all prisoners released pursuant to AS 33.16.010(e) or AS 33.20.040. I understand I am required by law to abide by the conditions imposed, whether or not I sign these conditions. The Parole Board may have me returned to custody at anytime when it determines a condition of parole has been violated.

CONDITIONS OF MANDATORY PAROLE

- 1. REPORT UPON RELEASE: I will report in person no later than the next working day after my release to the parole officer located at ... and receive further reporting instructions. I will reside at ...
2. MAINTAIN EMPLOYMENT/TRAINING/TREATMENT: I will make diligent effort to maintain steady employment and support legal dependents. I will not voluntarily change employment without receiving permission from my parole officer to do so.
3. REPORT MONTHLY: I will report to my parole officer at least monthly in the manner prescribed by my parole officer.
4. OBEY LAWS/ORDERS: I will obey all state, federal and local laws, ordinances, orders, and court orders.
5. PERMISSION BEFORE CHANGING RESIDENCE: I will obtain permission from my parole officer before changing residence. Remaining away from my approved residence for 24 hours or more constitutes a change in residence for the purpose of this condition.
6. TRAVEL PERMIT BEFORE TRAVEL OUTSIDE ALASKA: I will obtain the prior written permission of my parole officer in the form of an interstate travel agreement before leaving the State of Alaska.
7. NO FIREARMS/WEAPONS: I will not own, possess, have in my custody, handle, purchase or transport any firearm, ammunition or explosives.
8. NO DRUGS: I will not use, possess, handle, purchase, give or administer any narcotic, hallucinogenic (including marijuana/THC), stimulant, depressant, amphetamine, barbiturate, or prescription drug not specifically prescribed by a licensed medical person.
9. REPORT POLICE CONTACT: I will report to my parole officer, no later than the next working day, any contact with a law enforcement officer.
10. DO NOT WORK AS AN INFORMANT: I will not enter into any agreement or other arrangement with any law enforcement agency which will place me in the position of violating any law or any condition of my parole.
11. NO CONTACT WITH PRISONERS OR FELONS: I may not telephone, correspond with or visit any person confined in a prison, penitentiary, correctional institution or camp, jail, halfway house, work release center, community residential center, restitution center, juvenile correctional center, etc.
12. CANNOT LEAVE AREA: I will receive permission from my parole officer before leaving the area of the state to which my case is assigned. My parole officer will advise me in writing of the limits of the area to which I have been assigned.
13. OBEY ALL ORDERS/SPECIAL CONDITIONS: I will obey any special instructions, rules or orders given to me by the board or by my parole officer. I will follow any special conditions imposed by the Alaska Board of Parole or my parole officer.

I have received a copy of these conditions of parole. I have had the opportunity to read these conditions or opportunity to have them read to me if I cannot read. My mandatory parole can be revoked and I can be required to serve the remainder of my sentence if I violate any parole conditions. I understand it is my responsibility to contact my parole officer if I have a question about the meaning or intent of any parole condition. I realize I can be arrested by a parole officer at any time with or without a warrant if my conduct so dictates. I do hereby waive extradition to the State of Alaska from any State or Territory of the Union. I agree I will not contest efforts to return me to Alaska.

Witness

Parolee

Title

Date

DISTRIBUTION: WHITE - Board of Parole YELLOW - Institution PINK - Parolee GOLD - Parole Officer

Prisoner's Name: _____

OBSCIS Number: _____

A. Purpose(s) of Prerelease Furlough <i>Probation Officer/Counselor check recommendation(s); approving authority Initial approved purposes(s).</i>	B. Debts Owed <i>(required per AS 33.30.131)</i>	Amount	To Whom
secure a residence/other preparations for release	child support/AS 25.27.062		
seek or engage in employment	restitution/fines		
counseling/treatment for substance abuse	civil judgment/criminal act		
*counseling/treatment for other behavior	violent crimes reimbursement		
*medical/psychiatric treatment	disciplinary reimbursement		
*vocational training/education	TOTAL		

*Explain: _____

C. Community Residential Center Placement(s): *Probation Officer to recommend placement(s) in sequential order, if applicable, and dates. Approving authority to modify placements/dates if necessary. If recommending/approving dates other than as indicated by matrix, attach explanation/justification.*

Name of CRP/Date	Start Date	Ending Date

D. Documents Attached: *Court Judgment *Presentence Report Most recent classification action
 Furlough Matrix Prob./Parole supplemental conditions, if any Parole Order/MR conditions, if any
 Time Accounting Victim Comments, if applicable Wants/Warrants check Medical/mental health screening (optional) Documentation of program status if ordered or recommended by court, classification, treatment/unit management team _____

Other: _____

**does not need to be attached for Central Classification/Deputy Commissioner review; on file in Central Office*

E. Probation Officer Comments: (Address factors requiring consideration outside the matrix, such as high public profile cases, special medical/mental health concerns, etc. Attach additional sheet if necessary.)

Probation Officer Signature/Date _____

F. Superintendent Comments: (optional, for application requiring Central Classification Review)

Superintendent Signature/Date _____

G. Prerelease Furlough Denied. (State Reason)

Signature/Title/Date _____

H. Prerelease Furlough Approved. custody reduced from _____ to community upon placement in CRP (If approved on appeal, attach Appeal of Classification Action, 20-760.01)

Signature/Title/Date _____

Prerelease Furlough Application/Agreement

Prisoner's Name: _____

OBSCIS Number: _____

I. Special Conditions: (P.O. recommend/approving authority modify as necessary. Include any no-contact/restraining orders if applicable.)

1. No direct or telephone contact with felons.

J. Standard Conditions of Prerelease Furlough

1. I agree to abide by all the rules of the Community Residential Program(s) (CRP) in which I am placed.
2. I agree to leave and return to the CRP only for the approved purpose(s) indicated on this application/agreement, and only at the times approved by the CRP staff.
3. I agree to go directly to the place(s) authorized and return directly to the CRP when authorized to leave the
4. CRP.
5. I agree not to make any purchases not specifically authorized in writing by the CRP manager or designee. I agree to turn over all earnings or any other money received to the CRP manager or designee, and understand
6. that one-fourth of my gross earnings (not to exceed the actual cost of care) will be given to the State of Alaska to pay for the cost of care.
I agree not to ride in or on any vehicle without prior approval by the CRP manager or designee, and not to
7. drive any vehicle without written permission from the CRP manager and Furlough Officer, that may only be granted after a records check of my driving record. I understand that if prohibited from driving as a special
8. condition of this furlough, that I may not drive a vehicle under any circumstances.
9. I agree not to purchase, have in my possession, nor consume alcoholic beverages in any form, nor enter upon the premises where it is sold, stored, or dispensed. I further agree to submit to alcohol/drug testing upon
- 10 request.
- 11 I agree to comply with all federal, state, and local laws and ordinances.
- 11 I agree not to enter into any contract to engage in business, borrow money, purchase property on the installment plan, nor incur any debts of any kind without first having obtained written permission from the CRP manager. I agree to abide by any special conditions/restrictions listed on this application/agreement. I understand that if I violate any condition of this agreement, I may be removed from the CRP and returned to a
- 12 state correctional center and that following a hearing by a classification committee, I may be removed from furlough status; and that in addition I may face disciplinary and/or criminal charges. I understand that my failure to return to the CRP or to be at an authorized location at the times required subjects
- 13 me to criminal prosecution under the criminal laws of the State of Alaska.
- I hereby waive any right to an extradition hearing if I leave the State of Alaska without written authorization during this prerelease furlough.

K. To be completed by Prisoner: I have read or had read/explained to me this Prerelease Furlough Agreement. I understand and agree to abide by the terms and conditions of the approved Agreement.

Prisoner's Signature/Date

L. To be completed by P.O. after approval of furlough and prisoner's signature agreeing to conditions of furlough:

- _____ I have reviewed the terms and conditions of this Prerelease Furlough Agreement with the prisoner.
- _____ The prisoner has been tested negative for drug/alcohol use no longer than 30 days prior to CRP placement.
- _____ Per Victim Notification Policy 818.03, I have notified the following, if required (enter N/A or date notified):
- _____ Law Enforcement _____ Sentencing Judge _____ District Attorney
- _____ Victim(s) _____ Other: _____
- _____ I have attached a recent photo of the prisoner and appropriate, signed Releases of Information, in addition to the documents listed on the front page for this form, for use by the CRP

