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

February 1, 1995

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Introduction

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

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

As a means of satisfying the statutory requirement, the Select Oversight Committee on Corrections brought together leaders of the Department of Correction and executives of Corrections Corporation of America, for the purpose of agreeing upon the method to be used for comparing the performance and quality of services provided by the three prisons. Department of Correction and CCA representatives met over five times with the Oversight Committee director and consultant, as all parties joined together in developing a strategy to fairly compare all three prisons, given the limited resources to undertake such a difficult task. A consensus was reached on the methodology as all parties agreed on the measures or indicators to be used, the collection methods, the means of validation, the value and weighting of indicators, and the process for conducting the evaluation. In October of 1992, the Oversight Committee adopted a resolution confirming the methodology that was endorsed by all parties. (Attachment 1.)

This report represents the results of using the established methodology as the basis for the comparative evaluation of privately-contracted versus State-managed prison operations.

Section 1 History and Background

Crowding and Conditions

During the mid-1980's, the State of Tennessee, like most states, experienced significant growth in its prison population. Crowding exceeded capacity and, along with conditions of confinement, resulted in the litigation of prisoner constitutional rights issues.

During this period, a special session of the Tennessee General Assembly was held to address the demands of the prison system and the federal litigation. One result was the creation of the Select Oversight Committee on Corrections, a bi-partisan committee selected from both houses of the General Assembly. Its responsibility is to oversee the plans and operations of the Department of Correction. This includes the development of all corrections capital and operational plans and programs, and recommendations to the State Building Commission and the administration, as appropriate.

The federal litigation, *Grubbs v. the State of Tennessee*, was ordered in 1985. It consisted of issues concerning inadequate capacity and physical plants, and inappropriate or inadequate operational practices.

Under the direction of the McWhorter administration and the Select Oversight Committee on Corrections, as well as the State Building Commission, the State of Tennessee systematically addressed each of the issues in the federal litigation, through its Department of Correction and the Department of Finance and Administration's Capital Projects Division. The suit was dismissed in December 1994.

Capital Projects

The result of this process was the expenditure of nearly \$380 million for the development and renovation of approximately 7000 new beds.

The development of the new facilities and new operational practices occurred through the cooperative effort of administrative, legislative, and various department officials in the State of Tennessee. The approach taken was simple. The objective was to standardize the basic design and functional requirements of the prison buildings and the physical plant. The objective was to establish a "kit of physical and operational tools", so that institutions could be developed and operated in a logical and consistent manner and could be site-adepted as appropriate.

This plan led to efficient construction and operation. It standardized operational practices to achieve safety and efficiency. This process has been ongoing since 1985, and has led to the development of six facilities that are vary similar in nature, and a special needs facility that shares many of those similarities. More

importantly, for this comparative evaluation process, the three facilities being compared are nearly identical in physical space, design of housing units, infrastructure, support buildings, and administrative core. Their major variance is in the site adaptation necessary to meet the physical requirements of their specific geographic locations.

Public/Private Comparison

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

Legislation

The legislature adopted legislation authorizing the State to contract to provide correctional services, specifying the term of any such contract, and requiring a review of the performance of services and the operating cost of such services. That language is the authority and foundation for this comparative evaluation design. The legislation says:

"41-24-105. Term of contract - Review of performance - Renewal. -

(a) For any contract to provide correctional services as defined in § 41-24-102(2)(F), the initial contract term shall be for a period of three (3) years in order to allow the contractor sufficient time to demonstrate its performance and to provide sufficient information to allow a comparison of the performance of the contractor to the performance of the state in operating similar facilities.

(b) The initial contract may include an option to renew for an additional period of two (2) years.

(c) After the first two (2) years of operation, but before renewing the initial contract, the performance of the contractor shall be compared to the performance of the state in operating similar facilities, as provided in this section.

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

(e) The quality of services provided by the contractor and by the state at similar facilities shall be compared by the select oversight committee on corrections, or a committee designated by the speakers of the senate and

house. The committee shall determine whether the services provided by the contractor are superior, essentially equal, or poorer than services provided by the state. In making its determination, the committee shall consider, among other factors: the nature of inmates in the facilities; whether the facilities meet professional standards; the level of training provided staff and the level of training accomplished by staff; the number and nature of complaints against; the number and nature of violent or other disruptive incidents among inmates or against staff; the number of escapes and attempted escapes; the number and nature of disciplinary actions against inmates and staff; the number of inmates productively active, the level of production, and the nature of the activity provided inmates; the rate at which inmates complete programs successfully; or other matters related to the quality of services provided. The committee shall report its determination to the parties responsible for determining whether the contract should be renewed.

(f) The fiscal review committee, or any other committee designated by the speakers of the senate and house, shall compare the full costs of the contractor with the state's full costs of operating similar facilities. The committee shall determine whether the contractor is providing services at a greater, essentially equal, or lower cost. In making its determination, the committee shall consider all relevant costs of operation, including direct and indirect costs which should be allocated or assigned to the operations. The costs attributable to the contractor shall include any costs of monitoring the contract incurred by the department of correction or any other state agency which would not have been incurred by the state otherwise. The committee shall report its determination to the parties responsible for determining whether the contract should be renewed. [Acts 1986, ch. 932, § 5; 1991, ch. 176, §§ 3, 4.]"

Summary

The following section describes the process used to conduct the comparative evaluation among the privately-contracted prison and two similar state facilities. It describes the policy and principles followed in developing and carrying out the approach to the evaluation. Subsequent sections of this report define the methodology followed, including what data was collected, who collected it and how it was collected, how it was verified and validated, how it was given value or worth and what that value is, and how a comparison of the quality of services was made.

Objectives and Policy

The Select Oversight Committee on Corrections (SOCC) reviewed the statute and established the following policy and general principles to guide the comparative evaluation process. These principles and guidelines were reviewed and agreed-to, by the Tennessee Department of Correction (TDOC) and Corrections Corporation of America (CCA), the parties.

- 1 The methodology was understood and agreed-to by both TDOC and CCA before the comparative evaluation process began.

- 2 The SOCC did a performance-of-services comparison and evaluation. This report is the SOCC response.
- 3 The SOCC and Fiscal Review Committee shared information, communicated, and cooperated as appropriate during the comparative evaluation period.
- 4 The Fiscal Review Committee has done a cost comparison evaluation and will issue a separate report.
- 5 The SOCC found it desirable to have an independent review of the adopted methodology by outside professionals, to assure a fair and fundamentally sound comparative evaluation approach.
- 6 Measures of performance or comparison indicators used came from data and records currently maintained by TDOC and CCA.
- 7 There was a reliance on existing records and reporting processes, where possible, to minimize additional workloads on TDOC and CCA.
- 8 Three facilities were compared. TDOC-run facilities at Northwest Correctional Center in Lake County and Northeast Correctional Center in Johnson County, and a CCA-run facility at South Central Correctional Center in Wayne County.
- 9 The comparative evaluation period covered two years or 24 months. The three (3) facilities opened at different times. The comparative evaluation approach attempted to account for the different start dates of each facility.
- 10 It was necessary and possible to collect appropriate and sufficient data from TDOC and CCA to make a valid comparison.
- 11 The approach selected measures and indicators whose sources could be easily identified, and that were accessible and efficient to collect.
- 12 Measures or indicators were selected that could be accurately and efficiently validated and verified.
- 13 Measures and indicators were used that focused on the quality of performance of correctional operations and services.
- 14 This project was an experiment. It was a comparative evaluation of a contractor's performance with the State's performance in operating similar correctional facilities. It is an opportunity to learn methods of improving the delivery of correctional services, improving the efficiency

of correctional operation, and better informing State policy-makers about correctional operational issues.

Section 2 Methodology

This section describes the methodology used to conduct the comparative evaluation. It describes the approach in detail. It describes the process and criteria that were agreed-to by the State and CCA. It also describes some of the limiting factors that bear consideration.

Methodology

A detailed approach was designed. The approach meets the obligations of the statute, requiring a comparative evaluation of the performance of the contractor to the performance of the State in operating similar facilities, and complying with the policy and general principles established for the process.

It was recognized by all the parties that this was not an academic research project. It did not pretend to meet the rigors of evaluation research. The time and cost involved to conduct such a project would be prohibitive. The availability and quality of data, the data collection process, the extensive validation requirements, and the innumerable and changing variables made such an approach impractical.

To assist in the development of the approach and to get design and methodological guidance and review, we sought and received assistance from the Vanderbilt Institute of Public Policy Services.

Numerous meetings were held with staff. Records and reporting forms and processes were reviewed. Formal meetings were held with key officials from TDOC and CCA. Meeting minutes were maintained and a comparative evaluation approach consensus was reached.

The approach and the results that follow accomplish the objectives of the SOCC and meet the intent of the law. It gives the committee both quantitative and qualitative data. It also provides the committee with the professional judgment of the staff and consultants and their interpretation of the data. It gives them the information necessary to make recommendations to the parties responsible for determining whether the contract should be renewed.

- The first step in organizing the comparative evaluation was to identify the measures or indicators to be used. The object was to identify indicators that would reveal the most relevant information about the operational performance of the facilities being compared.
- The second step was to identify the source of those measures. Where would the data and information come from and how would it be collected.

- The third step was to define how the information would be validated or verified to be true and accurate.
- The fourth step was to define the value of each indicator, or what the measure was worth.
- The fifth step was to define how the actual comparison would be made.

1. Indicators or Measures

The first set of indicators developed were control measures. They were not given any weight. They were used to verify a "level playing field" for all three facilities. These indicators established a general profile of the nature of inmates in the facilities. The purpose was to verify that there are generally comparable types of inmates in each of the three facilities. The specific indicators to determine the nature of inmates in each facility were:

Age
 Race
 Custody Level or Classification
 Medical Classification
 Education Level

Professional Standards

There are several professional standards that TDOC and CCA must meet. These standards were considered as a minimum mandatory requirement for facilities operated by the State and are required in the contract with CCA.

The comparative evaluation used the reports submitted by the standard setting or regulatory agencies as a base for minimum professional standards. No score or value was given in the comparative evaluation, since it is considered a minimum mandatory requirement. The reports are listed in the reference section of this report. They are on file in the administrative offices of the SOCC.

The professional standards reports include:

The American Correctional Association (ACA) Accreditation report. Each of the facilities was required to be accredited.

The State Fire Marshal's inspection reports.

