

**FINAL REPORT OF THE VIRGINIA STATE CRIME  
COMMISSION**

**STAFFING NEEDS IN VIRGINIA'S  
PRISONS**

**TO THE GOVERNOR AND  
THE GENERAL ASSEMBLY OF VIRGINIA**



**HOUSE DOCUMENT NO. 26**

**COMMONWEALTH OF VIRGINIA  
RICHMOND  
1996**





# COMMONWEALTH of VIRGINIA

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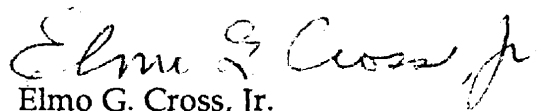
December 12, 1995

TO: The Honorable George Allen, Governor of Virginia, and Members of the  
General Assembly:

House Joint Resolution 490, agreed to by the 1995 General Assembly, directed the Virginia State Crime Commission to conduct a study on the staffing needs of Virginia's adult correctional institutions, and to submit its findings and recommendations to the Governor and the 1996 session of the General Assembly.

In fulfilling this directive, a task force was conducted by the Virginia State Crime Commission in 1995. I have the honor of submitting herewith the study report.

Respectfully submitted,

  
Elmo G. Cross, Jr.  
Chairman

EGC/jrp



## **MEMBERS OF THE VIRGINIA STATE CRIME COMMISSION 1995**

### **From the Senate of Virginia:**

Elmo G. Cross, Jr., Chairman  
Janet D. Howell  
Edgar S. Robb

### **From the House of Delegates:**

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Robert B. Ball, Sr.  
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### **Appointments by the Governor:**

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Robert F. Horan, Jr.  
Rev. George F. Ricketts, Sr.

### **Attorney General:**

James S. Gilmore, III

## **Corrections Subcommittee Studying Staffing Needs in Virginia's Correctional Institutions**

### **Crime Commission Members**

Rev. George F. Ricketts, Sr., Hallieford, Chairman  
Delegate Robert B. Ball, Sr., Richmond  
Robert C. Bobb, Richmond  
Delegate Howard E. Copeland, Norfolk  
Attorney General James S. Gilmore, III, Richmond  
Senator Janet D. Howell, Reston  
Senator Edgar S. Robb, Charlottesville  
Delegate Clifton A. Woodrum, Roanoke  
Senator Elmo G. Cross, Jr., Mechanicsville, ex officio

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**Study of Staffing Needs in Virginia's Correctional Institutions**

**TABLE OF CONTENTS**

|       |   |        |
|-------|---|--------|
| I.    | Authority for Study .....   | 1      |
| II.   | Members Appointed to Serve .....  | 1      |
| III.  | Executive Summary .....   | 2      |
| IV.   | Background .....  | 3      |
| V.    | Findings .....  | 5      |
| A.    | Security Staff .....  | 5      |
| B.    | Security Staff Salaries, Benefits, Training and Retention .....                                       | 5      |
| C.    | Inmate Programming Status (§53.1-32.1) .....  | 8      |
| D.    | Non-Security Staff .....  | 9      |
| E.    | Treatment Staff Needs .....   | 9      |
| F.    | Volunteer Resources .....   | 10     |
| G.    | Auxiliary Staffing Issues .....   | 11     |
| H.    | Unit Management .....   | 12     |
| VI.   | Study Recommendations .....   | 13     |
| VII.  | Resources .....   | 16     |
| VIII. | Acknowledgements .....  | 17     |
|       | Appendix A - House Joint Resolution 490/Woodrum 1995 .....  | A-1    |
|       | Appendix B - Department of Corrections 1985 Staffing Study<br>Recommendations and Actions Taken ..... | B-1-11 |
|       | Appendix C - Virginia statutes on Inmate Programming §53.1-32.1 .....                                 | C-1    |
|       | Appendix D - Department of Corrections' Status Report on §53.1-32.1 .....                             | D-1-6  |





**HJR 490**  
**Staffing Needs of Virginia's Correctional Institutions**

**I. Authority for Study**

The 1995 General Assembly approved House Joint Resolution 490 (HJR 490/Woodrum) directing the Virginia State Crime Commission to conduct a study on staffing issues in Virginia's adult correctional institutions, and to submit its findings and recommendations to the Governor and the 1996 General Assembly.

Section 9-125 of the Code of Virginia establishes and directs the Virginia State Crime Commission "to study, report, and make recommendations on all areas of public safety and protection." Section 9-127 of the Code of Virginia provides that "the Commission shall have the duty and power to make such studies and gather information in order to accomplish its purpose, as set forth in Section 9-125, and to formulate recommendations to the Governor and the General Assembly." Section 9-134 authorizes the Commission to "conduct private and public hearings." The Virginia State Crime Commission, in fulfilling its legislative mandate, undertook the study of staffing issue in Virginia's adult correctional institutions.

Recent legislative changes in the sentencing guidelines and the abolition of parole have created the potential for a significant increase in Virginia's prison population in the next decade. The 1995 General Assembly made a substantial commitment to capital costs for new prison beds. The Crime Commission examined the increased staffing needs which will result from these state policy changes.

**II. Members Appointed to Serve**

At the April 27, 1995 meeting of the Crime Commission, Chairman Elmo G. Cross, Jr., selected Rev. George F. Ricketts, Sr., to serve as Chairman of the Corrections Subcommittee, which was directed to conduct the study of staffing issues in adult correctional institutions in Virginia. The following members of the Crime Commission were selected to serve on the subcommittee:

Rev. George F. Ricketts, Sr., Hallieford, Chairman  
Delegate Robert B. Ball, Sr., Richmond  
Robert C. Bobb, Richmond  
Delegate Howard E. Copeland, Norfolk

Attorney General James S. Gilmore, III, Richmond  
Senator Janet D. Howell, Reston  
Senator Edgar S. Robb, Charlottesville  
Delegate Clifton A. Woodrum, Roanoke  
Senator Elmo G. Cross, Jr., Mechanicsville, ex officio

### **III. Executive Summary**

During the proceedings of the Crime Commission in 1994, discussions were held regarding the impact of new state policies abolishing parole and revising the sentencing guidelines on prison staffing levels. Delegate Clifton A. Woodrum, Vice Chairman of the Commission, proposed that the Crime Commission conduct a staffing study of Virginia's adult correctional institutions. Delegate Woodrum introduced HJR 490 in the 1995 General Assembly which directed the Crime Commission to study the staffing patterns of Virginia's correctional institutions, the classification of correctional staff, the employee turnover rate, and security needs of each institution and develop appropriate recommendations to address the findings. The study was assigned to the Corrections Subcommittee, chaired by Rev. George Ricketts, Sr.

