

Arizona Department of Corrections
August 19, 2010

ASP-KINGMAN HISTORY

1. The privately operated prison at Kingman has housed minimum custody inmates since 2004 and medium custody inmates since 2005.
2. Medium security prisons are designed, constructed and operated specifically for the housing of dangerous inmates, including violent offenders, "lifers" and murderers. This is standard practice in corrections throughout the US.
3. ADC has an objective classification system that determines the risks and needs of each inmate. This system is used to determine placement in appropriate facilities. AG signed off on these
4. **July 1, 2002:** Original RFP issued for 1,400 private DUI beds for adult males in minimum, medium, close custody.
 - 09/05/02: Attorney General's Office reviewed the RFP. Memorandum from AAG Anne Longo to ADC's Lacy Scott regarding RFP No. 020100DC - Non-Procurement Solicitation for a 1400 Bed DUI Private Prison.
5. **September 19, 2002:** Favorable JLBC review of the RFP.
6. **September 2003:** JCCR requests expedited approval of Contract by Attorney General.
7. **March 2004:** Attorney General's Office approves the Contract.
 - 03/15/04: Memorandum from Unit Chief Counsel Anne Longo (AG's office) to ADC's Mike Smarik regarding Review and Approval of ADC Contract No. 040120DC - Non-Procurement Contract for a 1400 Bed DUI Private Prison. Review of Contract.
 - 03/24/04: Memorandum from Unit Chief Counsel Anne Longo (AG's office) to ADC's Mike Smarik regarding Review and Approval of ADC Contract No. 040120DC - Non-Procurement Contract for a 1400 Bed DUI Private Prison. **Review and Approval of Revised Contract.**
8. **March 22, 2004:** Original Contract awarded to MTC for 1,100 minimum security beds and 300 medium security beds to house DUI inmates; and for an additional 108 emergency beds once the population reached 1,400 inmates.

9. **August 2004 – October 2004:** Loading of the minimum and medium beds begins with the first 472 DUI minimum custody inmates. Loading of the 472 beds completed in October 2004.
10. **May 12, 2005:** Director Dora Schriro approved a change in Kingman inmate population from DUI to General Population, which allowed non-DUI inmates to be housed at Kingman.
11. **May 13 – June 28, 2005:** ADC loaded 150 inmates per week until the original 1,100 minimum beds and 300 medium beds were filled.
12. **June 2006:** ADC began loading the 108 emergency beds; 80 minimum custody general population beds and 28 medium general population beds. This brought the total Kingman capacity to 1,180 minimum beds and 328 medium beds.
13. **November 23, 2006:** In a memo to ADC, MTC proposed modifying treatment requirements from DUI outpatient clinics to a more generic treatment to accommodate the new general population. MTC stated that this “will eliminate contractual conflicts and hiring issues which have been experienced since the opening of phase II at ASP-Kingman.”
14. **December 13, 2006:** ADC notified Arizona Legislature (Senate President and Speaker of the House) in a monthly ADC Status Report that ASP-Kingman is in substantial non-compliance with the terms of the contract. Its substance abuse services are deficient and the majority of the full-time employees required by the contract to staff the substance abuse program have been vacant since the facility opened. All of the 1,508 inmates at the facility are in need of substance abuse services including mandated DUI programming per Arizona Administrative Code but fewer than one third (only 448) inmates are receiving services.
15. **December 28, 2006:** An ADC memo from ADC Contract Beds Administrator E. Pierson to ADC Division Director Sam Sublett identifies that monetary offsets to MTC invoices for staffing non-compliance (vacancy deductions) have been taken since September 2006; and cites the following MTC Kingman contract violations:
 - Failure to staff the substance abuse program since January 2006, with an average 13 vacancies out of 18 positions.
 - Failure to staff the substance abuse program with required Substance Abuse Counselors.
 - Failure to provide substance abuse programming for 1,400 inmates as required while still receiving a per diem rate based on full staffing and service delivery.
16. **2007:** Legislation authorizing ADOA to contract for 2,000 general population adult male beds.
17. **August 29, 2007:** Original RFP issued for 2,000 general population minimum custody adult male beds.

18. **December 13, 2007:** For the first time, murderers were assigned to Kingman; including a medium custody inmate and a minimum custody inmate sentenced for 2nd degree murder. Only persons sentenced for non-premeditated murder or attempted murder can be classified as minimum custody.
19. **February 2008:** Contract for 2,000 minimum custody male beds finalized and awarded to MTC.
20. **May 2008:** Contract amendment combined 2,000 and 1,400 beds at Kingman, to create a 3,400 minimum/medium custody prison.
21. **July 22, 2008:**
 - The count sheet was changed in error to reflect all 1,508 Kingman beds as minimum.
 - The change to the count sheet was not approved and was changed in error.
 - Medium custody inmates continued to be housed at Kingman from July 22, 2008 to the present.
22. **October 2009:** Prior to activation of new 2,000 Kingman beds, Director Ryan determined that Kingman Cerbat Unit (new 2,000 unit) does not have a perimeter consistent with medium security and re-designates it as a minimum custody unit. Director Ryan also re-designated Kingman Hualapai Unit (original 1,400 unit) as a medium custody unit since it has a medium perimeter and experience managing a medium population.
23. **December 23, 2009:** The error to the count sheet in July of 2008 was corrected to reflect the correct count to Kingman as 1,180 minimum custody general population and 328 medium custody general population.
24. **April 6, 2010:** ADC began loading the new 2,000 minimum custody general population Kingman beds at a rate of 140 inmates per week.
25. **May 31, 2010:** Movement ceased by Director Ryan based on a disturbance. Kingman population at the time of disturbance was 2,550.
26. **June 15, 2010:** ADC resumed loading of 140 inmates per week at Kingman.
27. **July 2010:** Movement ceased by Director Ryan based on escapes. Kingman population the day after the escapes (July 31, 2010) was 3,390.

CLASSIFICATION/CUSTODY

Classification System:

ADC utilizes an objective classification system which determines each inmate's risks (and needs) in order to determine appropriate placement in a custody level (and facility). The purpose of this classification process is to ensure the protection of the public, employees and even inmates, by placing inmates in a custody and facility setting commensurate with the risk they pose to the public.

Medium security facilities are designed to ensure that serious offenders are in a secure setting and have always housed serious offenders convicted of violent offenses.

The following guidelines represent the criteria for placement of inmates to ensure public safety:

- Inmates sentenced to Death are classified to Maximum, never to reduce.
- Inmates sentenced to Life must serve at least two years in maximum custody.
- Inmates sentenced to Life, after serving two years in maximum must serve an additional three years in close before they are eligible to reduce to medium.
- Inmates sentenced to Life can never reduce below medium custody.
- Inmates with more than five years to serve can not reduce below medium custody.
- Inmates with a felony sex offense conviction can not reduce below medium custody.
- Inmates with a felony detainer can not reduce below medium custody.
- Inmates who have been validated as a security threat group member are classified to maximum custody.

Custody Levels:

Maximum Custody - Inmates who represent the highest risk to the public and staff, and require housing in a single cell setting. (Some maximum custody inmates may be eligible for a double cell environment). These inmates have limited work opportunities within the secure perimeter and require frequent monitoring. These inmates require escorted movement in full restraints within the institution.

Close Custody - Inmates who represent a high risk to the public and staff, and require housing in a secure institution. These inmates shall not be assigned to work outside the secure perimeter of an institution. These inmates require controlled movement within the institution.

Medium Custody - Inmates who represent a moderate risk to the public and staff. These inmates shall not work outside the secure perimeter of an institution and require limited controlled movement within the institution.

Minimum Custody - Inmates who represent a low risk to the public and staff. These inmate may work outside the secure perimeter of an institution, to include community work crews, and do not require controlled movement within the institution.

Medium Security Physical Plant Standards:

Medium security facilities are at least a dormitory setting (but may include cells). Internal to the unit, there is a design, including fencing and gates that support a "controlled movement" operation, which restricts the maximum number of inmates that are out of the cell blocks or dormitories in any given area at any given time. This creates a smaller, segregated population group that is directly overseen and managed by security staff.

The perimeter of the medium security unit must share at least the following design elements:

- 15' wide sand trap at the perimeter.
- Quartz lighting at 75' intervals.
- 1, 14' tall perimeter fence, including a "candy cane" (inwardly curved) chain link fence, including:
 - 6' of "no-climb security fence fabric at the top,
 - One roll of "detainer-hook-barb" razor wire at the top,
 - 3 stacked rolls of this same razor wire at the bottom, interior.
- A "ported cable system" (electronic security detection system) at 15' in from the exterior fence.
- At least a 4' tall, 4-strand barbed wire fence located 45' inside of the exterior fence (placing the electronic system between the fences).

Inmates Convicted of Murder: 2,689 Inmates convicted of Murder as of June 30, 2010

Minimum Custody (less than 5 years remaining on sentence)

Total Units = 30

Total Beds = 15,565 or 38%

Inmates convicted of Murder = 172 or 6.4%

Medium Custody

Total Units = 17

Total Beds = 16,397 or 40%

Inmates convicted of Murder = 1,438 or 53.5% (796 are "lifers")

NOTE: All medium security prisons house violent offenders to include murder.

Close Custody

Total Units = 11

Total Beds = 5,203 or 13%

Inmates convicted of Murder = 455 or 16.9%

Maximum Custody

Total Units = 6

Total Beds = 3,678 or 9%

Inmates convicted of Murder = 624 or 23.2%

Total Beds = 40,843

Overview of ASP-Kingman (Management Training Corporation–MTC):

- **August 2004 – May 2005:** Minimum custody, **DUI** inmates.
- **May 2005 – April 2010:** 1,100 (+80 emergency) Minimum general population inmate capacity and 300 (+28 emergency) **Medium general population** inmate capacity.
- **Population Shift:** After the Kingman population was changed from DUI to general population in May 2005, the percentage of violent inmates (assault, child abuse, domestic violence, kidnapping, manslaughter, murder, robbery, sex offenses, weapons) increased in both the minimum and medium custody levels. Minimum increased from a low of 3% violent offenders in 2005 to 28% violent offenders in 2010. Medium increased from a low of 4% violent offenders in 2005 to approximately 50% violent offenders in 2010. This increase was reflective of an overall proportional increase in violent offenders being committed to ADC.
- **Population as of July 31, 2010:**
 - 3,390 total inmates
 - 56% Minimum (1898)
 - 44% Medium (1492)
 - Current Offenses:
 - 32% Drug/DUI
 - 14% Assault
 - 9% Robbery
 - 8% Auto Theft
 - 5.4% Murder (60 for 1st degree murder; 16 for attempted 1st degree murder; 92 for 2nd degree murder; 14 for attempted 2nd degree murder)
 - 40% of inmates committed for violent crimes (assault 14%, child abuse 0.3%, domestic violence 0.6%, kidnapping 4%, manslaughter 2.9%, murder 5.4%, robbery 9%, sex offenses <1%, weapons 4.7%)
 - 4% of inmates have sex offender status
 - 27% of inmates are criminal aliens