Furlough Officer name/Phone

Number: _____

Institution to be notified in emergency/phone

number: _____

P.O. Signature/Date

Original to Prisoner Case Record
Copies to: Prisoner Central Classification; CRP

SUPPLEMENTAL PAROLE CONDITIONS

1. REPORT UPON ARRIVAL: I will report to the supervising parole officer's the next working day after arrival in the State ("receiving State") in which I will be supervised.
2. FOLLOW INTERSTATE CONDITIONS: I understand I am obligated to abide by the conditions of parole established by the Alaska Board of Parole, as well as the conditions of the State ("receiving State") where I will be supervised. I understand the "receiving State" parole officer may set up any additional conditions that the parole officer finds necessary. Only the Alaska Board of Parole has the authority to change a condition on the Alaska Board of Parole Order.
3. TRAVEL PERMIT REQUIRED BEFORE LEAVING RECEIVING STATE: I will not leave the State ("receiving State") where I am being supervised without the prior written permission of my receiving State parole officer, including an interstate travel permit.
4. CANNOT RETURN TO ALASKA WITHOUT PRIOR WRITTEN PERMISSION: I will not return to Alaska without the prior written permission of the Alaska Parole Board/Alaska Parole Officer. (Cross out one!)
5. CANNOT TRAVEL TO _____: I will not travel to _____ during the period of parole without the prior written permission of the Alaska Board of Parole/parole officer. (Cross out one!)
6. RESIDE IN COMMUNITY WHERE P.O. ASSIGNED: I will live in a community in which the Department of Corrections has a parole office.
7. MUST HAVE PAROLE COMMUNITY CONTACT PERSON: I will not live in a community in which the Department of Corrections does not have a parole office, until I have a parole community contact person approved by my parole officer.
8. NO VICTIM OR VICTIMS' FAMILY CONTACT: I will not have any communication or contact with the victims or victims' family of the present offense. This means no in person contact, no written correspondence, no taped conversation, no telephonic contact, and no communication of any nature through a third party.
9. NO CONTACT WITH _____: I will not have any contact or communication with _____. This means no in person contact, no written correspondence, no taped conversation, no telephonic contact, and no communication of any nature through a third party.
10. NO CONTACT WITH PERSON UNDER 18 YEARS OLD: I will not knowingly have any in person contact with a person under 18 years of age unless I am in the immediate presence of another adult who knows the circumstances of my crime (including the assault cycle of my crime, if appropriate). This restriction regarding in person contact with minors includes employment, recreational and residential situations, unless the contact with a minor has been approved in writing by the Alaska Board of Parole. This restriction does not prohibit incidental contact in public locations. The restriction does not prohibit conversations in public with a minor employee of a business. I will not have any other communication with a person under 18 years old without the prior permission of my parole officer. This means no written correspondence, no taped conversation, no telephonic contact, and no communication of any nature through a third party, without the prior permission of my parole officer.
11. MAY NOT RESIDE IN HOUSEHOLD WITH PERSONS UNDER 18 YEARS OLD: I will not reside in a dwelling in which a person under the age of 18 years is residing or staying.
12. INFORM HOUSEHOLD MEMBERS OF CRIME: I will advise all members of the household I'm staying in of my criminal history. I understand my parole officer may discuss the circumstances of my criminal history with any of the household members.
13. SEX OFFENDER PROGRAMMING: I will actively participate in approved sex offender monitoring/counseling/treatment as directed by my parole officer. I will sign and abide by the conditions of a treatment agreement established by the treatment program. I will continue active participation and attendance in sex offender programming to my parole officer's satisfaction. I will obtain the prior permission of my parole officer before voluntarily discontinuing sex offender programming. If I am released, removed or terminate from this program (temporarily or permanently) for any reason, I will notify my parole officer the next working day. I agree to allow my parole officer access to any information obtained by the sex offender programming personnel, including my attendance and performance in the program.
14. MENTAL HEALTH PROGRAMMING: I will actively participate in approved psychiatric, psychological, or other mental health programming as directed by my parole officer. I will sign and abide by the conditions of a treatment agreement established by the treatment program. I will continue active participation and attendance in mental

health programming to my parole officer's satisfaction. I will obtain the prior permission of my parole officer before voluntarily discontinuing mental health programming. If I am released, removed or terminate from this programming (temporarily or permanently) for any reason I will notify my parole officer the next working day. I agree to permit my parole officer access to any information obtained by these program personnel, including my attendance and performance in the program.

15. TAKE PRESCRIBED MEDICATIONS: I will take any medications prescribed by a licensed medical practitioner and as directed by my parole officer. I will follow the prescribed medical treatment to the satisfaction of the medical practitioner and my parole officer. I agree to allow my parole officer access to any information obtained by the medical personnel, including my attendance and performance in the treatment.
16. PROGRAMMING FOR DEFINITE TIME: I will maintain a substance abuse programming/sex offender programming/mental health programming schedule as approved by my parole officer which shall be at least _____ times a month during the first _____ months of supervision. My parole officer may allow less than _____ times a month counseling after the first _____ months of supervision.
17. SUBSTANCE ABUSE TREATMENT: I will actively participate in all approved substance abuse programming as directed by my parole officer (which may include NA/AA). I will sign and abide by the conditions of a treatment agreement established by the treatment program. I will cooperate with program personnel and will sign the consent to release information as a criminal justice referral. I will continue active participation and attendance in substance abuse programming to my parole officer's satisfaction. I will obtain the prior permission of my parole officer before voluntarily discontinuing substance abuse programming. If I am released, removed or terminate from this programming (temporarily or permanently) for any reason I will notify my parole officer the next working day. I agree to allow my parole officer access to any information obtained by substance abuse program personnel, including my attendance and performance in the program.
18. SUBSTANCE ABUSE MONITORING PROGRAM: I will enroll in and remain in a substance abuse monitoring program approved by my parole officer. I will cooperate with program personnel and will sign the consent to release confidential information as a criminal justice referral. I will obtain the prior permission of my parole officer before voluntarily discontinuing substance abuse monitoring. If I am released, removed or terminate from this programming (temporarily or permanently) for any reason, I will notify my parole officer the next working day. I agree to allow my parole officer access to any information obtained by substance abuse program personnel, including my attendance and performance in the program.
19. NO ALCOHOL: I will not consume or have in my possession at any time any alcoholic beverages, including "home brew". I will not enter any establishment whose primary business is the dispensing of alcoholic beverages; this includes liquor stores, bars, pubs, taverns, night clubs. I will notify my parole officer the next working day after I use any prescription, counter drugs, or other substance containing alcohol.
20. NO ALCOHOL IN CAR OR HOME: I will not at any time allow alcoholic beverages in my residence or in any motor vehicle I own or under which I have control.
21. TEST FOR ALCOHOL: I will submit to testing at any reasonable time upon request by or at the direction of a parole officer or peace officer to determine whether or not I have used alcoholic beverages. This testing includes, but is not limited to, blood test, breathalyzer, urinalysis. I understand that if any of these tests show that I have consumed alcoholic beverages, my parole may be revoked. I will submit to testing as set forth in this condition if requested to do so by a law enforcement officer who has contacted me in conjunction with a possible OMVI, DWI, reckless driving, negligent driving arrest or other offense. Refusing to cooperate when requested to submit to testing will constitute a violation of this condition and may result in revocation of my parole, regardless of the outcome of any new criminal charge.
22. SEARCH FOR ALCOHOL: Upon request by or at the direction of a parole officer at any reasonable time, I will submit to a search of my person, my personal property, my residence, my vehicle or any vehicle under which I have control, for the presence of alcoholic beverages.
23. TELL P.O. OF PRESCRIPTIONS: I will notify my parole officer the next working day after I use any drug prescribed by a licensed medical practitioner.
24. NO DRUG PARAPHERNALIA: I will not at any time have on my person, in my residence or in my car any paraphernalia normally associated with the illicit use of drugs. This includes but is not limited to; syringes, injecting needles, cooking spoons, hash pipes, cocaine spoons, weighing scales, and substances used for cutting down, packaging or diluting drugs.

25. TEST FOR DRUGS: I will submit to testing at any reasonable time upon request by or at the direction of a parole officer or peace officer to determine whether or not I have used any narcotic, stimulant, depressant, amphetamine, barbiturate or prescription drug. This testing includes, but is not limited to, blood test, breathalyzer, urinalysis. I understand that if any of these tests show that I have ingested drugs not specifically prescribed by a licensed physician, my parole may be revoked. I will submit to testing as set forth in this condition if requested to do so by a law enforcement officer who has contacted me in conjunction with a possible OMVI, DWI, reckless driving, negligent driving arrest or other offense. Refusing to cooperate when requested to submit to testing will constitute a violation of this condition and may result in revocation of my parole, regardless of the outcome of any new criminal charge.
26. SEARCH FOR DRUGS: Upon request by or at the direction of a parole officer at any reasonable time, I will submit to a search of my person, my personal property, my residence, my vehicle or any vehicle under which I have control, for the presence of narcotic, hallucinogenic, stimulant, depressant, amphetamine, barbiturate or other drugs or drug paraphernalia.
27. AKEELA HOUSE: I will enter the Akeela House Residential Treatment Program. I will successfully complete that program to the satisfaction of my parole officer and the program administrator. I will sign and abide by the conditions of a treatment agreement established by the treatment program. I will cooperate with program personnel and will sign the consent to release information as a criminal justice referral. I will continue active participation and attendance in the Akeela House program to my parole officer's satisfaction. I will obtain the prior permission of my parole officer before voluntarily discontinuing the Akeela House program. If I am released, removed, or terminate from this programming (temporarily or permanently) for any reason, I will notify my parole officer immediately. I agree to allow my parole officer access to any information obtained by the Akeela House program personnel, including my attendance and performance in the program. (Discretionary Parole ONLY)
28. RESIDENTIAL SUBSTANCE ABUSE TREATMENT PROGRAM: I will enter an approved residential substance abuse treatment center, _____, and remain in that program a minimum of _____ days. I will successfully complete the program, to the satisfaction of my parole officer and the program administrator. I will sign and abide by the conditions of a treatment agreement established by the treatment program. I will cooperate with program personnel and will sign the consent to release information as a criminal justice referral. I will obtain the prior permission of my parole officer before voluntarily discontinuing the residential substance abuse programming. If I am discharged, removed or terminate from the program (temporarily or permanently) for any reason, I will notify my parole officer immediately. I agree to allow my parole officer access to any information obtained by the program personnel, including my attendance and performance in the program. (Discretionary Parole ONLY)
29. COMMUNITY RELEASE CENTER: I will enter an approved community release center (halfway house). I will successfully complete a minimum of _____ days on full time work status, to the satisfaction of the Alaska Board of Parole/parole officer (cross one out). I will abide by the rules of the center. I will obtain permission from my parole officer before leaving the program. If I am released, removed or terminate from the program for any reason, I will notify my parole officer immediately. I agree to allow my parole officer access to any information obtained by C.R.C. personnel, including my attendance and performance while at the C.R.C. (Discretionary Parole ONLY)
30. SEARCH FOR STOLEN PROPERTY: Upon request by or at the direction of a parole officer at any reasonable time, I will submit to a search of my person, my personal property, my residence, my vehicle or any vehicle under which I have control, for the presence of property that may be stolen.
31. SEARCH FOR WEAPONS: Upon request by or at the direction of a parole officer at any reasonable time, I will submit to a search of my person, personal property, my residence, my vehicle or any vehicle under which I have control, for the presence of dangerous weapons, knives or firearms.
32. RESTITUTION: I will begin making restitution the first month of release in accordance with special condition # _____ of Superior Court judgment in _____ Cr. I will continue to make monthly payments as directed by my parole officer.
33. P.O. PERMISSION BEFORE CREDIT CARDS, CHECKS, CHARGE ACCOUNTS, CONTRACTS: I will receive permission of my parole officer before I enter into any contracts, open or utilize a bank checking account, borrow any money or go into debt, apply for or use any credit cards, or apply for or use a charge account.
34. REPORT PURCHASES OF \$500 OR MORE: I will report the purchase of any item over \$500.00 to my parole officer at the next reporting time after I make the purchase.

