



**STATE OF INDIANA**  
**Department of Correction**

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**TO:** J. David Donahue, Commissioner  
Indiana Department of Correction

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Arizona Department of Corrections

**FROM:** Rondle Anderson, Regional Director  
Indiana Department of Correction

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New Castle Correctional Facility

**DATE:** May 23, 2007

**SUBJECT:** Post Event Analysis of the New Castle Correctional Facility Disturbance  
on April 24, 2007

**INTRODUCTION:**

This Report analyzes the events that preceded the April 24, 2007 disturbance at the New Castle Correctional Facility in Henry County, Indiana. It examines causal factors, and outlines recommendations for changes that will enhance operational security, improve facility efficiency, and better guard against similar disturbances in the future.

**HELPING ARIZONA WITH OVERCROWDING:**

The New Castle Correctional Facility (“NCCF”) was built in 2001-2002, and began operations in April 2002. This medium-security male prison is comprised mostly of dormitory housing. Each housing unit includes a day room in which offenders can watch television and engage in indoor recreational activities. The NCCF was funded to operate only at about one-quarter capacity. In early 2005, using appropriations earmarked for contract beds, Indiana Department of Correction was able to double the capacity at NCCF, but still nearly half the facility (six housing units [1260 beds]) remained unused. The GEO Group is the vendor who, by separate contract, provides management and supervision and NCCF.

In October 2006, an Agreement had been reached between IDOC and the California Department of Corrections and Rehabilitation that was intended to help the State of California with its overcrowding by allowing their offenders to reside at NCCF. This Agreement failed to be implemented due, in large part, to a conflicting California law. The following month, officials from the State of Arizona contacted the Indiana Department of Correction with a proposal for contracting up to 1260 available beds at the New Castle Correctional Facility to help that State alleviate its prison overcrowding problem.

The two Departments of Correction immediately commenced negotiations towards an Intergovernmental Agreement. A delegation from the Arizona Department of Correction (ADC) inspected NCCF. It was subsequently reported by ADC that this delegation was impressed with the Facility.

#### **INTER-GOVERNMENTAL AGREEMENT LOADING SCHEDULE:**

Between December 8, 2006 and March 9, 2007 when the parties entered into an Agreement they considered a number of options and consulted with the vendors that would be providing offender services. Initially, the parties contemplated leasing approximately 630 beds with a loading schedule of about 50 inmates a week. The signed Agreement included a 10-week schedule with 105 inmates to be added each of the first eight weeks and 210 inmates each of the last two weeks by which time 1,260 medium-security ADC inmates would be transferred to NCCF.

By April 17, 2007, 630 Arizona inmates had been transferred to NCCF. On April 23, 2007, the ADC contacted IDOC officials and proposed a postponement of additional transfers of inmates to, among other things, allow staff to gain experience, the placement of additional staff to work out the logistics with respect to offender movement and tracking, and to increase the level of programming to match the influx of Arizona inmates. Both parties agreed to the postponement until the issues could be defined and resolved. The following day a disturbance broke out at NCCF.

#### **EVENT DESCRIPTION:**

On April 24, 2007, at approximately 12:40 p.m. E.S.T., during noon meal, 30-40 Arizona offenders were walking to the dining hall wearing white undershirts without their state-issued green offender uniforms.<sup>1</sup> These offenders ignored staff orders to return to their

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<sup>1</sup> It should be noted that the requirement to wear smocks became an issue with the offenders in the days preceding the event. Written protocols were vague on the issue, so staff began giving verbal direction to the offender population to begin wearing their smocks during meals. Although the numbers of offenders going to chow without their state-issued tops was decreasing, there were still offenders refusing to comply with this direction. On Monday, April 23, 2007, during breakfast some Arizona offenders again proceeded to chow wearing undershirts. Orders were given for them to return to their housing units to put on their smocks. After expressing to staff their opinion they should be permitted to wear only T-shirts, these

housing units to comply with the dress code, and instead proceeded to the chow hall. These offenders were stopped at the gate which separates the portion of the compound reserved for the Arizona offenders from the dining hall and the rest of the compound. Rather than abide by orders to return to their housing units and put on proper clothing, approximately 20 of these offenders began pushing their way past staff through the internal gate, while 6 or 7 other offenders attempted to climb the separation fence to join those that had already pushed their way through the gate.