Inmate McCluskey 074469

- Admitted on 07/17/09
- Initially classified to Medium custody.
- **Arrived at Kingman on 02/23/10**

Inmate Province 071253

- Admitted on 01/29/93
- Initially classified to Maximum custody
- Reduced to Close custody on 02/07/95
- Reduced to Medium custody on 03/05/97
- Increased to Close custody on 11/02/04
- Reduced to Medium custody on 12/01/05 and has been Medium custody since.
- **Arrived at Kingman on 02/25/10**

Inmate Renwick 164446

- Admitted on 02/01/02
- Initially classified to maximum custody
- Reduced to Close custody on 02/09/04
- Reduced to Medium custody on 01/05/06
- Arrived at Kingman on 04/20/10

MTC ADMISSIONS AND COMMITMENT TO "CHANGE" (IE: FIXING PROBLEMS)

- August 13, 2010, MTC letter to ADC making admission of responsibility for the escapes.
- MTC relieved the Complex Warden, the Hualapai Unit Warden, the Chief of Security, and at least 3 Correctional officers of duty.
- August 17, 2010, MTC response to ADC regarding changes and improvements.
- Corrective Action Commitments from MTC Regarding Kingman:

Perimeter & Fence

1. Contract with Vendor/manufacturer of perimeter alarm system to recalibrate system, retrain MTC IT staff and install audible alarm system in control room, provide preventative maintenance and repair services in addition to MTC IT staff activities. Complete by September 1, 2010.
2. Ensure perimeter alarm system is fully functional according to manufacturer's intent. Complete by September, 1, 2010.
3. Immediately reroute unauthorized traffic away from perimeter security road. Complete by August 31, 2010.
4. Pave new road that will route unauthorized traffic away from perimeter security road and install fence to further separate this road from perimeter security areas. Contract for services by August 31, 2010.
5. Set up blocking gates on existing "shared use section of road to Cerbat. Complete by September 14, 2010.
6. Ensure sand/soil on perimeter is correct: placement of depth stakes and replacement of sand/soil. Complete by August 25, 2010.
7. Supply perimeter vehicles with high-intensity lights. Complete by August 31, 2010.
8. Place semi-static perimeter observation post on berm at SE corner of Hualapai unit. Complete by September 7, 2010.
9. Ensure all security lights are repaired and checked every night, with next day repairs. Completion by August 20, 2010.
10. Placement of weapons clearing barrels on perimeter. Complete by August 31, 2010.

Staff Training

1. Training, observation and compliance with ADC policy regarding supervisor presence on yards and "command presence" of staff. Complete by August 31, 2010.
2. Train staff on alarm response procedures and re-publish post orders. Complete by August 31, 2010.
3. Conduct monthly DART exercises on each shift. Complete by August 31, 2010.
4. Ensure all (including last 4) employees are trained and issued current weapons qualifications cards. Complete by August 18, 2010.
5. Retrain and identify staff that will use weapons. Complete by August 31, 2010.
6. Institute emergency simulation training quarterly on each shift. Provide ADC monitor written report regarding tests of infrastructure tested. Complete by September 7, 2010.
7. Provide training for all staff on the proper management of medium security inmates. Complete by August 31, 2010. (Request extension to September 15, 2010).
8. Collaborate with ADC and MCSO on escape response and prevention training. Complete by October 1, 2010.

Security Operations

1. Institute inner and outer walking fence checks at least twice each shift (at beginning and end). Complete by August 31, 2010.
2. Institute aggressive perimeter intrusion and detection tests. Completed.
3. Institute zone checks on each shift, verification by Chief of Security. Complete by September 7, 2010.
4. Respond to zone alarms within 1 minute, clear zone within 3 minutes. Complete by August 31, 2010.
5. Ensure cardboard and other security impediments stored in no-man's land or other unsecured areas are removed and secured. Complete by August 31, 2010.
6. Ensure pod and building doors are all locked and only opened by staff when appropriate and supervised. Complete.
7. Institute random pat searches of inmates and institute inmate pass process. Complete by August 25, 2010.

8. Ensure all staff are searched in compliance with DO 513, with chief of security verification. Complete.
9. End the use of the pre-printed journal. Complete by August 31, 2010.
10. Improve count procedures to ensure that face-to-ID card counts are conducted and called in, as opposed to submitting only numbers of inmates counted; utilize out-counts and vacant beds on count sheet. Complete by August 31, 2010.
11. Change shift relief procedures to ensure shift change happens on post. Complete by August 31, 2010.
12. Assign SSU duties to night lieutenant or designee. Complete by August 31, 2010.
13. Terminate the K-9 Adoption Program. Completed.

Inmate Management

1. Eliminate direct supervision model and implement controlled movement model. Complete by September 7, 2010.
2. Complete review and revision of ERP plan. Complete by September 7, 2010.
3. Update inmate ID pictures: submit waiver of DO 901.05 to allow for immediate local update of photo. Complete by August 25, 2010.
4. Develop controlled movement and staggered recreation schedules. Dependent upon return to normal operations from lock down.
5. Issue ID card clips to all inmates by August 27, 2010.
6. Ensure staff compliance with ADC policy regarding inmate grooming and wearing of ID card. Complete by August 31, 2010.
7. Ensure inmate living area compliance (DO 704). Complete by August 31, 2010.

Armory

1. Post a master inventory on the outside of the inner armory door. Complete.
2. Publish new armory/weapons post orders. Complete.
3. Conduct monthly and weekly inventories per ADC policy; verify all stored weapons are unloaded. Complete.
4. Conduct weekly and monthly supervisor weapons counts. Begin by August 2010.

Physical Plant

1. Complete painting of all fence ties with red paint. Complete by August 31, 2010.
2. Remove/spread all dirt in no-man's land behind buildings. Complete by August 31, 2010.
3. Chain all picnic benches together when not in use, or secure in place. Complete by August 31, 2010.
4. Complete construction of shade structures (remove construction materials). Complete by August 31, 2010.
5. Replace all metal tools and materials that are inappropriate for a medium security facility. Complete by August 31, 2010.
6. Shorten shower curtains for visibility. By August 27, 2010.
7. Secure Sweat Lodge with razor wire (completed) and move sweat lodge out of no-man's land area onto securable site on yard. Complete by September 30, 2010.

ASP-KINGMAN ASSESSMENT

August 4-6, 2010

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**ARIZONA DEPARTMENT OF CORRECTIONS
OFFENDER OPERATIONS**

MEMORANDUM

TO: Charles L. Ryan, Director

THROUGH: Robert Patton, Division Director, Offender Operations

FROM: *Therese Schroeder*
Therese Schroeder, Security Operations Administrator

SUBJECT: Security Assessment- ASP-Kingman Hualapai Unit / August 4-6, 2010
Final Report

DATE: August 18, 2010

Team members:

Therese Schroeder- Security Operations Administrator
Richard Haggard- Major ASPC-Safford
Thomas Higginson- Major ASPC- Eyman
Edwin Lao- Major ASPC- Florence
Ron Lawrence- Captain ASPC- Lewis
Dennis Bool- Captain ASPC- Perryville

On August 4, 2010, the Security Assessment team arrived at the Kingman facility. At 1000 hours, Warden Lori Leider met with us and reviewed the Management and Training Corporation's (MTC) time line and summary of the inmate escape on July 30, 2010. Warden Leider then took the team on a tour of the Hualapai Unit.

Following is a summary of the team's findings:

Initial Tour:

- While monitoring chow turnout we witnessed a large percentage of the inmate population- approximately 75%- walking without their identification cards. Many were out of grooming compliance (shirts untucked, beards, mustaches).
- The inmate attitude appeared to be poor. One inmate spoke in a disrespectful manner to the Warden when she questioned his lack of identification, another yelled out "Fuck ADC" as we approached.
- Unit sanitation was very good.
- DO 704/cell conditions were adequate but there was a large amount of cardboard and hobbycraft items in the cells.

- Staff morale was high and their demeanor was friendly when interacting with our team. The unit is staffed with a very high percentage of new staff and many of them demonstrated a lack of experience and “command presence”. Warden Leider reports that approximately 80% of her staff is new or newly promoted.
- Staffing- staff adequacy and/or collapsing of posts is not an issue for this facility. Overtime is utilized to fill vacant posts and all shift posts are filled.

Assessment Team’s Observation Summary:

Alarm Zone System:

The perimeter system at the Kingman Hualapai unit is not functioning properly, it is not maintained properly, it is not monitored correctly, and it is not tested properly. The procedures currently in place for all aspects of this system have bred a culture of laxness among the staff. The system:

- Alarms excessively throughout the day and night. Staff have become conditioned to the false alarms and react to them with complacency.
- Zones are often left activated and unattended for extended periods of time.
- Contract Maintenance on the system has not been performed for over one year.
- Staff report repeated documentation of malfunctioning alarms, yet Unit IT and Maintenance staff do not get these reports and the Security Device Inspection report does not contain them.
- The system does not audibly alert staff to zone activations. Control room staff are extremely busy opening doors and gates and answering the phones and the alerts often go unnoticed and are not a priority duty. Cameras automatically switch to gates when a button is pushed to access gates. Thus most often only gates are being monitored.
- Maintenance of the system is done by the unit maintenance and IT staff. These staff have not been trained to maintain the system.
- The system has not been calibrated professionally by the contract vendor and IT staff report that staff complain if it is set to be too sensitive.
- MTC officers and supervisors are not familiar with the system and are not properly trained to operate or test it
- While testing the system each day, each zone is left in activation status until the testing is completed. We witnessed one alarm zone test that took 22 minutes thus the zones were not functioning for this time period. This testing was also being

conducted in a predictable pattern each night on grave shift following the 2115 count.

Perimeter:

- The perimeter is in fair condition. It is regularly raked and weeded by an inmate crew however it lacks sand and is somewhat dry and hard packed. It is difficult to see tracks and in fact several tracks that were laid by our team were missed by MTC staff. MTC staff report that the wind blows the sand away each time they replace it.
- The procedures in place for shift relief are ineffective and detrimental to security. It creates an un-manned perimeter for extended periods of time, 10 to 15 minutes or longer, at the beginning of each shift.
- COs are inadequately trained on response to alarm procedures. The post orders need to be more detailed.
- At the time of the escape only one perimeter patrol was in place.
- COs even in the days following the escape, failed to detect tracks or to challenge team members' presence on the perimeter. This did improve by Day 3 of our assessment.
- The malfunctioning alarm system has led to desensitization to alarm activations. Staff assume it is just another false alarm.
- There is too much traffic (pedestrian and vehicular) in close proximity to the perimeter.
- There is one section of perimeter road that is a shared use section. It is traveled by perimeter vehicles, and civilian and staff traffic en-route to the Cerbat unit.
- Drainage ditches have been rocked in. They look visually pleasing but create a barrier to sound security practices. An inmate could hide in the ditch while the perimeter patrol passed and he could go undetected.
- Staff are not proficient with weapons. In addition to safety concerns this also further delays the relief process.
- Large amounts of cardboard are stored in no-mans land for the recycling program.
- Eight (8) light poles were noted with lights burned out.