State Education Department standards regarding academic or vocational education administration or programs.

The health and sanitation inspection reports of food service areas and other areas done by State & Local Health Departments.

Audit

An operational audit was conducted at each of the three facilities. This audit is very similar to the annual inspection process conducted by the TDOC Office of Compliance. The purpose was to conduct an inspection of programs and operations at the three facilities. There are several reasons this audit approach was selected:

- 1 The annual inspection instruments used by TDOC required minimum modification in order to be applicable to the comparative evaluation requirements.
- 2 The annual inspection approach and process was recognized by the Federal Court in the Grubbs litigation.
- 3 TDOC staff and Compliance personnel were familiar with the approach and the use of the instruments.
- 4 It provided a high probability of producing a consistently applied inspection at each facility.
- 5 The inspection instruments were comprehensive and complete. They provided a thorough inspection of all the functional components of each facility.

Terms and Definitions

- A. Audit Inspection: A detailed observation and written evaluation of the appearance, physical condition, and overall operation of each institution inspected.
- B. Inspection Team: A team leader and inspectors comprised of both TDOC central office and field staff and CCA staff to conduct the inspection. No inspection team member worked at any of the three facilities.
- C. Inspection Instrument: Detailed forms which each inspector used in scoring the degree of compliance with TDOC and CCA and institutional policy, ACA standards, and other applicable rules and regulations.
- D. Inspection Period: The time period covered during the inspection. This represents the time since the last formal inspection.
- E. Compulsory Status: Items on the inspection instrument which were noted as compulsory and will, therefore, be reviewed on all inspections.
- F. Elective Status: All items on the instrument which are not denoted as compulsory; a sample of which was selected at random by the Director of Compliance/designee for review on all inspections. A review of all

elective items was automatically conducted during the inspection of non-accredited institutions.

All Compulsory and Elective items were used for both audit inspections at all three facilities.

- G. Compliance: The rating applied when a requirement was met at least 90% of the time during the inspection period. Any variance from this percentage was approved in writing by the Director of Compliance.
- H. Noncompliance: The rating applied when a requirement was met less than 90% of the time during the inspection period. Any variance from this percentage was approved in writing by the Director of Compliance.
- I. Corrective Action Plans: Detailed explanations from the facility administrator or warden explaining how each deficiency noted in the annual inspection would be corrected. Corrective action plans include a statement identifying each deficiency, procedures for correcting each deficiency, and an anticipated completion date.
- J. Reinspection: An on-site review of actions taken by the institution to correct areas found in noncompliance during the audit inspection. Reinspection normally occurred within 120 days following the initial inspection.

AUDIT POLICY: Two audit inspections were conducted at all three facilities in the comparative evaluation process. They were conducted in accordance with the following procedural guidelines.

PROCEDURES:

A. Development of Inspection Instruments:

- 1. The Director of Compliance reviewed the inspection process and instruments based on TDOC and CCA Policy Directives as required. As deemed necessary, any changes/updates to the instruments were made by the respective section director and assistant commissioner, in consultation with the Director of Compliance.
- 2. Each inspection instrument included those items relevant to the effective management and operation of the institution.
 - a. All items to be inspected were included on each instrument. Specific items in each area were referenced with the particular TDOC policy, CCA policy, ACA standard, and/or other applicable rules and regulations.
 - b. Each item inspected was assigned a compulsory status.

- c. Each item on the instruments was given a rating of either "Compliance" or "Noncompliance" in accordance with the definitions above.
- d. Each instrument reflected annual revisions in TDOC policy, CCA policy, ACA standards, and/or other applicable rules and regulations. The instruments were approved by the parties prior to the beginning of each inspection cycle. Inspection instruments were also revised during any given inspection cycle to reflect changes in TDOC policy, CCA policy, ACA standards, and/or other applicable rules and regulations.
- e. The Director of Compliance ensured appropriate distribution of the instruments upon final approval by the parties, at the beginning of the inspection cycle and as necessary throughout the year.

B. Scheduling Inspections:

1. During the months of October and November 1992, the Director of Compliance, guided by the parties and SOCC staff and Consultant, developed training material and definitions and completed the audit instrument.
2. Starting the week of December 14, 1992, training sessions were held to familiarize the audit inspection team with the instruments and inspection procedures.
3. During early February 1993, a "mock" audit was conducted at the Riverbend facility. This practice session prepared the team for the actual inspections of the three facilities that started in the Spring of 1993.
4. Institutions were notified in writing of inspection dates by the Director of Compliance, by January 1993. Following the release of the inspection schedule, dates were not changed unless approved by the Director of Compliance.
5. The duration of an inspection depended on the size and complexity of the location inspected, but in no event did an inspection exceed five days.

Schedule

<u>Facility</u>	<u>Audit</u>	<u>Date</u>
NECC	1st	April 1992
NECC	2nd	March 1993
SCCC	1st	April 1993
NWCC	1st	June 1993
SCCC	2nd	March 1994
NWCC	2nd	April 1994

C. Appointment of Inspection Team:

1. By January, 1993, TDOC and CCA submitted to the Director of Compliance the names of individuals under their supervision with various areas of expertise to serve on the inspection teams. An alternate list of nominees was submitted by the same date. Alternates were used as necessary.
2. Inspection team members were selected to provide a balance of expertise. Appointments to inspection teams were made for the two audit inspections at each of the three facilities in the comparative evaluation, by the Director of Compliance, to give team members ample notification of their particular assignment and to avoid scheduling conflicts. Appointment notifications were sent to TDOC and CCA at least 20 days before the training session and 30 days before an inspection was scheduled to begin.
3. Team members appointed from institutions were selected to the extent possible from outside the region of the institution to be inspected. In no case was a team member presently assigned to any of the three facilities under inspection.
4. The Team leader and alternate were selected by the Director of Compliance.
5. Official notification ("Inspection Team Assignment", CR-2534) was prepared by the Director of Compliance, approved by the parties, and forwarded to the team leader and members at least 30 days prior to the inspection date. Team leaders were responsible for notifying the team members of logistical arrangements for the inspection at least 10 working days prior to the date of the inspection.
6. In the event a member of the team was unable to participate in his/her assigned inspection, notification was made to the respective TDOC or

CCA administrator. The Director of Compliance selected a designated alternate from the list, with the agreement of the parties.

7. The inspection team and major inspection components are depicted in the following table. The Security area inspector should be a Captain or above. The Treatment area inspector should be an Associate or Deputy Warden and the Health Services inspector should be at least a Health Administrator.

<u>Functional Component</u>	<u>TDOC</u>	<u>CCA</u>
Administration	2	0
Safety & Physical Plant	1	1
Health Services	1	1
Treatment	1	1
Security	1	1

D. General Sequence of Inspection Activities:

1. The compliance unit prepared a narrative, detailing the instructions for conducting the inspection, which was sent to the team leader prior to the inspection.
2. Upon arrival at the site, or at a designated time prior to the beginning of the inspection, refresher training was provided by the team leader for all team members in the use of the inspection instruments and in procedures for conducting the inspection. All inspection activities were coordinated by the team leader.
3. Prior to beginning the actual inspection, the inspection team met with the appropriate institution personnel for a briefing session.
4. The team leader was responsible for personally observing and monitoring each team member during a portion of the inspection, to assess the inspector's performance and objectivity, and to address any questions that the team members may have had in regard to the inspection process. The team leader was also responsible for inspecting certain areas determined by the Director of Compliance.
5. The team members were sent to their respective areas with the cooperation of the appropriate location staff. Team members were encouraged to talk with staff and inmates/probationers and observe activities that helped them score each instrument; such as, attending disciplinary board hearings, meal servings, etc.
6. Each instrument was rated individually. Compulsory and elective items were totaled separately on the final page of each inspection instrument.

7. The team periodically reassembled under the direction of the team leader to discuss and assess their progress and findings. Prior to each exit conference, the team leader met with the inspector to discuss the results and review any items found in noncompliance.
8. An exit conference was conducted for each area inspected. The team leader, inspector, institution administrator and appropriate staff, and the SOCC staff or consultant attended each conference, with the exception of Northeast. Detailed information regarding the results of the inspection, which included an explanation of all items found in noncompliance, was discussed with the staff. Copies of all completed inspection instruments, with reasons for each deficiency clearly stated, were made available to the warden at the time of the exit conference.
9. Revisions to the ratings recorded by inspectors were not made without the approval of the team leader and the Director of Compliance. Reasons for any such revisions were clearly noted on the inspection instrument.
10. Following the exit conference, the team leader collected the original inspection instruments from the team members and compiled a summary report for the SOCC staff and consultant, the parties, and the Director of Compliance, within 10 working days. The original set of inspection instruments was included with the summary report sent to the Director of Compliance.
11. Simultaneously, a copy of the summary report was forwarded to the warden of the subject location.
12. Within 15 working days of the receipt of the inspection report, the warden submitted a statement of management response to the Director of Compliance, with corrective action plans for each compulsory and elective item found in noncompliance. Management's response also indicated any reasons for not concurring with inspection results.
13. The Director of Compliance reviewed each inspection report and management's response with the parties and SOCC staff and consultant, and discussed corrective action plans and any disagreements and discrepancies in the inspection findings. Inadequate corrective action plans were adjusted by the institution, as necessary.

E. Reinspection:

1. The Director of Compliance determined which of the areas found in noncompliance should be reinspected, and notified the appropriate regional administrator within 60 days of the initial inspection. The reinspection was scheduled and conducted within 60 days following receipt of this notification. The team leader, along with agreed upon member(s) of the team, participated in the reinspection.
2. Reinspection was limited to deficient areas, and included a review of actions taken between the end of the initial inspection and the time of the reinspection. Reinspections did not exceed three days.
3. The regional administrator and/or the reinspection team leader prepared a summary report outlining the results of the area(s) inspected. The summary report was sent to the Director of Compliance within 10 working days. The warden received a copy of the summary report and reinspection instruments. The Director of Compliance was given the original set of reinspection instruments.
4. The Director of Compliance submitted a final report to the parties and SOCC staff and consultant summarizing the inspection, which included activities/results, management response, resolution of any disagreements, and the status or outcome of any reinspection. All original inspection reports and instruments have been maintained in the office of the Director of Compliance for the year in which the inspection was conducted. The instruments will then be placed in the Planning and Research library for a period of three years.

