



MTC STRONGLY REFUTES MYRIAD OF UNFOUNDED ALLEGATIONS IN STATE REPORT

August 26, 2015

MTC takes full responsibility for the disturbances that occurred at the Kingman facility. The principle triggering event was a small confrontation with two inmates, which involved pepper spray, and led to a chain reaction of other inmates acting out which spread throughout the housing unit and then to other housing units. MTC could not prevent the chain reaction at the beginning of the disturbance. The initial use of pepper spray as other inmates looked on angered other offenders. The failure of effective communication by the command structure contributed to the spread of the disturbances.

We take serious issue with many of the criticisms regarding the way the disturbances were handled at Haulapai. ADC completely misrepresented their role in the management and subsequent escalation of the incidents. While we take full responsibility for the initial incident, we have significant issues with ADC's involvement in the management of the disturbances. After MTC established an incident command structure to manage the crisis, ADC staff took control and began giving orders to tactical support units without communication with the MTC incident commanders. This caused major confusion with staff which may have impeded our ability to properly manage and minimize the subsequent disturbance.

We also take serious issue with the ADC report that mischaracterizes MTC's performance, and we strongly disagree with the conclusions that were drawn. The report completely contradicts the ADC audits and monitoring reports. An annual report conducted by an ADC inspector general in November 2014 showed 90.6 percent compliance with ADC standards. From January to June 2015, the period just prior to the disturbances, ADC found an average of 96.8 *percent* compliance in overall operations of the facility. And these results are representative of the past five years.

Over the last five years, ADC has expressed no significant concerns with our operation. We have provided a high level of service, comparable to other ADC facilities, and this has all been substantiated by ADC. To say that MTC "continues to seriously underperform" and that "there is a culture of disorganization, disengagement and disregard of ADC policies..." completely contradicts ADC written audit and monitoring reports.

We were not given an opportunity to provide our side of the story to the allegations in this report before it was completed. This is unprecedented and unfair to the staff who worked tirelessly under difficult circumstances and responded to ensure public safety. The report includes statements by our staff, many of whom take great exception with the way their statements were characterized.

It's easy to second guess split-second decisions that had to be made during the disturbances. It was a tough few days however the disturbances resulted in no significant injuries to staff and inmates. No hostages were taken. Neither of the two perimeter fences were breached. There was no structural damage to the housing units. Damage was limited to plumbing, electrical, and mechanical items. MTC is reimbursing the state for all costs associated with the incidents.

The allegations of not providing adequate training to our staff is not accurate. We provided 88 percent of the pre-service, in-service and other training that's required by the state. While this is isn't 100 percent, it certainly isn't indicative of "poorly trained staff."

We also take issue with the characterization of vacancy rates. Kingman compares favorably to other ADC facilities with similar demographics. A couple of examples are the ASP-Globe which as of June had a 27.5 percent vacancy rate and Winslow which had a 22.3 percent vacancy rate. At the time of the disturbances, Kingman had a 17 percent vacancy rate. We made annual requests to ADC to provide pay increases for correctional officers, all of which were denied over the last ten years.

We take significant issue with the conclusions in this report. ADC took staff and inmate allegations as facts and drew conclusions from them without giving us an opportunity to respond.

And here's something most people may not know, there were five ADC monitors who worked at the facility daily and whom we met with daily. In addition to being 96.8 *percent* in compliance with ADC standards over the last six months, ADC monitors also backed this up with their own comments on monthly reports:

"Unit shift briefings are being conducted via phone conference. After speaking with staff during the unit tours and general staff meetings during the month of June, leads me to believe that information is being shared effectively with line staff. The overall attitude of staff is good... The inmates' behavior overall is acceptable at this time."

"Unit shift briefings are being conducted via phone conference. However, speaking with staff during the unit tours and general staff meetings for the month of March 2015 leads me to believe that information is being shared effectively with line staff."

"Staff/inmate relations – Complex, Hualapai, and Cerbat; No exceptions to report."

"Supervisor/subordinate professional relationships – Complex, Hualapai, and Cerbat; No exceptions to report."

“It is noted that the Chief of Security for both units are on the radio and in person engaging their staff with redirection when needed as well as positive reinforcement for jobs well done. Recommend that this type of staff engagement continue as it is forming a solid foundation for leadership.”

The notion that we had a “culture of disorganization, disengagement, and disregard of ADC policies and fundamental inmate management and security principles” based on one investigation that spanned a few weeks—doesn’t consider the overwhelming positive audits ADC has conducted over the last five years.

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