



REPORT OF
THE
STATE AUDITOR

**Department of Corrections
Transportation of Inmates**

**Performance Audit
December 2000**

**LEGISLATIVE AUDIT COMMITTEE
2000 MEMBERS**

Representative Jack Taylor
Chairman

Representative Carl Miller
Vice-Chairman

Senator Norma Anderson
Senator Doug Lamborn
Senator Doug Linkhart
Senator Peggy Reeves
Representative Sue Windels
Representative Brad Young

Office of the State Auditor Staff

J. David Barba
State Auditor

Larry T. Gupton
Deputy State Auditor

Heather Sanchez
Gari Ramirez
Legislative Auditors



STATE OF COLORADO

J. DAVID BARBA, CPA
State Auditor

OFFICE OF THE STATE AUDITOR
(303) 866-2051
FAX (303) 866-2060

Legislative Services Building
200 East 14th Avenue
Denver, Colorado 80203-2211

November 7, 2000

Members of the Legislative Audit Committee:

This report contains the results of the performance audit of the Department of Corrections Transportation of Inmates. This audit was conducted pursuant to Section 2-3-103, C.R.S., which authorizes the State Auditor to conduct audits of all departments, institutions, and agencies of state government.

This report presents our findings, conclusions, and recommendations, and the responses of the Department of Corrections and the Office of the State Court Administrator.

TABLE OF CONTENTS

	PAGE
REPORT SUMMARY	1
Recommendation Locator	7
OVERVIEW	11
FINDINGS AND RECOMMENDATIONS	
CHAPTER 1. TRANSPORTATION OF INMATES	17
The Department Transports Inmates for a Variety of Reasons	17
The Department Initiated Centralized Transportation	18
The Department Should Consider Further Consolidation of Its Transportation Officers	20
The Department Should Standardize Training for All Transportation Officers	23
The Department Cannot Readily Identify All Transportation Costs	26
Facility-to-Facility Movement Represents the Most Transports	27
Multi-Level Facilities Can Reduce the Need for Facility-to- Facility Movement	30
The Department Cannot Easily Track the Number of Inmates Moved	32

	PAGE
CHAPTER 2. VIDEO CONFERENCING CAN REDUCE TRANSPORTS	35
The Department Has the Ability to Conduct Video Conferences	35
Many Inmates Are Transported to Court Each Day	36
Video Conferencing Is Used as an Alternative to Transporting Inmates to Court	38
The Multi-Use Network Will Provide More Access for Video Conferencing	39
The Department Needs to Evaluate the Impact of the Multi-Use Network on Its Video Conferencing Infrastructure	40
Video Conferencing May Be a Cost-Effective Alternative to Transporting Inmates to Court	42
Agencies Should Work Together to Implement Video Conferencing in the State Courts	44
The Department Should Actively Publicize the Availability of Video Conferencing	46
Consolidation of Adjudication Is Not Feasible at This Time	47
The Department Needs to Expand Its Use of Telemedicine	49
Telemedicine Is Underutilized	51
Telemedicine Can Be a Viable Alternative to Transporting Inmates	52
Multi-Use Network Can Aid Expansion of Telemedicine	55



J. DAVID BARBA, CPA
State Auditor

**Department of Corrections
Transportation of Inmates
Performance Audit
December 2000**

Authority, Purpose, and Scope

This audit of Department of Corrections transportation of inmates was conducted pursuant to Section 2-3-103 et.seq., C.R.S., which authorizes the State Auditor to conduct audits of all departments, institutions, and agencies of state government. Our audit focused on why the Department transports inmates outside of correctional facilities and whether the number of such transports can be reduced. To accomplish our audit objectives, we interviewed representatives from the Department, Colorado Access (the Department's managed care provider) and health care providers, reviewed inmate and transportation records, surveyed judicial system representatives, and analyzed data provided by the Department. The audit work, performed from May to October 2000, was conducted according to generally accepted governmental auditing standards.

We gratefully acknowledge the assistance and cooperation extended by management and staff at the Department of Corrections and representatives of the Denver Health Medical Center, the University of Colorado Health Sciences Center, the Multi-Use Network, and the State's judicial system.

Department Should Consider Further Consolidation of Transportation

Each day the Department transports hundreds of inmates between correctional facilities and to other locations throughout the State. Movement between facilities represents the largest number of transports. Scheduled court appearances and medical appointments are the other two major reasons why the Department moves inmates. Inmate transportation is expensive, costing an estimated \$3.4 million in Fiscal Year 2000. Therefore the Department needs to ensure that it is using the most cost-effective methods available. In recent years, the Department centralized its transportation of inmates to reduce the number of vehicles on the road at any given time and to also lower the public safety risk. Department officials note that every time an inmate leaves a correctional facility there is a risk the inmate may escape. Prior to 1992, each individual correctional facility handled the transportation of its own inmates. This represented a waste of resources because several half-empty vehicles took inmates to the same location at the same time. In addition, the facilities did not provide specialized training to the correctional officers responsible for transporting the inmates, increasing the risk to both the officers and the public. To address these concerns the Department created the specially trained Central Transportation Unit (CTU). The CTU now has the main responsibility for transporting inmates between facilities, to specific court appearances, and to scheduled medical

For information on this report, contact the Office of the State Auditor at (303) 866-2051.

SUMMARY

2

Department of Corrections Transportation of Inmates Performance Audit - December 2000

appointments in the Canon City/Pueblo area. The Unit also transports most of the Department's high-risk inmates. To reduce the number of vehicles moving inmates on the road at any one time, the CTU makes scheduled trips to most of the correctional facilities on at least a weekly basis. The Department's Office of Offender Services which oversees the CTU, schedules the movement of inmates between facilities and coordinates inmate court appearances in an attempt to move inmates using the CTU's regular transport schedule.

Although the Department has centralized a large amount of its transportation resources within the CTU, further consolidation is still possible specifically in the area of medical transports in the Department's northern region. Individual correctional facilities retain the responsibility for taking their inmates to local court and medical appointments. Currently, the Department faces the scenario of having multiple facilities transporting inmates to the same medical providers in Denver on the same day. The Department faced the same issue in the Canon City/Pueblo area and solved it by placing medical transports in those areas under the authority of the CTU. This allows the Department to move inmates on regularly scheduled transports. The Department uses transition beds at the Colorado Territorial Correctional Facility (CTCF) to temporarily house these inmates and then the CTU takes them to their scheduled medical appointments. The Department should consider enacting the same process in its northern region by expanding its Central Transportation Unit's northern hub and developing transition beds to temporarily house inmates at the Denver Reception and Diagnostic Center (DRDC). The expansion and development of transition beds would allow for more regularly scheduled transports between the Department's northern region facilities while also providing overnight accommodations for inmates who have court or medical appointments in Denver. **We recommend that the Department expand its Central Transportation Unit's northern hub and consolidate the transportation of inmates going to Denver and other northern region facilities.**

Standardize Training for All Transportation Officers

One reason for the creation of the CTU was to ensure that the transportation of inmates was handled by properly trained staff. The CTU uses hand-picked experienced staff and provides them with extensive initial and ongoing training in area such as armed transport, weapons training, self-defense, and handgun retention. To ensure the safety of the public and its officers when inmates are transported, the Unit also follows specific operational procedures over and above the Department's standard regulations for moving inmates. During the course of our audit, we found that the Department has a total of 36.5 FTE assigned to transporting inmates at individual correctional facilities. These FTE are not part of the CTU and report to the individual facility wardens. These facility correctional officers receive the same initial training as members of the CTU, but do not receive the same level of ongoing training. In addition, these officers are not required to follow the same operational procedures used by the CTU. Facilities also have the option to use non-transport trained officers to transport inmates if regular transport officers are not available. These differences in training and operational procedures raise concerns because the same public safety issues exist

regardless of who transports the inmates. **Therefore, we recommend that the Department require that correctional officers who regularly transport inmates receive the same initial training as the Central Transportation Unit members as well as an appropriate level of ongoing training.**

Multi-Level Facilities Can Reduce the Need for Inmate Movement Between Facilities

Each of the Department's correctional facilities receives a designated security level based upon the physical security of the facility. The designated security levels correspond to the custody categories of inmates. By statute, inmates with lower custody classifications can be placed at facilities with a higher security level, but inmates with a higher custody classification cannot be incarcerated at a facility with a lower security level. Under the Department's administrative rules, the inmate must be placed at the lowest custody classification necessary to meet his/her needs and assure the safety of others. As a result, the Department reviews the custody classification of every inmate every six months. The reclassification of inmates to either a higher or lower custody level generally means that the inmate must be moved to another facility. The development of multi-level correctional facilities could be a long-term solution for decreasing the number of inmates moving from facility-to-facility due to progressive or regressive reclassifications. Recently the Department has begun to move in this direction by seeking budgetary authority to build additional high-custody beds at existing correctional facilities. This will allow these facilities to incarcerate inmates at all five custody levels and therefore may lead to a reduction in the number of inmates transported from those facilities. In addition, the Department recently opened its first "mega-facility" encompassing all five custody levels. The Department plans to move inmates within this facility in response to custody level reclassifications rather than move the inmates to another facility. Since the Department's development of multi-level facilities is relatively new or in some cases still under development it remains unclear if these facilities currently have an impact on inmate movement. **As a result, we recommend that the Department initiate a long-term study of its multi-level correctional facilities to determine if such facilities reduce the need to transport inmates between facilities.**

Implementation of Multi-Use Network Will Provide More Access for Video Conferencing

Video conferencing serves as an alternative to transporting inmates for court and medical appointments. The Department has recognized the potential value of this technology by establishing video conferencing capabilities at eight of its correctional facilities and planning for implementation at three more facilities in the next few months. The Department would like to expand its use of video conferencing technology and that goal should be aided by the creation of the State's Multi-Use Network (MNT). The State is in the process of implementing the MNT which is a high-speed fiber-optic network with a telecommunications infrastructure that will enhance existing services while also providing service to lesser developed areas of the State. As part of the development of the MNT, the State will pay for each of the Department's correctional facilities to receive the fiber-optic

infrastructure. Since the Multi-Use Network is a State-sponsored telecommunications network, the State's judicial system including the trial courts will also participate. This represents a significant improvement in the ability of the Department to conduct inmate court appearances using video conferencing. The implementation of the MNT may also give the Department the ability to expand its current telemedicine program because the hospital at the Colorado Mental Health Institute at Pueblo (CMHIP) and other non-profit hospitals have the opportunity to participate in the MNT. While the creation of the Multi-Use Network will greatly enhance the Department's ability to conduct video conferences, the Department will need to assess whether its internal infrastructure can handle the increased capacity. The Department also needs to assess the ongoing budgetary costs associated with the MNT. The increased use of video conferencing should allow the Department to reduce its inmate transportation costs and increase public safety because fewer inmates will have to leave correctional facilities. **We recommend that the Department evaluate the impact of the Multi-Use Network and ensure that it has the capability to utilize this network to its full potential.**

Agencies Should Work Together to Implement Video Conferencing in the State Courts

Inmates remanded to the custody of the Department continue to interact with the State's judicial system for both civil and criminal proceedings. Each year the Department transports thousands of inmates to court appearances throughout the State. This transportation is costly and also presents a risk to public safety. Video conferencing allows certain court proceedings to be conducted without parties or witnesses being physically present in a courtroom. Video technology can effectively transmit body language and voice inflection, thus making it a useful alternative to a personal appearance. In addition, Section 13-1-132 (1), C.R.S., states that except for trials, an appearance may be made in court by the use of an interactive audiovisual device. Our audit work indicates that the use of video conferencing for some court appearances may be a cost-effective alternative to physically taking the inmate to court. More importantly it reduces the need to have inmates removed from the secure confines of the correctional facility. We also found that the State's judicial system is willing to use the technology for some court proceedings involving inmates. Our survey of judicial representatives including chief judges, district administrators, district attorneys, public defenders, and private defense attorneys in the State's 22 judicial districts found support for the use of video conferencing for advisements/arraignment, pre-trial matters, and non-evidentiary or non-testimonial proceedings. **Therefore, the Department and the Office of the State Court Administrator need to work together with district attorneys, defense counsel, and county representatives to advance the use of video conferencing in civil and criminal matters involving inmates.**

Department Needs to Expand Its Use of Telemedicine

Court rulings have demonstrated that inmates have a constitutional right to health care. Department representatives also note that inmates need more medical care than the average population. Although all of the Department's facilities provide at least a minimal level of in-house medical care, the Department consistently needs to obtain outside specialty care for inmates. Telemedicine utilizes video conferencing technology to allow a doctor at an outside facility to examine an inmate within a correctional facility. Several of the Department's correctional facilities have the capability to conduct telemedicine encounters and the Department has established relationships with the Denver Health Medical Center and the University of Colorado Health Sciences Center (University Hospital) to provide specialty care via telemedicine. Despite the fact that telemedicine provides quality medical care and offers a viable alternative to transporting some inmates outside of correctional facilities, the Department underutilizes its telemedicine capability. For example, while the Department transported 826 inmates to outside medical appointments during April 2000, only one telemedicine consultation took place during that month. One reason that the technology is currently under utilized by the Department is the belief that telemedicine encounters result in the inmate being transported for additional medical care. We reviewed the medical files for a sample of inmates who participated in at least one telemedicine encounter and found that in 36 of the 55 (65 percent) files reviewed, the telemedicine encounter was successful and the inmate did not have to be transported outside the correctional facility. Even in those cases where an inmate was referred for outside medical treatment, the inmate was transported outside the facility one less time than would have occurred without telemedicine. Overall, we found that telemedicine provided quality health care while saving the cost of transporting inmates and reducing the security risk to the general public. **We recommend that the Department work with its individual correctional facility medical personnel, private specialists and its managed care provider, Colorado Access, to increase the use of telemedicine technology.**

Summary of Agency Responses

The Department of Corrections and the Office of the State Court Administrator generally agreed with our recommendations. Their responses are located in the audit report.