The amount and condition of the razor wire is adequate and it is spaced appropriately. There were a few areas in which the wire needs to be re-attached at the bottom.

Counts:

Count is cleared by the Accountability officer or the Shift Lieutenant. Housing unit officers call in their numbers only. They do not call in out counts or vacant beds. If the number they give does not match for a pod, they are directed to do a recount. Every count monitored by the team resulted in pods that had to be re-counted.

Many of the officers did not effectively control inmate movement during count. Inmates were not all at their bunks for a proper face to ID process. Inmates were witnessed in the showers and on phones during count. There was some confusion on the new 2030 count time and this may have played a role in some of the movement, but in general it appeared to be a staff training or lack of "command presence" issue in most cases.

Armory:

The armory was out of compliance in several areas. Ammunition and inventory deficiencies were noted.

Dart Equipment and drill procedures are also out of compliance. Weapons are stored loaded and drills are not being conducted regularly.

- Major Richard Haggard's report has additional information on Armory and Dart.

Inmate Movement:

Our team was not able to monitor typical inmate movement patterns due to the unit lockdown.

Warden Leider reports that all inmates from the 3 fenced yards within the unit recreate at the same time. This would result in a very large number of inmates **out to** recreation at the same time. She is reviewing the recreation procedures and scheduling now.

Prior to the escape, the yard closed at 2045 hours. Count was conducted at 2115 hours. This has now been changed to 2000 hour yard closure and 2030 hour count. Shift change for MTC staff is at 2100, this is currently under review.

Ingress/Egress:

MTC employees appeared to be surprised by the searches of their property. Team's belief is that procedures were lax prior to our arrival.

Searches:

Unit was in compliance for cell and unit searches.

Inmate pat searches are not being conducted. Warden Leider reports that random pat searches of inmates exiting chow are required but are not being done. Seeing no pat searches being done, I asked an officer if he conducted random pat searches of inmates

exiting chow. He hesitated and then said that he, "pat searches a couple of inmates every 30 minutes."

Keys:

Overall the key audit was in compliance. One key error was noted and corrected on the spot. * More information on keys is included in Captain Dennis Bool's report.

The unit has a "hot box" key system. Staff have a take home key that opens their assigned "hot box" located in the main control room. They turn in their key and are given their assigned key set for the day.

The Hualapai detention unit has a "hot box" with emergency keys in the open pod area. Warden Leider reports that this is an ACA accreditation requirement.

Tools:

Tool audit was in compliance.

Journals:

MTC uses a pre-printed journal page. The team felt that these forms could easily be "pencil whipped" and lead to officer complacency for reporting required duties.

Phone Monitoring:

MTC does not have an SSU officer in place. The shift lieutenant does act as SSU when possible and he monitors phone calls as time permits.

Visitation:

No issues noted. Suspended visitors are to be suspended for phone usage. This did not happen in the case of Casslyn Welch. The Shift Lt. reported first that it fell through the cracks, and later said that he did not have her phone privileges revoked in order to gather intel information from her calls.

Emergency Response Plan:

Kingman's ERP is a very generic plan – See Major Lao/Higginson's report. Also our team was told on numerous occasion that private prison staff may not "chase" an escapee.

Transition from Minimum Custody to Medium Custody:

It appears that very little action was taken to prepare the physical plant and the staff for the transition to Medium Custody in April of 2010. Warden Leider did not report any physical changes that were implemented. She stated that several evening program times were changed.

- The dog program was left in place in the area behind ~~Dorm 2~~ with a 10 foot fence that had no razor wire. Staff report that the door to the outside was often left on access due to the amount of traffic. A large rock was next to the door, it appeared to be there to prop open the door.
- Metal dust mops, mop wringers, and metal horse shoes are still being used.
- All 3 yards with in the unit recreate at the same time.
- Shower curtains do not allow for any staff visibility. They should be shortened to allow for "feet visibility"
- The sweat lodge is in the no-man's land. It is currently being renovated to increase fence height and to add razor wire.
- No additional or follow-up training has been done with MTC staff to assist with the transition of populations.
- Nothing has been done to reduce inmate movement. Radio traffic for opening gates is constant and keeps the tower and/or control room officer focused on gate and doors versus perimeter alarms and inmate monitoring.
- Random pat searches of inmates are not being done.

Assessment of MTC Executive staff:

Captain Smith:

Captain Smith is ineffective in his role. Both the Complex Administrator and the Warden expressed concerns over his promotion to Captain and his performance. He lacks attention to detail and the energy level to do the job. All team members noted that he had a lackadaisical attitude and was more than willing to abdicate his responsibilities. He stated that "once he makes the higher ups known of SDI issues- in reference to the malfunctioning alarm system- he washes his hands of it". I asked him about the PA system microphone which is not working in HU2- he stated it had been broken for 3 days. I advised him that staff reported it had been broken for weeks and that so many IRs had been written that a notation was made in the read book to stop writing IRs. He was unaware that it had been that long.

ADW Ramsey:

ADW Ramsey was very quick to advise multiple team members that he is not in the chain of command for the Captain and that he is not "over security". He reported that Captain Smith reports directly to the Warden and that he has been told not to interfere with the supervision of him.

ADW Ramsey did not seem to understand his role as an Administrator or to embrace his ownership of the unit.

Warden Leider:

Warden Leider interacted often with our team. She toured with us and worked through until grave shift on Thursday. It was apparent from her interaction with staff and inmates that they knew her and were comfortable talking to her.

Warden Leider is aware of the poor performance of her COS. However, she does not seem to have taken steps to address the issue. She discussed the supervision of Captain Smith and stated that although ADW Ramsey is not in the chain of command for the Captain he has been directed to interact and become involved with monitoring his performance. Warden Leider showed me a large stack (12 or more inches high) of journal pages that she had directed the Captain to review. Because he had not done so, she had and there were a very large amount of notations indicating that corrections were needed.

Warden Leider attributes issues on the unit to the high percentage of new staff and supervisors. When asked what has been done to counteract this, she did not advise me of any additional training or mentoring. She mentioned the FTO officers but admitted that many of them had transferred or promoted as well.

Complex Administrator Darla Elliott:

I had a conversation with Warden Elliott on Thursday, August 5, 2010. I asked her who the contract vender was for the Zone Alarm System. She reported there was none on contract and that Unit IT staff made the necessary repairs. I asked what the procedure was for a malfunction on a Friday evening, would the needed repair wait until Monday? She said IT would be called out. We discussed Captain Smith and Elliott said that she was surprised he had been the candidate chosen, and that she questioned it at the time but he was the one promoted.

Cerbat Unit:

The assessment team spent only a short time on the Cerbat Unit and some of our observations were made from touring the perimeter of the unit.

- Unit sanitation was excellent. There were large numbers of inmate labor pool workers out to work on the unit.
- Many inmates were seen without wearing their Identification cards.
- There are fence ties that need to be painted red.
- Several piles of dirt are located behind the buildings in the no-man's land.
- Visitation benches are not secured and could be used to assist in climbing fences.
- Awning/shade structure parts were stored in no-man's land.

The reports from the members of the Security Assessment Team follow this report.

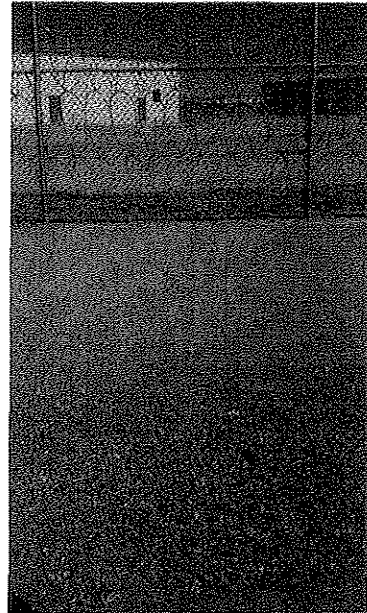
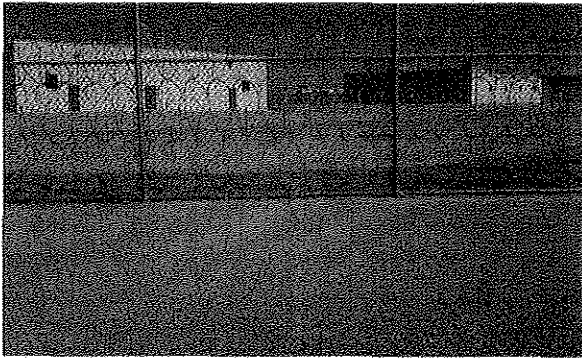
Assessment provided by: Captain Ronald Lawrence:

Malfunctioning alarm system:

- The alarm system in the perimeter zones has not been serviced or maintained by trained experts. Maintenance staff check the system for power failures, cut cables, exposed cable, etc. If the discrepancy does not involve a mechanical problem, the issue is passed to the IT person. By his own admission, the IT person has read manuals on the system, but has received no formal, let alone advanced, training. The sensitivity of the zones is not routinely tested or adjusted. This has led to constant false alarms (during one five minute period on Swing Shift, I noted six alarm activations) which, over the course of months, has led to staff being desensitized.

Maintenance of Perimeter Zones:

- Several perimeter zones have deep ruts cut through the area by water drainage. These ruts (in some areas as much as 5 feet wide and 18 or more inches deep) have become “institutionalized” in that they have been lined with rock to reduce erosion. In a number of areas these ruts cut right across the buried cable path.
- The “drag” area of the perimeter is, in most areas, only 10-15 feet wide. According to the Unit ADW, sand has been added to the drag a number of times, but the wind in Kingman blows the sand away. The sand was raked when I observed it.



However, I personally watched an Officer lay track in the sand during daylight hours. Knowing where the track had been laid and looking for it in daylight hours, it was still very difficult to see.

- One zone has the remains of a concrete header that was part of a (since removed) fence system running perpendicular across the zones.