Security and Safety Index

The security and safety evaluation considered a wide variety of factors. This indicator has not been scored by numerical subsets of criteria. After considerable discussion by the parties, it was agreed that the SOCC staff and consultant would review the factors described below. We started with the presumption of full security and safety compliance and practice, and then have identified and described deficiencies.

This area is very difficult to quantify. It requires substantial professional judgment. There is considerable crossover or interrelationship among many factors when making a judgment about the quality of security and safety in a prison. The objective is to provide the SOCC with several types of data in this element. There is the direct counting of reports, events, and activities. There will be the opinion of TDOC and CCA. There will be the opinion of SOCC staff and the consultant.

The SOCC staff and consultant will consider a number of factors described below. These factors will be described and given a subjective value. They will be reviewed with TDOC and CCA officials.

Some of the factors considered:

1. Disciplinary Reports. The element reviewed was the issuance of disciplinary write-ups. The use of sanctions such as disciplinary segregation, denial of earned time, or the revocation of earned time, were reviewed.
2. The Use Of Force. The use-of-force practices and application at all levels, from the minimum use of the laying-on of hands in physical redirection or restraint to the use of deadly force, were reviewed.
3. Assaults. The number and nature of inmate-on-inmate and inmate-on-staff assaults were reviewed.
4. Deaths. The number and nature of inmate and staff deaths were reviewed.
5. Injuries. The number and nature of inmate and staff injuries were reviewed.
6. Escapes. The number and nature of escapes were reviewed.
7. A general review was made of such other security and safety issues as fires, unusual incidents, disturbances, response team actions, contraband reports, use of protective custody, and random drug test results.

Program and Activity Index

The program and activity index measures inmate assignments, and inactivity or idleness. A reporting process to record and report inmate assignments is in place. It is reported monthly. The following assignments and activities were reported:

Programs and Activities
Major Daily Activity Distribution
Academic Education
Vocational Education
Program Services
Industries
Farms
Worklines
Outside State Agency
Other Outside Agency
Community Service
Work Release
Mental Health Program
Boot Camp

Other
Total Assigned Inmates

Medical/Therapeutic
Segregation
Protective Custody
Initial Classification
Classification - Awaiting Transfer
Long-Term Out Count
Temporary Custody
Total Unassigned Inmates Due to Status

Total Job Waiting
Total FTE Inmates
Unduplicated Count
Assigned
Unassigned Due To Status
Job Waiting

Total Inmates

The critical element reported and compared is "Job Waiting." This element represents inmates who are otherwise classified and qualified, but there is no assignment to give them. The following scoring has been agreed to by the parties:

Job Waiting Percent	Value
0-7 %	3
7.1-10 %	2
10.1-20 %	1
20.1 + %	0

The percent of job waiting has been adjusted for shortages in the planned number of industry job assignments.

There was a jobs audit once in the final 15 months of the term. CCA and DOC had a representative to conduct the jobs audit.

Based on the jobs audit and periodic verification of program and activity assignments by the SOCC staff and consultant, adjustments were made to the aggregate score associated with the fifteen (15) percent allocated to the program and activity indicators.

Survey

An inmate and staff opinion survey was considered but not used. It would not have been scored or compared in the evaluation. The purpose of such an attitudinal

survey would have been to gain further insights into operational issues and to get subjective satisfaction indicators from inmates and staff.

2. Source

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

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

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

3. Validation

The primary process of validating or verifying the data and information routinely reported by TDOC and CCA was the Performance Compliance Audit and the Jobs Audit. However, a cross-check on various reports and records was done to validate the data submitted. For example, an incident involving an inmate-on-inmate assault may involve a disciplinary report, a medical report, a use-of-force report, etc. By cross-checking several types of reports and randomly interviewing staff and inmates, we formed an opinion on the validity of the reporting process. By cross-checking this information with the performance and job audits, we made a judgment about the accuracy of the information we were receiving.

4. Value or Weight

The value or numerical weight given to each indicator or measure previously discussed is agreed-to by the parties as follows:

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

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

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

5. Comparison

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

During the development of this design approach, it was clear that the parties were concerned about a process that concludes with a numerical score. They were concerned about being given a score that may be misunderstood or misinterpreted. Since this project does not attempt to have scientific rigor, it may well be misleading and imply a sense of false precision to rely on a numerical score. On the other hand, it is essential to give some weight and value to indicators and measures used, or this becomes an exercise solely in personal opinion. We have tried to avoid the limits of heavy reliance on a numerical score. The audit, security and safety, and program and activities measures are given a numerical score. They are supported by interpretations and explanations. The intent is to provide substantial justification and explanation to the value given various indicators and measures selected.

In each area where deficiencies are noted or comments are made by the SOCC staff or consultant, an opportunity has been given to TDOC or CCA to present facts or evidence to clarify any misunderstandings and correct any misrepresentations. The final draft report has been given to both TDOC and CCA for comment before it is delivered to the SOCC. If TDOC and/or CCA choose, they can submit a written response to the final report. Such response will be attached and submitted with the final report for the SOCC's consideration.

In the final analysis, the SOCC will review the comparative evaluation report, interpret the numerical scores and the judgments and comments of the parties and the staff and consultant, question the parties, the staff and the consultant, and make a judgment as to the comparative quality of services between the contractor and the state.

LIMITATIONS

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

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

- The first limiting factor was that each of the three institutions opened at different times. There was nearly a 1 1/2 year difference between the opening of Northeast and Northwest Correctional Centers. The methodology attempted to account for this starting time discrepancy by picking points in time that were consistent for data collection and evaluation. However, the fact remains that one institution had more than a year's experience over the other two institutions.
- There was an initial apparent lack of clarity regarding authority and responsibility, as it related to "care, custody, and control" by the private operator. This report is not an attempt to discuss or describe contractual language or responsibilities between the State and the private operator. However, the complexities in operational practices with regard to disciplinary authority and responsibility between the State and the private operator took several months to resolve. This critical period of opening and operating a new prison usually sets the tone for the operation, for a long time. This is not a quantifiable observation, but is based on the experience of opening prisons and jails and observing the impact of an organized transition and activation process, and the first year of operation of a new prison.
- The quality of data used in any evaluation is critical. The initial plan for the methodology was to use the State's Tennessee Offender Management Information System, (TOMIS) as the primary data source. The TOMIS system was being developed as the comparative evaluation data was being collected. This resulted in an inability to obtain certain data, a change in data reporting formats, and an agreement by the State and the private contractor to use certain data collection and verification efforts. It should be noted that the State, particularly the Department of Correction's Planning and Research Division, did an excellent job in controlling, managing, and reporting on the quality and quantity of data used throughout this comparative evaluation.
- The demands placed on the Office of Compliance, Tennessee Department of Correction, were not fully anticipated. The workload and tasks associated with contract monitoring, compliance monitoring, liaison and communication responsibilities were substantial. The TDOC Office of Compliance assumed these additional responsibilities and did an excellent job in coordinating and reporting compliance issues for the comparative evaluation process.
- The corrections system must be flexible to meet the demands of a constantly changing inmate population. A limiting factor in this comparative evaluation was some of the demand for change on the system. For

example, during some of the evaluation period, the Northwest Correctional Center was partly used as a reception center because of system demands.

- A primary focus of the programs and activities associated with the correctional system was inmate jobs and work assignments. The industry component at each of the three facilities that was anticipated to supply substantial jobs, did not meet expectations.

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

Section 3 Measures and Indicators

The following set of measures and indicators were used as controls to demonstrate the comparability of the three facilities. The data was taken at several points in time. Fluctuations in these categories will change almost daily in a prison population, but the range of fluctuation of these indicators over time appear to be marginal as to their impact for comparison purposes. Their differences are what is important. The purpose was to establish a general profile or nature of the prisoner population at each of the three facilities. The differences are commented on following a review of the tables.

The specific indicators used were:

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

Age:

<u>Population Distribution By Age *</u>	<u>NECC</u>	<u>SCCC</u>	<u>NWCC</u>
Average Age	34	33	29

* From the stock population of April 11, 1994

There is an average age difference of five years among institutions. The Northwest Correctional Center has the youngest population, with an average age of 29. The Northeast Correctional Center has the highest average age of 34. The average age difference among prisoners at the three facilities is marginal.

Race:

<u>Population Distribution By Race *</u>	<u>NECC</u>	<u>SCCC</u>	<u>NWCC</u>
Black	22.6 %	47.5 %	78.2 %
White	77.3 %	52.1 %	21.4 %
Other	0.1 %	0.4 %	0.4 %

The racial distribution among and within the three facilities appears to be generally consistent with the racial distribution of the geographic areas where the three facilities are located. For example, the Northwest Correctional Center, located in the northwestern corner of the State, draws its prison population primarily from the Memphis metropolitan area. The Northeast Correctional Center, located in the far northeast corner of the State, draws its population from the eastern part of the State. The South Central Correctional Center, located in middle Tennessee, draws its population from the geographical center of the State.

There is a different racial mix of populations at the three facilities. It is interesting to note that there is a more urban and younger population at NWCC and a more rural and older population at NECC. SCCC seems to be a mix. This dichotomy appears consistent with TDOC 's other facilities that are similar in geographical locations.

Classification:

The classification process is designed to objectively identify the security supervision and program requirements of prisoners, and to match those requirements with the appropriate security level of space. The security level of space is primarily defined by the degree of difficulty in penetrating a barrier, zone or perimeter.

Tennessee uses a multi-level custody process as follows:

- Maximum
- Close
- Medium
- Minimum Restricted
- Minimum Direct
- Minimum Trustee

The following tables depict the custody level of prisoners at the three facilities during the first and second years of operation.