RECOMMENDATION LOCATOR

Rec. No.	Page No.	Recommendation Summary	Agency Addressed	Agency Response	Implementation Date
1	22	The Department of Corrections should expand its Central Transportation Unit's northern hub and consolidate the transportation of inmates going to Denver and correctional facilities in the northern region. This could be accomplished by transferring some transportation FTE from the facilities to the CTU, centralizing the transportation of inmates for medical treatment, and expanding the regularly scheduled transports between facilities.	Department of Corrections	Agree	07/01/2001 Strategic Plan 07/01/2004 NTU Consolidation Complete
2	24	The Department of Corrections should require that correctional officers who regularly transport inmates receive the same initial training as the Central Transportation Unit members. These officers should also be required to obtain an appropriate level of ongoing training and whenever possible follow the same operational procedures.	Department of Corrections	Agree	07/01/2002
3	26	The Department of Corrections needs to implement cost-effective procedures to better track the overall budgetary cost of transporting inmates. This would include costs for both the Central Transportation Unit and the transports conducted by facility correctional officers.	Department of Corrections	Agree	07/01/2003
4	31	The Department of Corrections should initiate a long-term study of its multi-level correctional facilities to determine if such facilities reduce the need to transport inmates between facilities.	Department of Corrections	Agree	07/01/2005

RECOMMENDATION LOCATOR

Rec. No.	Page No.	Recommendation Summary	Agency Addressed	Agency Response	Implementation Date
5	33	<p>The Department of Corrections should:</p> <ul style="list-style-type: none"> a. Modify its computer reporting mechanisms to obtain and produce better information on the number of inmates moved in a specific time period (i.e., day, month, year) and the reasons for the move. b. Use this information to develop strategies for managing and reducing moves. c. Establish benchmarks for current transports and set goals for reducing the per capita cost of inmate transports. d. Capture costs of transport and set per capita cost reduction goals. 	Department of Corrections	Agree	07/01/2003
6	41	<p>The Department of Corrections should evaluate the impact of the Multi-Use Network and ensure that it has the capability to utilize this network to its full potential. This evaluation needs to include the budgetary implications of using the Multi-Use Network for video conferencing and expansion of its current video network infrastructure.</p>	Department of Corrections	Agree	07/01/2002
7	45	<p>The Department of Corrections and the Office of the State Court Administrator in conjunction with district attorneys, defense counsel, and county representatives should expand the use of video conferencing by:</p> <ul style="list-style-type: none"> a. Working together to identify court proceedings that would be appropriate for video conferencing. b. Determining how the purchase of new or upgraded video conference equipment for the courts could be accomplished. 	<p>Department of Corrections</p> <p>Office of the State Court Administrator</p>	<p>Agree</p> <p>Agree</p>	<p>11/01/2001</p> <p>11/01/2001</p>

RECOMMENDATION LOCATOR

Rec. No.	Page No.	Recommendation Summary	Agency Addressed	Agency Response	Implementation Date
8	46	The Department of Corrections should actively publicize the availability of video conferencing to the State's judicial system.	Department of Corrections	Agree	11/01/2001
9	54	The Department of Corrections should work with its individual correctional facility medical personnel, private specialists, and Colorado Access to increase the use of telemedicine technology. This should include an examination of additional medical specialties that can be provided via telemedicine.	Department of Corrections	Agree	11/01/2001
10	56	The Department of Corrections should actively seek to expand the number of providers it accesses through telemedicine. The Department should specifically study the possibility of using the hospital at the Colorado Mental Health Institute at Pueblo and local hospitals in Canon City and Pueblo as telemedicine providers. One aspect of the study should be the ability of the Department to obtain additional providers through its current infrastructure.	Department of Corrections	Agree	11/01/2001

Overview

The Department of Corrections oversees the management of inmates incarcerated in correctional facilities, community-based facilities, and parole programs throughout the State. As part of its mission the Department attempts to provide inmates with meaningful work and self-improvement opportunities while also ensuring the safety of the general public, department employees, and inmates. The State's inmate population comprises primarily adults. However, the Department also has the responsibility of oversight of the Youthful Offender System (YOS), which serves violent youth felons. The following chart details the Department's inmate population as of June 30, 2000.

DEPARTMENT OF CORRECTIONS INMATE POPULATION (As of June 30, 2000)	
DOC Facilities	12,065
Contract Facilities	1,690
Off-Grounds ¹	178
Jail Backlog/Contracts ²	398
Fugitive ³	154
Community/ISP Inmate ⁴	1,496
Parole Revocations ⁵	18
Youthful Offender System	290
<i>TOTAL INMATE POPULATION</i>	<i>16,289</i>
Source: Department of Corrections Web site. 1. Inmates who are physically out to court and housed at a county jail or who are receiving medical treatment at a hospital. 2. Inmates who are waiting for bed space at a Department of Corrections facility. 3. Inmates who are on escape status from a prison or community corrections facility. 4. Inmates who are under community corrections residential supervision, electronic monitoring, Global Position Satellite monitoring, or pager system reporting. 5. Inmates who are assigned to county jails for parole revocations in lieu of going back to a correctional facility.	

Inmate Population Is Increasing

Commitments to the Department of Corrections have steadily increased over the past few years. The Department reports that the increase in the population results from a variety of factors. The main factors cited are an increase in parole returns to prison and fewer releases to parole. Other factors include the State's overall population growth, crime rates, felony filings, and mandatory parole. To address the growing inmate population, the Department has expanded its correctional facility capacity by building additional state-funded beds and also contracting for private prison beds. The following chart details increases in the Department's offender population and expenditures for the past five years.

Department of Corrections Average Daily Population and Expenditures Fiscal Years 1996 - 2000						
	Fiscal Year 1996	Fiscal Year 1997	Fiscal Year 1998	Fiscal Year 1999	Fiscal Year 2000 (est.)	Percent Increase Fiscal Years 1996-2000
Average Daily Population	11,019	12,205	13,242	14,139	15,441	40%
DOC Expenditures	\$263,125,047	\$292,931,731	\$335,051,973	\$382,468,713	\$429,855,160	63%
Source: Department of Corrections Fiscal Year 2001 Budget Request. Information provided by the Department of Corrections.						

Facilities Are Located Throughout the State

The Department has 25 facilities located across a wide geographic area throughout the State. Four of the twenty five facilities are contract facilities operated by for-profit prison companies. The contract facilities operate under the direction of the Department and follow the same administrative regulations and American Correctional Association standards as Department of Corrections facilities. Each correctional facility receives a designated security level classification on a scale of I to V based upon the physical security of the facility. A Level I facility is the lowest security classification and generally serves those inmates with a low custody (minimum) classification. A Level V facility is the highest security classification. A Level V facility can incarcerate inmates of any custody level but generally serves

those inmates with the highest custody classifications. The following chart shows the name of each correctional facility, its security classification, and its location in the State.

Department of Corrections Facilities		
Rifle Correctional Facility	Level I	Rifle
Delta Correctional Facility	Level I	Delta
Buena Vista Correctional Facility	Level III	Buena Vista
Colorado Correctional Center	Level I	Golden
Denver Reception and Diagnostic Center	Level V	Denver
Denver Women's Correctional Facility	Level V	Denver
Colorado Territorial Correctional Facility	Level III	Canon City
Colorado Women's Correctional Facility	Level IV	Canon City
Arrowhead Correctional Facility	Level II	Canon City
Centennial Correctional Facility	Level IV	Canon City
Colorado State Penitentiary	Level V	Canon City
Four Mile Correctional Center	Level II	Canon City
Fremont Correctional Facility	Level III	Canon City
Pre-Release Correctional Center	Level II	Canon City
Skyline Correctional Center	Level I	Canon City
Pueblo Minimum Center	Level II	Pueblo
San Carlos Correctional Facility	Level V	Pueblo
Youthful Offender System	Level V	Pueblo

Department of Corrections Facilities		
Arkansas Valley Correctional Facility	Level III	Ordway
Limon Correctional Facility	Level IV	Limon
Sterling Correctional Facility	Level V	Sterling
Bent County Correctional Facility (Private)	Level III	Las Animas
Huerfano County Correctional Facility (Private)	Level III	Walsenburg
Kit Carson Correctional Facility (Private)	Level III	Burlington
Crowley County Correctional Facility (Private)	Level III	Olney Springs
Source: Department of Corrections Budget Document, Colorado Revised Statutes, 17-1-104.3.		

Inmate Transports Are Increasing

The Department of Corrections transports inmates between facilities and to other locations throughout the State for medical and court appointments. As the inmate population in the Department of Corrections increases, so does the number of inmates transported outside of the correctional facilities. In addition, as the number of facilities increases, so does the amount of miles traveled when transporting inmates. The Department created the Central Transportation Unit (CTU) in an attempt to centralize transportation, reduce the number of DOC vehicles on the road, and increase public safety. The CTU transports most but not all of the inmates. Despite the development of the CTU, individual facilities still transport inmates in certain situations.

The Department reports that it moves approximately 15 percent of the total inmate population each month. Statistics provided by the CTU show that it transported approximately 33,000 inmates during Fiscal Year 2000. With an inmate population of just over 16,000, this means that last year the CTU moved an equivalent of each inmate about 2.1 times. Based on statistics provided by the Department, the number of inmates transported by the CTU has increased 64 percent over the past five years. In addition, the number of miles traveled for inmate transportation has increased 100 percent over the past five years. For example, during Fiscal Year 2000 the CTU

traveled 411,836 miles while transporting inmates. At the same time, the individual facilities transported inmates a total of 480,691 miles. The following charts illustrate the increases in the number of inmates and mileage transported by the CTU.

Central Transportation Unit Total Inmates Transported	
Fiscal Year	Inmates Transported
Fiscal Year 1996	20,139
Fiscal Year 1997	20,346
Fiscal Year 1998	24,295
Fiscal Year 1999	27,538
Fiscal Year 2000	33,049
Source: Department of Corrections, Central Transportation Unit.	

Central Transportation Unit Total Miles Traveled	
Fiscal Year	Total Miles
Fiscal Year 1996	205,493
Fiscal Year 1997	222,407
Fiscal Year 1998	237,708
Fiscal Year 1999	303,365
Fiscal Year 2000	411,836
Source: Department of Corrections, Central Transportation Unit.	

Costs of Inmate Transportation

As the number of inmates transported increases, so do the costs associated with transport. In Fiscal Year 2000 the Department spent \$1.7 million for its Central Transportation Unit and an additional \$1.7 million on individual facility transports. In addition, the unquantifiable risk to the safety of the correctional officers and general public increases whenever inmates are removed from the secure confines of correctional facilities. The fact that inmate transportation is expensive leads us to make suggestions on how to reduce such transports.

Reductions in the Transportation of Inmates Are Possible

Our audit work focused on an examination of how and why the Department of Corrections transports inmates. Chapter 1 discusses the reasons why the Department moves inmates and its attempts to centralize that transportation. We make recommendations on how the Department can further centralize inmate movement and better track the costs of such movement. In Chapter 2 we note that through the use of video conferencing technology the Department may in fact be able to significantly reduce the number of inmates it transports for medical and court appointments.