35. NO CHARGE CARDS/ACCOUNTS: I will not apply for, possess, or at any time use a credit card. I will not apply for or use a charge account or charge any purchase or service.
36. NO CHECKS: I will not open, maintain or utilize a checking account. I will not at any time have in my possession any checks, except payroll or business checks payable to me as the first party. I will not fill out any portion of any check except to endorse my name to a payroll or business check made payable to me.
37. P.O. PERMISSION FOR BUSINESS: I will not in any manner establish, attempt to establish or operate a business without the prior written permission of my parole officer.
38. INFORM EMPLOYER OF CRIMINAL HISTORY: I will advise any employer or prospective employer of my criminal history. I understand my parole officer may discuss the circumstances of my criminal history with my present employer or prospective employer.
39. NO COMMISSION JOBS: I will not work or be employed in any job in which remuneration is by commission. I will not work in any employment involving the direct sale of goods by me, except I may work in a sales job if all transactions take place in retail sales store, with the permission of my parole officer.
40. VEHICLE LIABILITY INSURANCE: I will not operate a motor vehicle without first obtaining liability insurance, and providing proof of this insurance to my parole officer.
41. ADVISE P.O. OF MOTOR VEHICLES: Before I drive a motor vehicle, I will provide information to my parole officer about any motor vehicle that I own, am buying, or operate. I will advise my parole officer of the make, model, year, color, and license number of these vehicles.
42. CANNOT DRIVE WITHOUT P.O. APPROVAL: I will not under any circumstances operate a motor vehicle without the prior approval of my parole officer. If I am allowed to drive, my parole officer may set reasonable time limits and purposes for the use of the motor vehicle.
43. CANNOT DRIVE: I will not under any circumstances operate a motor vehicle. I will not apply for a motor vehicle operator's license without the prior written permission of the Alaska Board of Parole. If I am presently licensed to operate any kind of motor vehicle, I will immediately surrender this/these license(s) to my parole officer, who will forward them to the issuing authority and advise the issuing authority why it is being returned.
44. NO CONTACT WITH PRISONERS OR FELONS WITHOUT BOARD APPROVAL: I may not telephone, correspond with or visit any person confined in a prison, penitentiary, correctional institution or camp, jail, halfway house, work release center, community residential center, restitution center, juvenile correctional center, etc. Contact with a felon during the course of employment or during Corrections-related treatment is not prohibited if approved by the Alaska Board of Parole. Any other knowing contact with a felon is prohibited unless approved by the Alaska Board of Parole. I will notify my parole officer if I have any contact with a felon.



ALASKA STATE LEGISLATURE
HOUSE OF REPRESENTATIVES



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MILITARY AFFAIRS FOR
AMERIBAGE CALCUS

REPRESENTATIVE ELDON MULDER
DISTRICT 23 MULDOON-Ft. RICHARDSON

MEMORANDUM

DATE: November 2, 1995

TO: Representative Mulder Representative Brown
 Representative G. Davis Representative Navarre
 Representative Rokeberg Senator Green

FROM: Denny DeWitt
 Phone 465-2647

RE: Information on Tennessee Audit of CCA Facility

Mr. Don Valesko, Business Manager, Public Employees Local 71 provided written testimony to the committee at the October 19 hearing. In it he offered criticism of the safety record of facilities operated by Corrections Corporation of America. He referred to a study released by the state of Tennessee. He stated,

"However, the privately run CCA facility ranked lower on safety in the Tennessee audit ..."

I enclosed the Executive Summary of the referenced report, dated February 1, 1995. Please note the bottom of page ix, where you will find the following comment from the authors,

"We do not believe there was a significant security and safety performance difference among the three facilities during the rated evaluation period."

I will be happy to copy the entire report at your request.

cc: Office of Management and Budget
 Legislative Finance
 Department of Corrections

**Comparative Evaluation
of
Privately-managed CCA Prison
(South Central Correctional Center)
and
State-managed Prototypical Prisons
(Northeast Correctional Center, Northwest Correctional Center)**

Executive Summary

February 1, 1995

Executive Summary

This summary answers key questions about the Comparative Evaluation purpose, process and results. The question and answer format and numbers follow the major sections of the report. This summary provides the reader with an overview of the evaluation process, results and conclusions.

1. What is the Comparative Evaluation?

In 1991, because of the State's interest in improving the quality of prison operation and to learn, if possible, from the private sector, the State decided to enact legislation allowing a private company to operate one of its prototypical medium-security facilities. The objective was to compare public and private operation at basically the same type of physical plants. This legislation required a comparison of the performance and cost of the private operation to that of the State operation. This report is the performance comparison.

2. Why was a comparative evaluation conducted?

This evaluation was conducted and a report submitted in response to the requirements of TCA 41-24-105, which directs the Select Oversight Committee on Corrections to compare the quality of services provided by a private contractor to the quality of services provided by the State at prisons which are comparable in size, population, and physical plant. This statute also mandates that the Fiscal Review Committee conduct a comparison of the costs of the State and private operations at the three prototypical prisons. The law requires that contract renewal be based on the results of these two studies.

TCA 41-24-105 (d) The contract may be renewed only if the contractor is providing at least the same quality of services as the state at a lower cost, or if the contractor is providing services superior in quality to those provided by the state at essentially the same cost.

3. How was the comparative evaluation conducted?

As a means of satisfying the statutory requirement, the Select Oversight Committee on Corrections brought together leaders of the Department of Correction and executives of Corrections Corporation of America for the purpose of agreeing upon the method to be used for comparing the performance and quality of services provided by the three prisons. Department of Correction and CCA representatives met over five times with the Oversight Committee director and consultant as all parties joined together in developing a strategy to fairly compare all three prisons given the limited resources to undertake such a difficult task. A consensus was reached on the methodology as all parties agreed upon the measures or indicators to be used, the collection methods, the means of validation, the

value and weighting of indicators, and the process for conducting the evaluation. In October of 1992, the Oversight Committee adopted a resolution confirming the methodology endorsed by all parties.

- The first step in organizing the comparative evaluation was to identify the measures or indicators to be used. The object was to identify indicators that would reveal the most relevant information about the operational performance of the facilities being compared.
- The second step was to identify the source of those measures. Where would the data and information come from and how would it be collected.
- The third step was to define how the information would be validated or verified to be true and accurate.
- The fourth step was to define the value of each indicator or what the measure was worth.
- The fifth step was to define how the actual comparison would be made.

The specific indicators to determine the nature of inmates in each facility were:

- Age
- Race
- Custody Level or Classification
- Medical Classification
- Education Level

Audit

An operational audit was conducted at each of the three facilities. This audit was very similar to the annual inspection process conducted by the TDOC Office of Compliance. The purpose was to conduct an inspection of programs and operations at the three facilities.

Security and Safety Index

The security and safety evaluation considered a wide variety of factors. Some of the factors considered included:

- Disciplinary Reports
- The Use Of Force
- Assaults
- Deaths
- Injuries
- Escapes

Program and Activity Index

The program and activity index measured inmate assignments, and activity or idleness.

Source

The source of the indicators and measures came from existing records, reporting procedures, and inspection processes. The primary sources were:

- 1 TDOC and CCA records
- 2 TDOC and CCA weekly, monthly, quarterly, and annual reports.
- 3 The Performance Audit Inspection
- 4 The Program and Activities Records and Jobs Audit

In addition to the records and reporting processes and the audits, the SOCC staff and consultant made site observations and conducted interviews with staff and inmates.

Validation

The primary process of validating or verifying the data and information routinely reported by TDOC and CCA was the Performance Compliance Audit and the Program and Activities and Jobs Audit.

Value or Weight

The value or numerical weight given to each indicator or measure previously discussed was agreed-to by TDOC and CCA as follows:

<u>Element</u>	<u>Value</u>
Nature of Inmates	0
Professional Standards	0
Audit	60
Security and Safety Index	25
Program and Activity Index	15
Survey	0

The nature of inmates, and the professional standards, were control measures. They were given no score. The performance audit consisted of nearly 200 elements. Each element was worth one point. The total performance audit was worth sixty (60) percent of the aggregate comparison score.

The security and safety index is worth twenty five (25) percent of the total comparison score. The program and activity index is worth fifteen (15) percent of the total score.

Comparison

Describing what is a "comparable, superior, or poorer-than" quality of performance for correctional services is subjective. The risks associated with giving a numerical score to the quality of correctional performance is high. There are very few outcome measures that are either easily quantified or are very meaningful in judging quality of performance. There are many variables to consider when making a judgment about the quality of correctional services. This approach was designed to be as objective, fair, and comprehensive as was practical.

During the development of this design approach, it was clear the parties were concerned about a process that concludes with a numerical score. They were concerned about being given a score that may be misunderstood or misinterpreted. Since this project did not attempt to have scientific rigor, it would be misleading and imply a sense of false precision to rely on a numerical score. On the other hand, it was essential to give some weight and value to indicators and measures used. We have tried to avoid the limits of heavy reliance on a numerical score. The audit, security and safety, and program and activities measures were given a numerical score. They are supported by interpretations and explanations.

In each area where deficiencies are noted or comments are made by the SOCC staff or consultant, an opportunity was given to TDOC or CCA to present facts or evidence to clarify any misunderstandings and correct any misrepresentations.

LIMITATIONS

The methodology described above was sufficient to conduct the comparative evaluation. However, there are limitations and factors that were beyond the control of the State or the private contractor, and the evaluation methodology, that could affect the quality of the data described and the interpretation of that data.

It is important to point out those limitation factors, so they can be given consideration when reviewing or interpreting the data and findings in this comparative evaluation report.

- The first limiting factor was that each of the three institutions opened at different times. There was nearly a 1 1/2 year difference between the opening of Northeast and Northwest Correctional Centers. The methodology attempted to account for this starting time discrepancy by picking points in time that were consistent for data collection and evaluation. However, the fact remains that one institution had more than a year's experience over the other two institutions.

- There was an initial apparent lack of clarity regarding authority and responsibility, as it related to "care, custody, and control" by the private operator. This report was not an attempt to discuss or describe contractual language or responsibilities between the State and the private operator. However, the complexities in operational practices with regard to disciplinary authority and responsibility between the State and the private operator took several months to resolve. This critical period of opening and operating a new prison usually sets the tone for the operation, for a long time. This was not a quantifiable observation, but was based on the experience of opening prisons and jails and observing the impact of an organized transition and activation process, and the first year of operation of a new prison.
- The quality of data used in any evaluation is critical. The initial plan for the methodology was to use the State's Tennessee Offender Management Information System, (TOMIS) as the primary data source. The TOMIS system was being developed as the comparative evaluation data was being collected. This resulted in an inability to obtain certain data, a change in data reporting formats, and an agreement by the State and the private contractor to use certain data collection and verification efforts. It should be noted that the State, particularly the Department of Correction's Planning and Research Division, did an excellent job in controlling, managing, and reporting on the quality and quantity of data used throughout this comparative evaluation.
- The demands placed on the Office of Compliance, Tennessee Department of Correction, were not fully anticipated. The workload and tasks associated with contract monitoring, compliance monitoring, liaison and communication responsibilities were substantial. The TDOC Office of Compliance assumed these additional responsibilities and did an excellent job in coordinating and reporting compliance issues for the comparative evaluation process.
- The corrections system must be flexible and meet the demands of a constantly changing inmate population. A limiting factor in this comparative evaluation was some of the demand for change on the system. For example, during some of the evaluation period, the Northwest Correctional Center was partly used as a reception center because of system demands.
- A primary focus of the programs and activities associated with the correctional system was inmate jobs and work assignments. The industry component at each of the three facilities that was anticipated to supply substantial jobs, did not meet expectations.