Other Arizona offenders, on hearing the commotion, became restless and argumentative. Housing Units were locked down, but offenders became disruptive and using items available to them in the housing units were able to damage doors and compromise security windows to get out of their housing units.<sup>2</sup> These items included clothes irons, fire extinguishers, and tool boxes taken from on-grounds maintenance staff, as well as the offenders' metal property containers. The offenders then had access to the recreation yard where they were able to watch or engage in the disturbance. As Arizona offenders were running out of their housing units, Officer Holder was attacked, then knocked to the ground and beaten and was injured. Staff made a request by radio for medical assistance, and medical staff subsequently escorted Holder out of the housing unit to the infirmary.

Some of the offenders on the Indiana side of the compound followed suit, and also stayed on their side of the yard, refusing to return to their housing units. Offenders had access and control of the inner yard, and even placed a ladder on the recreation fence inside the compound that separates Indiana from Arizona offenders. Orders had been given by Department of Correction Commissioner J. David Donahue that, should any offender attempt to escape from the NCCF, staff may use whatever force is necessary, including lethal force to prevent their escape, but there was never an attempt by any offender to compromise the exterior security perimeter of NCCF.

Captain Deaton began talking to the Arizona offenders at the gate, trying to convince them to return back through the gate toward the housing units. Captain Deaton then walked toward the housing units to talk to the offenders in the yard. Shortly afterward Captain Deaton turned and began walking back toward the gate. He was stopped by a group of Arizona offenders and they began to surround him. By this time NCCF's Emergency Response Team was activated and reported to the ready room.

The offenders that surrounded Captain Deaton knocked him down and several of them began kicking and stomping on him. One of the offenders then said "He has had enough", and they stopped the attack on Captain Deaton. Deaton was allowed to get up

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offenders returned to their housing units to either not go to breakfast or to put on their smocks and proceed to the chow hall. Following that encounter, a representative group of offenders were assembled by NCCF staff, and clear direction was given that the requirement of wearing their smocks while eating would be strictly enforced. It was during the following meal that Arizona offenders again resisted this order.

<sup>2</sup> For the classification of offenders being kept at NCCF the doors should be of detention grade. Upon inspection following this incident it was discovered these doors were of commercial grade and not detention security grade. Likewise the windows were supposed to be much more difficult to defeat than what offenders proved them to be. Adjustments to the physical plant have been designed, and are being installed that will effectively discourage offenders from climbing through these windows in the future.

and walk out of the gate. The NCCF Emergency Response Team arrived and formed a skirmish line in front of the programs service building. Emergency Response Operations then focused on removing all staff from these housing units and the NCCF yard, or otherwise identifying their location and status. It appears that no offender attempted to hold any staff hostage, but some offenders did take radios, keys, and non-lethal weapons from staff. Throughout the disturbance the offenders were repeatedly ordered to return to their respective housing units.

In addition to destroying windows and littering debris throughout the recreation yard, ADC and IDOC offenders also began setting fires in the yard, and in the recreation building and against the side of one housing unit. Although piles of mattresses, furniture, picnic tables and debris were set fire in the yard, none of the buildings caught fire.

In addition to NCCF Emergency Response Teams, staff from Henry County Sheriff's Department arrived approximately 2:12 p.m., and the Henry County Fire Department arrived and was placed on standby at 2:28 p.m. Backup also arrived from the Indiana State Police (including ISP's Emergency Response Team and Tactical Intervention Police), and the Department of Correction's Emergency Response Teams from Pendleton (including its K-9 Unit) and Plainfield, as well as the Delaware County Sheriff's SWAT, K-9, and Special Emergency Response Teams.

