

## MEET & CONFER MEETING January 31, 2013

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Director Ryan greeted the group and addressed the following questions and agenda items:

### **Inmate Healthcare**

Yesterday a press release was issued advising that the contract with Wexford Health Sources to provide inmate healthcare is being terminated. The new vendor, Corizon Correctional Healthcare, will begin transitioning tomorrow. Corizon was one of three companies which submitted bids for the contract last year. The Department was able to expedite the new contract by submitting a Competition Impracticable request rather than issuing an entirely new RFP. The contract with Corizon is effective March 4, 2013 and it is expected that Corizon will begin contacting Wexford employees to discuss job opportunities in the near future.

Corizon is expected to aggressively seek to contract with University Physicians Hospital (UPH) in Tucson and the IPC unit at Tucson will be renovated as part of the strategy to increase the Department's IPC bed capacity to 107. This will allow inmates to be released from the hospital more quickly.

The Contract Monitoring Bureau will continue to function in its current role and in a collaborative effort with the vendor to ensure success.

### **Submitted Questions and Answers**

#### **Question #1 -- Annual Leave Requests -- Seniority:**

Staff have stated that the ASPC - Phoenix Warden has removed Supervisors authority to create "dream sheets" for annual leave requests for Officers. Supervisors have removed any type of use of seniority for annual and are basing it solely on date of annual leave request. This is a morale issue and violates DO 512.071.2.1.1.1

**Question #1 Response:** The policy states staff shall complete an Employee Request for Leave Form. That request is submitted to the supervisor and is approved/denied based on projected scheduling and availability based on seniority, which is clarified as uninterrupted service. A discussion with the Warden at ASPC-Phx indicates the policy is being followed. Dream sheets are no longer used; the Request for Leave form is used. Once the leave requests are approved then the leave is not taken away. If a staff member with previously approved leave rotates and too many staff are off at the same time at the new unit, then we cross level to correct staffing. Likewise, once leave is approved, a more senior staff coming into the unit will not bump a staff member from previously approved leave. If you know of any incidences where this has not been the case please provide details so they can be reviewed.

**Follow-up question:** How many vacant CO positions are there?

**Response:** There are 6,525 CO positions; 6,135 are filled, with some of those being out on military or medical leave. We currently have a 3% vacancy rate with academies starting every two weeks.

#### **Question #2 -- Ballistic Vests:**

Florence perimeter patrol officers are requesting ballistic vests because of possible contact with the (hostile) public. There have been two or more shootings at ASPC-Florence in the past (long time ago) involving perimeter patrols and this is a request for officer safety.

**Question #2 Response:** There is no need to provide this type of equipment. There are only two incidents of this type in the past 30 years. Our perimeters are more controlled now than ever. Moreover, the continual changes in assigned staff would present an impossible situation with providing properly sized vests. Staff working the perimeter should remain vigilant and follow policy/post orders if they see unusual activity or strange vehicles.

**Question #3 -- Staff Shortages -- Priority Posting Charts:**

South Unit officers are requesting relief with what seems to be a daily cross level to other Florence Units. They understand staff shortages, but state that problems at other units are causing staff at South Unit to feel that they are being treated as “bodies” and not valued employees by supervisors.

**Question #3 Response:** A review of the past 30 days shows the following cross levels out of South Unit:

- days--17 staff
- swings--11 staff
- graves--6 staff

These are not high numbers compared to other units and shows that cross leveling does not occur daily. Remember this is a team effort and it takes all staff within the complex working together to accomplish our mission of public, staff and inmate safety. We developed and use our priority posting charts for consistency and fairness. If you have ideas about this chart express them through your chain of command.

**Question #4 -- Shift Briefings -- OT for Supervisors:**

Shift supervisors at ASPC-Winslow are stating that it is a requirement, per post orders, for Shift Supervisors--to include Lieutenants--to attend shift briefings. But, if there are more than two Supervisors at the briefing, only one is allowed to collect the .25 in OT. Why, since it is a requirement, are not all supervisors receiving the .25 OT for briefings? This may be localized just to ASPC-Winslow.