In spite of these limitations and factors that could affect the quantity and quality of data, or the interpretation of the findings, it did not have a significant affect on the comparative evaluation approach. In fact, the State and the private contractor, particularly the wardens at the three institutions, used administrative prerogatives, creativity, and good judgment in mitigating many of the limitations.

4. What were the findings of the annual audits?

The following table represents the second annual inspection of each facility by the special comparative evaluation inspection team.

Second Inspection Element	NECC		SCCC		NWCC	
	Comp.	Non-C.	Comp.	Non-C.	Comp.	Non-C.
Administration	87.7	12.3	97.9	2.1	97.6	2.4
Safety & Conditions	95.6	4.4	88.1	11.9	94.5	5.5
Health Services	96.7	3.3	100.0	0.0	97.8	2.2
Mental Health	96.3	3.7	100.0	0.0	100.0	0.0
Treatment	95.9	4.1	99.35	.6	95.1	4.9
Security	99.5	.5	99.5	.5	98.4	1.6
AVERAGE (**)	95.28	4.72	97.48	2.52	97.23	2.77

** Does not include Correctional Enterprises

Compare Two Insp. Element	NECC		SCCC		NWCC	
	Comp.	Non-C.	Comp.	Non-C.	Comp.	Non-C.
First Inspection	90.67	9.35	84.53	15.47	90.08	9.92
Second Inspection	95.28	4.72	97.48	2.52	97.23	2.77
Percent Improvement	5.08		15.32		7.94	

For evaluation purposes, the second inspection score was counted in the overall rated comparison. After each audit the ratings were reviewed with the facility. It is interesting to note the substantial improvement for all three facilities between the first and second inspections. SCCC made the biggest improvement. It is also interesting to note the very high levels of compliance and the closeness of the scores. This is all the more impressive since it was done independently by a bi-partisan team from TDOC and CCA. Also, the scores are consistent with the ACA accreditation ratings.

ACA Accreditation Ratings

Facility	Date	Score
NECC	June 7-9, 1993	98.78
- SCCC	October 4-6, 1993	99.29
NWCC	June 6-8, 1994	98.88

5. What were the findings of the Security and Safety review?

A wide range of security and safety factors were reviewed. The review included reports on serious incidents for a fifteen-month period from July 1993 through September 1994, and a review of Disciplinary Classification reports and Dispositions for different periods in 1993 and 1994.

It is very difficult to say that one facility is more or less secure or safe than another facility. There are many variables that constitute safe and secure. Nearly everyone has an opinion. Our opinions were based on observations, data, and our best professional judgment. We started with some assumptions and we referred to data from TDOC and CCA reports for most of our comments

Our first assumption was that there was full compliance with security and safety practices, and that our observations and comments would describe deficiencies in security, or safety compliance, or practices. Our second assumption was that we would refer to serious incident and disciplinary reports, because they have been accepted by the parties, and are the parties' reports.

Statement of Qualifications

Before we discuss specific security and safety issues it is important to remind the reader of the need to qualify and condition the interpretation, use, and referencing of a single number or set of numbers, or narrow specific statements in this report. We recognize the wide and varied interests in the results of this evaluation. We have attempted to present information in text and tables that are clear and concise in form and style.

However, we are very conscious that information can be taken out of context and appear to be much more than it is. Or worse, what it is not. The reporting of events described as "serious incidents" in a prison report can have unintended consequences. We urge the reader to read the full report before reaching conclusions or quoting things out of context.

One measure of security and safety is the number and type of assaults that occur in a facility. During the fifteen-month period, NWCC had significantly more assaults than either NECC or SCCC. NWCC reported 165 assaults.

NECC reported 69 and SCCC reported 80. 62 of NWCC's assaults resulted in minor injuries to staff. Assaults reported for the three facilities include serious and minor assaults involving staff, inmates and visitors.

Disturbances, or the loss or threat of a loss of control is a measure of the security and safety of a facility. NWCC reported 7 temporary losses of control and NECC and SCCC each reported 2. A review of the 7 incidents at Northwest reflect the differences in reporting as the incidents were very minor, for example; a disruptive student in a classroom, a disruptive inmate in line to receive clothes, an inmate refusing to enter his cell and being escorted.

Escapes are an obvious measure of security for a prison. During the fifteen-month period, NECC had two, NWCC had one, and SCCC had no escapes from secure supervision. SCCC had 2 attempted escapes from secure supervision.

The number of injuries to staff and prisoners is a measure of the security and safety of a facility. During the fifteen-month period, SCCC reported significantly more injuries to prisoners and staff than either NECC or NWCC, with 214 injuries reported at SCCC, 21 and 51 at NECC and NWCC respectively.

The use of force is also reviewed when looking at the security and safety of a prison. The facilities have significantly different reported incidents of the use of force. SCCC had 30 reported incidents, NECC 4 and NWCC 6.

Both the injury and use of force data is as reported on TOMIS and does not necessarily reflect a higher incidence of injury or use of force at SCCC or NWCC. Rather, the data may be indicative of the focus of the facilities in reporting and the discretionary nature of the reporting requirements.

The use of a disciplinary system, and the writing of charges and disposition of those charges is a measure of the security and safety of a prison. There was not much difference in the issuing of disciplinary tickets among facilities. SCCC appears to write more minor infractions and NWCC appears to write more serious infractions.

The disposition of disciplinary charges is also a very good measure of the security and safety of a prison. It is an indication of how the facility manages its problems, and can be an indicator of facility safety. During the fifteen-month period, NECC reported 500 dispositions to verbal reprimand, while NWCC and SCCC reported seven and 13, respectively.

Each of the institutions met the security and safety requirements of two annual inspections and an ACA audit. Their respective scores were exceptionally high, in fact, almost identical. There were differences in certain indicators. However, in reviewing the entire period, in our

judgment, there was very little difference in the performance of security and safety among the three facilities.

6. What were the findings of the Program and Activities Review?

The following table summarizes the first and second years of operation at the three facilities regarding the percent of inmates inactive or idle due to job waiting.

This category depicts inmates who are eligible for a work or program assignment but remain idle and unassigned.

<u>Compare First and Second Years</u>	<u>Job Waiting Percent</u>		
	<u>NECC</u>	<u>SCCC</u>	<u>NWCC</u>
First Year	11	19	21
Second Year	4	11	12

The tables reflect the high rate of inmates in the "job waiting" category during the first year of operation. This is a critical time when inmates should be assigned to programs and work because the facility is setting its operational tone.

The tables also reflect the substantial improvement at each facility in reducing the amount of job waiting in the second year of operation.

The primary reason the job-waiting numbers and percents were so high was because the facilities had no industry program. The facilities were constructed but the program was not operational. SCCC and NWCC have had no real industry program during the evaluation period. NECC had a small industry program during the second year of operation.

The State recognized the prisoner "job waiting" and industry problem. In 1994 the SOCC initiated efforts that led to legislation creating a new prison industry board and a renewed focus to develop work opportunities and prisoner jobs.

7. What conclusions were reached from the comparative evaluation?

There were elements within each area that was reviewed where one facility received a higher rating than another facility. However, there were also elements within each area where one facility received a lower rating. In total, the facilities all rated very high and are nearly identical in their overall performance. The closest objective numerical rating to support this conclusion was the second annual inspection reports and the ACA audit.

We do not believe there was a significant security and safety performance difference among the three facilities during the rated evaluation period.

We do believe there was a significant "job-waiting" difference among the three facilities during the evaluation period. However, as TDOC and CCA agreed during the development of the methodology, adjustments could be made to the Program and Activity Index rating based on the jobs audit and verification of program and activity assignments. It is difficult to penalize SCCC and NWCC for not assigning inmates to an industry program that was not provided. On the other hand, the State was responsible for providing the industry program at all three facilities.

It was our judgment to rate all three facilities the same for the program and activity index.

Overall Rating

The overall Comparative Evaluation rating is depicted in the following table. It includes the second Annual Audit, worth 60 %, the Security and Safety Index, worth 25 %, and the Program and Activity and Jobs Index, worth 15 %.

<u>Evaluation Rating</u>	<u>NECC</u>	<u>SCCC</u>	<u>NWCC</u>
Audit (60 %)	57.17	58.49	58.34
Security and Safety Index (25 %)	25.00	25.00	25.00
Program and Activity Index (15 %)	15.00	15.00	15.00
	97.17	98.49	98.34

In reviewing the ratings we considered the range of difference of up to 3 % among the three facilities, as essentially comparable. Therefore, our conclusion was that all three facilities were operated at essentially the same level of performance.

8. What recommendations are being made?

The following recommendations were developed from information learned and opinions formed during the evaluation process. They are intended to guide State policy makers as they look for ways to improve the correctional system. They are intended to guide State policy makers in their decision making process, if the State decides to continue this contract or contracts for correctional services in the future. We recommend the following:

- Establish an independent contract monitoring and operational compliance capability for corrections contracts where a comparative evaluation will be conducted. The potential conflict and the complexities require a separate contract monitor.
- Review State restrictions and TDOC policy to provide maximum flexibility to allow corrections operational contractors to use their business and marketplace creativity; obviously, with appropriate legal safeguards.

- Allow the private contractor the authority and opportunity to privatize the industry program at SCCC. This could take several different forms. This should not preclude a contract with the TRAIL Board.
- Review the "start-up" needs and provide TDOC with adequate resources to service the operational demands of a new private prison contract. The need for transitioning into the new facility and the prison activation process require commitment of time and resources.
- Review the needs and establish clearer lines of authority, accountability, and communication, between the State and a private contractor. Set policy and establish more formal and documented procedure.