Transportation of Inmates

Chapter 1

The Department Transports Inmates for a Variety of Reasons

In Fiscal Year 2000 the Department of Corrections reported a total adult inmate population of approximately 16,000. Another 290 inmates are in the Department's Youthful Offender System (YOS). Every day the Department transports hundreds of inmates between facilities and to other locations throughout the State. According to Department representatives, the Department moves inmates for three main reasons. These include:

- **Facility to Facility.** These transports represent the largest number of inmate movements. According to Department representatives, inmates move between facilities due to security considerations. For example, an inmate who commits a crime within a facility may need to be moved to another facility with a higher security level. Similarly, inmates who are progressing to a lower custody level may be moved to facilities with less stringent security. Inmates also move between facilities for treatment needs like sex offender treatment and because of concerns about relationships between specific inmates such as to reduce the number of gang members at a facility.
- **Court Hearings.** Numerous inmates within the correctional system continue to interact with the judicial system. Courts require the appearance of inmates for adjudication related to crimes committed prior to their incarceration and for appeals related to their convictions. Inmates also tend to commit additional crimes within correctional facilities that require further contact with the judicial system. In addition, inmates may be involved in civil court actions such as lawsuits or divorce or child custody proceedings. Depending on the reason for the court hearing, either the Department or the local sheriff is responsible for transporting the inmate to the courthouse.
- **Medical Appointments.** As a result of court rulings, inmates are the only population in the United States that have a constitutional right to health care. Department representatives also report that inmates tend to be sicker with more medical needs than the average population. Although all of the

Department's correctional facilities provide some level of in-house medical care, there is a consistent need to transport inmates outside of the facilities to receive specialty care.

Department statistics show the inmate population increasing each year. This means the Department transports a greater number of inmates each year. More transports lead to higher transportation costs for the Department as well as an increased risk to public safety, since more inmates are traveling outside of correctional facilities. As a result, the Department needs to actively seek alternatives that can reduce the need to transport inmates.

The Department Initiated Centralized Transportation

In recent years the Department centralized its transportation of inmates in an effort to reduce the number of vehicles on the road at any given time and to also lower the public safety risk. Department officials note that every time an inmate leaves a correctional facility, there is a risk to the public that the inmate may escape. Prior to 1992 each correctional facility handled the transportation of its own inmates between facilities as well as to all court appearances and medical appointments. This represented a waste of resources because several half-empty vehicles took inmates to the same location at the same time. In addition, although the transportation of inmates represents a risk to both the public and the correctional officers, the facilities did not provide officers with specialized training to ensure the safe movement of the inmates. To address these concerns, the Department created the Central Transportation Unit (CTU) in 1992. The Unit utilizes three centralized hubs in Denver, Canon City, and Delta, and 34 specially trained full-time equivalent (FTE) employees to transport inmates. Through its creation of the Unit, the Department sought to better use its resources and increase public safety by reducing the number of vehicles carrying inmates and by using better-trained personnel. The Department spends a large amount of money on its Central Transportation Unit. Representatives report that the Department spent \$1.7 million in Fiscal Year 2000. We estimate that the Department spent another \$1.7 million for personnel and vehicle costs associated with transportation at individual facilities. As a result, it appears that overall it cost the Department \$3.4 million to transport inmates in Fiscal Year 2000. The Department has an incentive to ensure that these trips are cost-effective by ensuring that it transports as many inmates as possible per trip.

The Department Attempts to Move Inmates on Scheduled Transports

The Central Transportation Unit (CTU) has the main responsibility for transporting inmates. It moves inmates between facilities, to specific court appearances, and to scheduled medical appointments in the Canon City/Pueblo area. The Unit also transports most of the Department's high-risk inmates. In an effort to reduce the number of vehicles moving inmates on the road at any one time, the CTU created a weekly transportation schedule. As a result, the Unit makes scheduled trips to most of the correctional facilities on at least a weekly basis. We have included the CTU's weekly transportation schedule as Appendix A. The CTU representatives report that on regularly scheduled transports, each 44-passenger bus averages 28 inmates round-trip, while each 10-passenger van averages seven inmates round-trip. In addition, the Department maintains transition beds at the Colorado Territorial Correctional Facility (CTCF) for inmates who must be moved on more than one regularly scheduled transport to reach their final destination. The Central Transportation Unit reports that it transported 33,049 inmates in Fiscal Year 2000. This number is somewhat misleading because the Department tracks the transportation of inmates by the leg of a trip rather than by inmate. For example, an inmate traveling from Arkansas Valley Correctional Facility to a court appearance in Denver and back would travel on four separate CTU legs. The CTU would transport the inmate from Arkansas Valley to Canon City and then from Canon City to Denver. As a result, the inmate would be counted four times, once for each leg of the round-trip.

We did find that the Department is continually working to centralize the transportation of inmates and reduce the need for the individual facilities to do transports. For example, the Department's Office of Offender Services, which determines facility placement for all inmates, also oversees the CTU. The Office schedules the movement of inmates among facilities, coordinates inmate court appearances, and is notified of all medical appointments. It uses this information to try to transport inmates via the CTU's regular transport schedule. In addition, the CTU recently took over the transportation of inmates to scheduled medical appointments to private doctors and hospitals in the Canon City/Pueblo area. This means that rather than having facilities transport these inmates as was done in the past, the CTU transports them.

The Department Should Consider Further Consolidation of Its Transportation Officers

The Department of Corrections has centralized a large amount of its transportation resources within the CTU. The Unit focuses its resources in terms of both personnel and equipment in the Canon City area but also maintains small hubs in Denver and Delta. During the course of our audit we determined that although the Department maintains the Central Transportation Unit, it also has an additional 36.5 FTE responsible for transporting inmates at the individual facilities. The facility transportation officers handle inmate transportation for scheduled local medical and court appointments, and make emergency medical transports. Facility transportation officers may also be used to cover other duties within the facility such as covering for other officers who are on annual or sick leave. Despite the Department's attempt to centralize the transportation of inmates, our audit work indicates that further consolidation is still possible.

The Central Transportation Unit (CTU) moves most inmates by using regularly scheduled transports among facilities, including those inmates scheduled for medical appointments and clinics in the Canon City/Pueblo area. Department representatives noted that by having the CTU handle these medical transports, it has reduced the number of vehicles carrying inmates traveling to the same medical facility on the same day. However, our audit work indicates that a lack of consolidation continues to exist for medical transports to Denver. As a result, the possibility remains that on any given day several facilities may be transporting inmates to Denver for medical treatment. This is a waste of resources that also impacts facility staffing.

Information provided by the Department shows that four facilities located in the Department's northern region, the Denver Reception and Diagnostic Center (DRDC), the Denver Women's Correctional Facility (DWCF), the Sterling Correctional Facility (SCF), and the Limon Correctional Facility (LCF) have a total of 22 of the 36.5 transportation FTE located at individual facilities. In addition, the Central Transportation Unit maintains a six-person Northern Transportation Unit (NTU) at DRDC. Currently the NTU's main responsibilities are regularly scheduled transports between Denver and the Sterling Correctional Facility, and Denver and the Department's boot camp at Buena Vista. The NTU officers will also provide assistance in transporting inmates to medical and court appearances in Denver as well as unscheduled trips to other correctional facilities. Overall, we found a total of 28 transportation FTE in the Department's northern region, which includes the 6 FTE

assigned to the NTU. Our audit work indicates that the Department is not properly coordinating the use of these FTE to ensure the best utilization of its resources.

Information provided by the Department indicates that in April 2000, 285 inmates received medical treatment in Denver. Our review shows that the four facilities in the Department's northern region transported 261 of those inmates. We determined that on 11 days all four facilities transported inmates for medical treatment and on another 9 days, three of the facilities made transports. As a result, the Department faces the scenario of having multiple facilities transporting inmates to the same medical providers on the same day. This negatively impacts facilities who have to use their facility correctional officers to transport the inmates. Having multiple facilities transport inmates to the same location also increases the Department's operating costs, since it is paying for several vans to take the inmates to Denver.

The Department faced this same issue in the Canon City/Pueblo area. It solved the problem by placing medical transports in those areas under the authority of the CTU. The centralized medical appointment schedule allows the Office of Offender Services to move inmates to Canon City on the CTU's regularly scheduled transports. The Department uses transition beds at CTCF to temporarily house these inmates. The CTU then takes the inmates to their scheduled medical appointments. Department representatives believe that this centralization has saved the Department money and reduced the number of Department vehicles on the road. However, the Department has not quantified either the cost savings or the reduction in vehicles on the road. The Department should consider enacting the same process in its northern region by expanding the Northern Transportation Unit (NTU) and developing transition beds to temporarily house inmates at DRDC. As a result, the Department could broaden its centralized scheduling of medical appointments to its northern region. The combination of an expanded NTU and centralized scheduling of medical appointments could save money for the Department by moving inmates on regularly scheduled transports and thereby reducing the need and the cost of the facility transporting them. For example, in April 2000 the Sterling Correctional Facility transported inmates to Denver for medical appointments on 15 days. The cost per transport is at least \$369, or \$5,540 per month. If the facility took inmates to Denver on 15 days each month, the yearly cost would be \$66,497. The CTU's northern hub already makes regularly scheduled trips between the Sterling Correctional Facility and Denver twice a week. This raises the possibility that these inmates could have been placed on the regular trips for their medical appointments at no additional cost, thereby saving \$66,497.

The expansion of the NTU could be accomplished by transferring some facility transportation FTE to the NTU. This additional FTE would allow for more regularly scheduled transports between the Department's northern region facilities and Denver. In addition, the Department already plans to expand DRDC, including the creation

of 100 transition beds that can be used to temporarily house inmates. According to Department representatives, these transition beds will be available beginning in 2004. These transition beds make the consolidation of transports in the northern region feasible by providing overnight accommodations for inmates who have court or medical appointments in Denver or who are being moved to correctional facilities in the northern region. Consolidation of transports in the northern region will not totally eliminate the need for the facilities to transport some inmates, especially for medical purposes. It should, however, reduce the number of situations where multiple facilities take inmates to the same medical provider.

Recommendation No. 1:

The Department of Corrections should expand its Central Transportation Unit's northern hub and consolidate the transportation of inmates going to Denver and correctional facilities in the northern region. This could be accomplished by transferring some transportation FTE from the facilities to the CTU, centralizing the transportation of inmates for medical treatment, and expanding the regularly scheduled transports between facilities.

Department of Corrections Response:

Agree. Although the primary mission of both the current CTU and an expanded Northern Transportation Unit would be the same, it will not be as easy to replicate the Central Transportation Unit (CTU) operations in the Northern part of the state. The number of state and private correctional facilities in the Northern part of the state has grown dramatically in the last few years with the addition of the Burlington, Denver Women's and Sterling. The facilities served by an NTU are greater distances apart than the facilities which are served by the CTU in the south. Further, the CTU in Canon has a dedicated cellhouse at CTCF to hold offenders moving between facilities. A similar unit is being requested in a capital construction request for DRDC to serve the NTU. The Northern Transportation Unit (NTU) has been in operation for approximately a year and has not had a normal year of operation. We see this full consolidation occurring no later than 2004 when construction at DRDC should be completed.

The Department will develop a transportation strategic plan by July 1, 2001 which will address statewide operational and FTE issues. The result of this strategic plan will address this further consolidation of the transportation of inmates as recommended by this audit.

The Department Should Standardize Training for All Transportation Officers

Department representatives stated that one reason for the creation of the Central Transportation Unit was to ensure that the transportation of inmates was handled by properly trained staff. The correctional officers assigned to the CTU are handpicked experienced staff whose focus is solely on the safe transportation of inmates. The CTU members receive extensive initial and ongoing training in areas such as armed transport including defensive driving and courtroom security, weapons training, self-defense, and handgun retention. The Unit also has access to state-of-the-art equipment including a high-security transport van. The CTU is responsible for transporting the majority of inmates between facilities and for scheduled medical appointments in the Canon City and Pueblo areas. It is solely responsible, except in the case of medical emergencies, for the transport of high-risk inmates whenever they leave a correctional facility. To ensure the safety of the public and its officers when inmates are transported, the Unit follows specific operational procedures over and above the Department's standard rules for moving inmates. For example, the Unit's procedures require that if more than two inmates who are classified as medium security or above are transported to either a court appearance or a medical appointment in the same vehicle, a third armed officer must follow in another car. This officer provides armed security while the prisoner is at either the court or medical appointment. In addition, the Unit always uses three staff as courtroom security when it transports inmates to court appearances. Finally, the Unit rarely uses fewer than two of its officers when transporting an inmate. The Unit follows these procedures to ensure the safety of both the officers and the general public.