Crime Commission staff reviewed several previous staffing studies, conducted interviews with prison staff as well as the central office staff of DOC. Site visits were made to several correctional facilities. Staff also sent surveys to surrounding states regarding staffing ratios, salary structures, training requirements, and prison management strategies. The information collected indicated that Virginia's staffing levels for security positions are commensurate with surrounding states as well as its salary structure and training requirements. The Corrections Subcommittee of the Crime Commission found that the critical area of security staff turnover was impacted by several factors: the nature of the job, benefits, and high levels of overtime were the three that required some improvement. Recommendations were made to develop a differential pay system for correctional officers serving in maximum security facilities to compensate for the higher risk and stressful conditions of that job. Corrections Subcommittee also recommended that the Crime Commission conduct a study to determine a means of providing more equity with jail personnel in retirement benefits for correctional officers. The Corrections Subcommittee recommended that correctional officers receive monetary compensation for overtime rather than adjusted time off.

The review of staffing levels for non-security positions, particularly treatment staff, showed an almost 16% reduction in treatment staff while there was only a 1.77% reduction in security staff in the past two years. This staff reduction took place at a time when prison populations

were significantly expanding and most correctional institutions were either double-bunked or double-celled to accommodate the increase. The Corrections Subcommittee of the Crime Commission expressed serious concern for the treatment staff reductions, commenting that this could have serious ramifications on long-term public safety when inmates who need treatment are mandatorily released without receiving treatment. The Corrections subcommittee recommended the addition of three treatment specialists for each of the sixteen medium security facilities. The Corrections Subcommittee recommended that JLARC be requested to conduct a comprehensive study of the non-security staffing needs of Virginia's correctional institutions and report to the 1997 General Assembly with recommendations to address staffing needs in the next decade.

The Corrections Subcommittee reviewed the utilization of volunteers by the DOC and found that volunteers made significant contributions to the resources of DOC. The Corrections Subcommittee recommended that a regional volunteer director be added in each of the four regional offices of DOC. This position will work with recruitment and training of volunteers for the institutions within the region.

In reviewing both security and non-security staffing needs and auxiliary staff issues, Crime Commission staff found that the DOC had no personnel policies regarding drug testing of employees. The Corrections Subcommittee recommended that the DOC adopt policies which require drug testing of all potential employees and random drug screens of institutional staff with direct inmate contact.

The final recommendations made by the Corrections Subcommittee are to request the DOC to implement a pilot on unit management to determine the effectiveness of integrating security and program staff to manage individual housing units. This management approach is utilized in the federal prison system and operates with a team, led by a unit manager, managing inmates in a unit rather than institution-wide. This system of management requires that inmates with similar problems and needs be housed together. The success of unit management is highly dependent on appropriate classification. The Corrections Subcommittee recommends as an adjunct to the unit management that the DOC evaluate its classification system and consider expanding the system to make it more flexible.

#### **IV. Background**

The 1995 General Assembly adopted a study resolution, HJR 490, which directed the Virginia State Crime Commission to examine the staffing needs of Virginia's adult correctional institutions. Crime Commission staff has conducted numerous site visits to prisons around

the State, met with Department of Corrections officials, sent a survey on staffing patterns to several surrounding states, and researched previous studies on the issue. Staff has also assessed current staffing capabilities.

The Joint Legislative and Audit Review Commission (JLARC) was directed by the 1983 General Assembly to examine the appropriateness of Department of Corrections' staffing levels. In 1984, in response to the escape of six death row inmates, the study was amended to include an assessment of security procedures and security staffing at the major prisons. The study was completed in July of 1985.

The Department of Corrections, in collaboration with the Department of Criminal Justice Services, the Department of Planning and Budget, the Department of Personnel and Training, and the Department of Information Technology, also conducted a comprehensive security staffing study in 1985. According to Department of Corrections' staff, the recommendations of JLARC were not implemented; however, the 1986 General Assembly did accept the recommendations of the interagency study. The recommendations and the actions taken by DOC are attached in the Appendix.

JLARC conducted a comprehensive study on "Staffing of Virginia's Adult Prisons and Field Units" in 1986 which primarily examined non-security staffing patterns. Finally in 1991 JLARC did another study which focused on "Substance Abuse and Sex Offender Treatment Services for Parole Eligible Inmates".

The 1986 JLARC study stated that three correctional program areas: treatment programs, maintenance, and support services, were understaffed. Several new institutions have come on line since that time and the inmate population has substantially increased. The inmate population in **1985** was **10,254**; it was **14,841** in **1990**; and is **approximately 24,500 today**. With the prospect of an ever-increasing population (projections are for **40,984** in **2000** and **51,296** by **2005**), the system has not been able to meet the accompanying staffing demands. The 1995 Workforce Transition Act and the budget directive for agency cuts also had an adverse impact on staffing levels in the Department of Corrections by significant staff reductions.

The 1995 General Assembly has committed major resources to a capital drive for more prison beds and it is important that appropriate staffing of these institutions is addressed as well. At a time when more construction is slated, significant cuts in program and treatment positions have taken place in the DOC. According to DOC data, staff cuts in 1994 and 1995 resulted in a 15.97% reduction in treatment positions and a reduction of 1.77% in security positions. This

could mean that less and less programming is done in the prisons as more inmates are crowded into correctional institutions to meet the demand for bed space. Programming is an effective adjunct to security, providing inmates with productive use of time while incarcerated. Without adequate programming, security needs are increased and prospects for changing an inmate's criminal propensities significantly decrease. While inmate rehabilitation data does not demonstrate a 100% success in reducing the chance of offender recidivism, numerous studies have shown that treatment programs have a significant impact on the reduction of recidivism. It is unlikely that incarceration alone has an equivalent.

## **V. Findings**

### **A. Security Staff**

The number and nature of security staffing in prisons is developed based upon the design of a particular institution. Most of the recommendations made in the DOC 1985 study on security staffing have been implemented, according to DOC officials. (See Appendix for recommendations and actions taken) The DOC has completed a study of the security staffing in medium security dormitory (MSD) facilities but the results are not available as yet. This study was initiated in response to the elimination of the 24 hour tower positions at the MSDs by the 1994 General Assembly. Most of the recent 113.75 security position cuts were the result of the MSD cuts. The DOC director, Ron Angelone, has said that no additional security positions are needed at this time.

### **B. Security Staff Salaries, Benefits, Training, and Retention**

Upon review of a DOC report which reviewed comparative data on correctional officer benefits and employment requirements, Virginia provides salaries, benefits and training which is commensurate with most of the surrounding states, although North Carolina and Maryland have slightly higher salary ranges. The private corrections companies offer fewer benefits and their training requirements are set by the state contract. Virginia's salary range for correctional officers is \$18,765 - \$31,322. They have 96-144 hours of annual leave, 96 hours of sick leave, as well as state holidays and compensatory leave. They also have state paid life insurance, a 30 year retirement plan, and health insurance benefits. Comparative data of other geographic regions were not included in the report.

Correctional officer applicants must be 18 years old with no prior felony convictions, pass a background investigation, have a high school diploma or equivalent, a valid driver's license, must pass a physical exam, and must be a U.S. citizen. The other states reviewed have similar requirements with the exception of the age requirement. Several states require an applicant to

be 21 years old, although Virginia indicated that the hiring norm is 21 years or older.