ALASKA STATE LEGISLATURE
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MILITARY AFFAIRS SUBCOMMITTEE
ANCHORAGE CAUCUS

REPRESENTATIVE ELDON MULDER
DISTRICT 23 MULDOON-Ft. RICHARDSON

MEMORANDUM

DATE: October 26, 1995

TO: House Finance Subcommittee on Corrections
Other Interested Parties

FROM: Representative Mulder

RE: Interim Hearing on Corrections November 14, 1995
Cost Savings Opportunities in the Department of Corrections

The House Finance Subcommittee on Corrections will hold an interim hearing focusing on Department of Correction employees comments on cost saving opportunities, including privatization. I scheduled the hearing for Tuesday, November 14, 1995, from 10:00 AM to 1:00 PM, at the Anchorage Legislative Information Office.

Alaska's Department of Corrections is responsible for both prison and jail facilities. Unlike many other states, our state government is involved with misdemeanants and felons including processing and holding pre-arraignment, operating pre-trial facilities, contracting for operations of community jails and housing sentenced prisoners. General fund expenditures have grown 604% between FY 79 and FY 96, while population and inflation increased only 166%.

This hearing will provide an opportunity for employees of the Department of Corrections to discuss privatization and other cost saving opportunities. The hearing will provide an opportunity to raise issues that must be addressed before implementation of cost saving measures.

Because of time limitations, presentations must be scheduled. Anyone with questions or interest in making a presentation should contact Denny DeWitt, my Legislative Assistant. He can be reached at State Capitol, Juneau, Alaska 99801, phone 907-465-2647.

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CO-CHAIR,
MILITARY AFFAIRS FOR
AMERICAN CAUCUS

REPRESENTATIVE ELDON MULDER
DISTRICT 23 MULDOON-Ft. RICHARDSON

November 8, 1995

Pat Smutz
AFL-CIO
Fax 274-0590

Dear Mr. Smutz:

Thank you for helping to arrange for presenters to share ideas about cost saving in the Department of Corrections with the Subcommittee on Corrections. We are looking forward to the presentations.

I enclosed a draft of the agenda so you can see when the union representatives are scheduled.

If you have any questions, please feel free to contact Mr. Denny DeWitt at 465-2647 the remainder of this week. On Monday, November 13, he will be in my Anchorage office at 258-8193.

Sincerely,

Eldon Mulder



ALASKA STATE LEGISLATURE
HOUSE OF REPRESENTATIVES

CHAIR,
LEGISLATIVE COUNCIL

CO-CHAIR,
HOUSE SPECIAL COMMITTEE
ON CORRECTIONS AND
REVENUE

1100
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REPRESENTATIVE ELDON MULDER
DISTRICT 23 MULDOON-Ft. RICHARDSON



November 8, 1995

Jeff Wiseman
PO Box 3635
Palmer, AK 99645

Dear Mr. Wiseman:

Thank you for volunteering to share your ideas about cost saving in the Department of Corrections with the Subcommittee on Corrections. We are looking forward to your presentation.

I enclosed a draft of the agenda so you can see when you are scheduled.

If you have any questions, please feel free to contact Mr. Denny DeWitt at 465-2647 the remainder of this week. On Monday, November 13, he will be in my Anchorage office at 258-8193.

Sincerely,

Eldon Mulder



ALASKA STATE LEGISLATURE
HOUSE OF REPRESENTATIVES



CLERK,
LEGISLATIVE COUNCIL

CO-CLERK,
HOUSE SPECIAL COMMITTEE
ON CONSTITUTIONAL
MATTERS

REPRESENTATIVE ELDON MULDER
DISTRICT 23 MULDOON-Ft. RICHARDSON

November 8, 1995

Claude "Frenchie" Mongeau
PO Box 671006
Chugiak, AK 99567-1006

Dear Mr. Mongeau:

Thank you for volunteering to share your ideas about cost saving in the Department of Corrections with the Subcommittee on Corrections. We are looking forward to your presentation.

I enclosed a draft of the agenda so you can see when you are scheduled.

If you have any questions, please feel free to contact Mr. Denny DeWitt at 465-2647 the remainder of this week. On Monday, November 13, he will be in my Anchorage office at 258-8193.

Sincerely,

Eldon Mulder



ALASKA STATE LEGISLATURE
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HOUSE SPECIAL COMMITTEE

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REPRESENTATIVE **ELDON MULDER**
DISTRICT 23 MULDOON-Ft. RICHARDSON



November 8, 1995

Wayne Bolen
5916 Camrose Dr
Anchorage, AK 99504

Dear Mr. Bolen:

Thank you for volunteering to share your ideas about cost saving in the Department of Corrections with the Subcommittee on Corrections. We are looking forward to your presentation.

I enclosed a draft of the agenda so you can see when you are scheduled.

If you have any questions, please feel free to contact Mr. Denny DeWitt at 465-2647 the remainder of this week. On Monday, November 13, he will be in my Anchorage office at 258-8193.

Sincerely,

Eldon Mulder



ALASKA STATE LEGISLATURE
HOUSE OF REPRESENTATIVES



CHAIR,
LEGISLATIVE COUNCIL

CO-CHAIR,
HOUSE SPECIAL COMMITTEE
ON...

VICE CHAIR,
LEGISLATIVE COUNCIL

REPRESENTATIVE ELDON MULDER
DISTRICT 23 MULDOON-Ft. RICHARDSON

November 8, 1995

Ole Larson
Hiland Mountain Correctional Center
PO Box 600
Eagle River, AK 99577-0600

Dear Mr. Larson:

Thank you for volunteering to share your ideas about cost saving in the Department of Corrections with the Subcommittee on Corrections. We are looking forward to your presentation.

I enclosed a draft of the agenda so you can see when you are scheduled.

If you have any questions, please feel free to contact Mr. Denny DeWitt at 465-2647 the remainder of this week. On Monday, November 13, he will be in my Anchorage office at 258-8193.

Sincerely,

Eldon Mulder

Ross Dunfee
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Claude Mongeau
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Palmer AK 99645

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November 1, 1995

The Honorable Eldon Mulder
Alaska State Legislature
House of Representatives
Alaska State Capitol
Juneau, AK 99801-1182

Dear Representative Mulder:

Once again, thank you for inviting me to testify last week before the Alaska's House Finance Subcommittee on Corrections. It was an honor and privilege to speak to committee members about privatization and Corrections Corporation of America. I hope that I was able to inform and further educate you and your legislative colleagues about private sector corrections.

As you know, there were some viewpoints expressed at the hearing that were opposed to privatization. Those opinions were submitted by Don Valesko, business manager for Public Employees Local 71. For the purposes of accuracy and the legislative record, I wanted to take this opportunity to address the issues that Mr. Valesko mentioned in his written material.

Since its founding in 1983, CCA has experienced its share of criticism and scrutiny. Special political interest groups, labor unions, lobbyists and long-time bureaucratic thinkers are among our most staunch critics. The fact is that the corrections industry itself has and always will be a controversial and highly regulated one.

Whenever I hear opposing or critical statements made about CCA, the first question I ask the individual is "have you ever visited a CCA facility?" Not surprisingly, the answer typically is "no." So for the record, I extend an invitation to Mr. Valesko or any other members of Public Employees Local 71 to visit a CCA facility, talk to our staff, speak with the inmates, and look at our programs and services at Florence, AZ, and at other facilities across the country. Opinions usually can be better formed based on the first-hand knowledge and observation that are gained during such a visit.

It is also CCA's experience that private sector companies often are held to higher standards than public sector operators. We have found that the general public and lawmakers are most concerned with efficient use of tax dollars by government. CCA has repeatedly been able to provide cost savings to government, which has resulted in those dollars being used for other public services, such as roads, schools, etc. In fact, many of our contracts require that certain cost criterion be met, such as operating a facility for a specified percentage (from 7 to 10%) less than it has been or would be if operated by the public sector. We consistently have been able to meet that requirement.

For each facility we operate, CCA has a detailed contract with the contracting government agency. Contractual examples include the ratio of staff to inmates, square footage per inmate, number and type of educational/vocational programs and emergency plans. The contract, which is renegotiated and renewed based on terms and provision of quality of service, also documents the per diem cost to be paid to CCA by the government agency. Each per diem varies, depending upon whether or not financing or construction was involved, classification and size of facility, type of inmates, programs and services, etc.

To ensure that we adhere to the contract, the government agency appoints a Contract Monitor. That person is responsible for making sure that we are complying with the contract. The purpose of this monitoring system is to provide greater accountability on our part to make sure that government dollars are used effectively and efficiently. We welcome that accountability.

Accountability also can be measured by independent sources. CCA takes pride in its American Correctional Association (ACA) accreditation achievements. To become ACA accredited, a facility and its management must pass a comprehensive and intensive audit that includes nearly 500 mandatory and non-mandatory standards. These standards deal with management and personnel procedures, physical layout, training programs and delivery of services. The facility must make a perfect score (100%) on the mandatory portion of the inspection and a high score on the non-mandatory part to receive accreditation. All of CCA's facilities operate according to ACA standards and those facilities that are eligible are ACA accredited. This accreditation status, in many cases, is deemed more critical to privately run institutions than others.

As I stated in my testimony, we invest in our employees, especially in training them and training them well. We follow and often exceed the training requirements of the jurisdiction in which we are doing business. In our staff orientation and training, we emphasize interpersonal communication skills, problem solving, risk management and defense tactics. All of this training is designed to promote communication, to address inmate questions and problems

when they are small issues and to prevent incidents. We are keenly aware of the responsibilities of on-line staff, and we invest in them as people, realizing that they are the most important resource we have. It would be irresponsible of us, as the industry leader, not to invest in initial and ongoing staff training.

In regard to pay and benefits of CCA employees, our compensation package is very competitive with public sector employment and the market place. If it wasn't, we would not be able to effectively retain qualified staff.

There are additional reasons that make CCA employment attractive to people interested in the corrections profession. For the purpose of retirement savings, CCA has an Employee Stock Ownership Plan (ESOP), which means that employees literally have ownership in the company. They have a vested interest in doing a quality job. Also, CCA believes in employee recognition and promotion. Entry-level corrections professionals can and do advance. Employees also can transfer to other CCA facilities to pursue career advancement. We strongly advocate promoting from within the company.