Although the CTU transports most inmates, our audit work indicates that a substantial number of inmates continue to be transported by individual correctional facility staff. Facilities outside of the Canon City/Pueblo area transport inmates to scheduled local medical appointments. Facilities also take inmates facing charges for crimes committed within the Department of Corrections to the local court. For example, we estimate that facilities transported 628 inmates for medical appointments during April 2000. During the same month, facility personnel also transported 37 inmates to local court appearances. Eighteen correctional facilities have a total of 36.5 FTE dedicated to transporting inmates. These FTE are not part of the Central Transportation Unit and report to the individual facility wardens. We also found that some facilities do not have FTE assigned to transportation, yet they are transporting inmates. For example, Department representatives report that in Fiscal Year 2000 the Arkansas Valley Correctional Facility (AVCF) transported inmates a total of 42,254 miles. However, there are no FTE assigned to

transportation at AVCF. Similarly, the Department reports that the Colorado State Penitentiary transported inmates a total of 3,144 miles, yet there are no FTE assigned to transportation at the facility.

Facility correctional officers receive the same initial armed transport training as members of the CTU, but do not receive all of the same ongoing training. Facility transportation officers follow the same administrative rules for transporting inmates but not the operational procedures enacted by the CTU. For example, when facility personnel transport medium security and above inmates, they use two officers, but only one must have received the armed-transport training. In addition, the facilities do not necessarily utilize the armed officer in a chase car. Another difference in procedures is that the facilities can choose to transport inmates classified as minimum or minimum restricted using only one correctional officer, while the CTU always tries to use two officers. Finally, unlike members of the CTU, facility transportation officers perform transport duties on a part-time basis and therefore also carry out other facility duties. Facilities also have the option to use non-transport trained officers to transport inmates if regular transport officers are not available.

We have concerns about facility correctional officers who regularly transport inmates not receiving the same level of ongoing training as the CTU members even though they are performing some of the same duties. Additionally, facilities utilize officers who only transport inmates as one part of their duties. As a result, facility transportation officers may not consistently use their transport training and may, therefore, inadvertently fail to follow proper procedures. Also, the CTU follows more stringent operational procedures because the Unit believes they are necessary to safely transport inmates. The facilities are not required to follow the same procedures, although the same public safety issues exist regardless of who transports the inmates. Therefore, we believe the Department should require that all correctional officers who regularly transport inmates receive the same initial training as the CTU members. Facility transportation officers should also receive an appropriate level of ongoing training to ensure they maintain the skills necessary to safely transport inmates. Whenever possible facility transportation officers should follow the same operational procedures as the CTU.

Recommendation No. 2:

The Department of Corrections should require that correctional officers who regularly transport inmates receive the same initial training as the Central Transportation Unit members. These officers should also be required to obtain an appropriate level of ongoing training and whenever possible follow the same operational procedures.

Department of Corrections Response:

Agree. Initially, all new staff receive the same training. The auditors have raised some valid points in this recommendation and the Department will revisit the on-going training curriculum provided to the dedicated facility transportation staff. We do not believe major changes requiring more hours of training are required, as these staff are already adequately trained and certified in the use of their weapons in conjunction with armed transports. However, some topics could be added to the refresher training each year to ensure all of these areas are revisited regularly. The current differences in the training are illustrated by the chart.

Comparison of Training/Operational Procedures		
Type of Training/Operational Procedures	CTU	Facility
Defensive Driving	Initial Training in conjunction with CDL License - Plan to expand this training to include the vans	None
Courtroom Security	Trained - CTU does 99% of courtroom trips in Canon. Outlying areas handle their own court trips.	None
Weapons Training	CTU staff receive approximately 4 hours of training monthly in addition to quarterly qualifications	All correctional series staff qualify quarterly
Self Defense	Annually - PPCT	Annually - PPCT
Handgun Retention	Quarterly in conjunction with PPCT	Annually - PPCT
Transport of 2 medium inmates	2 officers in the van and a third armed officer in a chase vehicle	2 officers in the van - the facility will try to have the chase vehicle but sometimes there are not enough staff available to assist with transport

The Department does not believe that the training of facility transportation staff or facility security staff who occasionally transport inmates needs to be identical to the on-going training the CTU staff receive. These facility staff typically are transporting smaller numbers of inmates compared to CTU.

The Department Cannot Readily Identify All Transportation Costs

During the course of our audit we requested that the Department tell us how much it spends to transport inmates. It is important for the Department to understand its costs related to inmate transportation so that it can ensure that the most cost-effective methods are being used. Department representatives commented that they could provide the amount spent on the Central Transportation Unit as well as the costs associated with transporting inmates to medical appointments in the Canon City/Pueblo area. However, as we have already noted, the facilities also continue to transport a large number of inmates. Department representatives acknowledged that it is much more difficult and time-consuming to track the costs related to facility transportation because they are tracked at the individual facility level. Facility transportation officers perform other duties, and the facilities may not track the number of transports made each year. The Department reported that in Fiscal Year 2000 it spent approximately \$1.7 million for the Central Transportation Unit to move inmates. However, this is not a true reflection of the actual costs. For example, this amount does not include the costs for the facility transportation officers. These 36.5 FTE would represent at least another \$1.7 million. As a result, we estimate the Department spent at least \$3.4 million to transport inmates during Fiscal Year 2000. We believe that the Department should know the amount of money it spends to move inmates. Therefore, it should enact budget procedures to help it determine the full cost of transporting inmates.

Recommendation No. 3:

The Department of Corrections needs to implement cost-effective procedures to better track the overall budgetary cost of transporting inmates. This would include costs for both the Central Transportation Unit and the transports conducted by facility correctional officers.

Department of Corrections Response:

Agree. The Department would like to better track the overall budgetary cost of transporting inmates, but the facility costs are much harder to identify. In order to capture the cost of transports, a tracking system\computer program would have to be developed which would include the number of inmates on the trip, the number of officers used to transport the inmates, the classification of the officer, the specific amount of the shift spent transporting inmates, the number of miles traveled, etc. The costs attributable to CTU are easy to identify because they are in a separate subprogram where all the costs are related to transportation. The Department will examine cost-effective ways to capture this information as a part of the transportation strategic plan that will be developed next year.

Facility-to-Facility Movement Represents the Most Transports

In Fiscal Year 2000 the Central Transportation Unit reported that it transported approximately 33,000 inmates. As we have noted, the Department transports inmates for three main reasons: medical appointments, court appearances, and facility to facility. Our audit work indicates that facility-to-facility movement by far represents the largest reason for the transportation of inmates.

Several Factors Impact Facility-to-Facility Movement

Currently the Department oversees 21 state-owned correctional facilities and 4 private-owned facilities with an overall bed capacity of 16,273. With an average daily population of 15,441 in Fiscal Year 2000, this means that on an average day only 832 beds, or about 5 percent, are vacant. At the time of our audit the Department reported a total of 511 vacant beds, or a vacancy rate of 3 percent. The correctional facility population is in a state of constant fluctuation with new inmates entering the system daily while other inmates are leaving the system. This influx and outflow also impacts the placement of other inmates who move to either fill vacated beds or make space at a particular facility for new inmates. This ever-changing population requires the Department's Office of Offender Services to practice strict bed management.

The Department's administrative rules require that each inmate, when remanded to the custody of the Department, receive an objective classification. The classification is meant to place the inmate at the lowest custody level possible consistent with an assessment of the inmate's treatment needs, security needs, and the safety and security of correctional staff, other inmates, and the general public. The Office of Offender Services uses the inmate's classification to determine correctional facility placement. Under its administrative rules, an inmate's classification will be reviewed every six months to ensure that the inmate remains at the lowest custody level necessary to meet his/her needs and ensure the safety of others. The Office also has the discretion to review the inmate's classification prior to the six-month time frame for bed management purposes. As a result, the Office of Offender Services, on a daily basis, must move inmates and manage available beds to abide by this rule. This can result in hundreds of inmates moving between facilities on a daily basis.

We found that inmates move between facilities for the following reasons:

- **New Inmates.** All inmates remanded to the custody of the Department begin their incarceration at the Denver Reception and Diagnostic Center (DRDC). They undergo their initial classification and are then moved by the CTU on a regularly scheduled transport to their permanent facility.
- **Progressive Moves.** This is defined as a move from a higher custody level (such as medium) to a lower custody level (such as minimum). A progressive move results from either a regular six-month classification or a discretionary reclassification due to departmental bed management needs.
- **Regressive Moves.** This is defined as a move from a lower custody level (such as medium) to a higher custody level (such as close). A regressive move usually results from a formal conviction under the Code of Penal Discipline, the Department's internal disciplinary system. It may also result from an inmate who violates conditions of parole or a community corrections program.
- **Lateral Moves.** Inmates can also move between facilities but remain at the same custody level. Some lateral moves result from inmates' entering specific treatment programs or being moved because they fail to participate in treatment. For example, the Department operates a treatment program for sex offenders at the Fremont Correctional Facility. When an opening occurs in the program, an inmate on the waiting list may be moved from another medium security facility. Other lateral moves take place to fill specialty positions within Correctional Industries. Lateral movement may also occur for compassionate reasons such as moving an inmate to a facility closer to his/her family.

- Custody Issues.** These occur when an inmate has an identified conflict or previous relationship with another inmate(s) and/or correctional facility staff. For example, the inmate could have snitched on another inmate or might have a rival gang affiliation. The Department documents and tracks all custody issues and uses this information when deciding on placements for inmates.

As part of our audit work, we selected one day and then calculated the number of inmates transported outside of correctional facilities on that day and the reason for the moves. Department officials confirmed that the day we picked provided a good example of inmate movement. The following table details inmate movement on August 29, 2000.

Inmate Movement by Type Tuesday, August 29, 2000	
Medical	76
Court Hearings	61
New Inmates	55
Regressive	34
Jail Backlog to DRDC ¹	34
Progressive	21
Lateral	12
Parole	12
Community Regression	10
Other ²	6
TOTAL	321
<p>Source: Office of the State Auditor Analysis of Documents Provided by the Department of Corrections, Office of Offender Services.</p> <p>1. Jail backlog to DRDC represents those inmates who have been remanded to the custody of the Department of Corrections but are awaiting initial intake at DRDC. These inmates remain in the county jail until a bed is available. The county sheriff takes the inmate to DRDC.</p> <p>2. Other includes custody issues, community regression by sheriff, return from parole board hearing, medical regression, and technical parole violation.</p>	

Of the 321 inmates who moved on August 29, 2000, 124 (39 percent) represented inmates moving between facilities for the reasons identified above. Another 76 (24 percent) were transported to scheduled medical appointments while 61 (19 percent) were moved because of court hearings. Facility-to-facility movements represent the single largest reason for transporting inmates.

Multi-Level Facilities Can Reduce the Need for Facility-to-Facility Movement

As we have already noted, every year the Department transports thousands of inmates between and outside of its correctional facilities. Under the Department's administrative rules, the inmate must be placed at the lowest custody classification necessary to meet his/her needs and ensure the safety of others. The Department reports that it has a shortage of beds at the higher-custody classification. Department representatives also note the need to keep lower-custody beds full because inmates in these facilities serve on crews that perform work in the local communities. Many of the Department's correctional facilities serve only one or two custody levels. Therefore, the reclassification of inmates to either a higher or lower custody level generally means that the inmate must be moved to another facility.

Each of the Department's correctional facilities receives a designated security level based upon the physical security of the facility. A Level I facility is the lowest security classification and a Level V is the highest. The designated security levels correspond to the custody categories of inmates. By statute, inmates with lower custody levels can be placed at facilities with a higher security level. However, inmates with a higher custody classification cannot be incarcerated at a facility with a lower security level. This means that a Level V facility can incarcerate all custody classification levels, while a Level I can only have minimum custody inmates. At the same time, the Department's administrative rules require the Department to place inmates at the lowest custody level necessary to ensure safety. In addition, the Department has fewer beds at higher security levels (medium and above) than at lower security levels (minimum and minimum restricted). Department officials report that there is an increasing need for additional higher-security beds because more inmates are entering the Department with higher custody classifications. All of this contributes to the need to move inmates between facilities and increases the transportation of inmates.