Training requirements include a 120-hour orientation, a 160-hour certification and post-training evaluation. There is annual firearms and first aid training and 24 to 40 hours of in-service training every two years. Most of the training is conducted at the Department's Academy for Staff Development in Goochland which requires officers to travel and leaves the institutions with the necessity of finding replacement staff while the training is conducted. The Academy is developing plans for utilization of interactive technology to facilitate training officers at the institutions. This has the potential to improve staff scheduling and training resources.

The Department's report also included data on staff turnover. The current rate of turnover for correctional officers is 14.27%. Exit interview information indicated a variety of reasons for the employees' leaving:

- Better job opportunity
- Physical working conditions
- Type of work
- Pay scale
- Job benefits
- Dissatisfaction with supervision
- Traveling distance
- Lack of opportunity for advancement
- Family circumstances
- Health & Other

The top five reasons cited for leaving were: better job, pay scale, dissatisfaction with supervision, job benefits, and traveling distance. It is important to note that only 12.4% of the employees leaving felt that their pay was fair to "a great extent". No comparative data were provided on retention rates in other states' correctional systems. Also, the turnover rate does not include data on officers transferring to other institutions within the system.

When an area has several custody level institutions, such as a maximum security prison, a MSD, and a field unit, it is not unusual for officers to request transfers when there are openings in lower custody institutions. The environment and reduced stress factors in the lower custody facilities are considered more desirable.

The environment within which correctional officers must work is highly stressful. They are confronted daily with inmate behaviors and actions which are often highly unpleasant and, at

times, dangerous. It is not difficult to understand why this particular profession might have a higher-than-normal turnover rate. Prisons are, by their very nature, a difficult place to work. Given this fact, some type of incentive should be in place to attract and retain correctional officers. An across-the-board pay increase for correctional officers would be costly. A less expensive alternative to be considered is the development of a differential pay system for correctional officers. A differential pay system would provide higher salaries for officers serving in maximum security facilities as well as a career ladder for promotion of officers within and between institutions. The DOC should develop a proposal for this approach for introduction in the 1997 budget amendments.

Recommendation:

The Crime Commission should request that the Department of Corrections develop a differential pay system for correctional officers which provides incentive pay for officers serving in the maximum security facilities. The proposed system should also include provisions for career ladder promotions within and between institutions. This proposal should be presented to the Crime Commission in November, 1996 for funding consideration by the 1997 General Assembly.

Another retention issue for correctional officers is that of retirement benefits. Currently the salaries and benefits for many local and regional jail personnel are higher than those of the correctional officers, although they perform similar duties. According to DOC staff the salary and benefit disparity often result in correctional officers leaving to take positions with local or regional jails where they can earn more and receive full retirement at an earlier age. The Crime Commission study on the State Police Officers Retirement System (SPORS), a letter study request from Delegate Ball, is ongoing at this time but no determination has been reached as to what categories of law enforcement will be recommended for inclusion in this system. The cost of inclusion of correctional officers is \$26,821,248 biennially. The Crime Commission staff recommends that the Crime Commission study the issue of salary and retirement benefits for correctional officers to develop a plan which provides equity in retirement benefits to correctional officers incrementally in order to minimize the fiscal impact on the State budget.

Recommendation:

The Crime Commission should conduct a study, with technical assistance from the Department of Corrections, and House Appropriations and Senate Finance staff, on the retirement benefits of correctional officers and develop recommendations which provide a means of providing equity in benefits with the benefits of regional and local jail personnel as a method of enhancing both recruitment and retention of correctional officers.

The high turnover rate in many of the correctional institutions, coupled with leave, both sick and annual, create a serious scheduling problem for insuring appropriate levels of security staff at all times. Some officers are scheduled to work up to an 18 hour shift to maintain the security staffing levels needed. Many of the officers are compensated for this overtime through adjusted time or compensatory leave time. The Department of Corrections indicated that actual overtime pay across the board would provide a better incentive to officers than the compensatory leave time. The total overtime paid for FY 95 was \$6,484,300 but this does not include those hours that were adjusted off. Crime Commission staff recommends, based upon discussions with staff of DOC and review of salary information for surrounding states, that the Crime Commission introduce a budget amendment which provides specifically for institutional overtime pay for officers who work longer scheduled hours.

Recommendation:

The Crime Commission should introduce a budget amendment to the 1996 General Assembly to provide payment of all overtime to correctional officers in place of adjusted time off as a measure to encourage retention of correctional officers.

**C. Inmate Programming Status (§53.1-32.1)**

In 1994 the General Assembly passed HB 1994 which established a requirement for the implementation of 40 hours of programming for inmates by July, 1998 (§53.1-32.1). The DOC subsequently had a consultant study done to determine the resources needed to implement the legislation. A ratio of 50% work, 25% treatment, and 25% education was recommended by the consultant. The study called for additional trained staff, additional program space, equipment, supplies and contract services for effective treatment levels. Unfortunately, the gap in needed treatment services has only widened since the completion of the study. The proposed recommendations would require significant state resources (\$20,788,125 for treatment programs). The Director of DOC has indicated that 40 hours of programming is unrealistic for most maximum and medium security institutions due to numerous interruptions in the day's schedule for inmate counts, meals, etc. The status report of the implementation of §53.1-32.1 is included in the Appendix.

Recommendation:

The Crime Commission should request that the Department of Corrections contract with an outside consultant to conduct a comprehensive study of non-security staffing needs, with particular emphasis on treatment and medical services and provide the findings to the 1997 General Assembly with accompanying personnel and budget recommendations to address this issue in the next decade. The study should also include an analysis of §53.1-32.1 to determine if amendments are needed to revise the target of 40 hours of programming by July, 1998. Realistic programming targets should be established for each level of institution, maximum,



medium, and minimum, and staff needs identified based upon these targets.

#### **D. Non-Security Staff**

Non-security positions are normally staffed according to an informal formula developed within the Department of Corrections. All institutions have some form of treatment programs but the type and level of services differs widely among the institutions. The Board of Corrections has adopted five core programs for the institutions: substance abuse treatment, sex offender treatment, work, life skills, and mental health services. Therapeutic communities for substance abuse treatment have been established at several institutions and the Indian Creek facility in Chesapeake has been designated as a single purpose facility for substance abuse treatment. The 1994 General Assembly funded two therapeutic communities for sex offender treatment at Haynesville and Bland. These were eliminated in the 1995 budget as part of the Department's overall budget reduction. The actual treatment related cuts for the Department of Corrections include:

15 recreation positions in 1994

28.5 sex offender treatment positions in July 1995

50 counseling positions in July 1995.

#### **E. Treatment Staff Needs**

Due to limited resources, intensive treatment is usually provided to an inmate near the end of his incarceration. Inmates will progress to a lower custody institution during their incarceration, if they earn this privilege. Such progression is done through the classification process which designates the inmate's custody level and institutional assignment. At the lower custody facilities, inmates either have progressed to a lower level of custody or have moderately short sentences. The inmates in the medium security facilities are considered more amenable to treatment than inmates in closed custody facilities which generally have a more violent offender population. The DOC targets its limited treatment resources to the lower custody institutions.