In regard to the analysis done by the state of Tennessee comparing the operations and costs of three identical state institutions, one of which is managed by CCA, the concluding point is clear. It is correct to say that the report showed that all three facilities were similar in daily operational costs. However, keep in mind that all three institutions were operating at around \$20.00 less per day than comparable state-run facilities, whose is around \$55.00. By including the private sector into the equation for the study, all three facilities dramatically reduced their daily operational costs, saving taxpayers hundreds of thousands of dollars. That is the conclusion and true outcome of the study. In addition, the state of Tennessee recently renewed its contract with CCA for the operation of South Central Correctional Center.

As I stated earlier, CCA emphasizes training that is designed to promote communication and to prevent incidents. Unfortunately, all the communication and preventive tactics in the world sometimes cannot stop determined inmates who don't want to be incarcerated for their crimes. As such, escapes and attempted escapes are a fact of the corrections field. CCA's security record is a good one. In its 13-year history, the company has the equivalent of more than 15 million days of housing prisoners and inmates, yet has experienced only a handful of escapes.

Specifically in regard to South Central, it is an accurate statement to say that we experienced some challenges when the facility opened in March, 1992. Some inmates who were sent to the facility, based upon their offense(s) and classification, should have been housed in higher level security prisons, but were

assigned (by the state) to South Central to be housed in lower level security areas. Following several inmate incidents, CCA immediately submitted and implemented an enhanced management and security plan in October, 1992. Since that time, there have been no escapes from inside the secure perimeter. The facility was accredited by ACA in January, 1994, and again, the state renewed its contract with CCA earlier this year for the operation of South Central.

At the multi-security level Hernando County Jail in Florida and the Silverdale Facilities in Tennessee, we also experienced some challenges. Those challenges were directly related to the design and construction of the facility, for which we were not responsible. Escapes did occur during the initial management assumption; however, corrective action immediately was taken. That action included CCA's investment in redesigning and building certain areas of the institutions. Hernando County Jail was accredited by the ACA in January 1992.

At Silverdale, CCA is not nor ever has been responsible for the management of road crews. Silverdale inmates are supplied to the Hamilton County Highway Department for its oversight and management of those inmates. At both Hernando County and Silverdale, CCA's contracts with both government entities have continually been renewed. We also are in the process of negotiating with Hamilton County to expand the Silverdale Facilities to accommodate the need for more county beds.

In response to Mr. Valesko's reference to privately operated facilities in Texas, there were initial differences of opinion between the private sector providers (CCA and Wackenhut) and the state regarding educational and vocational services. CCA and the Texas Department of Criminal Justice discussed action steps and plans to address those differences. There were three results to be observed. First, by July 1990, two months after the private companies were purported to be in such bad shape, the board publicly declared them to be satisfactory. Subsequently, the Office of Texas Comptroller John Sharp issued a report declaring that the state's own prison education system that was held out as exemplary, needs "swift and fundamental restructuring." Test results in 1992 reveal a 78% passing rate in academic classes and a 76% passing rate in vocational training in the Texas prisons. In addition, Comptroller Sharp stated, "Private prisons are cost effective, saving governmental entities from five to 15 percent based on cited studies...A mix of public and private prisons is healthy for competition and experimentation of new programs." Both CCA pre-release centers in Texas are accredited by the ACA. The contracts between CCA and the TDCJ for our operations have continually been renewed. In fact, to meet Texas' need for more pre-release beds, CCA expanded last year the Venus facility from 520 to 1040 beds.


Finally, regarding our Santa Fe operations, the state of Oregon in 1990 had an immediate need for bed space. Corrections officials asked us to house on a short-term basis inmates at our Santa Fe Detention Center. With the permission of the Santa Fe county government, an agreement was reached to house Oregon inmates of appropriate classification (nonviolent) in the jail. Upon inmate arrival, it was quickly discovered through CCA's reclassification system that some of the inmates did not meet the agreed upon criteria. CCA's allegiance was first to Santa Fe County. Therefore, the process to immediately return the inmates to Oregon was initiated. Through this entire process, Santa Fe county officials were kept abreast of all transactions.

I hope this information is helpful. As I said, I wanted to state it for the record. Please understand that responding to historical allegations and incomplete information puts CCA in a defensive position. It is not my intent to be perceived that way. However, it is my intent to provide clarification of our business approach, as well as address specific incidents cited by Mr. Valesko.

We, at CCA, are very proud of our accomplishments, including our operations, security record and employees. As anyone in the corrections field knows and understands, this business is not an easy one. However, we have been successful and effective in working with numerous government entities at all levels to do what we do best -- provide quality corrections services, in partnership with government, at less cost to the taxpayer.

Thank you for your interest. Please contact me if you have further questions.

Regards,



John D. Rees

11/7
Randy Blum - Spring Creek
Food Service

Supports that we are looking into
this + being ~~for~~ -
Two other guys will be speaking for him

CMS
CORRECTIONAL
MEDICAL SERVICES

A Spectrum® Healthcare
Services Company

November 15, 1995

The Honorable Eldon Mulder
House of Representatives
Alaska State Capitol
Juneau, AK 99801-1182

Sir:

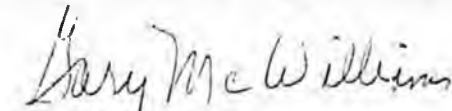
I am in receipt of your correspondence of October 26, 1995, outlining the schedule for your interim hearings on corrections now scheduled for November 14, 1995. Unfortunately Correctional Medical Services was unable to attend this particular hearing but, hopefully, you received our comprehensive information relative to the services provided by our firm in the last several weeks. As the largest provider of contracted healthcare services in the "lower 48" since 1979, we commend your enthusiasm for privatization and continue to support the view that significant cost opportunity exist within the Department of Corrections specifically as it pertains to provision of medical services. Alaska's Department of Corrections, in being responsible for both prison and jail facilities, resembles organizations in Delaware that we have supported for over seven years and potential opportunities now being reviewed with the state of Vermont.

Realizing that Department of Corrections employees might well participate in your hearing, let me reassure you that a firm like ours much prefers assimilation of state or county employees and potential recognition of specific unions in order to ensure optimum cooperation during start-up and ultimately realize the most significant savings to be gained by outsourcing in this regard. As questions arise following your hearing, please don't hesitate to have Denny Dewitt, your legislative assistant, you personally, or any of your representatives contact me at 800-325-4809, ext. 9103.

In closing, let me wish your House Finance Subcommittee the very best for a successful and informative hearing.

Sincerely,

CORRECTIONAL MEDICAL SERVICES



Gary McWilliams
Vice President Sales and Marketing

/cmm

Group Misconduct Incidents
In the BOP
FY 1994

Loren Karacki
Office of Research
and Evaluation

January, 1995



Introduction

For the past several years, information on inmate group misconduct incidents has been collected and analyzed. The current report presents this information for fiscal year 1994, with comparisons provided to earlier years.

A group misconduct incident is defined as any concerted act of rule violation involving five or more inmates. This can include work stoppages, food strikes, and other organized demonstrations or acts of resistance, as well as disturbances, riots, fights, assaults, mass escapes (or attempts) or other rule violations with five or more participants. Assaults are included as long as five or more assailants are involved; in the case of fights, however, the total number of participants need only be five or more, regardless of alignment. Acts of group misconduct intercepted by staff in the planning stage are not included in the tabulation nor are incidents which occur in contract facilities.

Information on group misconduct incidents is primarily obtained from BOP daily reports and Incident Report submissions to Central Office from field locations.

Group Misconduct Totals

During FY 1994, there was a total of 116 group misconduct incidents which were identified as occurring in BOP facilities. These incidents ranged from a more or less spontaneous scuffle among inmates following a basketball game to violent confrontations among prison gangs and organized work stoppages at major penitentiaries.

As shown in Table 1, the 116 incidents which were recorded during FY 1994 represent an increase of 24.7 percent from the 93 misconduct incidents tabulated in FY 93. This increase for FY 94 continues an upward trend in group incidents which has been evident since FY 89 and which has seen the total number of these incidents grow from 24 to the current count of 116; however, the 24.7 percent increase for FY 94 over FY 93 is well below the 47.6 percent and 57.5 percent increases recorded for FY 93 and FY 92, although still above the 14.3 percent increase for FY 91.

When rate per 5,000 inmates is considered, we find that the rate for FY 1994 is 6.95, up from 5.16 in FY 93 and well above the 2.51 rate for FY 89. The use of a rate provides a better measure of change in group misconduct over time since it takes into account the population growth which has occurred in BOP facilities. Nonetheless, the figures on rates still reflect the increase in

group misconduct which has taken place each year since FY 1989 as well as reflecting the decelerated rate of increase between FY 1993 and FY 1994 as opposed to earlier years.

It is possible that the increase in group misconduct incidents is due, at least in part, to improved reporting of these events to Central Office by field personnel. Certainly an effort has been made in recent years to enhance the reporting of acts of misconduct to Central Office and this may have contributed to the greater numbers here reported. But given the seriousness of many of group misconduct incidents, we strongly doubt that better reporting would account for much of the increase reflected in this report.

Type of Group Misconduct Incidents

Table 2 provides information on type of group misconduct incidents. As indicated in the table, when FY 1994 is compared to FY 1993, we find that much of the increase in group misconduct incidents involved fights, which more than doubled from 16 to 36, while major disturbances were up from 16 to 22. A decrease was found in "other" group demonstrations, down to 9 from 14, while such categories as food strikes and assaults showed little change from FY 1993 to FY 1994.

Table 2 also shows that much of the overall increase in group

misconduct between FY 1989 and FY 1994 has involved more violent acts such as assaults and disturbances and very little is accounted for by organized, usually non-violent, acts of resistance against staff. Specifically, when work stoppages, food strikes, and other group demonstrations are combined, as is done in category A incidents, we find that while the number of these incidents doubled from 13 to 26 between FY 1989 and FY 1994, the rate per 5,000 inmates has only increased from 1.36 to 1.56. In contrast, when more violent acts such as assaults, fights, and disturbances are combined, as is done in category B, these incidents jumped from 10 to 87 and the rate per 5,000 inmates has risen from 1.05 in FY 1989 to 5.21 in FY 1994. It is clear from these figures that when the increase in group incidents is considered, it is acts of violence, not non-violent acts, that we are considering.

Further analysis of the 116 group misconduct incidents in FY 1994 reflects that 56 of these incidents were primarily directed against staff and 60 were primarily directed against other inmates. The 56 against staff include all work stoppages (7), food strikes (10), and other demonstrations (9) as well as 12 of the 22 major disturbances, 16 of the 17 minor disturbances and 2 of the 3 "other". The total of 56 acts against staff is up slightly from the 50 for FY 1993 which, in turn, was substantially up from 30 in FY 1992. The 60 incidents directed against other inmates compared to 43 in FY 1993 and 33 in FY 1992.