As the assault teams prepared, many of the offenders either returned to their housing units, or sat or laid down and prepared to be restrained by staff. Once all staff was accounted for, orders were given by the Commissioner at Central Command to retake the compound. Chemical agent was used to control the offenders. No lethal weapons were used against any offender<sup>3</sup>, and no serious injuries were inflicted as the offenders began to follow staff orders to cuff up. At approximately 4:30 p.m. the last offender was placed in flex cuffs, and all offenders engaged in the disturbance were restrained and sitting in the compound under close supervision by armed Special Emergency Response Teams. During the course of the next 90 minutes, staff made several attempts to count and identify offenders.<sup>4</sup> Final count was cleared at approximately 6:58 p.m., and all offenders were identified and accounted for.

When the offenders were under control, staff immediately began assessing the population for medical issues needing treatment. Eight offenders were sent to the infirmary to have their eyes flushed or to treat respiratory issues as a result of the use of tear gas. A more thorough review was conducted throughout the course of the next 24 hours, and revealed twenty-seven offenders requiring on-site medical service that might be attributed to the disturbance. None of these offenders suffered from injuries that required them to be transported to a hospital. Injuries to Arizona and Indiana offenders included:

- 6 offenders complaining of back or chest pains
- 6 offenders with lacerations

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<sup>3</sup> There were warning shots fired by staff responding to the emergency. These warning shots were effective in persuading offenders to comply with staff orders.

<sup>4</sup> The process for identifying offenders was made even more difficult by the fact that many of the offenders discarded their state-issued photo identification badge during their disturbance.

- 4 offenders that fainted
- 3 offenders complaining of difficulty with breathing
- 3 offenders with blood sugar or blood pressure issues
- 3 with injuries to their hand, wrist or finger
- 2 with injuries to their collarbones (It should be noted that the medical records of one of these offenders showed he had a broken collarbone three months earlier [before he arrived in Indiana] which may have been re-injured during the disturbance). The other offender suffered a dislocation of his collarbone.

No offender suffered injuries so serious that they had to be transported off grounds for treatment. The two injured staff members were taken to an area hospital where they were treated and released. Upon release, Captain Deaton returned to the NCCF to help address the aftermath of the disturbance.

Damages to NCCF included broken security glazing from windows of many of the housing units, significant internal damage to the recreation building and the case worker offices, significant damage to one of the housing units which included destruction of some of its plumbing fixtures, damage to internal doors, graffiti throughout the compound and destruction of various pieces of equipment. It should be noted that the offenders' living quarters were largely untouched.

Investigations were immediately commenced by the Indiana Department of Correction in partnership with the Indiana State Police and Henry County Prosecutor's Office. Investigations were also started by the Arizona Department of Corrections and the GEO Group. Preliminary investigation conducted the evening of the event identified 219 offenders for removal to a more secure IDOC facility.

### **CAUSES OF THE EVENT:**

The primary cause of the disturbance, including the harm to staff and the damage to NCCF, rests with the offenders. There is no credible evidence to suggest that staff action in any way caused the disturbance. The conditions of confinement during the Arizona offender transfer phase of the Agreement, though in some respects were more austere than what the offenders were accustomed to in Arizona, were not such that offenders were routinely deprived of any necessity. Furthermore, to the extent that reliable evidence exists to prove that any offender refused staff orders, harmed staff, or destroyed government property, those offenders, whether they be from Arizona or Indiana, have been or will be subject to sanctions following individual Due Process hearings pursuant to established prison disciplinary protocols. At the time of this writing the Indiana State Police indicated that criminal charges would be recommended against one Indiana offender and 25 offenders from Arizona. Aggregate recommended charges include Rioting, Battery, Unauthorized Possession of Weapons, Intimidation, Theft, Criminal Mischief, Criminal Confinement, and Battery by Bodily Waste.