Staff at the Department of Corrections indicated a need for additional treatment specialists at the medium security facilities to address the treatment priorities of these inmates. Correctional counselors provide many of the programs currently operated within the institutions but counselor positions are not required to have any specialized training for treatment. Counselors also must balance their treatment activities with the other requirements of the position, specifically case management which involves significant paperwork. Upon review of the 1986 and 1992 JLARC studies on non security staffing in corrections and discussions with DOC staff, it appears that the addition of specialized

positions in the medium security dormitories would improve the Department's ability to deliver effective treatment services and assist correctional counselors with their workload.

Recommendation:

The Crime Commission should introduce a budget amendment to the 1996 General Assembly to fund 48 additional treatment specialists positions at the the 16 medium security dormitories at to provide specialized group therapies in such areas as substance abuse treatment, sex offender treatment, anger management, cognitive-behavioral therapies, to name a few. The cost of this proposal is \$1,853,616 per year of the biennium.

**F. Volunteer Resources**

The DOC augments its staffing needs very effectively with use of volunteers in the correctional institutions. These volunteers come from nearby communities and represent churches, civic groups, and self-help groups like AA and NA. During fiscal year 1994-1995, DOC institutions and probation and parole districts reported utilizing over 4,000 volunteers, with service totaling over 107,500 hours. According to the Virginia Office of Volunteerism, the estimated national dollar value of a volunteer hour is \$12.13, making the total value of volunteer services, combined with donations, for a cost benefit to DOC of \$1,409,399.

In FY 94-95 3,878 volunteers offered assistance in educational programs, religious programs, counseling services, recreational activities, support services such as consulting or clerical, and board participation. For major institutions and field units, religious volunteers comprised 53% of the total volunteer force statewide. Education (15%), recreation (9%), board members (8%) and counseling (7%) volunteers were the next most actively involved with inmate populations. All other categories of volunteers were included in the remaining 8 percent.

The DOC volunteer program, with the exception of three institutional positions, is currently unfunded. Nottoway, Staunton, and Augusta Correctional Centers have full-time Volunteer Services Director positions. All other institutions and P & P districts incorporate volunteer management responsibilities with other duties of counseling, administrative or supervisory staff.

Crime Commission staff feels that volunteers provide a critical dynamic to the institutional personnel of Virginia's prisons. Increased utilization of volunteers can augment the staff resources of institutions and enable existing staff to manage their responsibilities more effectively. The addition of one volunteer director in each of the four regional offices can increase the range of local support available of offender populations in specific geographical areas. With the growth of offender populations in years to come, skilled volunteers will need to become an integral part of program delivery. Regional volunteer directors could establish and maintain beneficial community contacts to increase the DOC volunteer pool, provide valuable

training to institutional volunteer coordinators and volunteers, in both institutions and probation & parole districts.

Recommendation:

The Crime Commission should introduce a budget amendment to the 1996 General Assembly to fund a volunteer director in each of the four regional offices of the Department of Corrections. The position would work within the institutions in each region to enhance volunteer resources, through recruitment of volunteers, assistance in security clearance procedures, training and coordination of volunteer activities within the institutions. The cost of this proposal is \$144,188 per year of the biennium.

**G. Auxiliary Staffing Issues**

During a staff update on this staffing study, the Crime Commission raised the issue of drug testing policies for Corrections' personnel. The Director of DOC acknowledged to the Crime Commission during a presentation that contraband coming into the institutions, particularly illegal substances, by means of visitors and, at times, the institution's personnel was a continuing problem. The Crime Commission requested DOC to indicate if there were policies on drug screening of potential employees as part of the application process and policies which provide for random drug screens of employees within the correctional institutions. The Department indicated that no such policies are currently in place. Two problems were highlighted by the Department: the cost of drug screening all applicants and the legal issues surrounding random drug tests. The DOC estimates that initial drug screens would cost \$25.00 and confirmation tests would be \$50.00. This would include both the collection and the medical review officer. Crime Commission staff will work with DOC to determine the cost of drug testing. The staff contacted the Attorney General's Office regarding the legality of random drug screens on correctional institutional staff. The informal response indicated that institutional staff with offender contact or sensitive positions could be randomly tested within constitutional boundaries. Staff also contacted officials with the City of Richmond, which has a random drug testing policy in place, to determine if legal issues had been raised. The City stated that there had been no legal problems with the implementation of the policy. The Richmond City Sheriff's department also has a random drug testing policy in place for jail personnel. This policy was challenged once and the policy was upheld by the court.

Recommendation:

The Crime Commission should request that the Department of Corrections adopt a policy which requires drug screenings of all DOC potential employees and the implementation of random drug screens of corrections' institutional personnel who have direct contact with inmates or are in sensitive positions. Budget amendments should also be developed to support this effort.

## **H. Unit Management**

One other area of correctional staffing was examined by staff: unit management. Unit management is a management approach which requires the internal classification of inmates to house inmates with similar problems together. The housing unit is managed by a team consisting of: a unit manager, a counselor, and correctional officers. This group is jointly responsible for the inmates; planning and monitoring inmate programs, and maintaining the housing unit. It represents an integration of security and treatment and has been used with success in the federal prison system. The 1986 JLARC study recommended that a pilot on unit management be implemented when Greenville came on line but due to the closing of the penitentiary and the sudden influx of inmates it was impossible to appropriately control the classification of inmates. The Crime Commission staff discussed the feasibility of initiating a pilot on unit management with the Department of Corrections and DOC is supportive of this approach. Unit management will require additional cross-training for security and treatment staff, the addition of a unit manager in each of the housing units, and clerical support.

### Recommendation:

The Crime Commission should recommend that the Department of Corrections implement a pilot on unit management to test the effectiveness of an integrated program and security management approach. The pilot should be operational for two years with a preliminary evaluation by the Department to be conducted in the second year. A full evaluation should be conducted by the Research and Evaluation Unit of DCJS in the third year of operation. A new position, unit manager, will be needed in each of the housing units which implement the unit management approach.

Since the success of the unit approach depends upon appropriate internal classification, the Crime Commission staff also reviewed the DOC classification process. Currently DOC inmate classification is primarily based upon one main factor: security or escape risk. C custody is the highest security risk, B is medium, and A is the lowest risk. The DOC staff indicated that the classification process should also include consideration of behavioral needs within an institution. There are inmates who present no risk for escape but who have serious behavioral control problems. These inmates often end up in the segregation unit of an institution. An expanded classification with a two-tier approach could address both the security and behavior risk factors. For example, the current A, B, C custody designations could indicate the security risk and an added E, F, and G could indicate the behavior risks. This could, according to Department personnel, assist in prison forecasting to more accurately determine prison bed needs. It would also facilitate classification for purposes of unit management,

### Recommendation:

The Crime Commission should request that the Department of Corrections study the

feasibility and desirability of expanding the classification system, to include consideration of behavioral control needs of inmates as well as security risk factors.