Staff Training / Response Contributors:

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- Alarms regularly and routinely activate throughout the day.
 - This has become such a “norm” that zone activation events are treated at a lower priority than other duties such as answering the telephone, issuing keys, checking staff in, etc.
 - We discovered several instances where zone alarms were left unattended for as much as ten to fifteen minutes.
 - On the night the escape took place, I observed video coverage of the perimeter officer passing a zone which had just activated. The zone activated at 2143 hours. The perimeter officer continued his path away from the activated zone. He did not turn around to check it. The Perimeter Officer is next seen after he has made an entire circuit of the perimeter. He enters the camera 2151 hours. Either the zone was not cleared, or Main Control failed to reset the zone. Note: The perimeter officer discovered the hole in the fence at 2207 hours according to video footage shot from the Cerbat Unit.
 - Staff have not been trained on the proper way to conduct zone checks on a buried cable system.
 - I walked the zones with COs as well as Sergeants. None demonstrated the proper technique (crossing the zone at three distinct points in each zone).
 - In two instances with MTC Sergeant King, we found areas within zones that did not activate.
 - None understood how the zones work or how they are activated.
 - None understood how the microwave system worked
 - There was no attempt made (nor tools readily available such as a rake or similar device) to activate the upper microwave that detects movement above the main staff ingress corridor
 - There is no audible cue to alert the Main Control Officer that a perimeter zone has activated.
 - The perimeter zone monitor is one of several monitors the Main Control Officer is expected to observe.
 - The perimeter monitor is set off to the side of the Main Control Officer. His primary focus is on yard cameras and opening gates.
 - If the Main Control officer is viewing a perimeter monitor, and someone from the yard presses a call button to access a gate, the camera view immediately switches to the gate being accessed.
 - Staff are fairly “green” across all shifts. Many staff have under one year of service. Finding staff with 2 or more years of service is rare.

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- Although most of the Sergeants and Lieutenants I encountered had more tenure, they also seemed hesitant and less assertive than their ADC counterparts. In fairness, this may have been because of the circumstances under which we were interacting with them.

Security Practice Errors:

- Dog pens accessible through the emergency exit of Dorm 2 C and D pods
- According to staff, these doors were placed on “access” during open yard times. Inmates could move freely within the building (Inmates who were not part of the dog program were told if they were discovered in C or D pods they would be placed on report).
- The emergency doors were on access until 2045 hours when the yard closed according to the two officers who worked Dorm 2 on the night of the escape.
- The dog pen had already been taken down and the program suspended by the time we toured the facility.
- There is still a sweat lodge in no man’s land. The Unit is working to increase the fence height and installing razor wire – however, it is my recommendation that no inmate activities be allowed outside the confines of the secure yard unless the inmates are under direct supervision at all times.
- Perimeter Officers travel the same pattern, same direction of travel, consistent cycle time throughout the shift – making the perimeter officer predictable and easy to avoid.
- Zone checks are done once per day, on Graves.
- This practice had not been changed, even after the incident
- Zone lights are reported out only once per month.
- Several poles were noted with lights burnt out (8 total)
- Inmates from Cerbat are allowed to walk unescorted on the perimeter road for Hualapai – making it “normal” to see inmates on the perimeter.
- Perimeter Officers between shifts meet each other at the front of the Unit, then drive to the unloading barrel at the Sallyport to exchange weapons. The relieving Officer then drives the relieved Officer back to the front of the Unit so he can go inside and stamp out.
- This provides an extremely reliable, predictable window of opportunity for inmates to exploit the lack of perimeter coverage.

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- Recommend all ADC facilities implement a process where the oncoming perimeter Officer picks up his own weapons, equipment, and vehicle and relieves the off-going Officer via radio.

Other Issues of Note:

- Trash Compactor is not enclosed in a cage. It is similar to the compacter that was at Stiner when the inmates escaped from there.
- Very poor controlled ingress onto the Unit.
- Limited signage directing traffic
- Route to Cerbat Unit is confusing
- No time is allotted for briefing of any kind
- Numerous pallets of compressed cardboard and other recycle bins behind the Kitchen area. Provides areas for inmates to hide as well as "body armor" to defeat razor wire.
- We did not observe any signage along I-40 advising drivers they are near a state prison – do not stop for hitchhikers.
- According to IT, no alarm sounds in Main Control when an emergency door is accessed to no man's land. The only indication in Main Control is if the Officer pulls up the building overview, the door icon will show red instead of green. I did not confirm this
- Morale of staff on the Unit was extremely high. They appeared very eager to learn how the systems work and why they are in place.

Assessment provided by: Captain Richard Haggard

My assessment covered the following areas: Perimeter Security, Armory Weapons/DART, Keys, Count/Inmate Movement, Searches and Environmental Observations.

Perimeter Security:

- The Zone alarm system has been malfunctioning for months. Zones continually are activated and more so after 1930 hours, according to staff.
- Staff and Supervisors claim work orders have been submitted, but when checking the SDI log, this was found to be incorrect. None have been submitted for months.
- My observations of staff while riding with them in the perimeter vehicle is that they are obviously affected by the continuous alarms and take responses to zone alarms less seriously. Comment made, "Sometimes I don't even want to get on the radio to clear it, because it takes up so much radio time."
- Perimeter Officer had no idea the procedure for responding to tracks in the sand trap. His response contradicted the Post Order, which was actually the correct way.
- Post Orders give little direction in regards to, "Outside Intrusion," this needs to be more specific and added into them.
- Swings to Graves weapon exchange took app. 9 minutes with an additional 7 minutes in the front parking lot (checking oil, starting their journal etc.) leaving the vulnerable zones 8 -14 unattended for app. 16 minutes.
- The Graves Perimeter Officer was not proficient with either weapon. He struggled to unload the shotgun and required assistance from the Swings officer and did not safely load the, "Hot round," in the chamber on the 9mm.

Armory Weapons/DART:

- No master inventory is maintained in the Armory or where weapons are stored. They utilize a "Daily Armory Inventory" (Attached) which only provides you with what is currently in that area. Not what is supposed to be there. This includes the Tower, DART lockers, and Regular Use Weapons storage areas.
- Armory Post Order sec. 1.8.7 requires a Daily
- The last inventory on the Duty Ammunition was also on 7/21/10. The Birdshot count was off by 800 rounds. Noted was 2050, Actual 1250. 800 rounds were moved to the training locker last month and never notated. 00 Buck was off by

50 rounds. They had 50 more than reflected on the Daily Inventory sheet. This was accredited to a counting error.

- Their Red Tag Seal System is in place and they are utilizing the logs. Although, it is apparent this has substituted for the inventory process.
- Beginning and ending inventories are completed by the shift commanders, but with no master inventory the accuracy is questionable.
- Supervisors above the rank of Lt. have not completed inventories for months according to their staff.
- Armory Post Order sec 1.6.4 requires weapons in the Armory shall remain empty at all times. DART shotguns remain loaded with 5 rounds of Birdshot with no rounds chambered. See Attached IR 10-M59-0822 for these results during the Cerbat disturbance.
- DART drills are not being regularly conducted. When they are conducted, they utilize only Shotguns even to simulate the 37 mm. This does not allow staff to become familiar with this weapon.
- Review of the Weapons qualification revealed only 4 out of 233 staff have expired weapons cards.

Keys: Restricted

- They utilize a "Hot Box" key system for their restricted keys.
- A Permanent issued key is assigned as a take home set.
- That key opens the "Hot Box" that holds their duty keys. Main Control cannot access restricted keys without the persons take home set or without breaking the seal on the restricted key set.

Concern: Not all the take home sets have just the "Hot Box" key on the ring. Transportations take home set has the Belly chain padlock key on it for the entire Complex.

Count/Inmate Movement:

- Inmate movement could not be observed due to the lockdown. The movement plan was explained by Warden Leider which defined movement to approved programs only occurred 10 minutes before the hour and half hour. The yard movement is controlled by officers running gates at two different locations. One of which is uncomfortably close to the tower. The Tower does not maintain lethal weapons. Only non-lethal.

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- Different observations on the count procedures. Some staff was struggling to get the inmates to go to their bunks for count while other staff completed the task correctly. Appears to be more of a training issue rather than a systemic problem.
 - Observed two formal counts; both counts needed to have at least one cell block re-count before clearing. Proper procedures for this were followed.
 - The shift commander was actively involved in clearing the count. During Swings we actually observed the Shift Commander receiving the count.

Searches:

- Searches are being conducted on a regular basis. With a unit population of over 1500 they complete on an average of 500 plus searches per month. This is accredited to the Unit Management and the fact that they are fully staffed at all times. Every post is filled every day utilizing overtime if need be. They never collapse a post.

Environmental Observations:

- Grooming and Housing compliance is not being enforced, giving the impression that the inmates are in control. DO 704 is in place yet the impression is that the staff are reluctant to challenge the inmates for compliance.
- Excessive amounts of cardboard in the Housing cubicles being used for hobby craft.
- The Unit still utilizes the use of Metal Horseshoes.
- Mop buckets in the housing units still have the metal rods that we eliminated years ago.
- Observed one male supervisor with an earring in his ear.
- They recycle cardboard in the no man's land and it accumulates in "Semi Loads" waiting to be picked up.
- The SSU position is only part time as it is not part of the contract according to a MTC Lt. With the addition of medium custody inmates this needs to be added to their post charts as we have learned the valuable importance of this position.
- The Chief of Security position seems to have a lack of security. Tour reports indicated lack of attentiveness to the shifts. No corrective action taken on serious security conditions, and no follow up on items that should require his direct involvement.

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- The complete separation of the MTC ADW from the security aspect of the unit needs to be reconsidered as we have learned this position need to be directly involved with the unit Captain.

**Assessment provided by: Major Edwin Lao
Major Thomas (Sam) Higginson**

Operational Objective:

Conduct a forensic operational security audit of ASPC Kingman Hualapai Unit of the following security areas:

- Perimeter / Zones
- Ingress / Egress
- Emergency Preparedness
- Collateral Security Issues

Methodology:

Evaluate live operational security practices and determine if there is any deviation from the ADC mandated guidelines and policy compliance utilizing current Data Collection Instruments and visual observation of application and field practices.

Executive Summary of Findings:

The executive summary of findings is divided primarily into four areas based on the security topics assigned to this team. The findings are bulleted to provide a "straight to the point" type approach of deficiencies that we felt are key and noteworthy areas that require immediate rectification.

Perimeter / Zones:

- Perimeter Patrol failed to challenge our vehicle when entering the ASPC-Hualapai perimeter road. None of the additional "static" perimeter patrols communicated to the unit controls our presence. Both the static and mobile patrols failed to observe Major Lao planting tracks on the perimeter. The area was in direct view of both "static" perimeters.
- Perimeter Patrol failed to detect the "footprints" that Major Lao had introduced to the outer sandtrap.
- The oncoming Graveyard Perimeter Officer failed to note the intrusion on the perimeter as well. Even after the conclusion of the unit Zone Check the footprints remained undetected. (The zone check requires an officer to walk and "trigger" every zone while the perimeter patrol is required to clear the zone by visual inspection of the area, fence, and sandtrap.) Approximately two hours had elapsed since the security challenge was implemented without detection.
- The Perimeter Patrol failed to log our presence on their perimeter in his correctional service journal.