First Year of Operation**Distribution**

<u>Category</u>	<u>NECC</u>	<u>SCCC</u>	<u>NWCC</u>
	3/91 - 2/92	3/92 - 2/93	6/92 - 5/93
Maximum	1.8	0.3	0.0
Close	26.5	5.6	13.0
Medium	439.5	385.6	231.2
Min-Restricted	245.7	283.0	265.4
Minimum	124.6	142.5	120.8
Unclassified	0.0	0.0	92.8
In-House Population	838.2	817.1	723.3
Protective Custody	21.8	31.8	35.8
Punitive Segregation	8.9	22.3	15.1

Percentage

Maximum	0.0	0.0	0.0
Close	3.0	1.0	2.0
Medium	52.0	47.0	32.0
Min-Restricted	29.0	35.0	37.0
Minimum	15.0	17.0	17.0
Unclassified	0.0	0.0	13.0
In-House Population	100.0	100.0	100.0
Protective Custody	3.0	4.0	5.0
Punitive Segregation	1.0	3.0	2.0

Classification (cont)

Second Year of Operation

Distribution

<u>Category</u>	<u>NECC</u>	<u>SCCC</u>	<u>NWCC</u>
	3/92 - 2/93	3/93 - 2/94	5/93 - 4/94
Maximum	0.2	4.1	0.5
Close	25.4	19.1	20.0
Medium	442.8	354.8	334.3
Min-Restricted	292.2	437.2	381.2
Minimum	164.8	146.1	292.6
Unclassified	3.4	0.0	0.1
In-House Population	928.8	961.3	1028.7
Protective Custody	37.1	37.0	29.7
Punitive Segregation	10.8	15.5	16.4

Percentage

Maximum	0.0	0.0	0.0
Close	3.0	2.0	2.0
Medium	48.0	37.0	32.0
Min-Restricted	31.0	45.0	38.0
Minimum	18.0	15.0	28.0
Unclassified	0.0	0.0	0.0
In-House Population	100.0	100.0	100.0
Protective Custody	4.0	4.0	3.0
Punitive Segregation	1.0	2.0	1.0

There was a small percentage of close-custody inmates at each of the three institutions. The distribution remained relatively constant over the first and second years of operation. The Northeast Correctional Center had the highest percentage of medium-security inmates, in both the first and second year of operation. The distribution of medium-security inmates was relatively constant between the first and second year, at all three institutions. At South Central, there was a decrease of 10% during the second year of operation. The distribution of protective custody and punitive segregation inmates remained relatively low and constant at all three institutions, during both the first and second year of operation.

The population did shift from one category to another during the two year period at each facility. That type of shift is typical of any prison population over time. There was no significant difference in the prison population at the three facilities from a custody level perspective.

Medical:

To understand why medical indicators were used, it is helpful to understand the various health classifications and their potential impact on operations in a facility. The following TDOC policy, terms, and descriptions apply to the medical indicators used.

- A. A health classification shall be conducted on each inmate by a medical practitioner. The classification shall be completed in conjunction with the initial and periodic health appraisal/physical examination and recorded on Health History and Report of Physical Examination, CR-2007, Page 7, and Health Classification Summary, CR-1886, Rev. 4/92. The initial health classification shall be reviewed, updated, documented and signed at the time of the periodic health appraisal, or at other times as deemed appropriate by the medical practitioner. If any changes are noted, a new CR-1886 shall be completed and issued. The following codes relate to the physical/mental condition:
1. Class A No Restriction: Class A indicates that there are no physical/mental disabilities that would interfere with an inmate's job or housing assignments. No restrictions on recreational activities or capability to participate.
 2. Class B Moderate Restriction: Class B indicates that there is a physical/mental condition which places certain limitations on the capabilities of the inmate. The specific limitations must be indicated on CR-1886. Examples include:
 - a. No severe physical exertion. No lifting or carrying. No running or rapid walking of any distance, or other physical activity that would cause some shortness of breath in a normal individual. These restrictions relate to health conditions such as hypertension, chronic lung disease, chronic asthma, hernia, etc.
 - b. No excessive bending or excessive lifting. This includes individuals with deformities, stiff or malfunctioning joints of the lower spine, pelvis or lower extremities. The condition most commonly seen is the person with a past history or recurrent episodes of disability from low back pain, or where there is sufficient radiological evidence of pathology which could give substantial reason to believe the inmate may develop a low back syndrome.
 - c. Restricted to ground level. This restriction may apply to individuals with deformities, amputees who utilize prostheses, or where other limitations apply to the use of extremities. Other conditions which may be restricting might be a fear of

heights, under which condition an inmate may be a danger to himself or others. Restrictions to ground level may also apply to those who have seizure disorder, fainting episodes, or episodes of vertigo or dizziness.

- d. Restricted from operating machinery or heavy equipment. This restriction may apply to those who have seizure disorder, fainting episodes, or episodes of vertigo or dizziness.
 - e. No prolonged periods of standing or walking. This restriction may apply to those individuals with painful arches, severe varicose veins, deformities of the lower extremities, and serious vascular diseases of the extremities.
 - f. Other conditions requiring restrictions:
 - (1) Certain mental disorders and mental retardation with substantial impairment, as determined by a psychiatrist or psychologist, may necessitate special consideration relative to the inmate's limitations. There shall be joint consultation between the practitioner and the warden prior to taking any such action regarding the identified mentally ill or mentally retarded, and their housing and program assignments.
 - (2) Certain infectious diseases may limit an inmate's assignment. Any necessary limitations should be confirmed by documented consultation with the Communicable Disease Control Division of the Tennessee Department of Health.
3. Class C Severely Restricted: Class C indicates the presence of serious limitation. The nature of the condition or disability shall be documented. Class C designation, however, does not necessarily preclude the inmate from participating in certain program or recreational activities determined to be acceptable by the physician or other medical practitioner.

The following table depicts the medical categories of prisoners at the three facilities from the stock population of April 11, 1994.

<u>Population Distribution</u>	<u>NECC</u>		<u>SCCC</u>		<u>NWCC</u>	
Medical Categories	Actual	Percent	Actual	Percent	Actual	Percent
Category "A"	698	78.69	884	89.56	885	80.16
Category "B"	171	19.28	96	9.73	212	19.20
Category "C"	18	2.03	7	0.71	7	0.63
TOTALS:	887	100.00	987	100.00	1104	100.00

This table is from the stock population of June 14, 1994.

<u>Population Distribution</u>	<u>NECC</u>		<u>SCCC</u>		<u>NWCC</u>	
Medical Categories	Actual	Percent	Actual	Percent	Actual	Percent
Category "A"	720	77.59	941	79.21	968	89.55
Category "B"	189	20.37	240	20.20	105	9.71
Category "C"	19	2.05	7	0.59	8	0.74
TOTALS:	928	100.00	1188	100.00	1081	100.00

All three institutions were relatively comparable with regard to categories A, B, and C medical prisoners. The highest percentage of category A medical prisoners was at South Central, with 89.56%. The highest percentage of category C prisoners was at Northeast, with 2.03%.

A review of the stock population of April 11 and June 14 indicates that category C, the most severely restrictive medical category, is relatively constant at all three institutions. The greatest fluctuations occur in medical categories A and B.

Education:

The following tables depict the education distribution on two dates, for the three facilities. The tables show an education category that ranges from grades 1-12, four years of college, and post-graduate levels. Education category 99 depicts GED equivalency. The table depicts the actual number in each category, as well as the percent, for the stock population on April 11, 1994 and June 14, 1994.

The educational ranges are very similar for all three institutions. The GED equivalency is depicted in these tables as comparable and much higher at both South Central and Northwest than at Northeast.

Count from Stock Population for Highest Grade Completed from April 11, 1994

<u>Population Distribution</u>	<u>NECC</u>		<u>SCCC</u>		<u>NWCC</u>	
Education Categories	Actual	Percent	Actual	Percent	Actual	Percent
1	0	0.00	1	0.10	0	0.00
2	4	0.42	2	0.20	0	0.00
3	8	0.84	6	0.60	3	0.29
4	5	0.52	6	0.60	1	0.10
5	17	1.77	6	0.60	4	0.39
6	19	1.98	10	1.00	12	1.18
7	34	3.55	35	3.51	25	2.45
8	101	10.54	71	7.12	75	7.36
9	112	11.69	106	10.63	121	11.87
10	120	12.53	135	13.54	158	15.51
11	123	12.84	129	12.94	159	15.60
12	220	22.96	204	20.46	153	15.01
13	31	3.24	24	2.41	26	2.55
14	17	1.77	7	0.70	11	1.08
15	2	0.21	0	0.00	1	0.10
16	7	0.73	3	0.30	3	0.29
17	4	0.42	6	0.60	2	0.20
18	3	0.31	3	0.30	1	0.10
99 (GED)	131	13.67	243	24.37	264	25.91
TOTALS:	958	100.00	997	100.00	1019	100.00

Count from Stock Population for Highest Grade Completed from June 14, 1994

Population Distribution

NECC

SCCC

NWCC

Education Categories	Actual	Percent	Actual	Percent	Actual	Percent
1	0	0.00	1	0.09	0	0.00
2	2	0.20	2	0.19	0	0.00
3	8	0.81	6	0.57	3	0.27
4	5	0.51	5	0.47	1	0.09
5	17	1.72	7	0.66	5	0.46
6	20	2.03	14	1.32	14	1.28
7	34	3.45	32	3.02	24	2.20
8	97	9.84	74	6.97	82	7.51
9	116	32.77	108	30.51	130	36.72
10	123	12.47	145	13.67	160	14.65
11	133	13.49	140	13.20	182	16.67
12	226	22.92	220	20.74	161	14.74
13	32	3.25	25	2.36	24	2.20
14	19	1.93	9	0.85	11	1.01
15	2	0.20	0	0.00	1	0.09
16	8	0.81	3	0.28	3	0.27
17	5	0.51	7	0.66	3	0.27
18	3	0.30	3	0.28	2	0.18
99 (GED)	136	13.79	260	24.51	285	26.19
TOTALS:						

The measures and indicators selected and the data presented in the tables above depict the similarities and differences in the population profile of the three institutions at particular points in time. It should be pointed out that the data reflects different points in time, and that the similarities and differences would fluctuate if different dates were used.

The indicators and measures described above provide sufficient detail to get a general profile of the prisoner population at each of the three facilities. Further, they meet the criteria required in the methodology. Most importantly, they indicate that the prisoner population at the three facilities is very similar.

Section 4 Standards

This section consists primarily of the two annual audits. These audits were very similar to the annual inspection process conducted by TDOC for compliance with ACA. A separate process was developed for the comparative evaluation inspection. It was described in detail in the Methodology section of this report.

The audit or inspection instruments have been upgraded and slightly modified during the course of the evaluation process. As they were improved, they were reviewed by the parties.

ACA Accreditation

The State and CCA received ACA accreditation for the three facilities during the evaluation process. It should be noted that the State has received accreditation for all of its facilities; the first State in the country to receive that distinction.