## **VI. Study Recommendations**

The following is a summary of the recommendations of HJR 490 on the staffing needs of Virginia's correctional institutions:

- 1. The Crime Commission requests that the Department of Corrections develop a differential pay system for correctional officers which provides higher salaries to those officers serving in the maximum securities facilities. The proposed system should also include provisions for career ladder promotions within and between the institutions. This proposal will be presented to the Crime Commission in November, 1996 for funding consideration in the 1997 General Assembly.**
  
- 2. The Crime Commission will conduct a study on the retirement benefits of correctional officers and probation & parole officers in the Department of Corrections and develop recommendations which provide a means of competitive benefits for correctional officers and probation & parole officers to those provided to regional and local jail personnel and local law enforcement as a means of enhancing recruitment and staff retention efforts for the Department of Corrections.**
  
- 3. The Crime Commission will introduce a budget amendment to the 1996 General Assembly which provides payment of overtime to correctional officers within Virginia's correctional institutions.**
  
- 4. The Crime Commission recommends an intermediate approach which establishes a two-tier counselor level to address the treatment staff cuts in the Department of Corrections, similar to the proposal put forth in the 1992 JLARC study on substance abuse and sex offender treatment services. Correctional counselors would continue to do the case management duties, treatment plan development, and monitor the inmate's progress in work assignments and educational programs. Specialized treatment specialists' positions would be established at each of the 16 medium security institutions who could develop specialized group therapies in such areas as substance abuse, sex offense, anger management, to name a few. A minimum of three treatment specialists per medium security institution are needed to meet the current demand, based upon information provided by the Department of Corrections.**

**The Crime Commission recommends the following positions:**

**48 Treatment Specialist positions**

**\$1,853,616**

5. **The Crime Commission should consider introducing a budget amendment to fund four Volunteer Director positions at the four regional offices of Department of Corrections. This is another measure to address the treatment staff reductions and the position would work in the institutions within the region on enhancing volunteer resources. The Director would assist in recruitment of volunteers, security clearance procedures, training and coordination of the volunteer activities within the institutions. Volunteer resources provide a valuable and cost saving adjunct to many of the treatment and educational programs in the prisons. A similar recommendation is contained in the HJR 518 study.**  
**Four Regional Volunteer Directors @ Grade 10, Step 10, @ \$38,617**  
**\$144,188**
  
6. **The Crime Commission recommends that JLARC conduct a comprehensive study of non security staffing needs, with particular emphasis on treatment services and medical services and report to the 1997 General Assembly with accompanying personnel and budget recommendations to address this issue in the next decade. Policy changes, such as the abolition of parole, the unprecedented increase in the inmate population, and the massive prison building plan for the next ten years render much of the staffing data from the 1986 JLARC study obsolete. The study should also include an analysis of §53.1-32.1 to determine the feasibility of programming requirements within this statute based upon the indication of the DOC Director that 40 hours of programming is not a realistic target.**
  
7. **The Crime Commission recommends that the DOC adopt personnel policies which require drug screenings of all DOC potential employees and the implementation of random drug screens of all corrections institutional and contract employees who have direct contact with inmates or are in sensitive positions. The Commission should also consider supporting a budget amendment to address the fiscal impact of these policies.**
  
8. **The Crime Commission recommends a pilot on unit management be implemented by the Department of Corrections to test the effectiveness of an integrated program and security management approach. An additional staff at each housing unit will be**

**designated as the unit manager (this position not currently in place) and additional training for the staff participants will be needed. Controlled classification will take some initiative but should not require additional resources. The pilot should be operational for two years with a preliminary evaluation to be conducted in the second year. A full evaluation should be conducted by the Research and Evaluation Unit of DCJS in the third year of operation.**

- 9. The Crime Commission requests the Department of Corrections to study the feasibility and desirability of expanding the classification system, to include consideration of behavioral control needs of inmates as well as security risk factors. An expanded classification system would more accurately assist in the prison bed forecast.**

## **VII Resources**

Interim Report: Central and Regional Office Staffing in the Department of Corrections, JLARC, 1984.

Comprehensive Security Staffing Study, Department of Corrections, Department of Criminal Justice Services, Department of Information Technology, in cooperation with the Department of Personnel and Training and the Department of Planning and Budget, 1985.

Security Staffing and Procedures in Virginia's Prisons, JLARC, 1986.

Staffing of Virginia's Adult Prison's and Field Units, JLARC, 1986.

1989 Commission on Prison and Jail Overcrowding.

Substance Abuse and Sex Offender Treatment Services for Parole Eligible Inmates, JLARC, 1992.

Comparative Correctional Data, Southern Legislative Conference, 1994.

Inmate Work Initiative Implementation Guide, Correctional Services Group, Inc., 1994.

Site Visits: Buckingham Correctional Center, Mecklenberg Correctional Center, Virginia Correctional Center for Women, Powhatan Correctional Center, Haynesville Correctional Center, Indian Creek Correctional Center, Pocahontas Correctional Center, and Botetourt Correctional Center.

Surveys sent to six Southern states and the federal prison system.

Extensive data provided by the staff of the Department of Corrections.



## **VIII. Acknowledgements**

The Crime Commission staff wishes to thank the Department of Corrections and others for their cooperation and assistance to the Commission in conducting this study. The staff at DOC provided valuable information and assisted with arrangements for prison site visits. A special thanks is extended to the following individuals for their assistance:

Scott Richeson, Department of Corrections  
Wade McGinley, Department of Corrections  
Gene Johnson, Department of Corrections  
Paul Broughton, Department of Corrections

The wardens and staff at:

Augusta Correctional Center  
Botetourt Correctional Center  
Buckingham Correctional Center  
Haynesville Correctional Center  
Indian Creek Correctional Center  
Virginia Correctional Center for Women

The regional administrators for the Department of Corrections  
Sheriff Michelle Mitchell, Richmond



# **Appendix A**

House Joint Resolution 490

1995 SESSION

LD0011825

HOUSE JOINT RESOLUTION NO. 490

Offered January 19, 1995

Requesting the State Crime Commission to study the staffing patterns in Virginia's correctional institutions, the classification of correctional officers and other institutional support staff, the employee turnover rate, the impact of an increasing prison population on staffing patterns, and the issue of staff safety in relation to this increasing prison population, and to develop recommendations for the General Assembly to consider to ameliorate the problems.

Patrons—Woodrum, Almand, Ball, Copeland, Cunningham and Guest; Senator: Robb

Referred to Committee on Rules

WHEREAS, the population in Virginia's correctional institutions has risen approximately 63 percent in the past five years while the staff has not been increased at an equivalent rate; and

WHEREAS, most of Virginia's correctional institutions are filled beyond their rated capacity due to the practice of "double-bunking" and "double-celling" to meet the demand for inmate beds; and

WHEREAS, an increased prison population has brought about an increased need for services within Virginia's prisons in the following areas: security, prison support services, work and educational activities, health care services, and treatment personnel; and

WHEREAS, the increased population with its resulting increased burden on the system has forced the utilization of overtime to meet the additional security demands of the system; and

WHEREAS, recent legislative changes will further increase the demand for prison beds and additional correctional staff; and

WHEREAS, though the work environment for correctional staff is very demanding and stressful, the salary levels remain relatively low, creating a high personnel turnover and incidents of officer stress; and

WHEREAS, correctional officers received a classification upgrade effective July 1, 1995, yet the professional status of correctional institution rehabilitation counselors, who provide case management services to inmates, remains static, and their salaries are not commensurate with that of their peers who work in other state agencies; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, that the State Crime Commission be directed to study the staffing patterns of Virginia's correctional institutions, the classification of correctional institution rehabilitation and other support staff, the employee turnover rate, and the security needs of the staff at each institution, and to develop appropriate recommendations and funding proposals to implement such recommendations.