- The inner “no mans land” in Zone 10 still has numerous footprints. The area being referred to is the “no mans land” between the nuisance fence and the external perimeter fence where the actual fence had been compromised by the escapees. This area should have been re-sanitized after the repairs.
- There is only one Zone Check conducted within a (24) twenty four hour day. A zone check by the facility staff definition is physically walking in an S pattern to trigger the electronic detection system. If this system by definition is being considered a security device, inspection of such should occur at least once per shift.
- During the Zone Checks, the Main Control Officer left the alarms accessed in every zone. This was clearly visible because the triggered zone had turned from “Green” to “RED” on the monitor. All the triggered zones were left in that state even when the officer was already out of the zone area throughout the duration of the zone check. This practice rendered the perimeter security system ineffective because the zones would not trigger new perimeter intrusions.
- The main control electronic zone detection system lacks an “audible” and persistent alert during zone activations. This is necessary as the officer in the unit control is tasked with other various duties that does not allow him to focus solely on the Zone Alarm System.
- There are a lot of false alarms during our tour. Most of them are from Zone 13. This is the corner where the unauthorized vehicle was observed during the incident. The officer posted stated that that has been a norm and that they referring to other officers have written several security device work orders to address the perimeter security system. *We reviewed the last (90) ninety days of the Security Device Tracking Log the following day. The log does not indicate a single report of persistent zone alarms.*
- Perimeter Patrols both the “static” and roving lack the assertiveness and command presence to challenge anyone entering the perimeter. The lack of command presence provided us with the opportunity to place tracks on their outer perimeter sandtrap both during the day and night time.
- The outer sandtrap was in fair condition. Although there are some areas that appeared to be packed, It was free from weeds indicative that the maintenance intervals are frequent to discourage the growth of foliage and weeds.

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- The condition of the razor wire was in good condition. The spacing fell within the parameters of the manufacturer recommendation. However there are areas in the perimeters that have the razor wire not touching the ground or that is bent.
 - The Perimeter Officer posted during our assessment appeared to have great difficulty in handling the Remington 870 Shotgun during the relief process.

Egress / Ingress:

- Staff arriving at the unit mostly had their uniforms off to clear the scanner.
- Staff arriving at the unit seemed to be surprised when they were asked by the scanner officer to carry their food items to the scanner to clear. This indicates that this practice is not a norm but an exception.
- A female staff just threw her boots thru the scanner to clear them. This was not observed by the scanner officer because he appeared to be busy processing other staff property. This staff member realized that she was being observed retrieving her boots and submitted them for inspection to the scanner officer.
- Some staff was clearing their own property instead of relinquishing them for inspection with the scanner officer.
- A Canteen Personnel was allowed access into the facility with out clearing the scanner because there was no officer. Main Control allowed the Canteen Staff access into the unit. This incident was referred to the Unit Chief of Security, Captain Smith immediately.

Emergency Preparedness:

- The ASPC-Kingman Hualapai Unit Emergency Plan is not compliant with the ADC Emergency Preparedness Plan. Their plan contains various "annexes" to that identify specific incidents such as Inmate Hunger Strikes, Utility Interruption, Disturbance Procedures to name a few.
- Close inspection of the plan annexes are just simplified checklist which are similar to our matrix notification.
- Their emergency plan does not contain specific technical annexes. They are rather generic and defer incident mitigation to local public service entities. The only exception to this which we found to be detailed is the Chase Annex. However it

was reiterated to us that they cannot engage in fugitive apprehension even with exigent circumstances because they are a private company.

Collateral Security Issues:

- The Dog Program break area behind the building did have a 10 foot fence but no razor wire. This pen type area had a water faucet which could have been used as a natural step when negotiating out. This area led directly to the outer perimeter fence “no man’s land”.
- There were large rocks left by the door indicative that those doors were propped most of the time. This was confirmed by some officers that were working in that building to another audit team.
- Enormous amount of cardboard awaiting recycling pick up is kept at the back lot. This not only poses a high risk for fire loading but also is usable for defeating razor wire in our perimeter fencing.
- The Unit Main Control Officer is tasked with a lot of collateral duties in addition to monitoring lobby pedestrian traffic and equipment return and issue.
- Cameras although present in almost every location are not monitored closely because only two cameras can be viewed from the monitors at any given time as per the officers.
- Most officers working the Unit Control Center and Tower lack tenure and familiarity and training with the electronic surveillance and monitoring equipment.
- A review of the zone alarm activation at the time of the incident indicates that the Zone 9 had indicated an intrusion alarm initially at 2022 hours and was not cleared until 2045 hours. This was a 23 minute gap without Zone Coverage. Zone 9 again triggers at 2049 hours and was not cleared until 2117 hours. This is another 28 minute duration without electronic zone coverage.

Assessment provided by: Captain Dennis Bool

Staffing:

- The shifts have few vacancies and although there is some very minor RDO balancing issues, they are generally balanced. The shift vacancies are filled through paid overtime, and I found no evidence of any posts being collapsed due to staffing. There is no collapsed Post list due to the paid overtime.
- There is a question of experience. I conservatively estimate that one third of security employees have less than three months on the job or in their promoted position. Further, there is no FTO program to teach staff new to their job or position.
- I found no indication that the available staffing contributed to the escape.

Visitation:

- I met with visitation CO Moore and he had not read or signed his post orders, and did not know where to find them. He was eager to learn, but had not been taught.
- Visitation for Cassie Welch had been suspended for inmate McClusky after she was caught attempting to bring in drugs and was arrested.

Phones:

- Lt. Winkler did not end phone privileges between inmate McClusky and Cassie Welch, because he felt he could glean information about the introduction of drugs into the prison.
- There is no SSU type position on the Post Chart, but Lt. Winkler is the staff member assuming those duties. He is the one that can monitor phone calls, but this is not a fulltime position.

Keys and Tools:

- I found that Hualapai Control was using a key inventory dated March 2010. This was fixed on the spot. The Key control officer, CO McKee had been out for three months and his replacement did not know to update the inventory monthly.
- I found that staff were not properly utilizing the key check out form and were splitting check out spaces when keys were passed on. I instructed one staff member directly, as well as his Lieutenant on the proper way to document such exchanges.

- The unit utilizes a "Hot Box" system for restricted key sets Hualapai control. It is comprised of a Lazy-Susan mounted system of individual key boxes which are labeled for a particular position: Store, Canteen, etc. and authorized staff have a take home key to open the individual boxes. There is no indication this contributed to the escape.
- I observed tool room operations and found no discrepancies from ADC policies.

Counts:

- I observed during several counts that inmates have free movement within the pods during counts, including inmates cutting hair. I asked Lt. Jones about this and he made three separate outcalls for inmates to stay on their bunks during count. The inmates either ignored the directives or slow stepped their compliance. To me, it was clear that this was new to the inmates.
- Some staff conducting count did not start their face to ID until inmates are on their bunks. The inmates slow step their compliance and I timed it between 3 and 5 minutes per pod before the Officer started count. At even three minutes per pod inmates could delay count by 12 minutes.
- I observed some staff conducting count, and after the face to ID of an inmate the inmate was allowed to move about the pod. Because there are so many new officers not familiar with their pod population I am concerned that an inmate could be counted correctly and then move and "cover" the bunk assignment of a missing inmate.
- I observed a Face to ID count on an inmate Robles #199911, whose ID was a white blur where the facial picture should have been. This was corrected immediately by re-photographing the inmate and issuing a new ID card.

Perimeter:

- I observed an Officer walk onto the exterior fence drag no more than ten feet from the original breach point. It was broad daylight and I had trouble discerning his footprints. The drag was too compacted for a good print.
- Shift relief begins with the perimeter officer driving to the front entrance, picking up his relief and then proceeding to the clearing barrel by the unit sally port. There they exchange weapons and verify ammunition counts. Then the relieving Officer drives the off-shift perimeter officer back to the front entrance. We observed this process took about 7 to 10 minutes. During this period there is no perimeter coverage.
- There is a common road shared by the perimeter and access to the Cerbat unit. Although there is a sign

Pointing to the Cerbat unit, there are no signs that the perimeter is off limits to unauthorized traffic. As well, there is no warning signage for drivers leaving the Cerbat unit to restrict vtraffic from ingressing further onto the perimeter.

Zone Alarms:

- I observed that the zone alarm panel is constantly activated. Staff will clear a given zone only to have it re-activate within 5 seconds. I also observed perimeter staff reporting the activation of zone lights where the panel showed no activations. This is a constant and chronic problem for all shifts. Staff reported the zones had been this way for months. I found that the constant activations took 90% of the officers' time assigned to Hualapai control. Staff are frustrated and I believe absent my presence, alarms would have been re-set without a perimeter verification.
- Staff reported that they write up maintenance requests that are then reviewed and sent to either maintenance or I.T. for resolution.
- I was told there is no contracted vendor to repair and/or calibrate the zones. The IT person assigned to assist us had no training on the buried cable system used.
- We observed that rain runoff diversions were built into the buried cable zones in front and west of the unit. These diversions appeared to be within inches of the buried cable system, possibly creating a source of false alarms. They were deep enough to obscure a human from observation by perimeter officers.
- Staff conducting zone checks completed the task without testing the elevated microwave system that covered the front entrance, because they did not have the tools (a pole with a board) to do so.

Post Orders:

- I observed that post orders were insufficient to be used by staff new to the post. As an example, the Post Order #52 for Dorm/Yard officer has no specific instructions on inmate movement during count or how the Yard officer is to conduct turnouts or fence inspections.
- Most Post Orders had a signature gap of months and many had all the recent signatures signed off by the same supervisor regardless of shift.
- Contract Bed ADW Lee could not find many post orders, but Lt. Jones was able to find them.

Security Device Deficiencies:

- I found that that when there were security deficiencies the prevailing attitude was "I reported it, therefore my hands are clean". There was no follow up to ensure that repairs were completed. ADW Ramsey stated that security devices were the

job of the unit Captain. Captain Smith told me he reported them. Neither had any involvement in follow up.

Observations:

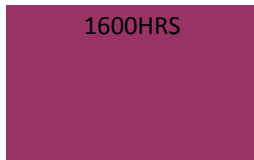
- Unit management is piece-meal and there is very little communication between the administration and shift staff and inmates. There is no shift briefing: I was observing count when there was an inmate on inmate assault. The following shift of the same building (#5) did not know there was an assault the prior shift.