Northeast Correctional Center was accredited as the result of an ACA Accreditation Team inspection in June 1993. They had a score of 98.78. South Central was accredited as the result of an inspection in October 1993. Their score was 99.29. Northwest was accredited in June 1994. Their score was 98.88.

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

All facilities were accredited on the first audit with very high scores. The annual inspection process and the comparative evaluation inspections may have contributed to the results. The ACA accreditation results demonstrate a very close comparison among the three facilities.

There were several comments in the ACA Audit Team reports that bear inclusion in this report.

1. All three institutions missed two categories.
 - a. The tenure or length of service of the warden was too short.
 - b. The ratio of inmates to showers was too high.
2. The confidentiality of personnel files was rated differently because:
 - a. The State missed the requirement for confidentiality of personnel files because of "sunshine" regulations.

- b. CCA's personnel files are confidential and private.
3. NWCC received two non-compliance ratings for no industry.
 - a. The inmate population exceeded 10% unassigned for too long.
 - b. There were not enough employees assigned to industry.
4. NECC and SCCC received a non-compliance because their roof-top recreation areas are fourteen feet and the standard is eighteen feet. NWCC complied because the roof-top is sloped, where the recreation roof-tops at NECC and SCCC are flat.
5. NECC also received a non-compliance because they didn't have two chairs in all the areas where there were double cells or multiple occupancy.

These minor distinctions make a difference in the score, even though they were very minor. All three institutions received very high scores and were accredited by the ACA on the first inspection. These comments are intended to describe some differences, and the level of detail with which ACA accreditation will affect scoring.

Annual Inspections

The annual inspection consisted of a team of TDOC and CCA staff with different skills and areas of responsibility, conducting a detailed review of records, observing operations and practices, and conducting interviews.

The inspection focused on the following major functional components of the facilities:

- Administration
- Safety and Physical Plant
- Health Services
- Treatment
- Security

Each inspection averaged three full days for the team at each site. The following forms are a summary of the first and second inspections at each facility.

Northeast Correctional Center - Fiscal Year 91-92 - First Inspection

ADMINISTRATION I-VII	% Compliant	% Non-Compliant
Policies and Procedures	100.0%	0.0%
Fiscal Management	95.2%	4.8%
Motor Vehicle Management	100.0%	0.0%
Personnel	100.0%	0.0%
Affirmative Action	100.0%	0.0%
Training and Employee Orientation	100.0%	0.0%
Food Service	44.1%	55.9%
SAFETY AND PHYSICAL PLANT CONDITIONS I-III		
Fire and Occupational Safety	93.7%	6.3%
Maintenance and Physical Plant Conditions	95.7%	4.3%
Sanitation Practices	94.4%	5.6%
HEALTH SERVICES I-IV		
Dental Care	100.0%	0.0%
Health Care Administration	94.0%	6.0%
Pharmacy Services and Medication Management	85.7%	14.3%
Health Records	100.0%	0.0%
Health Care Facilities and Equipment	100.0%	0.0%
MENTAL HEALTH SERVICES		
Mental Health Services	84.6%	15.4%

TREATMENT I-II		
I. Treatment Services	100.0%	0.0%
Classification		
Inmate Orientation	100.0%	0.0%
Inmate Institutional	92.9%	7.1%
Records		
Library Services	100.0%	0.0%
Inmate Council	N/A	N/A
Legal Council and	N/A	N/A
Materials		
Grievance Procedures	N/A	N/A
Inmate Organizations	N/A	N/A
General Policy	94.1%	5.9%
Compliance		
II. Treatment Programs	100.0%	0.0%
Social Programs		
Pre-Release Programs	100.0%	0.0%
Religious Programs	100.0%	0.0%
Inmate Jobs	69.2%	30.8%
Educational Programs	100.0%	0.0%
Volunteer Services	100.0%	0.0%
Recreation and	100.0%	0.0%
Leisure Time Activities		
SECURITY I-VII		
I. Security	90.9%	9.1%
Population Count		
Housing Assignments	100.0%	0.0%
Inmate Passes	77.8%	22.2%
II. Security	100.0%	0.0%
Firearms		
Qualifications		
Armory Control	100.0%	0.0%
Use of Force, Deadly	100.0%	0.0%
Force, and Security		
Devices		
Use of Chemical	100.0%	0.0%
Agents		

III. Security	88.2%	11.8%
Control of Gates, Perimeter, and Communications		
Searches	100.0%	0.0%
Security Inspections	100.0%	0.0%
IV. Security	94.1%	5.9%
Key Control		
Tool Control	100.0%	0.0%
V. Security	100.0%	0.0%
Property Room		
Disposition of Contraband	100.0%	0.0%
Inmate Mail - Mail Room	100.0%	0.0%
VI. Security	100.0%	0.0%
Uniform Disciplinary Procedures		
Living Conditions for Segregated Inmates	100.0%	0.0%
Post Orders	100.0%	0.0%
Security Staff Assignments	100.0%	0.0%
VII. Security	100.0%	0.0%
Visitation		
Escorted Emergency Visits	100.0%	0.0%
Drug Testing for Security Purpose	100.0%	0.0%

South Central Correctional Center - Fiscal Year 92-93 - First Inspection

ADMINISTRATION I-VII	% Compliant	% Non-Compliant
Policies and Procedures	100.0%	0.0%
Fiscal Management	100.0%	0.0%
Motor Vehicle Management	0.0%	0.0%
Personnel	72.7%	27.3%
Affirmative Action	100.0%	0.0%
Training and Employee Orientation	100.0%	0.0%
Food Service	67.3%	32.7%
SAFETY AND PHYSICAL PLANT CONDITIONS I-III		
Fire and Occupational Safety	69.6%	30.4%
Maintenance and Physical Plant Conditions	88.9%	11.1%
Sanitation Practices	84.2%	15.8%
HEALTH SERVICES I-IV		
Dental Care	92.3%	7.7%
Health Care Administration	77.8%	22.2%
Pharmacy Services and Medication Management	95.0%	5.0%
Health Records	75.0%	25.0%
Health Care Facilities and Equipment	100.0%	0.0%
MENTAL HEALTH SERVICES		
Mental Health Services	73.1%	26.9%

TREATMENT I-II		
I. Treatment Services	80.0%	20.0%
Classification		
Inmate Orientation	100.0%	0.0%
Inmate Institutional	100.0%	0.0%
Records		
Library Services	100.0%	0.0%
Inmate Council	0.0%	ERR
Legal Council and	100.0%	0.0%
Materials		
Grievance Procedures	66.7%	33.3%
Inmate Organizations	100.0%	0.0%
II. Treatment Programs	100.0%	0.0%
Social Programs		
Pre-Release Programs	100.0%	0.0%
Religious Programs	100.0%	0.0%
Inmate Jobs	76.9%	23.1%
Education Programs	100.0%	0.0%
Volunteer Services	100.0%	0.0%
Recreation and	100.0%	0.0%
Leisure Time Activities		
 SECURITY I-VII		
I. Security	100.0%	0.0%
Population Count		
Housing Assignments	100.0%	0.0%
Inmate Passes	100.0%	0.0%
II. Security	100.0%	0.0%
Firearms		
Qualifications		
Armory Control	100.0%	0.0%
Use of Force, Deadly	100.0%	0.0%
Force, and Security		
Devices		
Use of Chemical	100.0%	0.0%
Agents		

III. Security	100.0%	0.0%
Control of Gates, Perimeter, and Communications		
Searches	93.3%	6.7%
Security Inspections	100.0%	0.0%
IV. Security	56.3%	43.8%
Key Control		
Tool Control	93.3%	6.7%
V. Security	100.0%	0.0%
Property Room		
Disposition of Contraband	100.0%	0.0%
Inmate Mail - Mail Room	100.0%	0.0%
VI. Security	100.0%	0.0%
Uniform Disciplinary Procedures		
Living Conditions for Segregated Inmates	100.0%	0.0%
Post Orders	100.0%	0.0%
Security Staff Assignments	100.0%	0.0%
VII. Security	100.0%	0.0%
Visitation		
Escorted Emergency Visits	100.0%	0.0%
Drug Testing for Security Purpose	100.0%	0.0%

Northwest Correctional Center - Fiscal Year 92-93 - First Inspection

ADMINISTRATION I-VII	% Compliant	% Non-Compliant
Policies and Procedures	100.0%	0.0%
Fiscal Management	100.0%	0.0%
Motor Vehicle Management	100.0%	0.0%
Personnel	94.3%	5.7%
Affirmative Action	75.0%	25.0%
Training and Employee Orientation	86.7%	13.3%
Food Service	94.5%	5.5%
 SAFETY AND PHYSICAL PLANT CONDITIONS I-III		
Fire and Occupational Safety	64.4%	35.6%
Maintenance and Physical Plant Conditions	85.1%	14.9%
Sanitation Practices	85.0%	15.0%
 HEALTH SERVICES I-IV		
Dental Care	84.6%	15.4%
Health Care Administration	87.0%	13.0%
Pharmacy Services and Medication Management	100.0%	0.0%
Health Records	100.0%	0.0%
Health Care Facilities and Equipment	100.0%	0.0%
 MENTAL HEALTH SERVICES		
Mental Health Services	88.5%	11.5%

TREATMENT I-II		
I. Treatment Services	72.2%	27.8%
Classification		
Inmate Orientation	100.0%	0.0%
Inmate Institutional	100.0%	0.0%
Records		
Library Services	100.0%	0.0%
Inmate Council	100.0%	0.0%
Legal Council and	100.0%	0.0%
Materials		
Grievance Procedures	83.3%	16.7%
Inmate Organizations	100.0%	0.0%
II. Treatment Programs	100.0%	0.0%
Social Programs		
Pre-Release Programs	0.0%	0.0%
Religious Programs	100.0%	0.0%
Inmate Jobs	84.6%	15.4%
Education Programs	88.5%	11.5%
Volunteer Services	90.0%	10.0%
Recreation and	100.0%	0.0%
Leisure Time Activities		