Initial reports of group misconduct against staff generally do not indicate underlying issues involved in these actions. But it was evident that in some cases present sentencing and prison good conduct time policies were at issue. Indeed, on December 1, 1993 work stoppages occurred at three penitentiaries and an inmate demonstration took place at another facility as part of a "national protest day" which was intended to demonstrate inmate solidarity in opposition to current sentencing guidelines, mandatory minimum sentences, and perceived inadequate earned work credits. And on several other occasions similar issues were involved along with inmate complaints of discriminatory sentencing practices for drug law cases.

Inmate dissatisfaction with food service operations was also expressed on some occasions and on at least three occasions restrictions on personal items was presented as an issue.

With respect to inmate-on-inmate assaults, fights, and disturbances, as was the case in several previous reports on group misconduct, we continue to see a concentration of minority group involvement. In particular, it appears that many of the more serious incidents involved confrontations among different factions of blacks or conflicts between blacks and Hispanics, suggesting, at least on the surface, growing racial conflict in BOP facilities. However, according to the conclusion reached by the "new offender" Task Force, this involvement of minority groups in prison

misconduct likely reflects the street mentality that many new inmates bring with them to prison, rather than any increase in underlying racial/ethnic tensions. These are individuals who have grown up 'on the streets' and who have assumed a gang mentality which finds them quick to band together and to resort to physical violence when problems arise.

Of the 39 major and minor disturbances occurring during FY 1994, 11 were inmate-on-inmate confrontations. Of the 11, six involved one black faction against another, four were blacks on Hispanics, and one was Hispanics against Hispanics. In the case of the 12 group misconduct assaults, when race/ethnicity was provided, blacks were involved in six of the assaults (either as assailants, victims, or both), Hispanics were involved five times, whites also five times, American Indians one time, and Asians one time. With respect to the 36 fights indicated during FY 1994, when race/ethnicity was provided, blacks were identified 20 times, whites 11 times, Hispanics 10 times, Asians six times, and Arabs one time. Gang involvement was noted in six instances but, given the preliminary nature of the reports, this probably understates actual gang involvement.

Institution Security Level

Table 3 provides information on group misconduct by institution security level from FY 1991 through FY 1994. The table

shows that between FY 1993 and FY 1994, most of the increase in group misconduct incidents took place in administrative facilities (primarily detention centers), up from 16 to 27, and in medium security level institutions, up from 32 to 49, while minimum security level institutions showed a decline from 11 to two. Figures for high security and low security level institutions were little changed, from 19 to 21 for highs and from 15 to 17 for lows.

Table 3 also indicates that in the case of administrative facilities, the main increase was fights, up from four in FY 1993 to 14 in FY 1994. In the case of medium security level institutions, fights were also up, from four to 12, but additionally there were increases in major disturbances, from six to 13, and in minor disturbances, from four to eight.

Summary and Conclusions

We can briefly summarize the findings of the report on group misconduct incidents as follows:

(1) During FY 1994, there were 116 group misconduct incidents in the BOP, an increase of 24.7 percent over FY 1993. When computed as a rate per 5,000 inmates, the FY 1994 rate was 6.95 compared to 5.16 in FY 1993 and 2.51 in FY 1989.

(2) Between FY 1993 and 1994, the number of fights more than doubled, from 16 to 36, and major disturbances were up, from 16 to 22. Group demonstrations decreased from 14 to nine while other types of group incidents showed little change.

(3) While group misconduct incidents in general have been increasing over time both in absolute numbers and when stated as a rate, the greatest increase by far has been occurring in more violent acts such as assaults and disturbances and far less in more organized, usually non-violent, acts of resistance against staff such as food strikes and work stoppages. Between FY 1989 and FY 1994, work stoppages, food strikes and other demonstrations increased from 13 to 26 and the rate per 5,000 went from 1.36 to 1.56. In the same time period, more violent acts such as fights, assaults, and disturbances increased from 10 to 87 and the rate increased from 1.05 to 5.21.

(4) Of the 116 incidents in FY 1994, 56 were primarily directed against staff, up from 50 in FY 1993 and 30 in FY 1992. Sixty were primarily directed against other inmates, up from 43 in FY 1993 and 33 in FY 1992.

(5) Among the issues identified in group misconduct directed against staff were sentencing laws and prison good conduct time, restrictions on inmate property, and food service operations.

(6) In the case of inmate-on-inmate assaults, fights and disturbances, frequent minority group involvement was evident. This was particularly the case for the 11 inmate-on-inmate disturbances since six involved one black faction against another, four were blacks against Hispanics, and one was Hispanics against Hispanics.

(7) When institution security level is considered, increases were found for administrative facilities, especially detention centers, from 16 to 27, and medium security level institutions, from 32 to 49, while minimum security level institutions were down, from 11 to 2. In administrative facilities, fights were up from four to 14. In medium security level facilities, fights increased from four to 12, major disturbances were up from six to 13, and minor disturbances from four to eight.

In a previous report on group misconduct incidents, it was suggested that the increase in these incidents in recent years possibly was related to the changing racial/ethnic make-up of the BOP inmate population which may have increased subcultural tensions and to the suspected presence of a new breed of inmate who, faced with longer prison sentences and less prison good conduct time consideration, was more alienated in outlook and less susceptible to staff influence and control. Mention was also made of possible

increased gang activity and relative staff inexperience as a result of rapid expansion in recent years.

While there is some suggestion in the information on group incidents that racial/ethnic tensions may have increased in recent years, the firm conclusion of the "new offender" Task Force is that any increase in minority involvement in prison misconduct more likely reflects the street mentality that many new inmates are now bringing with them to prison, rather than any indication of heightened racial/ethnic tensions. That is, there is now a growing number of inmates who have been socialized with gang-type responses for solving their "problems" and thus, when confined, are more inclined to act in groups under existing or rapidly emerging inmate leadership. In other words, race and ethnicity may be factors in any increase in prison misconduct, but only to the extent that these background characteristics reflect the learning conditions and social mores on the streets of our cities.

What emerges from this report is a clearer picture as to the direction these acts of misconduct are taking. Specifically, we see over time a substantial increase in assaults, fights and disturbances which typically involve inmate-on-inmate and only a modest increase in organized acts of resistance against staff in the form of work stoppages, food strikes, and other demonstrations. In other words, violence, particularly against other inmates, is up

while acts of resistance against staff have remained at a fairly constant level.

There is also some indication that for at least the past year, the conflicts inherent in inmate-on-inmate violence became more pronounced in medium security level institutions. While work stoppages, food strikes and other demonstrations in these facilities decreased from 15 to 11 between FY 1993 and 1994, assaults, fights and disturbances more than doubled, from 16 to 38. It may be, therefore, that for the immediate future our efforts at monitoring and controlling inmate violence need to be most directed at medium security level institutions.

Table 1: Group Misconduct Incidents in the Federal Prison System,
FY 1989-94

FISCAL YEAR	GROUP MISCONDUCT INCIDENTS		
	TOTAL	PERCENT CHANGE	RATE PER 5,000 INMATES
FY 1994.....	116	+ 24.7	6.95
FY 1993.....	93	+ 47.6	6.16
FY 1992.....	63	+ 59.5	4.69
FY 1991.....	40	+ 14.3	3.26
FY 1990.....	35	+ 45.8	3.15
FY 1989.....	24	-	2.51

Table 2: Type of Group Misconduct Incidents in the Federal Prison System, FY 1989 through 1994. (A)

TYPE OF INCIDENT	FISCAL YEAR											
	1994		1993		1992		1991		1990		1989	
	TOTAL	RATE PER 5,000	TOTAL	RATE PER 5,000	TOTAL	RATE PER 5,000	TOTAL	RATE PER 5,000	TOTAL	RATE PER 5,000	TOTAL	RATE PER 5,000
TOTAL	116	6.95	93	6.16	63	4.69	40	3.26	35	3.15	24	2.51
CATEGORY A INCIDENTS - TOTAL	26	1.56	31	2.05	16	1.19	15	1.22	12	1.08	13	1.36
A. Work Stoppage	7	-	5	-	4	-	2	-	2	-	2	-
A. Food Strike...	10	-	12	-	5	-	11	-	6	-	9	-
A. Other Group...	9	-	14	-	7	-	2	-	4	-	2	-
DEMONSTRATION												
CATEGORY B INCIDENTS - TOTAL	87	5.21	59	3.91	47	3.50	25	2.04	22	1.98	10	1.05
B. Assault.....	12	-	11	-	12	-	2	-	2	-	0	-
B. Fight.....	36	-	16	-	18	-	4	-	4	-	1	-
B. Disturbance Major.....	22	-	16	-	>17	-	>15	-	>16	-	>9	-
B. Disturbance.. Minor.....	17	-	16	-								
Other (B)	3	-	3	-	0	-	0	-	1	-	1	-

Table 2: Continued

(A) In FY 1994, INS detainees were involved in 3 incidents compared to 4 in FY 1993. During FY 1994, 18 group misconduct incidents took place in SHU's (1 food strike, 1 demonstration, 4 major disturbances, 9 minor disturbances, 2 fights and 1 other). During FY 1993, 12 group misconduct incidents took place in SHU's (3 demonstrations, 1 major disturbance and 8 minor disturbances).

(B) "Other" incidents in FY 1994 were use of intoxicants, a hunger strike by 5 Cuban detainees, and pressure tactics by a group of Puerto Rican prisoners. In FY 1993, "other" incidents were fire setting, attempted introduction of drugs, and attempted escape.

Table 3: Group Misconduct Incidents in the Federal Prison System, By Institution Security Level, FY 1989-94.