**Question #4 Response:** At one time all units were directed to use a combination of briefing OT for supervisors and flexing others. The way it is being done at Winslow is the standard way it was done statewide. A recent survey of all 10 complexes was completed showing that some flex and some pay all OT. All complexes will be directed to pay the .25 OT to ensure consistency throughout the agency. One supervisor will cover the beginning of shift and the other will hand the paperwork at the end of the shift.

**Question #5 -- DO 708 Strip Search -- Number of Officers Present:**

Why was DO 708 changed to allow a strip search with only one officer present? If you look on the public webpage ([www.azcorrections.gov](http://www.azcorrections.gov)), the old DI 145 is still up and requires two officers. When they revised DO 708 and incorporated DI 145, this requirement was removed.

**Question #5 Response:** DI 145 was put into effect on July 14, 2000. On November 5, 2012 DO 708 was updated and incorporated DI 145. While incorporating the DI into the DO several factors were evaluated to include, staffing levels, number of strip searches performed at locations daily, and what accepted industry standards and practices are in place that may have changed over the past 12-year period.

In evaluating staffing levels and the number of inmates being strip searched on a daily basis, it was determined that resources would be better utilized conducting these searches with a single officer rather than the stated two officer requirement of the D.I. This practice meets accepted industry standards while increasing operational effectiveness within the units. This does not

compromise the ability of the staff to conduct thorough searches and essentially doubles the capacity to conduct searches with each officer conducting individual searches. As with any situation in a correctional environment, the staff member conducting the strip search should contact a supervisor for additional assistance if he/she feels there may be security/safety issues.

The request to delete DI 145 was submitted at the time of the policy posting; as of this date it has been removed.

**Question #6 -- Block Training / CBT:**

Why have we gone back to the "Get training done as you can on shift" when the Blue Ribbon Panel (After the Lewis Incident) stated that this was one of the failings?

**Question #6 Response:** Block training is scheduled at all prison complexes for staff to complete the majority of their required training. However, due to new training initiatives, the block training schedule does not afford an opportunity for all staff to meet the requirements for completion. Primarily, computer based training (CBT) is done during assigned shifts as well as various ICS/DART simulations. There was no CBT in 2004 when the Lewis incident occurred. Staff are not removed from the unit for CBT and are able to immediately re-deploy to their assignment if needed. This was not the case in 2004. Staff should not be pulled from critical posts in order to complete required training. If training is to be completed while a staff member is on shift, it should be done during times where there is low to no yard traffic. Please provide specific examples where this is not the case.

Additionally, it should be noted that the Blue Ribbon Panel was just that, a panel of officials who provided recommendations to specific issues at that time. If current policy needs to be revised we will revise it, based upon current practices/issues.

**Question #7 -- New Range Qualification Course:**

When will Firearms Instructors, TSU & Transportation officers be able to receive the new Range Qualification course that has been under review?

**Question #7 Response:** The new range qualification course applies to sworn peace officers, not the ADC security series.

**Follow-up question:** Some complexes are running out of ammunition for range qualification. How soon will ammo be available?

**Response:** Procurement is working diligently to locate vendors. This is a supply issue, the funding is available.

**Question #8 -- MAP / Training:**

How soon can we expect to see the PACE replacement MAP take effect? Will there be training for this? Will this give staff the capability of receiving meritorious increases in salary?

**Question #8 Response:** MAP will be instituted effective February 1, 2013, for covered and uncovered ADC employees excluding CO I's, CO II's, CO III's and CCO's. Those classifications will begin using MAP effective July 1, 2013. MAP training is underway for the group starting MAP on February 1<sup>st</sup>, and will commence in May for CO Is, CO IIs, CO IIIs, and CCOs. A comprehensive compensation plan is being drafted, based on ADOA guidelines and subject to ADOA approval. It is anticipated that an opportunity for salary consideration for meritorious service will be included in that plan. Salary increases or other types of compensation (such as performance incentives, one-time spot awards, etc.) are contingent on the existence of available funding.