	CORRECTED EVENT TIME	ZONE ALARM	ALARM TIME	ALARM RESET	TIME ELAPSED (hr/min)	LINE	COMPUTER TIME (+42 min)
BASED ON PERIMETER SYSTEM CLOCK							
* Alarm Time minus Reset Time = Elapsed Time Zone was Unsecure							
START OF SWINGS 1300	1303	14	1345	1420	35	1488	1345
	1310	4	1352	1420	28	1489	1352
	1316	13	1358	1420	22	1490	1358
	1324	10	1406	1420	14	1491	1406
	1326	12	1408	1420	12	1492	1408
	1327	6	1409	1420	11	1493	1409
	1327	11	1409	1420	11	1494	1409
	1329	5	1411	1420	9	1495	1411
	1338	4	1420	1427	7	1513	1420
	1338	5	1420	1427	7	1514	1420
	1343	8	1425	1427	2	1515	1425
	1345	5	1427	1433	6	1523	1427
	1347	8	1429	1433	4	1524	1429
	1350	11	1432	1433	1	1525	1432
	1352	4	1434	1525	51	1533	1434
1359	5	1441	1525	44	1534	1441	
1359	3	1441	1525	44	1535	1441	
1400 hrs	1413	6	1455	1525	30	1536	1455
	1414	11	1456	1525	29	1537	1456
	1415	13	1457	1525	28	1538	1457
	1418	9	1500	1525	25	1539	1500
	1444	4	1526	1545	19	1555	1526
	1445	5	1527	1545	18	1556	1527
	1445	8	1527	1545	18	1557	1527
	1447	13	1529	1545	16	1558	1529
	1449	14	1531	1545	14	1559	1531
	1450	3	1532	1545	13	1560	1532
	1450	12	1532	1545	13	1561	1532
1455	11	1537	1545	8	1562	1537	



1500 hrs

1456	10	1538	1545	7	1563	1538
1457	3	1539	1545	6	1564	1539
1459	9	1541	1545	4	1565	1541
1500	2	1542	1545	3	1566	1542
1503	13	1545	1545	0	1580	1545
1503	3	1545	1545	0	1587	1545
1503	4	1545	1545	0	1590	1545
1503	13	1545	1545	0	1604	1545
1503	10	1545	1545	0	1606	1545
1503	3	1545	1545	0	1607	1545
1503	8	1545	1545	0	1608	1545
1503	4	1545	1545	0	1609	1545
1503	2	1545	1545	0	1610	1545
1503	11	1545	1636	51	1611	1545
1503	13	1545	1636	51	1621	1545
1503	12	1545	1636	51	1623	1545
1503	14	1545	1636	51	1629	1545
1504	3	1545	1636	51	1630	1545
1504	4	1545	1636	51	1631	1545
1504	8	1546	1636	50	1632	1546
1504	10	1546	1636	50	1633	1546
1504	9	1546	1636	50	1634	1546
1504	3	1546	1636	50	1635	1546
1504	2	1546	1636	50	1636	1546
1505	5	1547	1636	49	1637	1547
1507	6	1549	1636	47	1638	1549
1601	3	1643	1752	69	1666	1643
1606	11	1648	1752	64	1667	1648
1628	8	1710	1752	42	1668	1710
1628	9	1710	1752	42	1669	1710
1701	13	1743	1752	9	1670	1743
1703	4	1745	1752	7	1671	1745
1704	14	1746	1752	6	1672	1746
1710	13	1752	1815	23	1688	1752
1711	12	1753	1815	22	1689	1753
1711	4	1753	1815	22	1690	1753
1712	11	1754	1815	21	1691	1754



1600HRS



1700 HRS

	1714	6	1756	1815	19	1692	1756
	1714	14	1756	1815	19	1693	1756
	1730	10	1812	1815	3	1694	1812
	1749	8	1831	1853	22	1710	1831
1800 HRS	1802	13	1844	1853	9	1711	1844
OPERATOR LOGGED	1802	10	1844	1853	9	1712	1844
SYSTEM OFF	1826		OPERATOR LOG OFF (1hr 14 min)			1720	1908
1900 HRS	1940	8	2022	2051	29	1721	2022
	1944	11	2026	2051	25	1722	2026
	1947	12	2029	2051	22	1723	2029
	1954	10	2036	2051	15	1724	2036
	1955	13	2037	2051	14	1725	2037
2000 HRS	2012	13	2054	2127	73	1737	2054
	2022	9	2104	2127	23	1738	2104
	2057	9	2139	2159	20	1744	2139
2100 HRS START OF SWINGS	2142	5	2224	126	3hrs 2min	1748	2224
2200 HRS	2206	13	2248	126	2hrs 38min	1749	2248
	2206	12	2248	126	2hrs 38min	1750	2248
	2207	11	2249	126	2hrs 37min	1751	2249
	2207	10	2249	126	2hrs 37min	1752	2249
	2208	9	2250	126	2hrs 36min	1753	2250
2300 HRS	2312	8	2354	126	2hrs 32min	1754	2354
0000 HRS	1244		OPERATOR LOG ON			1771	126
MIDNIGHT	1244		OPERATOR LOG OFF			1772	126
	1244		SYSTEM MANAGER LOG ON			1773	126
	1252		SYSTEM MANAGER LOG OFF			1774	134
	1252		OPERATOR LOG ON			1775	134
0100 hrs	107		OPERATOR LOG OFF			1776	149
	120	9	140	648	5hrs 8min	1777	202
0200 thru 0600 HRS	323	8	323	648	3hrs 31min	1778	405
END OF GRAVEYARD	NO FURTHER ZONE ACTIVITY ON GRAVEYARD						

Arizona Department of Corrections



JANICE K. BREWER
GOVERNOR

1601 WEST JEFFERSON
PHOENIX, ARIZONA 85007
(602) 542-5497
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CHARLES L. RYAN
DIRECTOR

August 12, 2010

CONFIDENTIAL

Al Murphy
Management & Training Corporation
Vice President, Regional Operations
Corrections
500 N. Market Place Drive
Centerville, Utah 84014

Dear Mr. Murphy:

The preliminary security assessment enclosed is a draft report. It is not the final report; therefore, it is not a public record at this time.

Based upon this assessment and the observations of the Arizona Department of Corrections (ADC) Security Operations team it is quite obvious that Management & Training Corporation (MTC) was negligent in the performance of its duties. This failure to perform satisfactorily resulted in the escape of three inmates on July 30, 2010.

Based on the findings in this report, MTC shall make the following corrections immediately. These corrective actions shall be made at the expense of MTC.

- Assess and repair the perimeter alarm system
Calibrate and certify the system immediately
Train MTC staff to operate the system
Contract or train technicians to operate and maintain the system
- Assign four (4) static and mobile perimeter patrols for the Hualapai Unit.
- Assign two (2) perimeter patrols for the Cerbat Unit.
- Curtail inmate movement and implement a controlled movement plan that complies with ADC policy for medium custody.

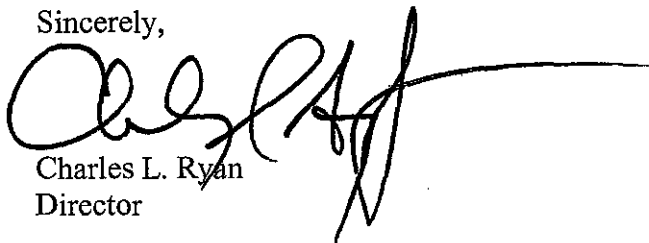
Al Murphy
August 12, 2010
Page 2

MTC shall operate its Arizona private prisons in full compliance with ADC policies and procedures. You are directed to take the corrective actions outlined above immediately. You must also identify and hold those staff who contributed to this incident accountable.

In closing, in the interest of putting these concerns into your hands as quickly as possible, we have also not yet determined what other operational and security concerns exist, and are advising you that we do not waive our contractual rights and are still considering what to invoke in the future.

It is my expectation that you will provide me with a complete corrective action plan to address each deficiency noted in the enclosed report in a face-to-face meeting in Phoenix by no later than August 17, 2010.

Sincerely,

A handwritten signature in black ink, appearing to read 'Charles L. Ryan', with a long horizontal line extending to the right.

Charles L. Ryan
Director

cc: Robert Patton, Division Director, Offender Operations
Wade Woolsey, Regional Operations Director - Privatization
Denel Pickering, Procurement Officer
File



Arizona State
Prison- Kingman

P.O. Box 3939
Kingman, Arizona 86402
(928) 565-2460
(928) 565-7038 Fax

13 August 2010

CONFIDENTIAL

Charles L. Ryan
Director Arizona Department of Corrections
1801 West Jefferson
Phoenix, Az. 85007

Dear Director Ryan:

Al Murphy and I have reviewed the draft report of the security assessment of ASP Kingman. We are in substantial agreement with the report and are committed both individually and as Company to make the corrections necessary to provide the level of security expected of all professionals in our business. Management & Training Corporation accepts full responsibility for this escape. This commitment to corrective action includes:

1. A complete review and repair of the existing perimeter alarm system at the Hualapai unit. This repair will include any and all needed ancillary issues dealing with that repair and preventive maintenance of the system.
2. We will assign four (4) static and mobile perimeter patrols for the Hualapai unit.
3. We will assign two (2) perimeter patrols for the Cerbat unit.
4. We will curtail inmate movement and implement a controlled movement plan that complies with ADC policy for medium custody.

We recognize the importance of these issues and will fully address the draft report at our meeting on 17 August 2010. In the mean time, please accept this letter as MTC's expressed commitment to work in partnership with ADOC to correct any deficiencies at ASP Kingman.

Thank you for your commitment of time to personally discuss these issues with us.

Sincerely,

Odie Washington
Senior Vice President



Management
& Training
Corporation

500 N. Marketplace Dr.
Centerville, UT 84014
Direct: 801.693.2860
Fax: 801.693.2900
Cell: 801.725.6257
E-mail: owashing@mtctrains.com
www.mtctrains.com

Odie Washington
Sr. Vice President, Corrections

CONFIDENTIAL

August 18, 2010

Charles L. Ryan
Director Arizona Department of Corrections
1801 West Jefferson
Phoenix, Az. 85007

Dear Director Ryan:

Please find the corrective action plan that addresses the concerns illustrated in your Departments security assessment. I feel strongly that we can rectify all these deficiencies quickly. I also want to reiterate our commitment to you made last Friday.

We are in agreement with the report and are committed as a company to make the corrections necessary to provide the level of security expected of all professionals in our business. Management & Training Corporation (MTC) accepts full responsibility for this escape. This commitment to corrective action includes:

1. A complete review and repair of the existing perimeter alarm system at the Hualapai unit, in consultation with the manufacturer. This repair will include any and all needed ancillary issues dealing with that repair and preventive maintenance of the system.
2. We will assign four (4) static and mobile perimeter patrols for the Hualapai unit.
3. We will assign two (2) perimeter patrols for the Cerbat unit.
4. We will implement procedures that comply with ADC policies which curtail inmate movement, and improve inmate counts and identification.

MTC is also committed to creating a first rate leadership team, as well as providing ongoing training of staff, all with a heightened level of corporate oversight.

MTC stands firm in our resolve to make a difference, make amends and to fix these problems.

