

MEET & CONFER MEETING
March 9, 2012

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

DO 714 – Inmate Regulations

1) Why isn't DO 704 enforced consistently rather than used as a bartering tool?

Inmate compliance with DO 704 is a basic staple and enforcement is everyone's responsibility. There is no negotiation with inmates in regard to policy compliance. During recent tours, DD Patton noted significant improvement in compliance and advised Safford has the best compliance rate in the state.

CORE Testing

1) Will employees who fail CORE testing be disciplined?

DO 510 addresses weapons qualification standards, as well as remedial training and failure to qualify. Please refer to it for questions pertaining to weapons qualification.

Employees are allowed a total of three attempts to successfully pass the CORE test. Supervisors who fail to successfully complete the test after three attempts are subject to demotion. Supervisors can't lead if they are not familiar with the information. Last year, three supervisors were demoted. One accepted the demotion without appeal. The other two appealed to the Personnel Board. After review, the board upheld one action and the other is still pending.

2) Will there be leeway regarding demotions? Some good supervisors just aren't good at taking tests?

This is not a testing issue. Supervisors must pass tests to promote or remain in their positions. The reason for CORE testing is to prove a basic understanding of policy issues. Currently the test is only in a written format with no oral aspect. Maybe in the future an oral component could be added. Policies are available for review and can be used to study to pass the test. Additionally, the questions are developed by peers. Many of the questions submitted are not approved or used. Both DD Patton and DD Krause have taken and passed the exams.

3) Would it be possible to get feedback on our results? It would be helpful to know what we need to work on.

DD Krause will research the ability to provide feedback.

Staff Rotation

1) Some employees that were initially rotated out of ASPC-Florence/Picacho are transferring back. They are being assigned to shifts prior to granting shift change requests from current employees.

DD Patton requested more information/specifics and will review the assignment process.

Inmate Classification

1) CO III's are receiving inmate letters requesting to be moved to other institutions due to family hardships. This has not been the historical practice. Has the policy changed?

Movement is based on the needs of the Department. Central Classification does not approve moves based on proximity to their residence or family hardships. Approximately 20% of inmate beds are located within the Phoenix metro area while 65% of the inmate population originates within Maricopa County. Additionally, medical and mental health scores greatly influence where the inmate is ultimately assigned, as those with higher scores require reasonable proximity to healthcare providers. As a result, healthy inmates are generally housed at the rural complexes.

Discussion ensued regarding Wardens from other complexes "recruiting" inmate workers who possess particular skill sets.

Approximately 3,300 inmates work outside the institutions on a daily basis. The work crews are a valuable resource for local communities and our CO III's, CO IV's and Wardens collaborate with Central Classification to manage the assignment and availability of that workforce. Some facilities require inmates with specific skill sets and/or scores to work within the unit(s). This sometimes results in Wardens requesting or "recruiting" inmate workers to meet those needs.

DO 805 – Protective Segregation (PS)

1) How can we prevent inmates from manipulating the PS system?

This policy has undergone several revisions. It originated as Director's Instruction (DI 67) due to *Does v Stewart*. Our task is to effectively manage the process which can be both time consuming and labor intensive. Unfortunately, approximately 80% of the requests are not legitimate and inmates request PS for a number of reasons. The best way to prevent manipulation is to ensure the packet contains accurate and thorough documentation.

Budget

The inmate population steadily increased for the past 30 years in part due to legislative mandates such as Truth in Sentencing. During FY10 ADC anticipated an increase of 110 inmates per month, but the actual increase was only 65 per month. Likewise the population was projected to grow in FY11, but we actually had 296 less inmates at year end. This started a trend of population leveling. ADC anticipates the leveling trend to end in FY14 when the population will begin to grow by 25 inmates per month.

The PS and Sex Offender (SO) populations are both growing rapidly and each has unique housing requirements. Due to the anticipated growth resurgence, ADC will require an additional 2,000 medium beds as well as a 500 maximum security beds. ASPC-Lewis is a logical choice for the location, as the land and existing physical plant and utility assets will allow for the expansion. Florence/Eyman will not support further expansion/growth.

Public safety concerns preclude ADC from allowing inmates assigned to higher custody levels to be reclassified to lower levels simply to fill available lower custody level beds. Likewise, existing units built for lower custody levels cannot be easily modified to house higher level inmates due to security requirements and logistical issues. While ADC is sensitive to the budget issues Arizona is facing, we must move forward with building requests now, as it takes approximately 18 months from funding to activation for medium level beds and 2 years for maximum level beds.

Staffing

The previous administration changed the definition of "staff assault" which resulted in the loss of 565 Correctional Officer (CO) positions. We will continue to use compensatory time and overtime to adequately staff the units and ensure staff safety. Each Division agreed to maintain vacancies to fund those positions.

Discussion ensued regarding afterhours transportation runs and posting CO III's to security positions.

Health Services (HS) Privatization

This will represent the largest Reduction in Force (RIF) in State history. ADC was precluded from bidding on the contract and it must be awarded to the "best qualified" bidder. We are in the final stages of the RFP assessment and evaluation of the bids. We anticipate awarding the contract in early April and are in the final stages a departmental monitoring team to oversee the contract and evaluate services.

HS is currently experiencing an approximate 29% turnover rate for FY 2012. A retention bonus program was approved for eligible HS employees who remain employed with ADC throughout the transition process (MAR 05, 2012 – JUN 30, 2012). We will continue to provide information as it becomes available.

Personnel Reform

This is a lengthy bill consisting of more than 270 pages. This legislation is pending approval and is changing daily. Employees with questions should refer to the Q & A located on the intranet and submit unanswered questions to the PERSONNEL REFORM QUESTIONS mailbox.

As currently written, all CO I, II and III positions are exempt from the legislation and will remain covered. Additionally, ADC is recommending Community Correctional Officers (CCO's) be included in the exemption and remain covered. The legislation also impacts the authority of the Personnel Board.

We empathize with the anxiety associated with possible employment status changes. Several questions have arisen regarding discipline and dismissals. Discipline is designed to modify behavior and will continue to be evaluated using the Mistake v Misconduct model.

SB 1432

This bill increases the inmate discharge amount from \$50 to \$100 and requires inmates be released with a valid state ID. The change in monetary amount does not impact the budget, as the inmate is responsible for the deposit.

Indigent Supplies

1) The current Keefe contract only supplies one razor and one bar of soap per 30 day period. This is not sufficient.

CO IV Wallace will supply more information to DD Patton for research.

Sexual Harassment and Discrimination

ADC entered into a Consent Decree arising from a claim filed during the tenure of the previous administration. Sexual harassment and discrimination are unacceptable behaviors and won't be tolerated. Allegations will be investigated and dealt with fully. Managers, supervisors and peers are reminded to ensure it doesn't occur and if it does occur that it is immediately reported. We all have an affirmative responsibility to stop and expose this behavior.

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
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