

## County council discusses prison issues

MEDIA — Delaware County Council delayed paying more than \$200,000 in legal bills associated with the Delaware County Prison Wednesday and one councilman said prison officials found more than \$500,000 worth of savings from staffing the 1,800-inmate facility short. For the last few months, Delaware County Council has been grappling with the issue of legal fees tied to operations at the county prison, which is operated under a contract with a private firm, The GEO Group. That contract expires Dec. 31 and council is being pressured to bring the prison back under county control. The prison is managed by Florida-based GEO Group and they are overseen by the county Board of Prison Inspectors, a committee consisting of two County Council appointees and three members appointed by a county judge. With the contract with GEO expiring at the end of the year, the prison board has paid Phoenix Management \$100,000 to create an analysis of private operation of the facility versus the county running it. Simultaneously, the prison board has embarked on a request for proposals process for the actual operation of the facility. Related to these, the prison board is using three law firms, DiOrio & Sereni LLP, as Robert DiOrio is their appointed solicitor; and specially hired Ronald G. Henry PLLC and Blank, Rome, Cominsky & McCauley. In the bill-paying section of the regular county council meeting Wednesday, County Controller Joanne Phillips noted that Blank Rome had \$76,000 worth of bills for August and September and asked for direction in paying \$214,000 for work that was done in March through July. Previously, Phillips had removed those bills from the payment schedule as there wasn't sufficient funds in the prison budget to pay for them. However, as of Wednesday, Phillips said that had been remedied. Councilman Brian Zidek said the money was found through short staffing. "(GEO is) required to give us a refund or credit of \$547,966 for the first 10 months of this year because they failed to comply with the minimum staffing plan," he said. "So, the reason we have this money to spend on this law firm for this RFP that we're not even sure we want to enter into is because it appears to me that GEO isn't exactly staffing the prison as they should be. That is adding insult to injury from my perspective." Prison board Solicitor Robert DiOrio said the contract with GEO outlines a penalty to be assessed when staffing figures fall short that is paid out on a monthly basis. "It is not unusual to have staffing penalties of five figures in a particular month," he said. Prison Warden David Byrne offered the following response: "Our employee headcount has been, on average, about 90 percent of our contractual target due to employee turnover, which can impact all correctional facilities, both publicly-run and contractor-operated. We make every effort to meet our staffing goals and have been running two training classes per month, but it takes time to properly train our staff. At no point did the small number of employee vacancies compromise the operations of the facility, and we use overtime assignments as needed." In addition, Kabeera Weissman of the Delaware County Coalition for Prison Reform, claimed correctional officers at the facility are being forced to work double shifts while being among the lowest paid in the state at \$12 to \$14 an hour. "On most weekends during the first shift, the inmates are placed on lockdown due to short staff," she said. "That's terrible for the people who are inside. Why are people being locked down for 23 hours a day on the weekends?" DiOrio said he was unaware of this and directed the matter to GEO representatives. "Much like any organization, including publicly operated correctional facilities, we do face occasional staffing challenges that are beyond our control," Warden Byrne said in response to Weissman's allegation. "On the exceedingly rare occasions where unforeseen events impact our daily staffing levels, we alter the facility's operations to ensure the safety of not only the inmates, but of our staff as well. Anyone who suggests these unfortunate occurrences are common is simply ill-informed." Regarding the Blank Rome bills, Phillips said they are being productive. "Blank Rome has done the work that they were asked to do but they were basically given an open-ended engagement letter to do whatever they felt was necessary or the prison board felt was necessary," she said. At least two council members had similar sentiments regarding the situation. After saying he invited the lawyers to come before county council to discuss their billing, and that he also received no response from the prison board Chairman John Hosier, Zidek said he would appreciate if the prison board would be receptive to council. "It seems to me they just want us to write them a blank check and I don't feel that that's what I was elected to do," Zidek said. Councilman Kevin Madden added, "It

sounds as if the prison board is going to find a way to pay these regardless of whether we approve them or not. They've done that in the past with these bills.