The development of multi-level correctional facilities could be a long-term solution for decreasing the number of inmates moving from facility to facility due to progressive or regressive reclassifications. Recently the Department has begun to move in this direction. Under its current classification system, Level IV and V

facilities, which generally serve high-custody inmates, can also have a limited number of inmates who are classified at lower levels such as minimum and minimum restricted. These lower-custody inmates serve on work crews that operate outside of the facilities' fences. In theory, if these work crew inmates are reclassified at a higher custody level, they could still remain at the Level IV or Level V facility rather than being transported to another facility. Conversely, inmates classified to a lower custody level could also stay at the same facility. The Department is also seeking budgetary authority and appropriations to build an additional 1,000 high-custody beds (close and administrative segregation) at existing correctional facilities. The first phase of the expansion creates 384 beds at the Arkansas Valley Correctional Facility while the sites for Phase II and III have yet to be chosen. In addition, the Denver Women's Correctional Facility is also undergoing a major renovation that will add high-custody-level beds. Upon completion both Arkansas Valley and Denver Women's will have the ability to incarcerate inmates at all five custody levels, which could lead to a reduction in the number of inmates transported from those facilities. Finally, the Department recently opened its first "mega-facility" in Sterling. The Sterling Correctional Facility serves approximately 2,445 inmates encompassing all five departmental custody levels. The design of the facility allows the Department to keep the different custody levels separate. The Department plans to move inmates within this facility in response to custody-level reclassifications rather than move the inmates to another facility. This could greatly impact the number of inmates that need to be moved to or from Sterling because of reclassification.

Multi-level correctional facilities have the potential to significantly reduce the number of inmates moving between facilities. Department representatives also indicate that multi-level facilities may also be less costly to build and operate than single-custody facilities. However, the Department's development of these types of facilities is relatively new and is still in many cases under development. As a result, it remains unclear whether multi-level facilities currently have an impact on inmate movement. In addition, to be successful at reducing the transportation of inmates, the Department will have to make the conscious decision to, if at all possible, move an inmate within custody levels at an individual facility rather than transport the inmate to another facility.

Recommendation No. 4:

The Department of Corrections should initiate a long-term study of its multi-level correctional facilities to determine if such facilities reduce the need to transport inmates between facilities.

Department of Corrections Response:

Agree. The Department will develop a system to track the number of inmates and reason transported from Sterling to other facilities to determine if a reduction in transport has been effected because of the multi-level facility.

The Department Cannot Easily Track the Number of Inmates Moved

The Department moves hundreds of inmates on a daily basis and tens of thousands each year. It is important that the Office of Offender Services as well as the individual facilities knows the number of inmates being transported as well as the location of those inmates. However, we found that the Department's current reporting mechanisms make it difficult to determine the actual number of inmates moved and the reasons for those moves during a specific time period

As part of our audit work we attempted to determine the actual number of inmates that the Department moved on a specific day and the reason for the move. Although the Department tracks the "real time" location (i.e., the actual location of an inmate at a particular time) of each inmate, we found it difficult to quantify the actual number of inmates being moved. We determined that there are several reasons why the Department cannot readily identify the number of inmates moved in a specific time period or the reason for the move. These include:

- **Different lists are used to track movement.** On a daily basis, the Department uses several lists to detail movement of inmates. One list, compiled by the Office of Offender Services, shows all inmates being moved on the CTU's regularly scheduled transports as well as those inmates going to court appearances. Separate lists compiled by the Clinical Services staff at CTCF and the individual facilities detail those inmates who are making day trips for a scheduled medical appointment. The Department's current reporting mechanisms are unable to consolidate the separate lists into one overall master list detailing all inmates that are being transported. As a result, the Department cannot readily determine the actual number of inmates being moved without going through a time-consuming process of individually counting the number of inmates on each list.
- **Duplication exists on individual transportation lists.** The Office of Offender Services tracks the movement of inmates being transported by legs,

not by inmate. Therefore, inmates traveling on more than one leg on the same day are counted twice. For example, if the CTU transports an inmate to DRDC and then the county sheriff takes the inmate to court, the inmate would be counted twice, although only one inmate moved. This inflates the number of inmates being transported. Our review of the lists of inmates moved on a specific day showed several instances of an inmate being counted more than once. The only way to determine if duplication exists is to compare the names of inmates on each list.

- **Transportation lists do not necessarily provide the reason for the inmate's movement.** Most inmates are transported by the CTU. Our review of the master list of the CTU transports indicates that in most cases the list does not provide any information about the reason for the movement. For us to determine the reason for movement, Department personnel had to use the computer system to pull up the individual inmate files. In a few cases the Department had to look at the inmate's paper file to determine the reason. This is a time-consuming process. Knowing the reason for the move could be beneficial in developing strategies for reducing the number of inmate moves.

Overall, it took us several days to determine the actual number of inmates moved by the Department on a specific day and the reason for the movement. Department personnel acknowledged that their computer system is currently unable to produce such basic information. We believe that the Department needs to know how many inmates it moves and the reasons for those moves. This information would allow the Department to analyze and track inmate movement and then use the information to develop strategies for managing and reducing the overall per capita cost of inmate transportation. We believe that reducing the per capita cost of transportation is an important goal since growing inmate populations might make it difficult to reduce overall inmate transportation costs.

Recommendation No. 5:

The Department of Corrections should:

- a. Modify its computer reporting mechanisms to obtain and produce better information on the number of inmates moved in a specific time period (i.e., day, month, year) and the reasons for the move.
- b. Use this information to develop strategies for managing and reducing moves.
- c. Establish benchmarks for current transports and set goals for reducing the per capita cost of inmate transports.

- d. Capture costs of transport and set per capita cost reduction goals.

Department of Corrections Response:

Agree.

- a. The Department agrees there should be a modification of its computer reporting mechanisms to obtain and produce better information on the number of inmates moved in a specific time period. The Department estimates the changes required would result in additional user data entry into the system. There will be additional computer programming required to accomplish this task.
- b. The Department will try to use the information to develop strategies for reducing the overall number of moves on a per capita basis.
- c. An attempt will be made to set bench marks for the current transports and set goals for reducing transports on a per capita basis in this growing system. As previously discussed, our transportation strategic plan will be developed next year and these benchmarks and goals will be an important part of this process.
- d. As stated previously, in order to capture the cost of transports, a system will have to be developed which would include the number of inmates on the trip, the number of officers used to transport the inmates, the classification of the officer, the number of miles traveled, etc.

Finally, frequent movement within our correctional system is viewed as a necessity by the Department's correctional professionals. Inmate moves are an integral part of good security within the total state correctional system. The funds expended (overall less than 1% of our budget) to transport inmates from facility to facility for security reasons is comparatively small if an inmate disturbance or other serious incident can be avoided through movement.

The Department continually strives to operate more efficiently. Despite its growth, the Department has been able to offer base budget reductions in each of the last five years. The Department will consider the programming changes necessary to track the number of inmates moved in addition to the reason they are moved from one facility to another in our cost tracking system to be developed.

Video Conferencing Can Reduce Transports

Chapter 2

Overview

Departments of Corrections throughout the nation use video conferencing technology as an alternative to transporting inmates. The American Correctional Association acknowledged that video technology improves security at correctional facilities while also reducing costs. The Association believes that technology should be used to promote efficiency and to enhance safety. Departments of Corrections in Massachusetts, New Jersey, Texas, Iowa, and Virginia use video conferencing as an alternative to removing inmates from the secure perimeter of a prison for things such as court appearances and medical appointments.

The Department Has the Ability to Conduct Video Conferences

In 1997 the Department recognized the potential value of video conferencing for reducing inmate transports and began implementing the video technology in its correctional facilities. Eight of its facilities now have video conference capability, with another three scheduled for implementation over the next few months. Currently the Department uses the technology to provide telemedicine to some inmates, to hold immigration hearings with the Immigration and Naturalization Service (INS), and to conduct some civil proceedings with the U.S. District Court in Denver. The Parole Board also employs video conferencing to conduct some of its hearing so that Parole Board members do not have to travel long distances around the State. Department representatives informed us that they would like to expand the telemedicine program and also begin using video conferencing for inmate appearances in the state courts.

Many Inmates Are Transported to Court Each Day

Inmates remanded to the custody of the Department of Corrections continue to interact with the State's judicial system for both civil and criminal proceedings. As a result, each year the Department transports thousands of inmates to court appearances throughout the State. For example, in April 2000, 689 inmates traveled to court appearances. In some cases the same inmate had to be transported several times to make multiple court appearances. On one day, August 29, 2000, 61 inmates were transported to or returned from court. The Department takes inmates to court on charges stemming from crimes committed within correctional facilities. County sheriffs transport inmates to court on charges filed prior to an inmate's incarceration, for civil matters, or for an appeal of a conviction. The Department and the local sheriffs employ a high degree of cooperation to try to reduce the number and distance of inmate transports. As a result, if space exists on one of the CTU's regular transports, the Department will take the inmate to the closest correctional facility where the sheriff can pick up the inmate and take him/her to court. This cooperation can result in lower transport costs for both the Department and the local sheriffs, since the cost is split between them.

Department officials indicate that taking inmates to court is costly. However, the Department could not provide us with the cost to transport an inmate to court, because the transport configuration can vary greatly depending on the number of inmates and correctional officers in a vehicle, the number of legs involved in a transport, and the number of miles traveled. We attempted to quantify the cost to transport an inmate to court using two current inmates as examples.

Inmate 1

Inmate 1 is assigned to the Arkansas Valley Correctional Facility (AVCF), Ordway, and appeared in the Jefferson County Combined Court, Golden, on a Rule 35 reconsideration hearing. The inmate spent a total of eight hours in court over a period of two days. The Central Transportation Unit (CTU) transported the inmate on a regular transport from AVCF to the Transition Unit at the Colorado Territorial Correctional Facility (CTCF) in Canon City and then from CTCF to the Denver Reception and Diagnostic Center (DRDC), also on a regular transport. The Jefferson County Sheriff's Office transported the inmate from DRDC to court and back. The inmate was housed overnight at the Jefferson County Jail. The return trip to AVCF was organized in the same way as the initial trip to court. We estimate that the Department's transport cost for this inmate was \$265.46 while the Jefferson County

Sheriff's Office spent \$84.48. Overall, taking this one inmate to court cost the Department and the county \$361.32.

Inmate 2

Inmate 2 is assigned to the Rifle Correctional Center (RCC) and appeared in the Denver District Court for an advisement, plea, and sentencing, which lasted under an hour. Inmate 2 was originally scheduled for an advisement only. The RCC transported the inmate to the Delta Correctional Center (DCC). The CTU then transported the inmate on a regular transport from DCC to the Buena Vista Correctional Facility (BVCF). The Denver Sheriff's Office took the inmate from BVCF to court in Denver. The inmate returned to RCC in the same way as the initial trip to court. We estimate that the Department's transport for this inmate was \$99.89 while the Denver's Sheriff's Office spent \$117.56. This inmate court appearance cost the Department and the county a total of \$217.45.

The price to take an inmate to court jumps dramatically when the appearance involves a high-risk inmate. The CTU transports all high-risk inmates to court. During the course of our audit the CTU transported two high-risk inmates from the Colorado State Penitentiary (CSP) to court. One inmate appeared in the Fremont County Combined Court and the other in the Arapahoe County District Court. A high-risk transport requires a great deal of planning and significant personnel and equipment resources. For example, a special van with a steel interior cage must be used. The transport also requires an armed officer in a chase car that follows immediately behind the van. Special restraints are used to secure the inmate, including a REACT (Remote Electronically Activated Control Technology) belt, which is worn by an inmate throughout a court proceeding. The belt is controlled by a correctional officer and if the inmate acts up, the belt is activated, which sends an electric shock to the inmate. The inmate transported to the Fremont Combined Court required four correctional officers and two vehicles. The hearing lasted just over an hour, but the entire transport took three hours to complete. The total personnel and vehicle costs reported by the CTU for transport of this inmate to court totaled \$246.10. The CTU transported the second inmate to the Denver Reception and Diagnostic Center (DRDC). He was then taken from DRDC to Arapahoe County District Court each day over a five-day period. Upon his return to CSP, the CTU took the inmate back to Arapahoe County one more time the following week. For each day the inmate appeared in court, the CTU used four to five officers to transport him and provide court room security. The personnel and vehicle costs reported by the CTU for transport of this inmate to court totaled \$6,930.50. As evidenced by these examples, it costs hundreds, if not thousands, of dollars to take each inmate to a court appearance. Thousands of inmates go to court each year resulting in significant transportation costs for both the Department and the counties.