Sincerely,

A handwritten signature in black ink that reads "Odie Washington". The signature is written in a cursive, flowing style.

Odie Washington
Senior Vice President

Arizona Department of Corrections



JANICE K. BREWER
GOVERNOR

1601 WEST JEFFERSON
PHOENIX, ARIZONA 85007
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CHARLES L. RYAN
DIRECTOR

August 19, 2010

Odie Washington
Senior Vice President
Management and Training Corporation
500 North Marketplace Drive
Centerville, Utah 84014

Dear Mr. Washington:

My security assessment team and I have reviewed the plan of action presented by you to correct the operational and security deficiencies of the ASP-Kingman, Management and Training Corporation (MTC), private prison. This letter and corrective action plan is accepted as your written commitment and affirmative action to operate this prison in accordance with Arizona Department of Corrections (ADC) policy.

In addition to the four specific points described in your letter and the actions described in your plan, the Department will continue to monitor and provide daily feedback to you and your staff regarding strict compliance with policy and sound correctional practices.

Please proceed with the implementation of this plan and provide this office, our Division Director Robert Patton, Contract Administrator Wade Woolsey and the onsite monitor, Deputy Warden Richard Sullivan, with a written weekly progress report, henceforth.

Enclosed please find the Department's final operational assessment report of the Kingman private prison.

Sincerely,

A handwritten signature in black ink, appearing to read "Charles L. Ryan", with a long, sweeping horizontal line extending to the right.

Charles L. Ryan
Director

Enclosure

cc: File

**MANAGEMENT & TRAINING CORPORATION
ARIZONA STATE PRISON – KINGMAN**

Corrective Action Plan

To: Charles L. Ryan, Director Arizona Dept of Corrections

Thru: Odie Washington, Senior Vice President, MTC

Fr: Al Murphy, Vice President Regional Operations – MTC

Re: Corrective action plan to security assessment conducted 4-6 August 2010

Date: 17 August 2010

I and several other senior staff members of Management & Training Corporation have reviewed the security assessment audit of ASP Kingman. I have addressed each issue in the summary of the report. For ease of reference, I have tried to maintain each point of issue in the assessment in the order they appear. The following is our corrective action plan:

Section Titled “Initial Tour”

1. Issue – Large percentage of the inmate population (75%) without their identification cards and grooming compliance issues.

Action –MTC will reissue clips to all inmates by August 27, 2010 so that we can ensure they attach their ID cards to their person consistent with ADC Policy. We will ensure that inmates wear these ID cards displayed on their person in accordance with ADC policy.

In addition we will start to update inmate ID pictures whose appearance is seriously changed as we identify them. We will submit a request for waiver of ADC policy 901.05 to enable the facility staff to augment their identification processes by taking a digital photo of inmates whose appearance has changed pending a new ADC produced photo. We will work in collaboration with ADC to start to produce ID's on site in order to facilitate corrective action on ID issues.

2. Issue – The inmate attitude appeared to be poor.

Action –In a correctional setting, managers walking the yard and policy compliance often set a positive tone. We have implemented an aggressive process of supervisors and managers getting into the units to observe staff and inmate interaction. Immediately, senior leadership will be observing supervisor interaction techniques. In the immediate future corporate and outside resources are being deployed to further observe and retrain supervisors. We will implement an overall training and mentoring program designed to enhance staff understanding of ADC policy as well as their role in managing inmates and their behavior.

3. Issue – Unit Sanitation was very good

Action – No action required

4. Issue - DO 704/cell conditions were adequate but there was a large amount of cardboard and hobby craft items in the cells.

Action – MTC will ensure that all excessive hobby craft and cardboard items are removed from cells. We will continue to do daily inspections to ensure continued compliance. Supervisors will continue to provide routine follow-up inspections to ensure the officer clearly understands what is expected.

5. Issue - Staff morale was high. The unit is staffed with a high percentage of new staff and lack a “command presence”

Action – Officers develop a command presence through enforcement of rules while receiving the support and guidance of supervisors. MTC will reinforce training in the corrections basics such as proper attire, movement and counts. Mentoring will take place with supervisors and managers who will subsequently train and guide by example.

6. Issue – Staffing and or/collapsing of posts is not an issue.

Action – No action required.

Section titled – “Alarm Zone System”: Issues identified in this section addressed in subsequent sections of this document.

Section titled “Perimeter”:

7. Issue - The perimeter is in fair condition. It is regularly raked and weeded. It is difficult to see tracks. MTC staff report that the wind blows the sand away each time they replace it.

Action – MTC will consult with a soils expert to help determine most appropriate soil and stabilizer for the conditions and desired results. Stakes will be positioned at regular intervals around the perimeter near the ported cable to measure the depth of the soil. Stakes would be observed and recorded monthly on the maintenance work order by maintenance staff to determine if additional soil needs to be brought in. Additional soil will be brought in when soil depth is less than manufacturer's recommendations.

We also will supply the perimeter vehicles with high intensity lights for night time use.

8. Issue - The procedures in place for shift relief are ineffective and detrimental to security. It leaves the perimeter unmanned for extended periods of time.

Action – MTC has added static and mobile posts to both units at ASP Kingman. We have increased the static and mobile posts at the Hualapai unit from 1 X 24hrs to 4 X 24hrs. In addition, we have increased the Cerbat unit from 1 X 16 hrs to 2 X 24 hrs. This additional coverage will allow us to flex replacement officers without leaving a perimeter unstaffed.

In addition, we will place clearing barrels at the static points of the perimeter. This will allow us to have the relief officer driven to the static post and trade out weapons and equipment without the post officer leaving the geographic area of their posts. The four vehicles on the perimeter will have set points of relief which will leave all four sides of the medium perimeter covered.

We will do the same at Cerbat unit with the two mobile posts. We will place separate clearing barrels for trade out. In addition, the SE and SW security posts at Hualapai have visual contact with two of Cerbat's perimeter sides. These changes will be accomplished within two weeks of acceptance.

9. Issue – CO's are inadequately trained on response to alarm procedures. The Post order need to be more detailed.

Action – Post orders will be reviewed and updated as suggested. Completion will be by August 31, 2010.

The redrafted post orders which shall be specific as to how to respond to alarms and how to clear the alarms. Post orders will also describe the process for checking zones during each shift, addressing zone alarms and clearing zone alarms. Verification will be required by the Chief of Security. Zone alarms will be checked immediately (within one minute) and cleared within three minutes.

We will have supervisors increase current amount of post order challenges to institutionalize the practice. These will consist of going on the perimeter posts and querying the officer on the post orders to ascertain whether he knows what to do.

We will ensure that security challenges are done by shift supervisors and the Duty Officer so that Officers know how to find security breaches and how to clear them. We will re-train the perimeter officers in their procedural response.

10. Issue – At the time of the escape only one perimeter patrol was in place.

Action – MTC has enhanced the terms of the original contract by implementing four static/mobile posts for every 24 hour period on the Hualapai perimeter instead of the original one static/mobile post for every 24 hour period. We also intend on placing a perimeter observation shack on the 11 foot berm located in the South East corner of the perimeter, (located at zone 10 where the escape happened). This post will have a good view of the perimeter at a height that will be able to scan the area where the outside intrusion happened. We will place a vehicle with the post so that the Officer will also be able to respond to alerts as needed.

11. Issue - CO's even in the days following the escape, failed to detect tracks or to challenge team members presence on the perimeter. This did improve by Day 3 of our assessment.

Action – MTC has initiated aggressive management perimeter intrusion and detection tests. These tests challenge the system in a way that simulates a perimeter intrusion. Officer alertness and reactions are evaluated for appropriateness and speed of response. There has been a significant improvement in response.

Inner and outer fence checks will be performed at the beginning and end of each shift. A staff member will be assigned to walk next to the four strand barbed wire fence on the

inside of the perimeter and a staff member will be assigned to walk next the exterior fence. Staff will inspect for cuts in the fence, loose ties and tracks in the sand trap.

12. Issue – the malfunctioning alarm system has led to desensitization to alarm activations. Staff assumes it is just another false alarm.

Action – There are excessive alarms on the Hualapai unit. Th

MTC will make sure the buried cable system is working the way the manufacturer's intended by 1 Sep 2010. MTC will consult with a soils expert to help determine most appropriate soil and stabilizer for the conditions and desired results. Stakes will be positioned at regular intervals around the perimeter near the ported cable to measure the depth of the soil. Stakes would be observed and recorded monthly on the maintenance work order by maintenance staff to determine if additional soil needs to be brought in. Additional soil will be brought in when soil depth is less than manufacturer's recommendations.

As an interim measure, we have commenced spreading 500 tons of dirt on the cable system area. Erosion (wind primarily), has scraped off the top level of dirt. This has caused the system to go into alarm excessively. Placing this dirt over the wire should make the system less likely to go into alarm easily because:

- A. It will not alarm as readily when a small animal or heavy winds vibrate the fence.
- B. The heat of the day will not sensitize the buried cable as readily which also should cut down on false alarms.

The manufacturer, Senstar of Canada, will be in to recalibrate the system. They will also install audible alarms in the control room and replace any parts necessary (i.e. decouplers and any other diagnostics required). MTC will enter a contract for future preventive maintenance, repair and training for IT staff.

13. Issue: There is too much traffic, (pedestrian and vehicular) in close proximity to the perimeter.

Action – See Action 14.

14. Issue: There is one section of perimeter road that is shared use section. It is traveled by the perimeter vehicles and civilian and staff traffic en route to the Cerbat unit.

Action – By August 31, 2010, MTC will redirect traffic to Cerbat on the unpaved county road directing all staff and visitor traffic due west from the entrance to Hualapai and then south along the west side of the warehouse linking to the paved Cerbat access road. This creates a separate entrance to Cerbat.

As a permanent solution MTC will pave a road that comes off English Road approximately 100 yards west of the existing facility entrance. This road will connect from English road onto the parking lot entrance road at Cerbat. This will create a separate entrance point for Cerbat and eliminate the shared traffic on the perimeter road. We will contract for services by Aug 31, 2010.

We will then set up blocking gates on the existing road to Cerbat so that only emergency traffic would be allowed to use it.

We will put a “cow” fence along the Cerbat public use road so as to further separate vehicles and pedestrian traffic from the perimeter road.

15. Issue - Drainage ditches have been rocked in. They look visually pleasing but create a barrier to sound security practices. An inmate could hide in the ditch while the perimeter patrol passed and could go undetected.

Action – Rock has been placed in drainage ditches on the inside of the perimeter to stop soil erosion. Culverts will be buried to drain the water around/under the perimeter and fill in areas where inmates could hide.

16. Issue – Staff are not proficient with weapons. In addition to safety concerns this also further delays the relief process.

Action – All staff have been trained in the safe use of weapons and have been issued weapon cards consistent with ADC policy. We will work to keep a permanent cadre of perimeter officers so that this group will have more team uniformity, more familiarity with perimeter procedures and better security equipment capability.