The Crime Commission shall receive technical assistance from the appropriate criminal justice agencies, particularly the Departments of Corrections and of Correctional Education, as well as from the staffs of the House Appropriations Committee and Senate Finance Committee.

The Crime Commission shall complete its work in time to submit its findings and recommendations to the Governor and the 1996 General Assembly as provided in the procedures of the Division of Legislative Automated Systems for processing documents.

LD0011825

HJ490

1/19/95 18:0

# **Appendix B**

Department of Corrections' 1985 Study Recommendations &  
Actions Taken

The following is a list of the recommendations that are outlined in the 1985 Security Staffing Study conducted by the Department of Corrections, Department of Planning and Budget, Criminal Justice Services, Department of Information Technology and the action that has been taken to meet the recommendation.

Recommendation #2: If the vacancy adjustment is not included in the relief formula, DOC should be authorized to fill vacant posts through the use of paid overtime. If security positions authorized under the staffing formula without the vacancy adjustment are fully funded, overtime can be paid from salaries and benefits saved because of position vacancies.

Action - The DOC has opted to implement Option B. That security positions authorized under the staffing formula without vacancy adjustments be fully funded and that authorized overtime be paid from salaries and benefits saved because of position vacancies.

Recommendation #3: DOC to adopt the post audits recommended in the staffing study report as those to be staffed at each facility.

Action - The recommended post audits have been disseminated to the respective Regional Administrators, Wardens, and Superintendents. Regional Office staff as well as Central Office staff are monitoring for compliance and addressing requests for changes in post audits prior to final approval by the Director. Centralized procedures to govern security staffing processes in institutions was disseminated in Security Bulletin #9 in August, 1987. A more detailed process was outlined in DOP #407. The Department continues to monitor and approve all changes to post audits.

Recommendation #4: DOC to adopt revisions made in its staffing formula by the study team.

Action - The recommended staffing, without the vacancy factor, as published in the official report of the interagency study team has been adopted. This formula is being used by the institutions, Regional Offices, and the Central Office in reviewing post audits and staffing needs of the various institutions.

Recommendation #5: The institution - specific factors listed in Appendix D should be those used by the Department in determining the future staffing needs of each major institution.

Action - The institutions are utilizing the institution - specific relief factors when staffing level changes are needed. All change requests are submitted to the respective Regional Administrator for review. The Regional Administrators use the institution - specific relief factors when reviewing requests for post/ staffing changes and when determining future security needs. The Administrator,

Employee Relations & Training and other central office staff monitor the request for positions or changes in staffing needs for compliance with the institution - specific formulas.

Recommendation #6: Update the relief formula for each institution prior to every biennial budget submission.

Action: The relief formula for each institution was updated in July 1989, July 1991, June 1993 and July 1995. The system used for data collection and computing the formula has been computerized. The Department will continue to update the relief formula as recommended.

Recommendation #7: Study the role of institutional Security Chiefs in relation to the responsibilities of Assistant Wardens, determine level and need, prescribe uniform duties and responsibilities.

Action: A study team consisting of institutional, regional, and central office staff studied the duties and responsibilities of institutional Security Chiefs within the department. A Position Description outlining a uniform role with consistent duties and responsibilities for the Chief Security Officer classification has been developed. The position description has been distributed to all involved institutions. Revised position descriptions were submitted by April 15, 1988. At this time all Security Chiefs are uniform in their duties and responsibilities. The Department continually evaluates this position for changes.

Recommendation #8: The DOC should conduct an analysis of the staff needed to administer the training program for security and non-security staff in adult facilities.

Action: The study of the staffing and classification of institutional training staff was delayed pending implementation of the performance based training standards first under study by the Department of Criminal Justice Services and under pilot as of July 1, 1987. Performance based training is expected to have a significant impact on staff, both at the Academy and in the institutions. The study began in January, 1988. The analysis of staffing and scheduling needs has resulted in the establishment of four Regional Training Specialists and one additional Academy Personnel Development Specialist. Position descriptions have been written and reviewed by Central Office, Regional, and Academy management to assure the coordination of roles, responsibilities, activities and resources. Increased coordination and quality control has resulted from the addition of the five positions.

Recommendation #9: Evaluate the effects of the local jail inmates and security positions now being added on overall staffing adequacy and additional staffing in this report.

Action: See Addendum to Staffing Study. ( Approved Post Audits )

Recommendation #10: To establish a system of centralized management and oversight of the security staffing processing within the institutions.

Action - Division Operating Procedure #407 has been developed. This DOP will ensure uniform staffing procedures, and centralized management and oversight of the staffing process. The Department's Security Specialist has been assigned the responsibility of overseeing this process.

Recommendation #11: Require Wardens and Superintendents to develop shift designs conducive to economical development of security staff.

Action - As ongoing effort is being made by the Regional Offices and the Central Office to monitor utilization of staff, overtime, and shift design and changes, where appropriate. The Central Office has established a position (Security Specialist) to monitor all recommendations for staff and changes in post audits and to conduct training of staff in the areas of roster management, shift design, and developing post audits. This is an ongoing process.

Recommendation #12: Train administrators at all levels of adult institutional services in roster management.

Action - A position has been assigned to the Central Office which will be used to train staff in roster management. The Academy for Staff Development will be offering training in roster management and scheduling in the Advanced Officer Training School, Correctional Officer Series, and the Management Series. The Roster Management training program has been developed, approved and conducted eight times since March, 1989. As of March 31, 1989 most Correctional Majors, Captains, Lieutenants, Sergeants, and Human Resource Officers have been trained in roster management and scheduling. Additional training programs are being delivered on an as-need/as-requested basis both at the Academy and off-site (Regional Office) locations. Additionally, the Academy recently began training Adjunct Faculty to deliver this program. This training has now become a regular part of the security training package.

Recommendation #13: Establish an overtime reporting system which provides an ongoing account of reasons for overtime at each facility.

Action - The Deputy Director has developed a procedure for reporting overtime. Each institution files a monthly report with the Deputy Director outlining overtime used and the justification for its use. This report is shared with the Deputy Directors staff and is used to develop strategies for controlling overtime and is used as a monitoring device. This report is prepared on a calendar month bases. In addition, the Department's Comptroller is requiring a monthly report from each institution's payroll section outlining expenditures for overtime during the last pay period.



Recommendation #14: The DOC should establish a monthly overtime ceiling for each adult facility which takes into consideration the average number of security vacancies, the posts which are essential for daily operation and lacking other alternatives, the relief required to maintain the functions of designated posts recommended for conversion to non-security positions.