SECURITY I-VII		
I. Security	100.0%	0.0%
Population Count		
Housing Assignments	100.0%	0.0%
Inmate Passes	100.0%	0.0%
II. Security	100.0%	0.0%
Firearms		
Qualifications		
Armory Control	100.0%	0.0%
Use of Force, Deadly	100.0%	0.0%
Force, and Security		
Devices		
Use of Chemical	100.0%	0.0%
Agents		
III. Security	100.0%	0.0%
Control of Gates,		
Perimeter, and		
Communications		
Searches	93.3%	6.7%
Security Inspections	100.0%	0.0%
IV. Security	94.1%	5.9%
Key Control		
Tool Control	100.0%	0.0%
V. Security	100.0%	0.0%
Property Room		
Disposition of	100.0%	0.0%
Contraband		
Inmate Mail - Mail	100.0%	0.0%
Room		
VI. Security	100.0%	0.0%
Uniform Disciplinary		
Procedures		
Living Conditions for	100.0%	0.0%
Segregated Inmates		
Post Orders	100.0%	0.0%
Security Staff	100.0%	0.0%
Assignments		

VII. Security	100.0%	0.0%
Visitation		
Escorted Emergency	100.0%	0.0%
Visits		
Drug Testing for	100.0%	0.0%
Security Purpose		

Northeast Correctional Center - Fiscal Year 92-93 - Second Inspection

ADMINISTRATION I-VII	% Compliant	% Non-Compliant
Policies and Procedures	100.0%	0.0%
Fiscal Management	92.9%	7.1%
Motor Vehicle Management	100.0%	0.0%
Personnel	100.0%	0.0%
Affirmative Action	100.0%	0.0%
Training and Employee Orientation	100.0%	0.0%
Food Service	67.3%	32.7%
 SAFETY AND PHYSICAL PLANT CONDITIONS I-III		
Fire and Occupational Safety	93.1%	6.9%
Maintenance and Physical Plant Conditions	97.7%	2.3%
Sanitation Practices	100.0%	0.0%
 HEALTH SERVICES I-IV		
Dental Care	100.0%	0.0%
Health Care Administration	93.8%	6.3%
Pharmacy Services and Medication Management	100.0%	0.0%
Health Records	100.0%	0.0%
Health Care Facilities and Equipment	100.0%	0.0%
 MENTAL HEALTH SERVICES		
Mental Health Services	96.3%	3.7%

TREATMENT I-II		
I. Treatment Services	100.0%	0.0%
Classification		
Inmate Orientation	83.3%	16.7%
Inmate Institutional	100.0%	0.0%
Records		
Library Services	100.0%	0.0%
Inmate Council	100.0%	0.0%
Legal Council and	100.0%	0.0%
Materials		
Grievance Procedures	57.1%	42.9%
Inmate Organizations	100.0%	0.0%
II. Treatment Programs	100.0%	0.0%
Social Programs		
Pre-Release Programs	100.0%	0.0%
Religious Programs	100.0%	0.0%
Inmate Jobs	100.0%	0.0%
Education Programs	100.0%	0.0%
Volunteer Services	80.0%	20.0%
Recreation and	100.0%	0.0%
Leisure Time Activities		

SECURITY I-VII		
I. Security	100.0%	0.0%
Population Count		
Housing Assignments	100.0%	0.0%
Inmate Passes	100.0%	0.0%
II. Security	100.0%	0.0%
Firearms		
Qualifications		
Armory Control	100.0%	0.0%
Use of Force, Deadly	100.0%	0.0%
Force, and Security		
Devices		
Use of Chemical	100.0%	0.0%
Agents		
III. Security	100.0%	0.0%
Control of Gates,		
Perimeter, and		
Communications		
Searches	100.0%	0.0%
Security Inspections	100.0%	0.0%
IV. Security	94.1%	5.9%
Key Control		
Tool Control	100.0%	0.0%
V. Security	100.0%	0.0%
Property Room		
Disposition of	100.0%	0.0%
Contraband		
Inmate Mail - Mail	100.0%	0.0%
Room		
VI. Security	100.0%	0.0%
Uniform Disciplinary		
Procedures		
Living Conditions for	100.0%	0.0%
Segregated Inmates		
Post Orders	100.0%	0.0%
Security Staff	100.0%	0.0%
Assignments		

VII. Security	100.0%	0.0%
Visitation		
Escorted Emergency	100.0%	0.0%
Visits		
Drug Testing for	100.0%	0.0%
Security Purpose		

South Central Correctional Center - Fiscal Year 93-94 - Second Inspection

ADMINISTRATION I-VII	% Compliant	% Non-Compliant
Policies and Procedures	100.0%	0.0%
Fiscal Management	100.0%	0.0%
Motor Vehicle Management	0.0%	0.0%
Personnel	91.7%	8.3%
Affirmative Action	100.0%	0.0%
Training and Employee Orientation	100.0%	0.0%
Food Service	98.0%	2.0%
SAFETY AND PHYSICAL PLANT CONDITIONS I-III		
Fire and Occupational Safety	82.3%	17.7%
Maintenance and Physical Plant Conditions	100.0%	0.0%
Sanitation Practices	85.0%	15.0%
HEALTH SERVICES I-IV		
Dental Care	100.0%	0.0%
Health Care Administration	100.0%	0.0%
Pharmacy Services and Medication Management	100.0%	0.0%
Health Records	100.0%	0.0%
Health Care Facilities and Equipment	100.0%	0.0%
MENTAL HEALTH SERVICES		
Mental Health Services	100.0%	0.0%

TREATMENT I-II		
I. Treatment Services	100.0%	0.0%
Classification		
Inmate Orientation	100.0%	0.0%
Inmate Institutional	100.0%	0.0%
Records		
Library Services	100.0%	0.0%
Inmate Council	100.0%	0.0%
Legal Council and	100.0%	0.0%
Materials		
Grievance Procedures	100.0%	0.0%
ii. Treatment Programs	100.0%	0.0%
Social Programs		
Pre-Release Programs	100.0%	0.0%
Religious Programs	100.0%	0.0%
Inmate Jobs	93.3%	6.7%
Education Programs	100.0%	0.0%
Volunteer Services	100.0%	0.0%
Recreation and	100.0%	0.0%
Leisure Time Activities		
Inmate Organizations	100.0%	0.0%
SECURITY I-VII		
I. Security	100.0%	0.0%
Population Count		
Housing Assignments	100.0%	0.0%
Inmate Passes	100.0%	0.0%
II. Security	100.0%	0.0%
Firearms		
Qualifications		
Armory Control	100.0%	0.0%
Use of Force, Deadly	100.0%	0.0%
Force, and Security		
Devices		
Use of Chemical	100.0%	0.0%
Agents		

III. Security	100.0%	0.0%
Control of Gates, Perimeter, and Communications		
Searches	91.7%	8.3%
Security Inspections	100.0%	0.0%
IV. Security	100.0%	0.0%
Key Control		
Tool Control	100.0%	0.0%
V. Security	100.0%	0.0%
Property Room		
Disposition of Contraband	100.0%	0.0%
Inmate Mail - Mail Room	100.0%	0.0%
VI. Security	100.0%	0.0%
Uniform Disciplinary Procedures		
Living Conditions for Segregated Inmates	100.0%	0.0%
Post Orders	100.0%	0.0%
Security Staff Assignments	100.0%	0.0%
VII. Security	100.0%	0.0%
Visitation		
Escorted Emergency Visits	100.0%	0.0%
Drug Testing for Security Purpose	100.0%	0.0%

Northwest Correctional Center - Fiscal Year 93-94 - Second Inspection

ADMINISTRATION I-VII	% Compliant	% Non-Compliant
Policies and Procedures	100.0%	0.0%
Fiscal Management	100.0%	0.0%
Motor Vehicle Management	100.0%	0.0%
Personnel	100.0%	0.0%
Affirmative Action	100.0%	0.0%
Training and Employee Orientation	100.0%	0.0%
Food Service	92.6%	7.4%
SAFETY AND PHYSICAL PLANT CONDITIONS I-III		
Fire and Occupational Safety	96.9%	3.1%
Maintenance and Physical Plant Conditions	95.5%	4.5%
Sanitation Practices	85.0%	15.0%
HEALTH SERVICES I-IV		
Dental Care	100.0%	0.0%
Health Care Administration	95.7%	4.3%
Pharmacy Services and Medication Management	100.0%	0.0%
Health Records	100.0%	0.0%
Health Care Facilities and Equipment	100.0%	0.0%
MENTAL HEALTH SERVICES		
Mental Health Services	100.0%	0.0%

TREATMENT I-II		
I. Treatment Services	100.0%	0.0%
Classification		
Inmate Orientation	85.7%	14.3%
Inmate Institutional	92.3%	7.7%
Records		
Library Services	100.0%	0.0%
Inmate Council	100.0%	0.0%
Legal Council and	100.0%	0.0%
Materials		
Grievance Procedures	100.0%	0.0%
Inmate Organizations	100.0%	0.0%
II. Treatment Programs	100.0%	0.0%
Social Programs		
Pre-Release Programs	100.0%	0.0%
Religious Programs	100.0%	0.0%
Inmate Jobs	93.3%	6.7%
Education Programs	96.6%	3.4%
Volunteer Services	63.6%	36.4%
Recreation and	100.0%	0.0%
Leisure Time Activities		
SECURITY I-VII		
I. Security	80.0%	20.0%
Population Count		
Housing Assignments	100.0%	0.0%
Inmate Passes	100.0%	0.0%
II. Security	100.0%	0.0%
Firearms		
Qualifications		
Armory Control	100.0%	0.0%
Use of Force, Deadly	100.0%	0.0%
Force, and Security		
Devices		
Use of Chemical	100.0%	0.0%
Agents		

III. Security	100.0%	0.0%
Control of Gates, Perimeter, and Communications		
Searches	100.0%	0.0%
Security Inspections	100.0%	0.0%
IV. Security	100.0%	0.0%
Key Control		
Tool Control	100.0%	0.0%
V. Security	92.9%	7.1%
Property Room		
Disposition of Contraband	100.0%	0.0%
Inmate Mail - Mail Room	100.0%	0.0%
VI. Security	100.0%	0.0%
Uniform Disciplinary Procedures		
Living Conditions for Segregated Inmates	100.0%	0.0%
Post Orders	100.0%	0.0%
Security Staff Assignments	100.0%	0.0%
VII. Security	100.0%	0.0%
Visitation		
Escorted Emergency Visits	100.0%	0.0%
Drug Testing for Security Purpose	100.0%	0.0%

The following tables summarize the major elements of the annual inspections and compare the first inspection and the second inspection.