17. Issue – Large amounts of cardboard are stored in no-man’s land for the recycling program.

Action – The cardboard has been removed and will be cleared daily. Inmates moving cardboard will be escorted at all times with the area secured after activity.

18. Issue - Eight (8) light poles were noted with lights burned out.

Action – All lights, including high mast, were in the process of being checked on 13 Aug 2010. All lights will be operable by 20 August 2010. There will be a nightly inspection and submitted for next day repair.

Section titled “count”

19. Issue – Count is cleared by the accountability officer or the Shift Lieutenant. Housing unit officers call in their numbers only. They do not call in out counts or vacant beds. If the number they give does not match for a pod, they are directed to do a recount. Every count monitored by the team resulted in pods that had to be recounted.

Many of the officers did not effectively control inmate movement during count.

Action – MTC will utilize and report out counts and vacant beds during the count process. Officers will be retrained to better understand what is expected of them during count, what is expected of the inmates and observe command presence from those in command. We have assigned supervisors to take count with the officers. This issue will be addressed and revised immediately.

Section Titled “Armory”:

20. Issue – the armory was out of compliance in several areas. Ammunition and inventory deficiencies were noted.

Dart Equipment and drill procedures are also out of compliance. Weapons are stored loaded and drills are not being conducted regularly.

Action – Plan includes the following:

- The Master Armory Inventory has been posted on the outside of the inner armory door. This includes the inventories of Tower, DART lockers and regular use weapons areas. This inventory will also reflect the actual location of the weapons.
- The Post Order will be updated to reflect the current Department Order this coming week.
- A complete inventory was conducted and reconciled on August 13, 2010.

- A monthly and weekly inventory was conducted including breaking the seals per the Department Order.
- Beginning August 2010 the Complex Sergeant will conduct a weekly count and once per month the Complex lieutenant and Deputy Warden of Operations will conduct a count.
- All armory weapons were inspected to verify they are stored empty. Since the Information Report about the weapons malfunction, all weapons were exchanged. The weapon that malfunctioned has been repaired.
- Dart exercises will be conducted monthly. The process will include the use of the 37mm during practice and not substitute with the shotgun.
- The four employees out of 233 staff that had expired weapons qualification cards were out on either FMLA (2), Military Leave(1) and one was a no show with corrective action taken. All are scheduled for Wednesday, August 18, 2010

Section titled “Inmate Movement”

21. Issue – Our team was not able to monitor typical inmate movement patterns due to the unit lockdown.

Action –

While the Unit is still in modified lockdown but the actions that will be taken as we come off the lockdown will be this.

- We will eliminate the direct supervision model in the units. One officer will be assigned to the Control Station. The officer will utilize it as a control station and not as an open work station. The officer will observe the floor officer from this station and control movement.
- We will lock pod doors and not allow movement of inmates between pods. If we discover an inmate in another pod, he will receive a disciplinary report.
- The outside building door will be closed. It will open for controlled movements. Free movement between the yard and the building will be eliminated.
- Inmates will be required to wear and display their ID in a manner consistent with ADC policy.

- Passes will be required to send inmates to areas outside the general movement times.
- Random pat searches of inmates will be increased with Officers in particular assigned to search inmates coming out of the dining hall.

Section titled “Ingress/Egress”

22. Issue – Employees appeared to be surprised by the searches of their property. Team’s belief is that procedures were lax prior to our arrival

Action – The chief of security will be responsible for ensuring consistent implementation of procedures in compliance with DO 513.

Section titled “Searches”

23. Issue - Unit was in compliance for cell and unit searches.

Action – none required

24. Issue – Inmate pat searches are not being conducted. Warden Lieder reports that random pat searches of inmates exiting chow are required but are not being done. Seeing no pat searches being done, I asked an officer if he conducted random pat searches of inmates exiting chow. He said . . . “pat searches a couple of inmates every 30 minutes.”

Action –Supervisors will ensure the officers perform random pat searches leaving the dining hall effective immediately.

Section titled “Keys”:

25. Issue -Overall the key audit was in compliance. One key error was noted and corrected on the spot.

Action - Generally, key control at the facility is good. A separate set of restraint keys will be placed in the Transportation hot box to eliminate taking home any restraint keys as recommended.

Section titled “tools”:

26. Issue - Tool audit was in compliance.

Action – none required.

Section titled “journals”:

27. Issue – MTC uses a pre printed journal page. The team felt that these forms could easily be “pencil whipped” and lead to officer complacency for reporting required duties.

Action – MTC does use a template for journal pages. This was adopted from several States that use them to ensure that reporting is standardized from Officer to Officer and that the required elements are contained. Reviewing supervisors ensure that staff do not “pencil whip” or fill in the template areas on the form without completing the actions.

MTC will end the use of the preprinted Journal.

Section titled “Phone Monitoring”:

28. Issue - MTC does not have an SSU Officer in place. The shift lieutenant does act as SSU when possible and he monitors phone calls as time permits.

Action – MTC will parcel out some of the special security unit (SSU) duties to the night time lieutenant or designee.

One of the issues that also came out was that Cassie Welch had not been barred from Privileges after MTC caught her attempting to smuggle in drugs.

That is accurate and the practice of not barring someone from phone contact to gather “Intelligence” has ended.

Section titled “Visitation”:

29. Issue – No issues noted.

Action – none required

Section titled “Emergency Response Plan (ERP)”:

30. Issue - Kingman’s ERP is a very generic plan. Also our team was told on numerous occasions that private prison staff may not “chase” an escapee.

Action – MTC will review and revise the current ERP plans, with the assistance of corporate and outside experts, to ensure that they are adequate.

Emergency simulation training will be conducted quarterly on each shift. These training sessions will be monitored and evaluated by security managers and simulations deploying the facility Tactical Support Unit (TSU) will be conducted at least annually and will be monitored and evaluated by senior security managers holding a higher rank than that of the TSU commanders. The results of all emergency simulation training sessions will be documented. In addition, all equipment necessary to maintain essential lighting, power, and communications during an emergency will be tested at least monthly and the results documented in a written report to the warden and the ADC monitor. It is MTC's desire to conduct joint training exercises with the ADC and other Federal, state and local law enforcement units, who may respond in support of an emergency, so that they are thoroughly familiar with the physical plant and the organizational structure and communications systems.

MTC will collaborate with the Mojave County Sheriff's Department and ADC monitoring office to prepare a training session for managers and supervisors which reinforces parameters of our authority to protect the integrity of our perimeter and stop escapees with lethal force if necessary.

Section titled "Transition from Minimum Custody to Medium Custody":

31. Issue – It appears that very little action was taken to prepare the physical plant and the staff for the transition to medium custody in April of 2010.

Action – MTC accepts this assessment will address those issues as listed below.

32. Issue - The dog program was left in place in the area behind Dorm 2 with a 10 foot fence that had no razor wire. Staff reports that the door was often left open. . . .

Action – The K9 adoption program has been terminated at ASP Kingman, the fence has been taken down and all doors are secured. Inmates are not be allowed access to restricted areas.

33. Issue – All 3 yards within the unit recreate at the same time.

Action – Upon resumption of normal operations the new schedule for recreation will reflect the following practice on a rotating basis. We will work a schedule of recreation where these two yards recreate at one time and then the 3rd yard by itself.

Dorms 1, 5 and three pods of dorm 3 (ABC) 0830 - 1030

Dorms 2, 4 and three pods of dorm 3 (DEF) 1330 – 1530

The yards are well separated by fencing, especially the north from the south yards.

34. Issue – Metal dust mops, mop wringers and metal horse shoes are still being used.

Action – We are processing replacement orders and expect these items will be replaced by August 31, 2010 in the medium unit.

35. Issue – Shower curtains do not allow for any staff visibility. They should be shortened to allow for “feet visibility.”

Action – We will shorten shower curtains for visibility by August 27, 2010.

36. Issue – The sweat lodge is in the no man’s land. It is currently being renovated to increase fence height and to add razor wire.

Action – MTC completed the renovations however, MTC has suspended the program until it can be relocated outside of the restricted area. This is expected to be relocated by September 30, 2010.

37. Issue – No additional or follow up training has been done with MTC staff to assist with the transition of populations.

Action – MTC has identified corporate staff and outside consultants to provide training to staff and to assist with the transition of the facility to medium security population by August 31, 2010

38. Issue – Nothing has been done to reduce movement. Radio traffic for opening gates is constant and keeps the tower and/or control room officer focused on gate and doors versus perimeter alarms and inmate monitoring.

Action – Upon resumption of normal operations, we will implement restricted inmate movement, create passes for extraordinary movement. Staff will be instructed to use the annunciator buttons for ingress/egress purposes.

39. Issue – Random pat searches of inmates are not being done.

Action – Upon resumption of normal operations, a new system of random searches and ID checks will be implemented. This will include pat frisking inmates coming out of the

dining room, random pat frisks as inmate's transition from housing units to service units and on the return trip.

Section titled "Assessment of MTC Executive Staff":

MTC executive staff have read this section and discussed it with executive level staff from ADOC. We have completed our corrective action plan.

Section titled "Carat unit":

40. Issue – Unit sanitation was excellent.

Action – None required

41. Issue – Many inmates were seen without wearing their identification cards.

Action - MTC will reissue clips to all inmates by August 31, 2010 so that we can ensure attach their ID cards to their person consistent with ADC Policy. We will ensure that inmates wear these ID cards displayed on their person at all times except when they are on the recreation yard.

In addition we will start to update inmate ID pictures whose appearance is seriously changed as we identify them. We will submit a request for waiver of ADC policy 901.05 to enable the facility staff to augment their identification processes by taking a digital photo of inmates whose appearance has changed pending a new ADC produced photo. We will work in collaboration with ADC to start to produce ID's on site in order to facilitate corrective action on ID issues.

42. Issue – There are several fence ties that need to be painted red.

Action – A crew will be sent out by August 31, 2010 to address any ties that are not spot painted red.

43. Issue – Several piles of dirt are located behind the buildings in the no man's land.

Action – Will finish spreading dirt by August 31, 2010.

44. Issue - Visitation benches are not secured and could be used to assist in climbing fences.

Action – ASP Kingman will chain the benches together when not in use.

45. Issue – Awning/shade structure parts were stored in no man's land.

Action – We will finish construction of the shade structure ASAP. The foundations have been poured. The foundations will be significantly set to begin fabrication by August 31, 2010. Fabrication should take two weeks to finish all of them.

ADC Facilities by Mission, Security Level

DUI = DUI
GP = General Pop.
R = Reception
M = Medical
MH = Mental Health
PS = Protective Seg.
Sp = Specialized

Physical Security Levels:

5 = Highest (max)
4 = High (close)
3 = Moderate (medium)
2 = Low (minimum)