TYPE OF INCIDENT	INSTITUTION SECURITY LEVEL											
	TOTAL		ADMIN		HIGH		MEDIUM		LOW		MINIMUM	
	NUM-BER	PER-CENT	NUM-BER	PER-CENT	NUM-BER	PER-CENT	NUM-BER	PER-CENT	NUM-BER	PER-CENT	NUM-BER	PER-CENT
FY 1994 TOTAL	116	100.0	27	100.0	21	100.0	49	100.0	17	100.0	2	100.0
Work Stoppage.....	7	6.0	-	-	3	14.3	3	6.1	1	5.9	-	-
Food Strike.....	10	8.6	3	11.1	1	4.8	3	6.1	3	17.6	-	-
Other Group Demonstration.....	9	7.8	2	7.4	1	4.8	5	10.2	1	5.9	-	-
Assault.....	12	10.3	2	7.4	3	14.3	5	10.2	1	5.9	1	50.0
Fight.....	36	31.0	14	51.9	3	14.3	12	24.5	6	35.3	1	50.0
Disturbance-Major	22	19.0	2	7.4	3	14.3	13	26.5	4	23.5	-	-
Disturbance-Minor	17	14.7	2	7.4	6	28.6	8	16.3	1	5.9	-	-
Other.....	3	2.6	2	7.4	1	4.8	-	-	-	-	-	-

Table 3: Continued

TYPE OF INCIDENT	INSTITUTION SECURITY LEVEL											
	TOTAL		ADMIN		HIGH		MEDIUM		LOW		MINIMUM	
	NUM-BER	PER-CENT	NUM-BER	PER-CENT	NUM-BER	PER-CENT	NUM-BER	PER-CENT	NUM-BER	PER-CENT	NUM-BER	PER-CENT
FY 1993 TOTAL	93	100.0	16	100.0	19	100.0	32	100.0	15	100.0	11	100.0
Work Stoppage...	5	5.4	1	6.3	1	5.3	2	6.3	1	6.7	-	-
Food Strike.....	12	12.9	1	6.3	-	-	4	12.5	4	26.7	3	27.3
Other Group Demonstration...	14	15.1	2	12.5	-	-	9	28.1	1	6.7	2	18.2
Assault.....	11	11.8	2	12.5	3	15.8	2	6.3	2	13.3	2	18.2
Fight.....	16	17.2	4	25.0	2	10.5	4	12.5	4	26.7	2	18.2
Disturbance - Major.	16	17.2	3	18.8	5	26.3	6	18.8	2	13.3	-	-
Disturbance - Minor.	16	17.2	2	12.5	7	36.8	4	12.5	1	6.7	2	18.2
Other.....	3	3.2	1	6.3	1	5.3	1	3.1	-	-	-	-
FY 1992	63	100.0	17	100.0	16	100.0	21	100.0	7	100.0	2	100.0
FY 1991	40	100.0	10	100.0	5	100.0	19	100.0	3	100.0	3	100.0

STATE OF ALASKA

TONY KNOWLES, GOVERNOR

DEPARTMENT OF CORRECTIONS

HILAND MOUNTAIN CORRECTIONAL CENTER

November 22, 1995

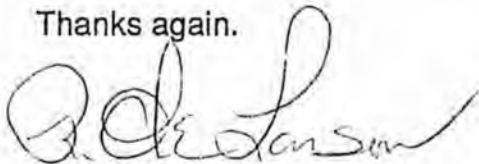
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Representative Eldon Mulder
716 W. 4th Avenue, Suite 310
Anchorage, Ak 99501

Dear Representative Mulder:

Attached are the notes from my presentation on November 14, 1995 concerning cost savings and privatization within the Alaska Department of Corrections. I apologize for the delay. These notes are the same ones you asked for when we met earlier with Howard Dickens.

Thanks again.



R. Ole Larson
Assistant Superintendent
Hiland Mountain Correctional Center

ROL/rw

cc: Margaret Pugh, Commissioner, DOC
Bill Parker, Deputy Commissioner, DOC
Frank Sauser, Director of Institutions, DOC

CCA contract Arizona with Alaska prisoners claims per presentation.

35% savings (Alaska money gone outside to Arizona)

\$59 a day cost (contract Arizona) per bed 209 beds

Secondary cost not figured in \$59 per bed contracts

\$ Medical -State of Alaska pays all inmate medical costs

\$ Transportation 1 million (to move 200 plus to Arizona) the transportation movement back & forth is still on going

\$ Transportation 2 officer move on all inmates going or coming from Arizona

\$ 16 weeks of audit due to courts worrying about Alaska prisoner care

\$ Classification team visitation (2 person /1 week per year)

\$ Disciplinary Boards - CCA can't take good time Alaska Central Office does the disciplinary board hearing, telephone calls, paperwork, mailing etc. etc. (10 man hours per D.R.)

\$ Gratuities (Alaska pays) Gratuities were cut back in Arizona because of the large amount that was being spent - Gratuities paid to inmates for jobs in facilities

\$ Contract negotiations and oversight site, staff time, paperwork etc.

\$ Inmates have filed lawsuits (again) on the move to Arizona

\$ Site visits a lot (example Assistant Superintendent Brew stay at Arizona for 1 1/2 months)

\$ Background checks for employees at Arizona, due to Alaska concern with bad staff, problem staff and drugs, alcohol, inappropriate relationships etc. We are doing all background checks on the Arizona staff (including fingerprints)

\$ Central officials site visitations, directors, special assist. etc. (everyone wants to see the Arizona prison)

\$ Telephone calls, mailings, fax's, program evaluations etc.

CCA has the best of the Alaskan medium offender population

Arizona DOC

It cost Arizona Department of Corrections to house prisoners at \$30.00 per day, difficult ones \$32.00 a day, they wonder how CCA got a sweetheart deal. CCA staff are not under police standard staff, they are pulled out of Arizona DOC due to low cost of pay \$ 7-8 per hour with Arizona

- CCA pays \$ 8-9 per hour, with a large turn over of staff

Wardens pay in CCA are off the charts this enables them to be pulled out of State DOC's including Alaska's DOC

Allvest (doing more with less)

Allvest (\$29 day) Secondary cost are as follows:

\$ Transportation- we transport prisoners to Allvest, DOC picks up violators

\$ Allvest doesn't do any D.R. board hearings on violations which DOC picks up. (10 man hours per D.R.)

\$ Allvest doesn't do the classification return/furlough violation hearing (10 man hours per hearing)

\$ DOC picks up all lawsuits (deep pockets)

\$ Allvest doesn't do furlough violations classification or initial classification, packets, paper DOC picks up.

\$ DOC sends a Nurse once a day to halfway houses for medical care of prisoners

\$ DOC does all medical/dental, minor to major referred by nurse, the prisoner goes back to an institution for this medical or dental

\$ Allvest doesn't pay for programs. All program personnel are from other agencies (ie state, municipal or non-profit) programs include Substance Abuse, AA, NA, Male Awareness, Life Skills, Female Abuse Syndrome (STAV) - as well as all other programs, (exception is Cognitive Thinking Program, which Allvest does).

\$ 8 pay Floor Staff - 8.50 for shift supervisor lower than CCA in Arizona

50 - 60% turn over annually among their Floor Staff in all their halfway houses.

\$ DOC does the contract bids, oversite and halfway house ancits.

\$ DOC pay for all drug testing - Allvest bills DOC for the U.A.'s (\$26 -28 a piece)

State of Alaska DOC

Police standards for Correctional Officers (PSC, testing, etc.)

6 weeks of academy

One of the highest educated staff in nation

1 year training w/ FTO probation (Field training officer- FTO)(CO training)

6 mo's flex probation with FTO (CO II)

One of the safest correctional systems in the nation - what are we doing right

Weekly training

Weekly briefing

We take pride in who we are

Long term - HMCC 10 years & exp. per staff

MSPT 14 years experience per staff

Correctional Officers second generation going on third generation Correctional Officers

Jobs stay in Alaska, work done by Alaskans

Highly motivated professionals trained (NIC -Found that consistent long term correctional professionals are necessary to maintain incarcerated felons).

Low staff turn over, staff retire instead of quit

DOC Administration hasn't been stable (Example: 6 commissioners since 1982)

The DOC institution and field work force has been stable and maintained correctional facilities and field probation to one of the safest systems in the nation.

Career professionals taking care of felons, staff rehab. inmates from when they come in the door until they get out. They are our neighbors and we want them out in good shape with the tools necessary to succeed.

Religious program - model

Male awareness

Computer class

Education instructors

Inside - Out

AA-NA - Drug

Alaska Core Industry

Sex offender program

Metal Shop, Furniture

Special needs wing (mental handicap)	Maintenance program
Female awareness	Body shop, Carpentry
Female as a victim	Self-esteem program
Mental Health program	Model
M - mod - CIPT	Anger management
Special Needs - HMCC	Work crews
Mentor program	After Care
Cost is the same as private	Excellent & certified food service program
1% savings national figure	Need more Voc Ed programs

In order for staff to get on line with all the regulation, stipulation, A.C, P & P's, and be productive it takes time. These experiences prevent suits or EEO/Personal problems along with productive employees who's missions are the same as what's laid out in the AAC's being:

Public Protection

Reformation of the Offender

Victims Rights

Restitution of Inmate

Our programming isn't surface programming. It's an intensive program conducted by not only contract personnel but our own mental health professionals, as well as the correctional officers rank and file.

We don't treat the inmate population with two separate staff - our staff is one whole treatment program with a Team approach or a Unit Management approach.

We know that a treatment modality and program are two major elements of our facility's program.

It gives the offender a chance at reformation but its also a major security element, you can't separate programs and security. They are one in the same. Our staff fall under the police structure saving money by reduction of prisoners time.

Meritorious good time and extra meritorious good time could be for offenders completing major programs, such as AA or Anger Management or Sex Offender Program or offenders in work programs. It should not be for offenders doing a mediocre job! (Alaska DOC had this in the past)

Out of CRC placements are regulated in our P & P's which is approved by the Deputy Commissioner's Office. Why do all inmates being Furloughed have to go to a halfway house placement?

In the early 80's we used to place offenders in CRC placements for example we placed 2-3

offenders in Kodiak with fish and game. They worked the hatchery and maintenance for the summer. They were placed in a position for years paid 8 hours a day gratuity (dollar per hour) room and board. One of the individuals was in for manslaughter, with a ten-year sentence.

Instead of taking first time older offenders, who commit crimes later in life, or short term felons and placing them in CRC's why aren't we placing them out of CRC's. Especially those with large families to supports and jobs to go back too.

Records maintained by the institutions show inmates are checked once a week or once a month by probation.

Disciplinary Hearing Officer instead of a Disciplinary Board

Counter suits for cost to the inmates for frivolous law suits.

Alternative Sanctions:

If an inmate receives 4 years for drugs, reduce the sentence to a 9-10 month (therapeutic - community) program for drugs and alcohol (if they fail they go back to the 4 years).

Reduce good time from 1/3 to 1/2.

The bathtub is and always will be full, the fork in the road is created not something that just happened.