Secondary factors that contributed to the disturbance and the failure to dissuade or contain the disturbance include:

- Too much offender idleness. Recreation schedules were shorter than the ADC offenders were accustomed to, and the time periods some ADC offenders were permitted to recreate stretched into late evening or early morning hours. The times which offenders recreated were inconsistent, and often differed from the schedule posted at NCCF.
- Breakdown in communication to offenders as to the plans for implementing programs and expanding privileges, as to expectations with respect to offender behavior, and listening to and attempting to resolve offender complaints.
- Too many unseasoned staff on duty and a lack of veteran staff in key positions, an insufficient number of case managers, and different Monitors placed at NCCF by ADC.<sup>5</sup>
- The fact that offenders were transferred so quickly to Indiana from the date the Intergovernmental Agreement was signed, coupled with the quick rate at which Arizona offenders were being transferred to NCCF.
- Offenders who were not informed about the differences in confinement between the Arizona prison they were being transferred from and the New Castle Correctional Facility.
- Failure to impose consistent sanctions for offender misbehavior.
- Security doors and windows that were not of proper strength or design to contain offenders to their housing units.
- Additional monitoring by IDOC regarding issues that were developing, in order to devise and facilitate timely resolutions that meet good correctional practices.

The Post Event investigation revealed a number of ways to improve NCCF security, to enhance correctional services provided at this facility, and to strengthen the partnership between the Indiana and Arizona Departments of Correction, and the third-party service providers at the NCCF.

### **EMERGENCY RESPONSE OPERATIONS:**

At the outset of the disturbance Command Centers were opened at both NCCF and IDOC Central Office. The swift reaction by NCCF and IDOC staff, as well as local and state law enforcement and emergency teams quickly contained the disturbance and the show of such force served to de-escalate the event without serious harm to any person. The response that was made did give rise to questions, issues and new ideas for improvements.

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<sup>5</sup> During the six-week period in which Arizona offenders resided at NCCF prior to the disturbance, ADC sent five different staff members to act as monitor, each one a week or more at different times.

- As the population of the NCCF continues to grow, the number of emergency response squads needs to grow proportionately. Current protocols and training need to be enhanced to improve staff reaction time with the goal of responding to small incidents quickly and preventing them from escalating. It is vital that a backup Quick Response Team be identified at all times to allow the NCCF to respond to two emergencies at the same time.
- During the disturbance NCCF administrators were not confident as to the number, identities and whereabouts of all non-offender persons inside the secured perimeter. This contributed to a delay in directly moving to restrain the offenders until all staff was accounted for. This also contributed to early false speculation that some staff could be hostages. Protocols for keeping track of non-offenders should be improved.
- During the disturbance staff members carried keys inside the secured perimeter, which had been taken from them by offenders. Although the locks were changed, and new keys were issued, in the future new protocols and practices should permit only single keys with limited accessibility inside the compound.
- Current protocols call for radio frequencies to be changed, and specific radios deactivated, if it is believed that offenders may have access to a NCCF radio. This was not done in a timely fashion, and further training is required regarding this vital emergency protocol.
- The NCCF needs to keep an up-to-date inventory of security equipment readily available, so that in times of emergency there can be a more timely determination of what is accounted for and what is not.
- Immediately following the quelling of an emergency, all staff involved should submit written statements of what they observed, in order to better facilitate event investigations.
- A staging area should be contemplated and put in place in an emergency to accommodate police, emergency teams, and members of the media that are assisting or reacting to the event.
- On-the-ground emergency response teams need to include a video camera operator to record the events that are transpiring, the offender misconduct, and the measures being taken to end the event.
- Some staff members were trained to participate on two different types or response teams (e.g. weapons team as well as SERT), and were uncertain as to which team they should report, inasmuch as both were activated. Protocols need to be put in place to establish these priorities.

