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Young inmates endured 'deplorable conditions'

Agency monitors rated contractor high

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The Texas Youth Commission is investigating why juvenile inmates endured squalor and deprivation at a privately run West Texas prison that was repeatedly praised by TYC's own quality-assurance monitors.

The agency began busing the 197 male inmates from the Coke County Juvenile Justice Center before dawn Tuesday. Officials also canceled an \$8-million annual contract with operators of the state's largest private juvenile prison, citing "deplorable conditions."

The problems found at the prison in Bronte, operated by the GEO Group Inc. of Florida, were described in a report by TYC Ombudsman Will Harrell.

"There is a greater sense of fear and intimidation in this facility than perhaps any other I have been to," Mr. Harrell wrote. He also noted that:

- Some young inmates were kept in "malodorous and dark" security cells for five weeks. They were allowed to leave, in shackles, only once a day for a shower.
- There was an "over-reliance" on the use of pepper spray.
- Inmates "complain regularly of discovering insects in their food."

TYC announced Tuesday that its inspector general's office, as well as Department of Public Safety troopers, were investigating. TYC spokesman Jim Hurley said other agencies, including the state auditor's office and the attorney general's office, could join the investigation.

Asked if TYC suspected financial wrongdoing, Mr. Hurley would say only, "We're concerned about every aspect of the way this facility was run and the contract was administered."

The agency "cannot tolerate this kind of situation," he added. "Not only do there need to be financial sanctions, but there need to be other actions taken against people who operate this way."

This is only the latest problem to beset TYC, which was placed in state conservatorship this year after a sex abuse scandal and subsequent cover-up were exposed by *The Dallas Morning News* and the Web site of *The Texas Observer*.

In July, an investigation by *The News* detailed numerous problems with TYC's contract-run facilities, including GEO's Coke County prison. The investigation revealed that at least two other states had closed

GEO-run facilities because of inadequate care of inmates and abuse allegations.

GEO spokesman Pablo Paez said the company was disappointed by TYC's decision, which he said was unexpected.

"We had not received any notices or any indication of any significant deficiencies at the facility prior to agency's decision to discontinue the contract," Mr. Paez said.

Contractor of the year

Among other matters at the Bronte facility near San Angelo, state investigators will explore whether inmates were prevented from filing grievances with TYC.

"I don't think the phones worked all the time if they wanted to complain," Mr. Hurley said, and "kids weren't let out of their cells" to file complaints.

TYC employs four full-time quality-assurance monitors at the Coke County prison. They work in a portable building just outside the facility's secure perimeter.

Their jobs were to ensure that GEO was meeting the terms of its contract, the first priority being inmates' health and safety, Mr. Hurley said.

"What were they doing? That's what we're asking," Mr. Hurley said of the monitors. "I do imagine that we will be seeing personnel actions taken as a result of this."

According to TYC records, the agency's quality-assurance monitors awarded the Coke County facility mostly high scores on planned and unplanned inspections there over the last seven years. In 1999 and again in 2005, TYC named Coke County its "contract facility of the year."

Mr. Hurley said monitors conducted their most recent comprehensive review of the facility in late February 2007. Records show few problems were recorded.

Coke "achieved an overall compliance score of 97.7 percent with twenty-eight of twenty-nine critical measures passed," the report stated. "Thank you to the Coke County staff and administration for the positive work they do with TYC youth."

Monitors did note that one dorm "had an offensive odor" due to a sewer backup. "A number of youth complained that their clothing was not getting clean and that it was returned to them still damp," the report stated.

In addition, TYC monitors wrote that the schedule for inmates' showers had been interrupted because of emergencies requiring guards to maintain safety in the dorms.

"Administrative staff was made aware of the issue and the need to correct," according to the report.

The comprehensive review occurred five months after 19-year-old Robert Schulze, an inmate who had complained that he felt unsafe, hanged himself in his solitary cell. A TYC investigation found a number of missteps that contributed to the young man's suicide, and TYC put the facility on a corrective action plan as a result.

'Prevalence of fear'

Mr. Harrell, the new TYC ombudsman, said he visited the Coke County facility on Sept. 21 as part of his tour of the agency's West Texas facilities.

He found dirty mattresses lying on cell floors and a large infestation of spiders, beetles and crickets crawling around the facility, he said. Inmates told him their sheets and clothes had not been laundered in weeks or months. "Most of what I had seen had to be pre-existing for months if not years," he said in an interview.

There was also a "real prevalence of fear" among the inmates, he said. "If I was to be placed in a TYC facility that would be my last pick for sure," he added.

Of the schooling available to inmates in security cells, Mr. Harrell wrote in a report on his visit: "Education" consists of someone dropping a single sheet of paper through the door slot each day which usually contains a cross work [sic] puzzle, a word game or math problems."

Three days after Mr. Harrell's visit, acting TYC Executive Director Dimitria Pope dispatched her new director of juvenile corrections to the Coke County facility. Billy Humphrey, a former adult prison warden, told his boss that the facility was "filthy" and that TYC needed to "take a much deeper look" because he had a "very uncomfortable feeling," Mr. Hurley said.

On Sept. 26, a team of TYC officials made an unannounced visit to Coke.

Ms. Pope arrived at the facility last weekend and returned on Monday to Austin, where she met with Alfonso Royal, the governor's liaison to TYC, and Brian Newby, the governor's chief of staff.

She then ordered the GEO contract canceled and the youths moved to another TYC prison in Mart, near Waco.

"She told us that this needs to happen," said Robert Black, the governor's spokesman. "And we told her if this needed to happen, she needed to do it."

Inmates were moved to TYC's McLennan County facility on buses escorted by DPS troopers.

TYC made room for the Coke County youth by moving dozens of Mart inmates to other agency facilities, said Scott Medlock, an attorney for the Texas Civil Rights Project. At least two TYC inmates he represents in legal action against the agency were transferred to the Crockett State School in East Texas, he said.

TYC transferred the youth without notifying parents, he said.

"I've had panicked parents calling me all day, saying, 'I can't find my kid,' " said Mr. Medlock.

Problems persist

State Sen. Juan Hinojosa, D-McAllen, said Tuesday he has been concerned about GEO's performance for years, a point he raised at a legislative hearing in August.

"I'm not surprised at what they [TYC officials] found," said Sen. Hinojosa, an author of the 2007 law

aimed at reforming TYC. "There are still a lot of problems at TYC that we're trying to clean up."

A GEO news release issued Tuesday noted that its TYC contract generated quarterly revenue of about \$2 million and pre-tax quarterly earnings of about \$200,000.

Now, the company plans to market the facility to state and federal detention agencies around the country. In the meantime, it expects to lay off most of the 140 employees.

City and school district officials in Bronte said Tuesday they had no advance notice of TYC's decision to close the Coke County facility. The mayor and school superintendent blamed the decision on politics.

"It is straight from Gov. Perry's office. He wants this facility closed," Mayor Gerald Sandusky said. "He's looking for public image."

"This facility does an outstanding job," Mr. Sandusky added. "It couldn't be better."

Staff writer Gregg Jones contributed to this report.

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