Video Conferencing Is Used as an Alternative to Transporting Inmates to Court

For civil and criminal proceedings involving inmates, transportation is costly and also presents a risk to public safety. Video conferencing allows certain court proceedings to be conducted without parties or witnesses being physically present in a courtroom. Video technology can effectively transmit body language and voice inflection, thus making it a useful alternative to a personal appearance. Therefore, it is a viable alternative to transporting inmates to court. Section 13-1-132 (1), C.R.S., states that, except for trials, an appearance may be made in court by the use of an interactive audiovisual device. In addition, Rule 43 of the Colorado Rules of Criminal Procedure further clarifies that a defendant may be present by interactive audiovisual device for first appearances for the purpose of advisement and setting of bail, further appearances for the filing of charges or for setting of the preliminary hearing, or for hearings to modify bail. Although the technology exists, the Department and the State's judicial system underutilize video conferences for inmate court appearances.

As part of our audit we looked at other state corrections departments who participate in video conferencing with the courts. In New Jersey, the Department of Corrections initiated video conferencing with the state courts in an effort to reduce the number and cost of transports. There was initial reluctance from judges and public defenders, so the transition to video conferencing has been gradual. Current use of the system includes parole board hearings, witness testimony in civil proceedings, first appearances in criminal cases, and inmate interviews. To help public defenders become accustomed to the technology, the New Jersey Department of Corrections purchased a PC-based video conference system for each of the regional public defender offices in the state. Rather than traveling to correctional facilities to interview clients, public defenders can now conduct interviews from their own offices. The current video conference system in New Jersey involves 17 state prisons, the federal prisons, 15 regional public defender offices, and 15 criminal courthouses. Court officials in New Jersey estimate that approximately 200 video conferences are conducted each month. Although New Jersey officials would not quantify their cost savings, the officials commented that significant savings have been achieved through reductions in the number of inmates transported for court appearances.

The Multi-Use Network Will Provide More Access for Video Conferencing

The State of Colorado is in the process of implementing a new statewide network called the Multi-Use Network (MNT). The MNT is a high-speed fiber-optic network with a telecommunications infrastructure that will enhance existing services while also providing service to lesser developed areas of the State. Participants on the network will include schools, public libraries, higher education institutions, and state agencies. The MNT will consist of 70 Aggregated Network Access Points (ANAPS), each with 20 megabits of bandwidth, located in all of Colorado's counties. The MNT will run on an Asynchronous Transfer Mode (ATM) backbone, which allows voice, data, and video to be carried over the same fiber-optic line. This allows agencies to have their telecommunications services bundled together through a single provider. The State plans to implement the MNT over three years with final completion scheduled for April 2003. During development of the MNT the State will pay for each of the Department's correctional facilities to receive the fiber-optic infrastructure. It is our understanding that the Department's existing video conferencing equipment may need to be upgraded to be compatible with the ATM based applications on the MNT. The Department has requested funding to accomplish the required upgrades. With the upgrades, the Department's ability to conduct video conferences will be greatly enhanced. Under the current development plan, most of the Department's facilities will begin to use the MNT by April 2001. Currently the Department does not plan to include the four private correctional facilities it uses as part of the MNT. However, either the Department or the private facilities could pay for the cost of the fiber-optic line and for the video equipment needed to bring the private facilities online.

Since the Multi-Use Network (MNT) is a state-sponsored telecommunications network, the State's judicial system including the trial courts will also participate. This represents a significant improvement in the ability of the Department to conduct inmate court appearances using video conferencing. Currently individual courts would have to purchase and install separate telecommunication lines to be able to do video conferencing with the Department. Only a limited number of courts now have the capability. With the MNT the video capability will already be a part of the new telecommunications infrastructure. However, MNT representatives informed us that the State's judicial system will have to upgrade their current network to conduct video conferences using the MNT. The MNT may also give the Department the ability to expand its telemedicine program. As we discuss later in this chapter, the Department uses two hospitals, the Denver Health Medical Center and the University of Colorado Health Sciences Center (University Hospital), to obtain specialty care via telemedicine. The Department also plans to develop a

telemedicine agreement with the hospital at the Colorado Mental Health Institute at Pueblo (CMHIP). Under the MNT plan each of these hospitals will be a part of the MNT. In addition, MNT representatives commented that nonprofit entities such as hospitals can also become a part of the network. This could allow the Department to develop telemedicine agreements with other hospitals throughout the State.

The Department Needs to Evaluate the Impact of the Multi-Use Network on Its Video Conferencing Infrastructure

The Digital Data Network (DDN) that provides the Department of Corrections with its current video conferencing capability will be migrated to the Multi-Use Network (MNT). However, Department representatives have expressed uncertainty about how or when this will occur and what impact it will have on their current video conferencing infrastructure. As we have already noted, the implementation of the MNT will greatly enhance the Department's capability to conduct video conferences. The Department needs to assess whether its internal infrastructure can handle this increased capability. In addition, the Department needs to assess the budgetary costs associated with the Multi-Use Network to determine if their video conferencing costs will increase.

Currently the Department uses two methods to make the connection for video conferences. The first method utilizes the Department's 20-port bridge. A bridge is a product that connects one participant to another using a designated port. This allows an outside agency or another facility to dial directly into the bridge in order to connect to a particular correctional facility. The Department uses its bridge to make connections between facilities as well as to perform its telemedicine consultations with University Hospital and Denver Health. The use of the Department's bridge allows scheduling to be done directly between the two participants. Even with the implementation of the MNT, the Department will still need to use a bridge to make the connection. However, Department representatives informed us that their existing bridge is full, making it very difficult to conduct a larger number of video conferences. As a result, the Department may need to consider purchasing another bridge at an estimated cost of \$60,000 to increase its ability to perform video conferences. A second bridge will allow the Department to add new correctional facilities to its internal network as well as additional medical providers and state courts. The second connection method requires an outside agency such as the U.S. District Court to dial-in to the Cooperative Interactive Video in Colorado State government network (CIVICS) in order to connect to the Department's video network bridge. The connection through CIVICS costs \$62.50 per hour, per site. It also requires

both the agency and the Department to be flexible in scheduling, which may not always be feasible.

In addition to the costs associated with connecting the two participants, the Department will also have to pay the ongoing costs of the MNT. These ongoing costs include local loop and cloud fees for each of the correctional facilities. The local loop fee is similar to a phone line service fee and is assessed by a local telecommunications vendor such as Qwest. The local loop fee per facility has been estimated at \$329 per month. The cloud fee covers the cost of the backbone to connect lines between different area codes. The amount of the cloud fee will be established between the Department and the Multi-Use Network, but it is estimated to be \$75 per line for a total of \$225 per month for the three lines per facility (voice, video, and data). The Department's total estimated MNT line costs for 22 sites (including Department headquarters) is about \$146,256 per year.

The Department needs to fully evaluate how the MNT will affect its ability to conduct video conferences with participants inside and outside of the Department's current video network. This will enable the Department to more effectively plan for increases in use. Although initially the MNT may appear to be more expensive than the Department's current video conferencing expenses, in the long term it should be cost-effective. In addition, the increased use of video conferencing will allow the Department to reduce its inmate transportation costs and increase public safety because fewer inmates will have to leave a correctional facility.

Recommendation No. 6:

The Department of Corrections should evaluate the impact of the Multi-Use Network and ensure that it has the capability to utilize this network to its full potential. This evaluation needs to include the budgetary implications of using the Multi-Use Network for video conferencing and expansion of its current video network infrastructure.

Department of Corrections Response:

Agree. The Department agrees that a thorough evaluation of the proposed Multi-Use Network (MNT) and associated costs is essential to future plans for migration of current data, video and eventually, voice applications, however, many of the costs associated with MNT are not available at this time. It is the Department's understanding that actual MNT usage fees have not been finalized and therefore, no adequate comparisons can be made. In addition, voice applications will be the last to migrate to the MNT. Since the MNT is not an FCC licensed carrier, the

local loops will only function for internal connections between facilities, not long distance service and the resulting charges.

The Department of Corrections' current video equipment is not compatible with either the newer units nor the ATM based applications. The DOC has submitted a Decision Item for Fiscal Year 2001-02 that, if funded, will upgrade current equipment, including the bridge, so full use of the Multi-Use Network can be achieved. There are different types of video equipment which could be purchased which would allow point-to-point conferences for courtroom interactions, and it may not be necessary for DOC to purchase a full bridge. DOC would need to have completed a full evaluation of the functions and proposed usage of video conferencing before a recommendation for the type of equipment needed could be completed. At the current time, DOC does not have dial-in capabilities. This function will be available when the upgrade to the existing DOC bridge as well as the installation of the appropriate lines for INS applications have been completed.

Video Conferencing May Be a Cost-Effective Alternative to Transporting Inmates to Court

In some cases video conferencing may be a cost-effective alternative to transporting an inmate to court. For example, if video conferencing had been used to do the advisement in Denver District Court for Inmate 2 referenced above, it would have cost the Department and the court each \$62.50 for an hour of video conferencing. This is less than the cost of transport, which was \$99.89 to the Department and \$117.56 to the Denver County Sheriff. More importantly, the inmate would not have been removed from the secure confines of the correctional facility. Since the current structure requires a court to go through CIVICS to connect to the Department for video conferencing, brief appearances by video conference will likely result in cost savings over the cost to transport inmates. Because of the \$62.50 per hour per site fee for CIVICS, lengthy proceedings such as the eight-hour hearing for Inmate 1 referenced above would cost more by video conference than by transporting the inmate to court. However, we should point out that the safety of correctional officers and the general public is invaluable and in some cases outweighs an opportunity to save money. In addition, we believe that the Department can save the cost of connecting through CIVICS by purchasing another bridge. This would result in a per conference cost savings for both the Department and the individual courts.

As we have already mentioned, the implementation of the State's Multi-Use Network should also make video conferencing more cost-effective because the State pays the cost of providing the fiber-optic infrastructure while the monthly costs associated with the network include voice, data, and video are paid by the Department. Network representatives informed us, however, that the State's judicial system will need to upgrade their network to be compatible with video over the MNT. In addition, individual courts may need to upgrade or purchase new video conferencing equipment. However, our audit work indicates that it is relatively inexpensive to purchase industry standard equipment. For example, the Department's most recent video conference unit purchase totaled \$6,790 for a monitor, camera, equipment cart, and all of the necessary cables, microphones, and speakers.

Survey Results Indicate a Willingness to Use Video Conferencing for Court Proceedings

As the availability of video conferencing technology increases in the State, we found that the State's judicial system is willing to use the technology for some court proceedings involving inmates. As part of our audit work we surveyed chief judges, district administrators, district attorneys, public defenders, and private defense attorneys from the 22 judicial districts to get their perspective on the use of video conferencing for court proceedings. We sent a total of 112 surveys and received 60 completed surveys, for a 53 percent response rate. The survey responses provided us with several important indicators. First, we found that video conferencing is being used with some frequency in the local jurisdictions. Of the district administrators who responded to the survey, 75 percent reported some current use of video conferencing technology in their districts. The use is limited primarily to video advisements and arraignments between the courts and local jails. Second, there appears to be a willingness among court personnel and district attorneys to use video conferencing with inmates for some limited court proceedings. Survey responses from chief judges and district attorneys indicated they would be willing to conduct video conference proceedings involving inmates for the following proceedings:

- Advisements/Arraignments.
- Pre-trial matters.
- Non-evidentiary or non-testimonial proceedings.
- Post-conviction matters (Rule 35 reconsideration and restitution).

Public defenders and private defense attorneys expressed an overall objection to the use of video conferencing with inmates. However, responses to our survey indicate that they would not object to a client's appearing via video conference in limited matters such as:

- Settings and non-substantive procedural matters.
- Arraignments and pre-trial conferences.
- Proceedings allowed under Rule 43 of the Colorado Rules of Criminal Procedure, which includes first appearances for purposes of advisement and setting of bail and further appearances for the filing of charges or the setting of preliminary hearings.

As we have already noted, public defenders and private defense attorneys expressed an overall objection to the use of video conferencing for court proceedings involving inmates. Their concerns include the inability:

- To privately speak and consult with their clients before, during, and after the court proceedings.
- To conduct meaningful direct or cross-examination via video.
- To clearly display the witness's facial reactions and body movements over video.
- To directly communicate with their clients.

In addition, survey responses from all respondents indicated concerns that the use of video conferencing could violate the inmate's due process rights such as the sixth amendment right to confront witnesses. Specifically, some respondents stated that this right could be violated if an inmate is not physically present in the courtroom. Judicial system representatives should address whether these are legitimate legal issues as part of an overall plan to increase the use of video conferencing with inmates. Nearly all respondents indicated they would be opposed to inmate testimony being given via video conference. However, some of these concerns might be allayed as court personnel and defense counsel become more familiar with video technology. We also believe that even if video is only used for limited court proceedings, it will reduce transportation costs and increase public safety.