- Two days following the disturbance IDOC attempted to slowly begin removing NCCF off lockdown by assessing how the offenders react when given the chance to eat a warm meal in the dining hall. Approximately ten offenders from one Arizona housing unit refused to put on their shirts to comply with dress code, and refused to go to chow. Because NCCF was in locked down status, offenders were not being provided the option of staying in their housing units, and after this was explained to the offenders the order was repeated and some still refused to follow staff directions. An IDOC E-Squad on standby was called to remove the defiant offenders, while the remaining 80 or so were escorted to the dining hall. After the E-Squad escorted the non-compliant offenders to segregation they went to the Dining Hall to respond to a request made by the NCCF's Chief of Security for assistance with removing two additional non-compliant offenders. After the E-Squad took position inside the Dining Hall, at least one offender approached the team in what team members purported to be a threatening manner. After orders were given for the offender to back away, a member fired a CN Muzzle Dispersion Cartridge from a gas gun and offenders were escorted from the Dining Hall back to their housing unit. Because of the close proximity of the approaching offender to the weapon when it was discharged, this offender received chemical burns to one side of his face that required medical treatment. These injuries were not serious, and the offender was escorted to segregation immediately following medical treatment. The IDOC assembled a Firearms Review Committee composed of staff not from NCCF. The conclusion of the Committee was that the discharge of the weapon was justified. However, questions were raised as to why the E-Squad responded to direction from NCCF personnel without direct confirmation by IDOC command on site. Although this Squad did not use lethal weapons, the fact that they were armed with lethal weapons and positioned themselves inside the Dining Hall did not comport with established emergency protocols. This must serve as a training scenario to ensure staff follows protocols in the future.

#### **NCCF STABILIZATION PLAN:**

**All Offenders Accounted For** - Immediately following the event, the offenders were restrained and supervised in the yard while staff confirmed the count. Many offenders discarded their identification badges, and so staff systematically identified which offenders went to which housing units.

**NCCF Locked Down** - The offenders were immediately placed on lockdown status, and only escorted movement was permitted. Some offenders were detailed to help clean debris from the NCCF compound, and inside housing units. Investigators immediately began interviewing NCCF staff, working to identify offenders that needed to be separated from the Facility and placed in more secure cells in other facilities.

**Offenders Transported** - The evening of April 24<sup>th</sup>, following the event, three security buses transported 69 Arizona offenders to segregation at the Wabash Valley Correctional Facility, 18 Indiana offenders were sent to the Miami Correctional Facility, and 132 Indiana offenders were transported to the Reception & Diagnostic Center at Plainfield. Of the 69 Arizona offenders sent to Wabash Valley Correctional Facility, 50 were suspected to have been involved in the disturbance, and the remaining 19 inmates were moved for non-disturbance related reasons.

**Immediate NCCF Repairs** - Staff began replacing broken security windows, and had all of them replaced with temporary inserts within four days following the event. Permanent replacement windows have been ordered, and are expected to be installed within eight weeks of the event. Staff and contractors replaced ceiling tiles, repaired broken plumbing, and removed or painted over graffiti. Staff designed additional security bars that will be fitted over the interior windows to enhance security. The NCCF has ordered replacement furniture that will be provided by the IDOC's Prison Industries at GEO's expense. Pursuant to the subcontract with GEO, that vendor will reimburse the Department for expenses associated with addressing the disturbance, and the repairs needed to return that NCCF to normal operation.

**Return To Normal Operations** - The NCCF is currently in the process of being lifted off lockdown in stages. Offenders are being provided hot meals. At the time of this writing, offenders were being permitted to eat in the dining hall for all three of their daily meals. They are also being permitted out of their housing units on an increasing basis, as long as order is maintained. Sick call was continued. Telephone, television, and commissary privileges have been restored, and video visitation privileges are being implemented. Hygiene items have been provided to the offenders, and laundry and shower privileges have been reinstated. Some offenders have been permitted to return to their job assignments, and new job assignments (many associated with NCCF restoration and clean up) have been created to keep more of the population meaningfully engaged during the day.

**Program Delivery** - NCCF teachers are preparing to deliver program materials to offender/students. Educational schedules are being devised to accommodate both Arizona and Indiana offenders without allowing them to intermingle.