First Inspection	NECC		SCCC		NWCC	
	<u>Comp.</u>	<u>Non-C.</u>	<u>Comp.</u>	<u>Non-C.</u>	<u>Comp.</u>	<u>Non-C.</u>
Element						
Administration	80.6	19.4	81.2	18.8	95.3	4.7
Safety & Conditions	94.4	5.6	79.2	20.8	75.4	24.6
Health Services	91.8	8.2	85.2	14.8	90.9	9.1
Mental Health	84.6	15.4	73.1	26.9	88.5	11.5
Treatment	95.5	4.6	93.3	6.7	91.4	8.6
Security	97.1	2.9	95.2	4.8	99.0	1.0
AVERAGE: (**)	90.67	9.35	84.53	15.47	90.08	9.92

** Does not include Correctional Enterprises

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

** Does not include Correctional Enterprises

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

For evaluation purposes the second inspection score was used in the overall comparison. However, it was interesting to note the substantial improvement for all three facilities between the first and second inspections. SCCC made the biggest improvement. It was also interesting to note the very high levels of compliance and the closeness of the scores. This was all the more impressive

since it was done independently with a bi-partisan team. Also, the scores are consistent with the ACA accreditation team ratings.

Section 5 Security and Safety

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

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

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

Statement of Qualifications

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

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

One measure of security and safety is the number and type of assaults that occur in a facility. During the fifteen-month period, NWCC had significantly more assaults than either NECC or SCCC. NWCC reported 165 assaults. NECC reported 69 and SCCC reported 80. 62 of NWCC's assaults resulted in minor injuries to staff. Assaults reported for the three facilities include serious and minor assaults involving staff, inmates and visitors.

Disturbances, or the loss or threat of a loss of control is a measure of the security and safety of a facility. NWCC reported 7 temporary losses of control and NECC and SCCC each reported 2. A review of the 7 incidents at Northwest reflect the differences in reporting as the incidents were very

minor, for example; a disruptive student in a classroom, a disruptive inmate in line to receive clothes, an inmate refusing to enter his cell and being escorted.

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

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

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

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

Serious Incident Reports for the 15 month period July 93 - Sept 94

<u>Type of Incident</u>	<u>NECC</u>	<u>SCCC</u>	<u>NWCC</u>
Arrest			
Furl/Pass-Violent Crime	1	0	0
Felony-OFN	0	0	0
Felony-Staff	0	0	0
Felony-Visitor	1	2	7
Probationer-News Media	0	0	0
Arson-Inj-Prop Damage >\$500-Oper Disrup	0	0	0
Assault			
Staff-Serious	0	3	1
Staff-Injury	13	11	11
Staff-Minor Injury	23	23	62
OFN-Serious	4	1	13
OFN-Injury	16	15	18
OFN-Minor Injury	13	27	58
VIS-Serious Injury	0	0	0
VIS-Injury	0	0	0
VIS-Minor	0	0	2
Bomb Threat	0	0	0
Contraband	216	503	462
Death			
OFN-Natural	1	0	0
OFN-Homicide	1	0	0
OFN-Suicide	0	1	0
Staff (On Duty)	0	0	0
Visitor	0	0	0
Disturbance			
Temp Control Loss	2	2	7
Threat Control Loss	5	5	12
Minor	191	209	357

<u>Type of Incident</u>	<u>NECC</u>	<u>SCCC</u>	<u>NWCC</u>
Drugs			
Confis.-Signif. Amount-OFN	8	2	2
Confis.-Signif. Amount-Staff	0	0	0
Confis.-Signif. Amount-Visitor	0	1	0
Confiscation	6	7	1
Possession	57	55	40
Selling	0	3	0
Equip. Problem			
Major Disruption	1	0	2
Minor Disruption	0	40	23
Escape			
Secure Supervision	2	0	1
Min Security-Violence	0	0	0
Minimum Security Unit	6	1	3
Furlough/Pass	4	2	0
Att. Secure Super	0	2	0
Att. Min. Security-Viol.	0	0	0
Att. Minimum Security	0	0	1
Fire			
Ser. Inj-Prop Dmg >\$500-OPR Disrup	0	0	0
Inj-Prop Dmg >\$500-OPR Disrup	0	0	0
Injury			
Accident-OFN-Serious	1	0	4
Accident-OFN	5	150	21
Accident-Staff-Serious	0	0	3
Accident-Staff	0	38	9
Accident-Visitor-Serious	0	0	0
Accident-Visitor	0	6	1
Self-Inflicted-Serious	1	1	2
Self-Inflicted	14	19	11
Illness			
OFN-Serious	0	10	14
Staff- (On Duty)	0	6	2
Staff-Serious-Hosp (On Duty)	0	2	1
Visitor	0	2	1
Visitor-Serious-Hosp	0	0	0
Prop. Damage > \$500	0	9	5

<u>Type of Incident</u>	<u>NECC</u>	<u>SCCC</u>	<u>NWCC</u>
Sexual Misconduct	32	48	22
Riot	0	0	0
Sabotage-OPR Disrup	0	0	0
Hostage Situation	0	0	0
Strike			
Inmate-Oper. Disrup.	0	0	0
Staff-Oper. Disrup.	0	0	0
Suicide			
Att.-Serious Injury	0	0	0
Att.-Insti SUI Intervention	1	3	1
Attempt	4	8	7
Use of Force			
Chemical Agents	0	0	0
Deadly Weapon	0	0	0
Elec. Restraints	2	2	0
Medical	2	1	0
Physical	0	27	6
Weapons			
Ammunition-Signif Amount	1	2	0
Commercial Firearm	2	0	0
Commercial Knife	7	8	0
Explosive-Signif Amount	0	0	0
Homemade Firearm	1	0	3
Homemade Knife	75	79	99
Other	33	18	26
Club	2	6	4
Raw Materials	0	5	2
Class A Tool	0	4	3
Class B Tool	0	3	0

The use of a disciplinary system, and the writing of charges and disposition of those charges, is a measure of the security and safety of a prison. The table below depicts the number of disciplinary reports written, by classification. There is not much difference in the issuing of disciplinary tickets. SCCC appears to write more minor infractions and NWCC appears to write more serious infractions.

Disciplinary Classifications for the period July 1993 - September 1994.

Disciplinary Classification	NECC	SCCC	NWCC
Type "A"	264	201	366
Type "B"	341	390	291
Type "C"	1484	1900	1706
Total:	2089	2491	2363

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

Disciplinary Dispositions for the period July 1993 - September 1994

<u>Disciplinary Disposition</u>	<u>NECC</u>	<u>SCCC</u>	<u>NWCC</u>
Type "GU" Guilty	1611	2519	2361
Type "GV" Verbal Reprimand	500	13	7

Each of the institutions met the security and safety requirements of two annual inspections and an ACA audit. Their respective scores were exceptionally high and almost identical. The administrative choices of how and when to use force, how to dispose of disciplinary charges, or how many disciplinary tickets to write is really the prerogative of management. However, in reviewing the entire period, in our judgment there was very little difference in security and safety among the three facilities.

Section 6 Programs and Activities

The assessment of programs and activities at each of the three facilities was an attempt to measure the degree of prisoner inactivity and idleness. There were two primary methods used to assess the distribution of programs and activities and the level of idleness. A program activity index was used and a job audit was conducted.

Program and Activity Index

The program and activity index was a monthly report. The first and second years of operation were measured at each facility. The type of data collected was consistent with TDOC's established activity reporting index. The following tables depict the first and second year's program and activity data at each of the three facilities. The data is presented in the actual numbers of prisoners assigned to the particular program or activity, and then the percent assigned.

The tables also depict the numbers and percent of inmates who are unassigned due to special status. Some inmates are assigned to more than one activity, so the Full Time Employment (FTE) may reflect more than 100 percent. The requirement for full-time employment is an assigned job or program for six hours a day, five days a week, excluding holidays.

The critical element being compared among the institutions was the "Job Waiting" category. This category depicts those inmates who were eligible for a work or program assignment but remained idle and unassigned. These inmates were otherwise classified and qualified, but there was no assignment given to them.

Program and Activity Index

<u>First Year of Operation</u>	<u>NECC</u>	<u>SCCC</u>	<u>NWCC</u>
Academic	104.7	87.6	146.6
Vocational Education	31.3	46.6	65.2
Support	383.5	307.0	299.2
Program Services	101.9	83.5	57.6
CET	63.3	0.0	4.8
Industries	63.3	0.0	4.8
Farms	0.0	0.0	0.0
Other	0.0	0.0	0.0
Worklines	122.3	104.3	35.9
Outside Agency	0.0	0.0	0.0
Other Agency	0.0	0.0	0.0
Community Service	21.5	13.4	0.0
Work Release	0.0	0.0	0.0
Mental Health Programs	0.0	31.5	0.0
Boot Camp	0.0	0.0	0.0
Other	0.0	30.8	19.9
TOTAL ASSIGNED INMATES	891.9	704.8	629.1
Medical/Therapeutic	1.5	1.8	6.9
Segregation	1.0	24.5	33.4
Protective Custody	8.2	22.8	22.2
Initial Class	0.0	0.0	24.6
Class - Awaiting Trans	0.3	0.0	0.1
L-T Out Count	2.8	2.8	10.9
Temporary Custody	2.1	0.1	0.1
TOTAL UNASSIGNED DUE TO STATUS	15.8	52.1	98.2
TOTAL JOB WAITING	108.0	194.5	197.5
TOTAL FTE INMATES	1015.8	951.4	924.8
UNDUPLICATED COUNT			
Assigned	828.6	711.3	637.6
Unassigned Due to Status	15.8	51.9	91.0
Job Waiting	108.0	184.1	196.2
TOTAL INMATES	952.4	947.3	924.8

Program and Activity Index Percents

<u>First Year - Percents</u>	<u>NECC</u>	<u>SCCC</u>	<u>NWCC</u>
Academic	11	9	16
Vocational Education	3	5	7
Support	40	32	32
Program Services	11	9	6
CET	7	0	1
Industries	7	0	1
Farms	0	0	0
Other	0	0	0
Worklines	13	11	4
Outside Agency	0	0	0
Other Agency	0	0	0
Community Service	2	1	0
Work Release	0	0	0
Mental Health Programs	0	3	0
Boot Camp	0	0	0
Other	0	3	2
TOTAL ASSIGNED INMATES	94	74	68
Medical/Therapeutic	0	0	1
Segregation	0	3	4
Protective Custody	1	2	2
Initial Class	0	0	3
Class - Awaiting Trans	0	0	0
L-T Out Count	0	0	1
Temporary Custody	0	0	0
TOTAL UNASSIGNED DUE TO STATUS	2	5	11
TOTAL JOB WAITING	11	21	21
TOTAL FTE INMATES	107	100	100
UNDUPLICATED COUNT			
Assigned	87	75	69
Unassigned Due to Status	2	5	10
Job Waiting	11	19	21
TOTAL INMATES	100	100	100