Agencies Should Work Together to Implement Video Conferencing in the State Courts

On the basis of the survey responses we received, we believe there is support for the use of video conferencing for limited court proceedings involving inmates. We understand that some opposition exists, particularly among defense counsel. However, this may be attributed to a lack of experience with the current technology as well as uncertainty about how inmate rights and confidentiality can be safeguarded if video technology is used in lieu of a personal appearance in court. Video conferencing can be a cost-effective tool for the

Department, courts, and counties while also increasing public safety. Therefore, the Department of Corrections and the Office of the State Court Administrator need to work together to advance the use of video conferencing in civil and criminal matters involving inmates. Any discussions should also include district attorneys, defense counsel, and county representatives to ensure that all viewpoints are included.

Recommendation No. 7:

The Department of Corrections and the Office of the State Court Administrator in conjunction with district attorneys, defense counsel, and county representatives should expand the use of video conferencing by:

- a. Working together to identify court proceedings that would be appropriate for video conferencing.
- b. Determining how the purchase of new or upgraded video conference equipment for the courts could be accomplished.

Department of Corrections Response:

Agree. The Department is willing to work with the Court Administrators to establish policies and procedures for the use of video conferencing in all appropriate applications. It is uncertain though whether the courts have the technical capability to perform video conferencing. The Department is also willing to assist in the planning, development, and implementation of compatible video conferencing capabilities.

Office of the State Court Administrator Response:

Agree. The Branch is willing to work with the Department of Corrections to establish policies and procedures for the use of video conferencing in all appropriate applications. The Branch is also willing to assist in the planning, development, and implementation of compatible video conferencing capabilities. There are many possible applications for this technology that can benefit the Branch and the people who use the courts. These include attorneys, local law enforcement, internal staff training, court-to-court communications, detention facilities for juveniles, probation officer meeting needs, as well as connecting the Districts with the State Court Administrators office. This matter was examined in

May of 1996 but the available technology has changed greatly. If properly funded, there can be cost savings to all of those users listed above as well as others not yet developed.

The Department Should Actively Publicize the Availability of Video Conferencing

As we have already noted, the Department has an extensive video conferencing capability. Eight of the Department's correctional facilities already have the capability to conduct video conferences with three additional facilities due to have the capability by the end of the year. Our audit work found, however, that the Department has not adequately publicized the existence of this capability. This is particularly true in the case of the State's judicial system. Although Department representatives told us that they had informed members of the judicial system about the availability of video conferencing, we found that not to be the case. As part of our audit work we surveyed members of the judicial system to determine if they were aware the Department had the capability to conduct court appearances using video technology. Our survey indicated that 78 percent of those who responded were unaware of the Department's ability to have inmates appear via video conferencing. This lack of awareness means the courts did not even have the opportunity to consider using video technology as an alternative to having the inmate transported to the court appearance. As a result, we believe a lack of publicity about the Department's video capabilities has prevented further evolution of video conferencing within the State's judicial system.

Recommendation No. 8:

The Department of Corrections should actively publicize the availability of video conferencing to the State's judicial system.

Department of Corrections Response:

Agree. The Department agrees that actively publicizing current video conferencing capabilities should enhance utilization. The DOC will explore the possibility of an informational page related to video conferencing as part of the DOC's web site. It would also be possible to utilize the State's e-mail system and publicize current capabilities and contact points. It should be noted that DOC will also need to

interface and obtain the assistance of the Colorado Information Technology System to achieve the desired results.

Consolidation of Adjudication Is Not Feasible at This Time

Numerous inmates tend to commit additional felony crimes within correctional facilities that require them to have further contact with the judicial system. The Department's Office of the Inspector General (OIG) investigates crimes committed within correctional facilities. Disposition of Code Of Penal Discipline (COPD) violations are handled internally by each facility. This can include violations equal to misdemeanor or felony "street" charges. OIG presents felony charges to the local district attorney, who decides whether to file criminal charges. Department records show that during calendar year 1999 the OIG presented 297 alleged felonies to district attorneys for criminal prosecution.

Department representatives indicated support for a proposal to transfer the adjudication of felony crimes committed within correctional facilities to the jurisdiction of Fremont County. Representatives noted that inmates who perpetrate these crimes are likely to be moved to higher-security correctional facilities usually in Fremont County. Therefore, consolidation would reduce the distance the inmate would travel, since the court appearance would be in Fremont County rather than in the county where the crime occurred. As a result, the Department believes consolidation could lower transportation costs. Department representatives also note that it would increase public safety by decreasing the number of inmates traveling long distances to appear in county courts.

Inmates Are Not Necessarily Moved to Fremont County

Department representatives believe that inmates who perpetrate felony crimes in correctional facilities tend to be moved to higher-security facilities in Fremont County. Our audit work indicates that this may not be the case. We reviewed a sample of 50 criminal cases involving 57 inmates that the Office of the Inspector General referred to district attorneys during 1999. Inmates in our sample did not necessarily end up in facilities in Fremont County. We found that only 12 inmates (21 percent) who committed a felony were moved from another jurisdiction to a Fremont County facility. Another 9 inmates (16 percent) remained in Fremont County facilities. Three inmates (5 percent) actually moved from Fremont County to correctional facilities in other jurisdictions after committing the

felony. The largest number of inmates in our sample, 14 (25 percent), remained at the facility where they committed the crime. Overall, 36 (63 percent) of the 57 inmates ended up in facilities outside of Fremont County. In the case of our sample, consolidation of adjudication in Fremont County would actually increase the number of inmates who would need to be transported longer distances because many of the inmates who committed the crimes are at facilities outside of Fremont County. As a result, the possibility exists that the Department's transportation costs would also increase.

Opposition to Consolidation Exists in the Judicial System

Through a survey, we sought the opinion of court personnel, district attorneys, and defense counsel about the consolidation of adjudication in Fremont County. We found opposition to consolidation of adjudication exists within the judicial system. One reason consistently cited by all respondents was increased costs to have witnesses including other inmates, correctional officers, and OIG investigators travel to Fremont County to testify in court. Consolidation could increase transportation costs because the inmate witnesses would have to be brought to Fremont County. Other survey responses noted that local communities expect that the crimes will be prosecuted in their counties. The most serious opposition came from public defenders and private defense counsel. These respondents stated that the only reason a trial should be moved from the jurisdiction where the crime occurred is if the defendant cannot receive a fair trial. Representatives of Fremont County, while agreeing with other respondents, also noted that the increased workload costs of additional judges and support staff may be greater than current transportation costs.

Consolidation would require that both the original jurisdiction and Fremont County agree to a change of venue. As part of our survey we asked respondents whether consolidation of adjudications in Fremont County requires a statutory change. Almost all of our respondents indicated that a statutory change would be needed. One respondent suggested that a constitutional amendment might be required. For consolidation to work, the Department needs the support and cooperation of the State's judicial system. Our survey responses indicate that support for this idea does not currently exist. Therefore, consolidation does not appear to be feasible at this time.

Video Conferencing Could Make Consolidation Viable

We understand the Department's support for consolidation of adjudications in Fremont County. However, our work indicates that it is not feasible at this time. Since a large number of inmates committing crimes are not relocated to Fremont County, consolidation would still require that inmates be transported greater distances for their court appearances. In addition, consolidation might lead to even more inmates being transported longer distances since inmates who witness the crime are likely to be called to testify in court. As a result, the Department's goal of reducing costs and increasing public safety by lessening the distance inmates are transported cannot currently be achieved. Increased use of video conferencing for court appearances offers a more viable alternative. The use of video technology for advisement, pre-trial appearances, and inmate witness testimony could reduce the number of inmates traveling to court. The use of video technology for other witness testimony could also address judicial concerns about the increased time and cost of having witnesses travel to Fremont County.

Conclusion:

Consolidation of adjudication of inmates in Fremont County does not appear to be a viable option at this time. An alternative may be obtaining the agreement of the Department and the state courts to more extensive use of video conferencing technology for inmate appearances.

The Department Needs to Expand Its Use of Telemedicine

Court rulings have demonstrated that inmates have a constitutional right to health care. The main question is how to provide the required care at a reasonable cost. According to Department representatives, inmates need more medical care than the average population. All of the Department's facilities provide at least a minimal level of in-house medical care. However, the Department consistently needs to obtain specialty care for inmates. Although the Department has the capability to secure speciality care through telemedicine, it still physically transports hundreds of inmates to medical appointments each year. Telemedicine utilizes video conferencing technology that allows a doctor at an outside facility to examine an inmate within a correctional facility. Speciality equipment such as

stethoscopes and microscopes can be attached to the video equipment to allow a doctor to fully examine a patient. Our audit work indicates that telemedicine provides quality medical care and offers a viable alternative to transporting some inmates outside of correctional facilities. Therefore, we believe the Department needs to expand its use of telemedicine.

The Department Transports Hundreds of Inmates to Medical Facilities

The Department operates a managed care medical system to provide the required health care to inmates. Each of the Department's correctional facilities provides some level of on-site medical care. When the inmate needs speciality care, the Department's first priority is to have the inmate seen during an on-site clinic. However, the frequency of on-site clinics depends upon having enough of a workload to encourage a doctor to come to the facility. If on-site speciality care is not available, the Department either uses telemedicine or transports the inmate to an outside medical facility. Our audit work indicates that most inmates who do not receive care through the on-site specialty clinics are transported to medical facilities.

In Fiscal Year 2000 the Department reported 8,607 off-site patient visits. These represent visits to private doctors' offices and hospitals. The number does not include inmates who were taken to medical appointments at other Department medical facilities such as CTCF or the Colorado Mental Health Institute at Pueblo (CMHIP). According to Department records, the Central Transportation Unit (CTU) and individual facilities made 1,027 trips involving 826 inmates for scheduled medical appointments during April 2000. This represents all scheduled medical appointments including when an inmate was transported from one correctional facility to another to see a doctor. The CTU transported those inmates who visited medical facilities in the Canon City/Pueblo area, while individual correctional facilities took inmates to appointments in other areas of the State. Transporting inmates to medical appointments costs a significant amount of money. For example, the CTU spent about \$335 to take two inmates to medical appointments in Canon City and Pueblo. To transport a high-risk inmate is even more expensive. The Department recently spent almost \$1,500 to take one inmate to a hospital in Canon City for medical tests. These transport costs do not include the cost of the medical services or the impact on correctional facilities, because staff must remain with the inmate throughout the medical appointment. A cost that cannot be calculated is the risk to the general public when inmates are taken to hospitals or private doctors' offices. The Department has not quantified how much it spends transporting inmates to medical facilities, but we believe it to be significant. During Fiscal Year 2000, the CTU took over the responsibility for medical transports in the Canon City/Pueblo area. The Department reported that the

personnel costs for this duty totaled over \$300,000. This figure does not include operating costs or the cost incurred when the individual facilities take the inmates to medical facilities.

Telemedicine Is Underutilized

Several of the Department's correctional facilities have the capability to conduct telemedicine encounters. The Department has established relationships with the Denver Health Medical Center and the University of Colorado Health Sciences Center to provide specialty health care via telemedicine. While the Department transported 826 inmates to outside medical appointments during April 2000, only one telemedicine consultation took place during that month. From January 2000 to June 2000, Denver Health officials reported performing 145 telemedicine encounters in 13 specialties. In Fiscal Year 2000, University Health reported 376 encounters, but only 28 involved medical care. The remaining 348 encounters were telepsychiatry sessions. Considering the fact that the Department reported over 8,000 off-site medical visits during Fiscal Year 2000, we believe that telemedicine is significantly underutilized.

Although telemedicine consultations are a specific part of the Department's health care protocol, we found that several reasons exist that lead to the underutilization of this technology. First, Colorado Access, the Department's managed care health provider, encourages the use of telemedicine on a limited basis only. Colorado Access must authorize all off-site specialty care including the use of telemedicine. Representatives of Colorado Access informed us that they only encourage the use of telemedicine by the four correctional facilities in the Department's northern region. This is because Colorado Access officials believe that telemedicine consultations almost always result in the need for the inmate to be seen in person by the specialist. Since the Department's two telemedicine providers are in Denver, Colorado Access only encourages the use of the technology in facilities that would tend to use Denver for other medical care. Colorado Access believes it is more cost-effective to transport an inmate to a local provider rather than use telemedicine and risk having to transport the inmate to Denver later. This assessment may not be valid. The cost to transport an inmate from Canon City to a medical facility in Pueblo can cost about \$335 per trip compared with \$368 for a trip to Denver. Second, assuming that the inmate would need to be seen a second time to receive further treatment, the use of telemedicine would eliminate the need to take the inmate outside of the facility at least once. Our audit work also indicates that telemedicine consultations do not necessarily lead to additional treatment in Denver. Colorado Access' decision to only encourage the use of telemedicine by 4 of the Department's 25 correctional facilities contributes to the underutilization of the technology. One way to dramatically increase the use of telemedicine is for the Department and Colorado Access to actively seek telemedicine providers in the Canon City/Pueblo area where the Department operates a significant number of correctional facilities. It is our understanding that Colorado Access

is working with the Department to try to develop a telemedicine agreement with the Colorado Mental Health Institute at Pueblo (CMHIP). We believe that this would be an excellent solution because CMHIP already provides a significant amount of medical care to inmates.

