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United States Senate

COMMITTEE ON HEALTH, EDUCATION,
LABOR, AND PENSIONS

WASHINGTON, DC 20510-6300

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<http://help.senate.gov>

September 18, 2015

The Honorable Thomas Perez
Secretary of Labor
U.S. Department of Labor
200 Constitution Ave., NW
Washington, DC 20210

Dear Secretary Perez:

We are writing because of recently reported breaches in safety protocols and jarring cases of violence that have occurred at Job Corps centers. Safety problems at Job Corps centers have been well-documented by the Department of Labor (DOL) Office of Inspector General (OIG), and recent reports of violence suggest there are major problems in Job Corps' ability to keep its students and staff safe. We write to better understand how DOL is working to ensure safety at Job Corps centers, and request that you provide responses to the questions included in this letter.

Since 1995, Job Corps has operated under a formal zero tolerance policy against violence and drugs to ensure a safe environment for participating students.¹ The Job Corps' Policy & Requirements Handbook (PRH) used by center management to enforce this policy outlines three levels of behavioral infractions.² Level I infractions are the most serious and should automatically be categorized as a violation of the zero tolerance policy.³ Such infractions include physical assault resulting in bodily harm, sexual assault, possession of a gun or illegal weapon, robbery and extortion, and illegal drug activity. The PRH requires that students determined to be responsible for such infractions be automatically expelled from the program.⁴

In February 2015, the DOL OIG issued a report that found systemic weaknesses in safety protocols at all 125 Job Corps centers across the country.⁵ Specifically, center management were not consistently enforcing the zero tolerance policy and allowed potentially dangerous students to remain enrolled in the program. The DOL OIG reviewed security logs for 11

¹ U.S. Department of Labor, Office of Inspector General, Report No. 26-15-001-03-370, "Job Corps Needs to Improve Enforcement and Oversight of Student Disciplinary Policies to Better Protect Students and Staff at Centers" (Feb. 27, 2015), [hereinafter "DOL OIG Report"], at 3.

² *Id.*

³ *Id.*

⁴ *Id.*

⁵ *Id.* at 16.

selected centers and identified 277 students who had committed potential Level I or Level II infractions.⁶ Fifty-eight of those 277 potential violations committed by students were not recorded in the appropriate system, nor was there any evidence to show required disciplinary action was taken,⁷ and 41 were incorrectly downgraded to lesser infractions.⁸

According to the OIG report, management at Job Corps centers wanted to give students who committed serious misconduct a second chance or were trying to avoid negative performance outcomes.⁹ Regardless of management's intent, their actions threatened the safety of Job Corps students and staff. For example, one center in Tulsa failed to investigate or take disciplinary action when a student was found with illegal drugs, a Level I offense that should have resulted in expulsion from the program. Instead, the student was allowed to remain in the program until he assaulted another student 12 days later.¹⁰ Had center management appropriately expelled the student following his initial offense, the assault could have been prevented. These findings are particularly concerning because they echo the results of DOL OIG audits conducted in 2009 and 2010, indicating not enough progress has been made in improving safety in the program.¹¹

While Job Corps concurred with recommendations made in the February 2015 DOL OIG report and agreed to make changes to improve safety, the Committee's concerns about the Job Corps program were renewed by shocking recent events. In April, a Job Corps student was shot and killed in his dormitory at the St. Louis Job Corps center.¹² Another Job Corps student was charged with his murder.¹³ A student interviewed by the *St. Louis Post Dispatch* said he had heard rumors that some students had concealed weapons, but he never saw security use their hand-held metal detector. In addition, the student identified that "some people have weed and liquor. They just throw it over the fence before they come through security and then go pick it up."¹⁴

In July, another Job Corps student was found gruesomely murdered by a machete outside the Homestead Job Corps center in Florida.¹⁵ In August, four of his fellow Job Corps students were charged with the murder. According to news reports, law enforcement sources said the students charged with murder were known as bullies at the Homestead Job Corps

⁶ *Id.* at 5.

⁷ *Id.*

⁸ *Id.* at 6.

⁹ DOL OIG Report, at 3.

¹⁰ *Id.* at 6.

¹¹ *Id.* at 3.

¹² Associated Press, "Man charged in fatal shooting on Job Corps campus," *Columbia Daily Tribune*, April 24, 2015.

¹³ *Id.*

¹⁴ Paul Hampel, "St. Louis Corps student describes encounter with suspect in killing there," *St. Louis Post-Dispatch*, April 24, 2015.

¹⁵ David Ovalle, "Gruesome details emerge in murder of Homestead Job Corps student," *Miami Herald*, August 19, 2015.

center,¹⁶ and one of the students is believed to have dealt drugs.¹⁷ The *Miami Herald* reported that the 17 year-old victim was known as a peaceful boy.¹⁸

Job Corps participants, many of them still teenagers, often live in Job Corps facilities and depend on Job Corps management and DOL to keep them safe. The safety failures of the Job Corps program demand immediate attention, and the Committee would like to know what steps are being taken to improve safety. To that end, please respond to the following questions by October 2, 2015.

1. In response to the February 2015 DOL OIG report, DOL promised to conduct unannounced monitoring visits at Job Corps centers. How many visits have been conducted? Please include the location and date of each visit and a description of the findings from each visit.
2. In February, DOL was in the process of establishing a centralized division in the Job Corps National Office to coordinate oversight of the Job Corps program. What is the status of this division?
3. The Job Corps' PRH was updated in August 2015. What changes were made to it as a result of the DOL OIG Report? Are any additional changes being considered in light of the two recent murders of Job Corps students? If so, please provide a description of these changes.
4. Is Job Corps on track to update its incident reporting system by the end of September 2015 as promised in a February 2015 DOL memo to the DOL OIG?
5. How is the new internal risk management system developed by Job Corps being used by monitoring staff to improve student and staff safety?
6. Has Job Corps established clear guidelines for conducting regional office center assessments and implementing corrective action when problems are identified?
7. Have all students with unresolved Level I and Level II infractions in the system had their cases resolved? Have resolved cases been addressed with the appropriate disciplinary action?
8. Has DOL implemented its proposed system of progressively escalating corrective actions for centers not in compliance with the PRH? If not, when do you expect to do so?

¹⁶ *Id.*

¹⁷ David Ovalle, "Classes suspended at Homestead Job Corps after machete murder," *Bradenton Herald*, August 31, 2015.

¹⁸ David Ovalle, "Three arrested in killing of teen outside Homestead Job Corps center," *Miami Herald*, August 13, 2015.

9. In light of the recent murders of two Job Corps students, what, if any, additional steps are being taken to ensure the safety of students and staff?
10. Had any of the Job Corps students charged with murder previously violated Job Corps policies? If so, please explain why those students were allowed to remain in the program.

If you have any questions about this request, please have your staff contact Kristin Nelson on Senator Alexander's staff at (202) 224-6770 or Tommy Nguyen on Senator Isakson's staff at (202) 224-3643. Thank you for your attention to this matter.

Sincerely,



Lamar Alexander
Chairman
Committee on Health, Education
Labor and Pensions



Johnny Isakson
Chairman
Subcommittee on Employment and
Workplace Safety