



OFFICE OF THE INSPECTOR GENERAL

U.S. Department of Justice

(202) 514-3435 | oig.justice.gov

FOR IMMEDIATE RELEASE
April 25, 2017

DOJ OIG Releases Report on USMS Contract with CoreCivic to Operate the Leavenworth Detention Center, Leavenworth, Kansas

The Department of Justice (DOJ) Office of the Inspector General (OIG) announced today the release of a report examining the U.S. Marshals Service (USMS) contract with CoreCivic, Inc., formerly known as Corrections Corporation of America, to operate the Leavenworth Detention Center (LDC), a private contract detention facility in Leavenworth, Kansas. The DOJ OIG audit found that the USMS failed to provide sufficient oversight of the LDC, which resulted in several significant issues with LDC operations going unaddressed for extended periods of time.

Among the issues affecting the safety and security of the LDC was its periodic understaffing, which led to the closure of security posts. Many of the closures occurred at posts CoreCivic had identified as “mandatory,” meaning they were required to be filled on each shift in order to run the facility in safe and secure manner. The vacancies also led LDC managers to reassign staff who were not correctional officers to cover security posts instead of performing their normal jobs, sometimes to the detriment of detainee services.

Other specific findings in today’s report include:

- From October 2014 through September 2015, the LDC’s facility-wide average staff vacancy rate climbed to 11 percent. This was primarily driven by correctional officer vacancies, which reached as high as 23 percent. Additionally, both the USMS and CoreCivic took actions that exacerbated the LDC’s understaffing. For example, during a period when LDC was already experiencing understaffing, CoreCivic temporarily transferred LDC personnel away from LDC to other CoreCivic facilities on two occasions, once with the USMS’s approval.

LDC Monthly Vacancy Rates
October 2012 through September 2015



Source: CoreCivic

- In 2011, without the knowledge of the USMS, the LDC took steps to conceal its practice of triple bunking detainees. LDC staff uninstalled the third beds bolted to the floor of several cells designed for two detainees and removed the beds from the facility in advance of a 2011 American Correctional Association (ACA) accreditation audit. A subsequent CoreCivic internal investigation revealed that this may have also occurred during other ACA audits of the LDC.
- The USMS failed to provide sufficient oversight of the contractor, which caused the issues identified in our report to go undetected, often for long periods of time. For example, the USMS Contracting Officer's Representative (COR), who was assigned responsibility for monitoring CoreCivic's performance at the LDC on a day-to-day basis, was stationed offsite and visited the LDC infrequently; had no previous contract oversight experience; and received no formal guidance and negligible detention-related training from USMS. We also found that inspection activities at LDC were not documented and neither an inspection program nor monitoring procedures were developed for the facility. This lack of continuous monitoring presents risks that may extend throughout all of the USMS's other contract facilities.
- The USMS failed to use available mechanisms, such as contract price reductions, to hold CoreCivic accountable for the LDC's staffing deficiencies and other instances of non-compliance with contract requirements.

The OIG also found that the Office of the Federal Detention Trustee (OFDT), which was a separate office at the time and has since been merged into the USMS, did not comply with all of the Federal Acquisition Regulation (FAR) requirements when it awarded the contract for the LDC on behalf of the USMS. Specifically, the OFDT restricted contract performance to the city of Leavenworth, thus potentially limiting the pool of offerors to just CoreCivic.

If all option periods are exercised, the LDC contract will extend through 2026 and have an estimated cost of nearly \$697 million.

Today's report makes 24 recommendations to assist the USMS in improving contractor operations and enhancing the USMS's monitoring and oversight at the LDC. The USMS agreed with the recommendations. CoreCivic did not explicitly agree or disagree with many of our recommendations, and as described in the report, objected to our analysis of its handling of an employee fringe benefit.

Report: Today's report is available on the OIG's website at the following link: <https://oig.justice.gov/reports/2017/a1722.pdf>.

Video: To accompany today's report, the OIG has released a 3-minute video featuring the Deputy Inspector General summarizing the report's findings. The video and a downloadable transcript are available at the following link: <https://oig.justice.gov/multimedia/video-04-25-17.htm#top>.