Action - A monthly overtime ceiling is established for each institution based upon vacancies. Vacancies are determined by subtracting filled positions as of the 15th of the preceding month from the recommended staffing level established in the DPB Study. For example, an institution with a DPB recommended security staffing level of 250 which had 225 security positions filled on the 15th of the preceding month would have a ceiling of \$36,504 calculated as follows: 250 positions authorized less 225 filled = 25 vacancies multiplied by \$17522 and divided by twelve. Monthly ceilings are prepared on a calendar month basis. A monthly reporting system, recommendation #13, has been established to monitor compliance with overtime ceilings.

Recommendation #15: The DOC should consider a modification of Division Guideline #413 which requires security staff of the same gender for body searchers of inmates, employees, visitors and others entering and leaving adult facilities.

Action - The DOC feels that under routine circumstances it is more appropriate for body searches of inmates, employees, and visitors to be conducted by members of the same sex. However, Division Operating Procedure #406 does guide the Facility Directors in that the assignment and use of correctional officers shall not be made or restricted based on sex in times of emergencies. Also, Division Operating Procedure #443 leaves flexible the use of either sex for frisk searches.

Recommendation #16: Utilization of cost-effective physical modifications in housing units to enable the development of officers to either sex.

Action - The DOC is continuing to make modifications of institutions when possible, and when funds are available, to allow for more flexible use of officers of either sex.

Recommendation #17: Establish system to provide for approval and recording by Central Office Employee Relations Unit of security posts designated by facilities as carrying Bona Fide Occupational Qualification of gender.

Action - The Employee Relations Unit has conducted several BFOQ audits and recommended revisions at the institutions audited. As a part of the overall revision of the Department's procedures, the Employee Relations Unit submitted, to the Director, an Equal Employment Opportunity procedure which includes a section on BFOQ establishment and review.

Recommendation #18: Conduct a study on non-security staffing looking into the aspects not covered by the JLARC study or addressed by the Inter-agency study.

Action - This study was never conducted due to the lack of funds.

Recommendation #19: Analyze the benefits of additional training for selected employees against the cost of this training.

Action - To assure compliance with DOP #403, The Academy has consistently scheduled and conducted Security Training for Non-Security Personnel. Between January and June, 1989, the program was conducted ten times. This one-week program also is an integral component of Basic Skills for Corrections Institutional Rehabilitation Counselors and Basic Skills for Nurses. In April, 1989, The Academy delivered a 32-hour training program for a significant number of Virginia Department of Transportation personnel who supervise inmates on road gangs. This program continues to be offered on an as-needed basis.

In the case of both the Security for Non-Security Personnel and the VDOT training, the need for an on-going, inservice program has been recognized. A program has been developed and is being conducted on an off-site (Regional) basis through the efforts of the additional Regional and Academy training positions.

Recommendation #20: To institute a uniform process for issuing new and modified policies to ensure new or modified policies are written and incorporated into existing manuals.

Action - The development of Security Bulletins was implemented to enhance the Security Operations Manual and other operating procedures. All new policies and revisions are issued from the office of the Deputy Director.

Recommendation #21: Provide a consistent guideline for fence perimeter security and vehicle shakedown.

Action - Division Operating Procedure #461 was revised to incorporate a section covering mobile perimeter patrol and vehicle sallyport shakedown. This was completed in May, 1987 and issued. This procedure continues to be reviewed and revised as needed.

Recommendation #22: The Central Office issue a written policy to guide wardens and superintendents on the development of non-certified officers.

Action - Division Operating Procedure #403 was developed and disseminated in November, 1985. This procedure clarifies the level and intensity of the supervision required and specific restrictions for non-certified officers. This procedure continues to be reviewed and revised as needed.

Recommendation #23: Establish a consistent policy regarding counts and inmate movement control.

Action - Division Operating Procedure #411 was written and disseminated in November, 1985. This procedure outlines a uniform count procedure for all facilities. This procedure continues to be reviewed and revised as needed.

Recommendation #24: To issue a policy which regulates programs at facilities.

Action - In 1988 a central office position (Statewide Programs Manager) was redefined to include duties of policy oversight to programs. In December, 1989, Division Operating Procedure #840 was approved and issued. The procedure establishes policy for program operations and requires facilities to complete an annual report and assessment of programming. In addition, one Program Manager position was created for each of the Department's four regions to monitor program services and provide technical assistance to staff as needed. This is an on-going process.

Recommendation #25: Amend Division Guideline 851 to eliminate the requirement that a Corrections Officer supervise the facility mailroom.

Action: Division Operating Procedure #851 has been revised. There is no longer a requirement that the mailroom receive direct supervision from a security officer. However, the non-security mailroom personnel may come under the general supervision of a security position, such as the Chief of Security or Captain.

Recommendation #26: To clarify Division Guidelines 411 and 413 which regulate the searches of persons entering and leaving the compound.

Action - This action has been completed by development and dissemination of Division Operating Procedures #441, #442, and #443 in November 1985. These procedures continue to be reviewed and revised as needed.

Recommendation #27: To clarify Division Guidelines 445 and 445.1 with respect to the number of officers needed to transport more than one inmate and inmates of various custody classifications.

Action - This action has been completed by development and dissemination of Division Operating Procedures #471, #472, and #473 in November 1985. These procedures continue to be reviewed and revised as needed.

Recommendation #28: To evaluate the provisions of the current agreement with the Medical College of Virginia to determine if the requirements for officer supervision of inmates is reasonable for all circumstances.

Action - A Meeting between DOC staff and representatives of the Medical College

of Virginia was held in October, 1987 with another scheduled for August, 1989. In an on-going effort to promote communications the two agencies will meet no less than once each year to discuss current agreements.

Recommendation #29: To study the advantages of unit management and inmate bed assignments based on behavioral characteristics.

Action - In 1990 the Department obtained a consultant from the National Institute of Corrections for technical assistance in piloting Unit Management at the soon to open Greenville Correctional Center. The consultants made on-site visits to Greenville and worked closely with a steering committee formed by the Department.

The consultants were favorable towards conducting Unit Management at Greenville, but noted major conversion issues which must first occur. These issues include obtaining appropriate positions, conducting extensive staff training in role changes, and careful classification of inmates to allow clustering in Units according to similarities.

Shortly after receiving the consultants report, the Department was forced to open Greenville ahead of schedule to accommodate the relocation of inmates from the closing Virginia State Penitentiary, and to intake a large number of inmates from local jails. This caused an immediate filling of Greenville before operations could be converted to Unit Management.

The Department has remained interested in piloting Unit Management. The Warden of Greenville and a team of his staff have developed a re-organization plan to convert operations to Unit Management. This plan is being actively pursued. The Department is also interested in a pilot unit management program at one of the MSD facilities.

Recommendation #30: To review and possibly amend current policy and procedures for inmate custody classification to ensure that the present classification structure is the most effective means of ensuring appropriate levels of security.

Action - Correctional Services Group, Inc. was hired to study present policy and procedures for inmate classification. The study was completed in January 1990. The recommendations were reviewed by the Classification and Records section. Several of the recommendations about classification policy and procedure have been incorporated. A field review committee also reviewed the report and made recommendations for other long range developments.

Recommendation #31: New and modified policies and procedures should be issued only after analysis of the effect on staffing. Need for additional staffing above funded level should be approved by the Director.