**Question #9 -- CO III Posting / Support Staff:**

Why are Property Room staff allowed to accumulate OT to complete their regular duties after their posted shift is over? The purpose of COIII's and support staff being posted is to reduce OT. Why are we being told we cannot determine where we want to work but when cross levels or OT come in they can.? We are being pulled from our job duties to conduct security functions so would it not be fair to be able to pick a post? Why aren't the rosters being updated to reflect the correct number when staff arrive back to the Unit after transports or special assignments? Due to the numerous duties that have been added to our caseloads we are curious to know if any relief is coming or if support staff and Sergeants in fact work a post? Would it be hard to post only 1 COIII per day and utilize Sgt's?

From: CREDIO, RON  
Sent: Tuesday, March 13, 2012 2:46 PM  
To: (Various Staff)  
Subject: COIIIs

1. Effective immediately COIII's will only work a shift post one day per week.
2. COIII's may work a shift post on weekends if they choose.
3. Should a COIII call in on their assigned day to work or have preapproved leave they will not be required to make that day up to include AL. We do not penalize COIIIs for calling in sick or using AL. Therefore, you will not penalize COIIIs for such.
4. COIII's are eligible to qualify at the range if they so desire.
5. The return to primary post for COIIIs and Support Staff must be equitable. Ensure you do not send Support back to their primary post and leave COIIIs posted on a continuous basis.

**Question #9 Response:** On 1/18/13 NROD McWilliams met with COIII's at SMUI to discuss their concerns. The main issues are posting of Sergeants, COIII's not being able to pick a post, adjustments made after transports return and support staff being able to work OT to catch up on their primary duties.

It is difficult to post Sergeants sometimes due to all the code red transports at Eyman. The Warden will direct all units to post Sergeants when possible and monitor rosters to ensure it occurs. COIII's need to understand they will be posted one day per week. They can request a preferred post and if they're qualified with a weapon they can do hospital duty.

Two control room posts are being designated to serve as COIII shift assignments, all program staff said this works best for them. If a COIII wants to work a floor post they can request it with the shift commander.

Numerous transports go out in a shift-some scheduled, some not. Complex Administrators will monitor to adjust staffing as needed. If issues arise, use the chain of command.

Prior to the audit, in a couple of cases, support staff was authorized comp time to catch up paperwork in their primary assignments. No cases were found of COIII's not being able to get programs work completed. In fact SMUI just finished the annual audit and did very well with the least findings in all of Eyman Complex. A review of COIII posting in the Eyman Complex shows SMUI does not post COIII's as often as some other units. Remember this is a team effort and no staff is being required to do more than others. If issues do occur then address them immediately with supervisors in that unit.

**Follow-up question:** Why do we need to post COIII's if the vacancy rate is 3%?

**Response:** This is a staff safety issue. Increased mental health concerns and an aging inmate population require additional staff for watches and hospital runs. We have worked to restore the 565 CO positions abolished by the previous administration. The legislature funded 103 positions and we've redistributed others from Douglas to Yuma after the Maricopa Unit was closed; from SACRC to Tucson after it was converted to the release center; and closed the Picacho Unit moving positions to Florence/Eyman. This represents nearly half of the abolished positions being restored.

Wardens are authorized to use OT to man posts. We are beginning to see a decrease in staff assaults. We will continue to prosecute inmates for assault. In the past four years we have a 78% success rate in prosecutions, with 71% resulting in consecutive sentences.

Effective 1/1/2013 assaults will be classified into one of three gradations: Serious injury; Non-serious injury; Throwing. More information on assaults and prosecutions will be forthcoming.

**Question #10 -- Comp Time / Cap:**

Raising the cap on comp time beyond 480 hrs. All the OT positions cannot be filled currently at 50/50. Once the staff who reach 480 are precluded from continuing to work OT, it will be even more difficult to fill the vacancies.

**Question #10 Response:** ADC does not have the authority to raise the cap on comp time above the 480 mark. That is a Personnel Rule. Additional hours above 480 are automatically converted to 100% OT.

**Follow-up question:** Can supervisors mandate employees who have 480 hours to take leave?

**Response:** Yes, if scheduling allows for it this would be supported.

**Question #11 -- 40 hour OJT Requirement after staff is rotated:**

Elimination of the 40 hour OJT requirement to work 0800 to 1600 hrs when staff are rotated to another unit. There are two issues with continuing the practice of requiring staff to have a 40 hrs OJT from 0800 to 1600 hrs the first week they rotate to another unit.