**Recreation Schedule** - A new recreation schedule has been developed that allows for small groups of offenders to recreate for one half hour a day to start. If this proves successful additional time and frequency will be added, and larger groups may be permitted to recreate, and potentially engage in team recreational activities for longer periods of time.

NCCF is being closely monitored, but it appears the offender population has stabilized.

## **CORRECTIVE ACTIONS:**

**Too much offender idleness. Recreation schedules were shorter than the ADC offenders were accustomed to, and the time periods some ADC were permitted to recreate stretched into late evening or early morning hours. The times which offenders recreated were inconsistent, and often differed from the schedule posted at NCCF.**

- Program and job assignments need to be better coordinated with the influx of offenders to reduce the level of offender idleness. It is important that all offenders not in disciplinary segregation be given ample opportunity to leave their housing units. This calls for as many offenders as feasible to be given job assignments, or assigned to rehabilitative programming, especially following the completion of their orientation phase.
- Arizona offenders need to be scheduled for recreation and meals at times similar to the Indiana offenders. Recreation schedules should be posted, and adhered to, and of a duration that is similar to what offenders are used to in Arizona.

**Breakdown in communications with offenders as to NCCF's plans for implementing programs and expanding privileges, as to expectations with respect to offender behavior, and with respect to listening to and attempting to resolve offender complaints.**

- There are many aspects of offender management and oversight that are not detailed in the current Intergovernmental Agreement. There are several processes that were or are being conducted at NCCF that differ from the practices conducted at ADC facilities. These include protocols such as the way offenders are routinely counted to ensure that all are accounted for, the way bunks are assigned, and how requests for sick call are collected. To the extent feasible, NCCF should work to mirror ADC practices so as to reduce the level of unfamiliarity amongst the offender population.
- Communication between both Agencies and NCCF Service Providers must be improved. It is important that IDOC be made aware by both ADC and the NCCF of all serious issues or disputes that have arisen. Likewise, grievances being raised by the offenders to NCCF staff must be communicated effectively to IDOC. It is vital that, moving forward, all parties continually apprise other stakeholders of important information regarding the management, monitoring and care of the offender population, including the routine reporting of any life and safety issues.

**Too many unseasoned staff on duty and a lack of veteran staff in key positions, an insufficient number of case managers, and different Monitors placed at NCCF by ADC.**

- Additional staff maturation is needed to instill confidence and ensure better familiarity with protocols and policy. A large number of NCCF custody staff has less than one year of correctional experience, and several custody staff have less than two months experience, inasmuch as most were hired immediately after the Intergovernmental Agreement was executed.
- Each shift of NCCF should be supervised by a custody staff member who is of the rank of lieutenant or above. It is vital that NCCF management daily tour each housing unit and talk with staff and offenders to determine what issues need to be resolved. Likewise, Unit Team and Casework Managers need to be permanently in place, spending more productive time with the offenders within their units to continually work to resolve issues informally.
- The Monitor(s) and classification team detailed by Arizona is responsible for many important processes. Among other things the monitor is responsible for overseeing the offender disciplinary process. It is important that a monitor be permanently assigned to NCCF to insure consistent and lasting oversight of offender discipline, classification, and other processes.

**The fact that offenders were transferred so quickly to Indiana from the date the Intergovernmental Agreement was signed, coupled with the quick rate at which Arizona offenders were being transferred to NCCF.**

- Arizona offenders began arriving just three days after the Intergovernmental Agreement was executed. The transfer schedule of Arizona offenders was not realistic given the fact that the side of the NCCF that was being occupied had never been used or staffed before. As already mutually agreed to by each Agency, a longer, more staged transfer of inmates must be planned that permits the NCCF to hire, train, and place staff into position to meet the needs of these new NCCF offenders.
- ADC and NCCF staff must continue to work together to insure that Facility staff are in place and trained and able to access ADC's Adult Information Management System (A.I.M.S.) at the NCCF. Other issues impacted by the quick implementation and loading schedule concern offender commissary, telephones, inmate trust accounts, and video visitation. Although many of these issues have been or are being resolved, these services must expand in step with NCCF population expansion.