Second, the Department does not require its primary care physicians to use telemedicine. Facility primary care physicians make the decision to request specialty care and can actually request specific providers. We found that only six correctional facilities regularly use telemedicine to provide specialty care. Department officials commented that many physicians are uncomfortable with telemedicine technology and therefore do not want to use it. In addition, telemedicine creates more work for the facility physician than an off-site transport because the physician must participate in the telemedicine encounter. At the same time, telemedicine provides facility doctors the opportunity to consult with specialists. Since doctors at six facilities regularly use telemedicine, it is apparent that the technology works. The Department could also provide additional training to doctors to help them better understand the benefits of telemedicine.

Finally, the Department's primary care providers are not using telemedicine for consultations in all possible specialties. Our review indicates that Denver Health and University Hospitals provided telemedicine encounters in 14 specialties. The most frequent encounters occur in the specialties of dermatology, orthopaedics, rheumatology, and otolaryngology (ENT). However, representatives of both hospitals informed us that telemedicine could regularly be used for many other specialties. Those suggested include gynecology, urology, and pre- and post-operative examinations. We found that other states that use telemedicine provide specialist consultations in up to 30 specialties. Hospital officials expressed a willingness to expand telemedicine to other specialties. However, this would require facility providers to make the referral and Colorado Access to approve the use of telemedicine.

The Department has the capacity to perform more telemedicine encounters and it needs to take active steps to do so. Telemedicine provides quality health care to inmates while reducing the number of inmates that need to be transported to off-site medical facilities.

Telemedicine Can Be a Viable Alternative to Transporting Inmates

We found that at least three other states, Virginia, Iowa, and Texas, are currently utilizing telemedicine as an alternative to transporting inmates to off-site medical facilities. Virginia performed over 800 consultations in 20 medical specialties. Iowa reported 274

encounters in 8 specialties. Texas, by far, has the most extensive telemedicine program. The state contracts with two university hospitals to provide all health care services to its 185,000 inmates. The hospitals use telemedicine to offer speciality care in 30 medical specialties. One of the hospitals estimated that it conducted over 2,400 telemedicine encounters during Fiscal Year 2000 while the other performed 30,000 consultations during the last five years. The State pays the hospitals over \$100 million for all inmate health care. One of the hospitals allocates approximately \$850,000 for its telemedicine services, with about half of the money going for technology costs. Each of these states has reported that the use of telemedicine has significantly reduced the number of inmates transported for medical care. One Texas provider estimated that the use of telemedicine eliminated about 60 percent of inmate transports.

Telemedicine Eliminates the Need to Transport Inmates

As part of our audit work we attempted to determine if the Department's use of telemedicine could significantly reduce the need to transport inmates to off-site medical facilities. One reason that the technology is currently underutilized by the Department is the belief that telemedicine encounters result in the inmate's being transported for additional medical care. We reviewed the medical files of a sample of inmates who participated in at least one telemedicine encounter. We examined medical files for 53 inmates representing 55 telemedicine consultations. Our evaluation indicated that all of the inmates had previously been treated for the same medical condition at the correctional facility and in some cases had also received outside medical care. The telemedicine encounters were used to provide an initial diagnosis, offer a second opinion, or follow up on previous care. Overall we found:

- a. 23 (42 percent) of the telemedicine encounters resulted in no additional follow-up being required.
- b. 13 (24 percent) of the telemedicine encounters resulted in a recommendation for additional follow-up via telemedicine.
- c. 19 (34 percent) of the telemedicine encounters resulted in the inmate having to go off-site for medical tests that could not be done at the correctional facility. In at least three of these cases, the medical tests were performed at a hospital near the correctional facility and the results forwarded to the telemedicine provider in Denver.

Our work shows that in 36 of the 55 (65 percent) telemedicine encounters the inmates did not have to be transported from the correctional facility. Even in those cases where an inmate was referred for outside medical treatment, the inmate was transported outside the facility one less time than would have occurred without telemedicine. The use of telemedicine saved the Department the cost of transporting the inmates and reduced the security risk to the general public because the inmate received medical treatment within the correctional facility. At the same time, the inmate received quality health care.

Recommendation No. 9:

The Department of Corrections should work with its individual correctional facility medical personnel, private specialists, and Colorado Access to increase the use of telemedicine technology. This should include an examination of additional medical specialties that can be provided via telemedicine.

Department of Corrections Response:

Agree. Expansion of Departmental Telemedicine Services is a goal of Clinical Services. Equipment and funding to meet this goal have become available gradually over the last year. Our present provider network, as stated in the audit, is centered on Denver. This was initially necessary for several reasons. The University Hospital and Denver Health Medical Center had the necessary televideo equipment, and more importantly, the necessary physician specialists to provide the relevant services. Equipment (peripherals) was not initially available in the southern area of the state, and the northern area of service subsequently continued to be developed and utilized. As southern area use increased, a significant correctional issue became apparent. An inmate patient seen via telemedicine in the southern region would require transport to Denver for surgery and follow-up care. This increased risk to the public, as well as, increasing staffing and transportation requirements. Clinical Services administration, at this point, made a decision to temporarily decrease use in the southern area until a southern network could be developed. To this end we have notified Colorado Access of the need to establish a provider network in the south. As a result of this Colorado Access has begun meeting with the administrator from Colorado Mental Health Institute of Pueblo who has agreed to purchase telemedicine equipment and develop agreements with providers to provide those services. This process is ongoing and is recognized as a significant priority.

Multi-Use Network Can Aid Expansion of Telemedicine

Currently the Department uses two hospitals, both located in Denver, for telemedicine services. Telemedicine provides quality health care to inmates while reducing the need to transport inmates outside of correctional facilities. The Department needs to expand its capacity to use telemedicine by accessing providers outside of the Denver area. A specific focus of the Department should be obtaining specialists in the Pueblo and Canon City areas. The State's development of the Multi-Use Network can assist the Department in expanding its telemedicine network.

The State is developing a Multi-Use Network that over a three-year period will bring a fiber-optic network to all areas of the State. The State has hired a contractor to install the fiber-optic cable to all of the counties and specific facilities in each county. Each of the state-owned correctional facilities will receive this network infrastructure. The hospital at the Colorado Mental Health Institute at Pueblo (CMHIP) will also become part of the Multi-Use Network. This provides the opportunity for the Department to establish a telemedicine relationship with CMHIP. The Department already uses CMHIP as a medical services provider. On the basis of a review of Department records, we determined that the Department transported 142 inmates to scheduled medical appointments at CMHIP during April 2000. Establishing a telemedicine relationship with CMHIP should allow the Department to greatly reduce the number of inmates transported to the facility. Both the Department and its managed health care provider Colorado Access agree that CMHIP is a viable telemedicine option. Colorado Access representatives informed us that they have hired a consultant to help bring CMHIP online. The Multi-Use Network will provide the capability, but the Department and Colorado Access will still have to obtain the video equipment and convince the doctors to use the technology.

The Department also transports large numbers of inmates to medical facilities in Pueblo and Canon City. Department records show it transported 124 inmates to Canon City and 93 to Pueblo during April 2000. The volume of medical appointments indicates that medical facilities in these cities might also be good options for telemedicine. A representative of the Multi-Use Network informed us that private nonprofit entities have the opportunity to join the MNT. The entities would have to pay for the infrastructure but would then have the ability to use the network. This could allow the Department to use private nonprofit medical facilities in Canon City and Pueblo as telemedicine providers.

The Multi-Use Network provides the Department with an opportunity to expand its telemedicine network. Although the creation of the network provides the fiber-optic cable that can be used to carry the telemedicine transmission, expansion of its telemedicine program may require the Department to augment its current infrastructure. Even with the MNT, the Department will need to connect various entities through a port on its video network bridge. The Department currently operates one bridge with 20 ports. Using its own bridge saves the Department money by eliminating the need to make connections through the State's CIVICS network, which costs \$62.50 per hour for each participant. However, the Department's existing bridge is already full making it difficult to add more telemedicine providers such as CMHIP and hospitals in Canon City and Pueblo. Department representatives acknowledge that as its use of telemedicine and other video conferencing increases, it might be more cost-effective to update its direct connection capability rather than having to use CIVICS. One solution might be for the Department to purchase another 24-port bridge. Although this is a significant expenditure, estimated to be about \$60,000, it could provide long-term cost savings by allowing the Department to directly connect with more entities on the Multi-Use Network.

Recommendation No. 10:

The Department of Corrections should actively seek to expand the number of providers it accesses through telemedicine. The Department should specifically study the possibility of using the hospital at the Colorado Mental Health Institute at Pueblo and local hospitals in Canon City and Pueblo as telemedicine providers. One aspect of the study should be the ability of the Department to obtain additional providers through its current infrastructure.

Department of Corrections Response:

Agree. Recommendation #9 and #10 are very similar in that they both state the need to develop Telemedicine as a high quality alternative to transportation of inmate patients. Clinical Services is committed to developing such a network. Education of FTE staff particularly of our Physicians is under way. We have instructed Colorado Access that where Telemedicine is clinically appropriate it will not be considered optional except as related to network problems in the south. Colorado Mental Health Institute in Pueblo is the most likely telemedicine partner for the southern region. Parkview Hospital of Pueblo and St Thomas Moore Hospital in Canon City are also possible alternatives.

Appendix A
Central Transportation Unit
Weekly Transport Schedule

Monday	<p>Round-trip Canon City to Denver Facilities Round-trip Canon City to Crowley County Correctional Facility, Arkansas Valley Correctional Facility, and Bent County Correctional Facility Round-trip between facilities in Canon City and Pueblo Court Transports Scheduled Medical Appointments in Canon City and Pueblo Walkovers between adjacent facilities</p>
Tuesday	<p>Round-trip Canon City to Denver Facilities Round-trip Canon City to Buena Vista Correctional Facility Round-trip Delta Correctional Facility to Buena Vista Correctional Facility Round-trip Canon City to Limon Correctional Facility Round-trip Denver Reception and Diagnostic Center to Sterling Correctional Facility Round-trip between facilities in Canon City and Pueblo Court Transports Scheduled Medical Appointments in Canon City and Pueblo Walkovers between adjacent facilities</p>
Wednesday	<p>Round-trip Canon City to Denver Facilities Round-trip Canon City to Huerfano County Correctional Facility Round-trip between facilities in Canon City and Pueblo Court Transports Scheduled Medical Appointments in Canon City and Pueblo Walkovers between adjacent facilities First Wednesday of month to Boot Camp</p>
Thursday	<p>Round-trip Canon City to Denver Facilities Round-trip Canon City to Buena Vista Correctional Facility Round-trip Canon City to Crowley County, Arkansas Valley and Bent County Correctional Facilities Round-trip Denver Reception and Diagnostic Center and Sterling Correctional Facility Round-trip between facilities in Canon City and Pueblo Court Transports Scheduled Medical Appointments in Canon City and Pueblo Walkovers between adjacent facilities</p>
Friday	<p>Round-trip Canon City to Denver Facilities Round-trip between facilities in Canon City and Pueblo Court Transports Scheduled Medical Appointments in Canon City and Pueblo Walkovers between adjacent facilities</p>

Source: Department of Corrections, Central Transportation Unit.

Distribution

Copies of this report have been distributed to:

Legislative Audit Committee (12)
Department of Corrections (6)
Office of the State Court Administrator (3)

Joint Budget Committee (2)

Department of Treasury (1)

Department of Personnel
d.b.a. General Support Services
Executive Director (2)
State Controller (2)

Honorable Bill Owens, Governor

Office of State Planning and Budgeting (2)

Depository Center, Colorado State Library (4)

Joint Legislative Library (6)

State Archivist (permanent copy)

National Conference of State Legislatures

Legislative Oversight Committee

Legislative Legal Services

Auraria Library

Colorado State University Library

Copies of the report summary have been distributed to:

Members of the National Legislative Program Evaluation Society

Members of the Colorado General Assembly

National Association of State Auditors, Comptrollers, and Treasurers

Report Control Number 1324