First 100% of staff rotating have already worked at the unit they are rotating to as a result of being cross leveled at some point in time or from working OT at the unit they are rotating to. This 0800 to 1600 hrs OJT requirement is not cost effective on the Department because it creates an additional staffing shortage on the shift the rotating staff will be assigned, thus requiring the need for one more additional OT Slot during that OJT week. It also creates a financial burden on the staff member if they carpool or vanpool, as well as child care issues. Additionally it allows the gaining unit to manipulate the RDO assignment.

For example, if a staff member is rotated to another unit effective Saturday, January 19, but is required to have an OJT week of 0800 to 1600 hrs effective January 19, their reporting date to their assigned shift is Saturday January 26. If the rotating staff member had Sat/Sun at their previous unit and another staff member with Sat/Sun is also rotating out of the gaining unit on Sat, Jan 19, the staff member rotating in loses his Sat/Sun RDOs because on Sat, Jan 19, the Sat/Sun RDOs are given to another staff member currently on the shift because the rotating staff does not arrive on shift until Jan 26.

Additionally, the rotating staff member is required to complete a second 40 hrs OJT on their assigned shift. This practice is neither cost effective nor practical.

**Question #11 Response:** This is one area that we were criticized on when we started doing rotation. Staff felt that they were placed on to a new yard without the concept of what they were

supposed to do. After we reviewed it, we agreed to institute the OJT program for rotating staff. OJT is critical for staff rotating to a new unit. Practices and post orders vary from one unit to the next due to their distinctly different populations and physical plants. Everything from programs to work crew turnouts vary from unit to unit. It is imperative that staff become familiar with these differences to enhance their opportunity for success on the new unit.

**Question #12 – Copier Usage:**

The Administration at Meadows Unit has implemented a new procedure which precludes staff from accessing the copier in the Administrative Bldg. Staff are now required to utilize the copier in the Captain's Area.

This new procedure is not feasible due to the fact that the majority of the staff do not have a key to access the captain's area. This precludes staff from their ability to complete their required duties, i.e., making copies of their correctional service journal when there are security device discrepancies, which require a copy of the journal, as well as, a copy of the security device work order to be attached to the Information Report. Additionally a copy of the Information Report is required to be attached to the original work order. This procedure also prevents staff being able to make copies of money orders that inmates receive in the mail and the inmate's envelope which are required to be attached to the Information Report that is written regarding the money order received in the mail that was not discovered when the mail was processed by Complex mail and property. A copy of the Information Report is also required to be attached to the money order sent to Inmate Banking.

This also affects staff's ability to copy disciplinary reports which are attached to Information Reports as well as the Information Report which is required to be attached to the Disciplinary Report.

Staff are further hindered from copying use of force reports for future reference should an investigation arise weeks or months after the event. Deputy Warden Lao stated that any staff member who needs a copy of any report can obtain the copy through a public records request.

The ability to obtain an Information Report number has also been restricted to only being able to obtain the Information Report number during your shift hours.

**Question #12 Response:** Controls were placed on copy machines after a increase in paper usage and some questionable copies being made by staff occurred. It is not the intent nor has it impacted the copying of paperwork required by policy. You must now get approval from a unit supervisor to make copies

The representative requested to meet with the Director to discuss this privately.

**Question #13 – Annual Leave vs. Flexing schedule:**

SMUI has implemented a new procedure that precludes COIII from adjusting their work schedules in lieu of taking annual leave time.

For example if there is a need for a COIII to leave 2 hours early or come in 2 hours late on a particular day, they are not allowed to adjust his or her schedule and work an extra 2 hours during their other 4 work days. Instead they are being required to take annual leave.

This decision was made by COIV Pinney and COIV Bowman based solely on their joint decision not to allow COIII to adjust their work schedule. However, the decision only precludes COIIIs from adjusting their schedule based on their needs. Instances still occur where COIIIs are required to come in early or stay late based on the needs of the unit and on instances where the COIII works more than 8 hours, the COIII is flexed out at the discretion of the COIV.

**Question #13 Response:** The needs of the Department/Unit and our personal needs are two different things. While personal needs are important, for the purpose of scheduling shift coverage, the Unit needs take a priority. It is difficult enough to balance our rosters and cover post needed. We need to be fair and equal with all staff requests. It is not a good practice to let each staff member tailor their hours based on personal needs. As for flexing out staff during the week for extra hours, this practice is used when possible in all Complexes.