**Offenders who were not informed about the differences in confinement between the Arizona prison they were being transferred from and the New Castle Correctional Facility.**

- Before being transferred to NCCF, offenders must receive proper notice and accurate information about the differences in conditions of confinement they can expect. Some of the offenders transferred to NCCF were unaware that it was a nonsmoking prison, and that there would be restrictions on the amount and type of property they are permitted to possess. For example, many of the offenders came from Arizona facilities that permitted personal televisions, whereas NCCF provides television viewing in each housing unit dayroom. Arizona offenders are also not permitted to possess any sort of pornography while residing in an Indiana prison. Some offenders complained that much of their property was left back in Arizona. Since the start of the Agreement and following the disturbance, subject matter experts from Arizona have been visiting the NCCF to help devise ways to correct this. It is expected that increasing the number of case managers at the NCCF would also help mitigate this issue.

#### **Failure to impose consistent sanctions for offender misbehavior.**

- Discipline must be strictly enforced in a timely manner. In addition to reviewing staffing levels, ADC's monitors are to ensure that offender behavior is controlled through proper meting out of disciplinary sanctions. It is vital that NCCF staff work closely with a permanently assigned ADC Monitor to ensure that all statutory and Constitutional requirements with respect to offender disciplinary procedures are followed, that offender discipline is imposed in a fair and consistent manner so that the population understands the importance of abiding by established prison rules, and to promote a smooth-running Facility.

#### **Security doors and windows that were not of proper strength or design to contain offenders to their housing units.**

- The disturbance revealed physical plant changes that can be made to improve offender control and supervision. This includes installing stronger more secure doors in certain locations, placing security bars on identified interior windows, fortifying certain areas of fencing with additional razor
- wire, installing a crash gate and sally port to better control offender movement, providing more fire retardant mattresses, and adding cameras to enhance offender monitoring.
- Security will also be improved through routine Facility housing unit shakedowns, enhanced tool control protocols and practices, and the introduction of additional equipment (e.g. radios) to permit more complete and timely communication of accurate information. Also, offender line movement should be tightly controlled. Before offenders are permitted out of their housing units, staff must be in place to monitor their movement.

**Additional monitoring by IDOC regarding issues that were developing, in order to devise and facilitate timely resolutions that meet good correctional practices**

- IDOC's Facility monitor was detailed to review only the Indiana offenders being held at the NCCF. The IDOC will detail a monitor who can review compliance with the Intergovernmental Agreement and ensure that the Third-party Contractor meets these terms and provides adequate conditions of confinement in all other respects. ADC has pointed out a number of issues that, perhaps not directly linked to the disturbance, should have been addressed as a matter of routine. These issues include the need to improve how medical or religious-based special diets are provided to the offenders that need or want them, shortening the length of time offenders must wait to start ordering off commissary, improving the accuracy and availability of deposits to an offender's trust account, and providing more timely laundry services. Resolving these issues is primarily the responsibility of unit team and casework managers, but a monitor hired by IDOC could help ensure both adequate communications between the parties and timely follow-up.

**INVESTIGATION WRAP UP:**

It was the intent of the Indiana Department of Correction to provide ADC representatives with access to all parts of NCCF, and all documents related to the confinement of Arizona offenders and the April 24, 2007 disturbance. ADC sent investigators and subject matter experts to NCCF to talk with offenders and staff and comb through documents and review video footage.

The investigative team from IDOC and the Investigative team from ADC compared findings following their independent investigations, and have worked together to identify as many of the causational factors related to the disturbance as the evidence would support, and to identify the actions that can be taken to help avoid such disturbances from taking place moving forward. To the extent that offenders are still undergoing disciplinary processes related to the disturbance, and there remains the possibility that additional information relating the disturbance could surface, this Report may be supplemented.

As reflected in this report, moving forward, the parties involved in this Intergovernmental Agreement are working together in a cooperative partnership to promote the safety, security and the smooth running of the New Castle Correctional Facility.