Program and Activity Index

<u>Second Year of Operation</u>	<u>NECC</u>	<u>SCCC</u>	<u>NWCC</u>
Academic	119.4	128.9	244.1
Vocational Education	56.3	90.1	127.0
Support	312.3	297.2	383.3
Program Services	76.6	112.7	85.2
CET	68.3	79.1	0.0
Industries	68.3	21.4	0.0
Farms	0.0	0.0	0.0
Other	0.0	68.2	0.0
Worklines	152.7	22.7	90.4
Outside Agency	13.1	0.8	0.2
Other Agency	0.0	2.3	0.3
Community Service	25.1	37.4	21.0
Work Release	0.0	0.0	0.0
Mental Health Programs	36.5	56.3	0.0
Boot Camp	0.0	0.0	0.0
Other	28.7	60.0	16.5
TOTAL ASSIGNED INMATES	894.8	887.5	967.9
Medical/Therapeutic	9.8	5.7	5.4
Segregation	0.5	13.9	0.5
Protective Custody	9.0	26.9	9.4
Initial Class	7.3	0.0	0.0
Class - Awaiting Trans	0.0	0.0	1.6
L-T Out Count	4.8	9.3	11.2
Temporary Custody	0.8	0.3	0.0
TOTAL UNASSIGNED DUE TO STATUS	32.1	56.0	28.1
TOTAL JOB WAITING	37.8	117.8	140.9
TOTAL FTE INMATES	964.7	1061.3	1136.9
UNDUPLICATED COUNT			
Assigned	888.8	890.3	967.9
Unassigned Due to Status	32.1	54.3	28.1
Job Waiting	37.8	116.8	140.9
TOTAL INMATES	958.8	1061.3	1136.9

Program and Activity Index Percents

<u>Second Year - Percents</u>	<u>NECC</u>	<u>SCCC</u>	<u>NWCC</u>
Academic	12	12	21
Vocational Education	6	8	11
Support	33	28	34
Program Services	8	11	7
CET	7	7	0
Industries	7	2	0
Farms	0	0	0
Other	0	6	0
Worklines	16	2	8
Outside Agency	1	0	0
Other Agency	0	0	0
Community Service	3	4	2
Work Release	0	0	0
Mental Health Programs	4	5	0
Boot Camp	0	0	0
Other	3	6	1
TOTAL ASSIGNED INMATES	93	84	85
Medical/Therapeutic	1	1	0
Segregation	0	1	0
Protective Custody	1	3	1
Initial Class	1	0	0
Class - Awaiting Trans	0	0	0
L-T Out Court	0	1	1
Temporary Custody	0	0	0
TOTAL UNASSIGNED DUE TO STATUS	3	5	2
TOTAL JOB WAITING	4	11	12
TOTAL FTE INMATES	101	100	100
UNDUPLICATED COUNT			
Assigned	93	84	85
Unassigned Due to Status	3	5	2
Job Waiting	4	11	12
TOTAL INMATES	100	100	100

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

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

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

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

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

One indicator that a facility is having difficulty finding work and program activity for its inmates, is the percent of inmates it assigns to institutional support jobs. These are jobs that support the facility's operation, such as kitchen and laundry workers, and general cleaners. When this number goes much above thirty percent it usually means "feather-bedding" or "make-work" to keep inmates busy.

The State recognized the prisoner "job waiting" and industry problem. In 1994, the SOCC initiated efforts that led to legislation creating a new prison industry board and focusing again on developing work opportunities and prisoner jobs.

Job Audit:

A job audit was conducted during the second year of operation at each of the three facilities. This audit was done by a representative of TDOC and a representative of CCA. The team spent two days at each facility and inspected the jobs assignment and actual program and work activities consistent with TDOC policy. The areas they checked included:

- Work Crews
- Warehouse Workers
- School
- Vocational Classes
- Kitchen
- HSA

Protective Custody
Annex
Custodians
Housing Unit Cleaners
Main Library
GYM Workers
General

In addition to maintaining inmate activity and reducing idleness, the reason TDOC has a policy and procedure to track jobs is to verify inmate pay. Inmates are assigned jobs based on skill levels, and go through a process of applying for a job that is similar to the free world. They are paid according to the time they actually work or attend a program, and the pay rates vary by activity.

There were numerous minor deficiencies noted and reported by the job auditing team. A response by each of the facilities described their comments and corrective action.

The only apparent major issue was the concern by the Compliance Director for TDOC, that the job structure at SOCC was designed for four to four-and-one-half hours and not the required six hours. SOCC responded that work schedules had been re-evaluated and that all areas now meet policy requirements.

Section 7 Conclusions

Our conclusions were reached based on our observations of the three facilities, their operations, their records and reports, interviews at the facilities, the use of indicators and measures that were agreed to by the parties, and our experience and judgment. Our comments are listed as General Conclusions and Weighted Comparison Conclusions.

General Conclusions

We leave the judgment to others, but we believe the evaluation process has met the objectives of the statute and the policy of the SOCC.

A sense of competition and agency pride was evident throughout the process.

The State underestimated its workload, resource requirements, and responsibility in managing this private initiative.

Initially, there was ambiguity as to authority and control issues between the State and CCA. Also, there were communication problems. These issues were resolved in time, with modifications to policy and practice. Many of the problems had operational implications and could have been anticipated.

There was exceptional cooperation among the facilities at the operational level. Regional, administrative, and line staff worked well together.

State statutes and policy imposed restrictions on the private contractor. If the objective was to give the private contractor broad latitude in management and operation, within general policy limits, it is our conclusion that there were too many restrictions. For example, when the State negotiated the contract with CCA, it did not provide CCA with the opportunity to operate the industry program. The State's Attorney General, in Opinion 91-66, said the TDOC can contract with a private contractor to operate prison industry.

The TDOC central office was placed in an awkward role by being contract and compliance monitor, while trying to assist CCA in the understanding of policy, TDOC system issues, compliance requirements, etc. The fact is that SCCC is a facility in the family of Tennessee prisons. The conflicting situation had its moments, but was handled exceptionally well by TDOC's Compliance Director and the principals at CCA and TDOC.

The measures and indicators that were used established that the type and nature of inmates at all three facilities were comparable.

The professional standards requirements were met by all three facilities. No major deficiencies were reported.

Weighted Comparisons

Audit

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

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

** Does not include Correctional Enterprises

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

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

Security and Safety Index

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

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

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

Statement of Qualifications

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

However, we are very conscious that information can be taken out of context and appear to be much more than it is. Or worse, what it is not. The reporting of events described as "serious incidents" in a prison report

can have unintended consequences. We urge the reader to read the full report before reaching conclusions or quoting things out of context.

One measure of security and safety is the number and type of assaults that occur in a facility. During the fifteen-month period, NWCC had significantly more assaults than either NECC or SCCC. NWCC reported 165 assaults. NECC reported 69 and SCCC reported 80. 62 of NWCC's assaults resulted in minor injuries to staff. Assaults reported for the three facilities include serious and minor assaults involving staff, inmates and visitors.

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

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

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

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

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

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

The disposition of disciplinary charges is also a very good measure of the security and safety of a prison. It is an indication of how the facility manages its problems, and can be an indicator of facility safety. During the

fifteen-month period, NECC reported 500 dispositions to verbal reprimand, while NWCC and SCCC reported seven and 13, respectively.

Each of the institutions met the security and safety requirements of two annual inspections and an ACA audit. Their respective scores were exceptionally high; in fact, almost identical. There were differences in certain indicators. However, in reviewing the entire period, in our judgment, there was very little difference in the performance of security and safety among the three facilities.

Program and Activity Index

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

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

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

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

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

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

Rated Comparison

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

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

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

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

Overall Rating

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

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

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

Section 8 Recommendations

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

- Establish an independent contract monitoring and operational compliance capability for corrections contracts where a comparative evaluation will be conducted. The potential conflict and the complexities require a separate contract monitor.
- Review State restrictions and TDOC policy to provide maximum flexibility, to allow corrections operational contractors to use their business and marketplace creativity; obviously, with appropriate legal safeguards.
- Allow the private contractor the authority and opportunity to privatize the industry program at SCCC. This could take several different forms. This should not preclude a contract with the TRAIL Board.
- Review the "start-up" needs and provide TDOC with adequate resources to service the operational demands of a new private prison contract. The need for transitioning into the new facility and the prison activation process require commitment of time and resources.
- Review the needs and establish clearer lines of authority, accountability, and communication, between the State and a private contractor. Set policy and establish more formal and documented procedures.

**Resolution Adopted by the Select Oversight Committee on Corrections
on "Private Prison Contracting, Comparative Evaluation Approach"
Adopted, October 13, 1992**

The Select Oversight Committee on Corrections has reviewed the "comparative evaluation approach" between the privately contracted prison in Wayne County identified as South Central Correctional Center and the similar state run facilities in Johnson and Lake Counties, identified as North East Correctional Center and North West Correctional Center respectively.

The Select Oversight Committee on Corrections recognizes the acceptance and agreement by Corrections Corporation of America and the Tennessee Department of Correction to the methodology and approach designed to conduct this comparative evaluation.

The Select Oversight Committee on Corrections recognizes the cooperation, communication, and sharing of comparative evaluation information with the Fiscal Review Committee. The committee recognizes the relationship between quality of services and full operational costs. The committee endorses continued cooperation and sharing of information with Fiscal Review to promote a more comprehensive comparative evaluation.

The Select Oversight Committee on Corrections adopts the "comparative evaluation approach" reviewed October 13, 1992. The committee accepts this approach as the process to compare the performance of Corrections Corporation of America at South Central Correctional Center with similar state run facilities in Johnson and Lake Counties, identified as North East Correctional Center and North West Correctional Center respectively. The committee recognizes this approach, and the results it is designed to generate, as the basis for fulfilling its obligation under section 41-24-105 Term of the Contract - Review of Performance - Renewal, of the Tennessee Code.