## **Legislative Session**

The agency submitted decision packages to support staffing for the 500 bed maximum custody facility to be located at ASPC-Lewis in the vacant-half of the Rast Unit. The request included funding for 183 positions. This staffing pattern is subject to change because the architectural designs have not been finalized. The beds are scheduled to be on-line July 2014.

The first 500 of 1000 private prison beds to be located at Eloy will be online January 2014 with the second 500 on-line January 2015. The Department is requesting six positions to be added to the Contract Beds Bureau to support monitoring activities at the new facilities.

The Department is requesting \$8 million to refurbish the Yard Office/Kitchen and ACI Laundry facilities at ASPC-Yuma. Director Ryan testified before the Senate Appropriations Committee and received verbal support for the request. He continues to educate the legislature regarding custody levels, bed types and staff safety issues; freshmen legislators will tour Florence/Eyman in the near future.

## **Staffing**

Yolanda Elliott was promoted to Warden at Douglas after the tragic passing of Warden Antonio Baca. Warden Tara Diaz retired from Lewis and will be replaced by Warden Bock from Yuma. Warden Laura Escapule will return to Yuma from Winslow. Berry Larson is returning to the Department as Warden at Winslow.

It was announced at the Administrators Meeting in December that all Wardens will be required to hold a degree. Incumbents who do not possess a degree will be mandated to pursue an AA or BA. Tuition assistance continues and staff are encouraged to take advantage – education is a life-long endeavor.

## **Follow-up Questions**

**Question:** What plans do you have for the Eggers Unit at Douglas?

**Response:** We are working to finalizing repairs at the Eggers Unit. Once complete, inmates will be moved back into it and repairs will commence at Gila Unit.

**Question:** Will anyone be promoted from the Lieutenant Special Announcement in November?

**Response:** Offender Operations approved several vacancies to be filled on Monday, but needs more specific information to provide an accurate response.

**Question:** When employees are interviewed during an AIU investigation, they are advised not to talk to anyone outside their chain-of-command. Often employee representative are present and therefore privy to the information. Can they speak to the employee representative?

**Response: Yes**

## **Professional Conduct/Staff Arrests**

A Director's Message will be forthcoming regarding this topic.

During the past 4.5 years, 640 ADC employees have been arrested, 433, or nearly 2/3 of them were for issues of domestic violence, fights/assaults, DUI and drugs. These numbers are staggering. The majority of arrests are DUI, followed by domestic violence. Remind your staff to use a designated driver, take a taxi or walk if they are drinking.

Recently employees at Yuma and Douglas were arrested for trafficking drugs across the border; in one instance it was 52 pounds of marijuana.

Just this week at Lewis and Phoenix six employees lost their jobs. An undercover ATF operation uncovered a CO selling methamphetamine. He rolled over on six employees who were socially using marijuana. This is criminal behavior and if we have employees that condone the social use of drugs, we need to dismiss them.

Director Ryan sits on the POST Board and is responsible for making decisions on police officer unprofessional or criminal behavior. Every week, without fail, we have employees being arrested. This agency represents the correctional arm of public safety/law enforcement and this behavior is unacceptable. A Director's Message will be posted on the ADC Web next week, and thereafter, will be updated quarterly.

## **What can we do to address this issue?**

Discussion ensued regarding job related stress, the need for staff to seek assistance **before** they are arrested and various resources that are currently available. This is a real issue facing real people with real consequences. It puts our staff at risk and is a poor reflection on our good employees.

## **Suggestions:**

- Announce it publicly/wall of shame
- Provide information regarding prosecutions/outcomes
- Improve hiring practices
- Conduct random UA's
- Establish a hotline for those seeking help
- Expand Employee Assistance program to offer more free MH counseling sessions
- Provide links on the intranet to anonymous help/resources

If further clarification is required for any of the above subjects, please utilize the 'Open door, phone and e-mail' to communicate your concerns.

Thank you for your public service and be safe!

cc: Executive Staff  
Wardens  
Paul O'Connell  
File