Action - A new format has been developed which will indicate what effect a policy, procedure, or guideline will have on staffing. There will be a section

added to the document being disseminated which indicates either staff savings or staff increases due to the policy, procedure or guideline.

Recommendation #32: Department consider guideline developed by Wackenhut to determine technological enforcement which could prove cost effective.

Action - The DOC continually investigates and considers any high tech equipment which might enhance security and save staff position. However, at this time we have not been able to find any equipment which causes substantial savings in staff. In fact, we are finding generally that objective research and our own experience suggest that technology is a supplement to rather than a substitute for security personnel.

Recommendation #33: Further examine the short and long-range costs and staffing effects of electronic fencing at major institutions.

Action - The DOC is constantly examining the effects of electronic fencing at major institutions. Identification of potential sites for electronic fencing are available. A request was made in the 1988 - 90 Biennial Budget Request for \$2,214,200.00 to purchase electronic fencing for Augusta, Buckingham, and Nottoway Correctional Centers. This request was denied. The DOC has submitted in the 1990 - 92 Biennial Capital Construction Budget a request for \$2,800,000.00 for electronic fencing for the above institutions and at Southampton Reception and Classification Center. Electronic fencing was provided for in the construction funds for the Greenville and Keen Mt. facilities. The Department takes the position that all newly constructed maximum and medium security facilities will have electronic fence monitors.

Recommendation #34: To provide a system to inventory technological equipment and to establish a regular schedule for maintenance and repair.

Action - the DOC is maintaining inventory of technological equipment. As equipment is installed a maintenance and repair schedule is established at the institution housing the equipment. The Regional Offices are responsible for reviewing, on a quarterly schedule, the condition of the equipment, repairs made, documentation and logs and overall effectiveness of the program.

Recommendation #35: The Department of Corrections should continue to develop its continuous officer recruitment system.

Action - The DOC has implemented and continues to implement the practices of advertising statewide through DOC vacancy list, quarterly in state newspapers, continuously through VEC and Recruit and on-site recruitment. A statewide, on-site recruitment trip was made in May/June, 1987. Recruiters visited 10 VEC offices interviewing over 180 prospective employees. Representatives of the Employee Relations office, major institutions and field units continue to work closely with local employment commissions, vocational schools, higher learning

institutions and criminal justice organizations to recruit competent staff. General recruitment efforts in local communities have been implemented and similar plans have been made to provide general recruitment days in other communities. The result of the community recruitment has been positive. We have some institutions with applicant waiting lists. A few are experiencing a shortage of security applicants, but recruitment strategies have been designed for those areas.

Recommendation #36: The DOC should determine if the number of classes at the Waynesboro Training Academy can be expanded or other measures taken to shorten the time required for new officers to be admitted for basic officer training.

Action - Classes at the DOC Training Academy have been expanded for basic officer training. Because of new requirements governing the time requirement for completion of the different phases of training we are able to offer one additional class every two months or six additional classes per year. Also, in response to the Governor's Initiatives to Relieve Jail Overcrowding and the DOC's expansion efforts, the Academy designed a strategic plan to assure the scheduling of sufficient Basic Correctional Officer classes. Additionally, Academy, Central Office, Regional, and field personnel have worked closely to assure a coordinated effort in regard to the process of hiring and training. This has resulted in reducing the amount of time between employment and training.

Recommendation #37: The Department's Employee Relations Unit should implement its plans to conduct a systematic study of the exit interviews of security employees who terminate their positions in order to determine the major reasons for officer attrition.

Action - A new, simplified and computerized form was piloted from October, 1986 through January, 1987 at two adult institutions and two juvenile learning centers. Additional modifications were made and the new form implemented Department-wide February, 1987. A new Departmental procedure was drafted, circulated for review, and adopted. The new form is now in use. The DOC also continues to track exit interviews for correctional officer series and prepares a monthly report of responses. Our return rate for exit interview forms is only about 20%. While this figure is consistent with other State agencies, we continue to explore ways to encourage terminating employees to complete the form.

Recommendation #38: Conduct a detailed analysis of the potential benefits and savings which might be possible through establishment of a regional inmate transportation system.

Action - A study has not been conducted due to the lack of funds.

Recommendation #39: The Department of Corrections should explore the possibility of additional contracting for such institutional services as trash pick-up, on-

site doctors' services, food services and commissary operations.

Action - The DOC is continuously exploring the possibility of additional contracting for institutional and Divisional serves. At the present time various contractual serves are being used at the institutional and Divisional level. The following are examples.

Medical Services: Physicians, Dentists, Nursing, Ophthalmologist, Optometrists, Anesthesiologists, Radiologists, Urologists, Cardiologists, Dermatologists, Orthopedics, Surgical Services, EKG/Pulmonary Functions, Psychologists, Psychiatrists, Gynecology, Laboratory tests, Oxygen services.

Refuse Removal and Disposal

Maintenance and Repair Contracts: computers, copiers, pagers, mobile and portable radios, telecopiers, climate control systems, calculators, generators, freezers, waste water plants, boilers, laboratory testing at waste water plants.

Grease Pit Cleaning and Disposal

Fire Protection Equipment Inspection Contracts: fire extinguishers, sprinkler systems, smoke alarms, range hood compression systems.

Portable Toilet Services

Postage Meter Rental and Repair

Recommendation #40: Develop practice of shared services among facilities by designating major institutions as medical centers for use of smaller institutions and field units. Minimize trips to private medical facilities. Increase efforts to contract for physicians where vacancies exist.

Action - A continuing effort is being made to use certain major institutions, in geographic localities, as medical service facilities for smaller institutions and field units, where practical. Emphasis is being placed on handling non-emergency situations at the parent institution rather than private medical facilities, where practical.

Recommendation #41: Establish a consistent policy for the use of canines.

Action - A study of the present use of canines within the DOC was completed and a procedure, D.O.P. # 409, was written and implemented in 1990. The procedure has been incorporated into the Security Manual and is reviewed and revised as needed.

Recommendation #42: To reassess the basic purposes and benefits of inmate work programs.

Action - A survey instrument has been developed and will be used to assess the

purposes and benefits of the inmate work programs at each facility. The DOC has a DOP which requires each institution to update the survey each August and includes information on the number of inmates working, type of work conducted, job hours, number of supervisors and hours, and the facility's inmate employment objectives for the coming year.

Recommendation #43: Determination of ceiling pattern - Augusta Correctional Center.

Action - This was completed prior to the February 5, 1986 opening of Augusta Correctional Center.

Recommendation #44 & 45: The DOC should identify opportunities for the in-filling and out-filling of existing facilities and determine staff needs based on a detailed post audit before developing plans for the construction of new prisons. DOC should review its prison design strategies and incorporate economical features used in other states when designing or renovating prisons.

Action - Prior to the review for new facilities in-filling was studied and as a result additional construction was recommended at the three Medium Security Institutions. As a result additional bed space has been or is in the process of being added to these institutions.

Revised September 1995



# **Appendix C**

Virginia's Statute on §53.1-32.1

**§ 53.1-32.1. Classification system; program assignments; mandatory participation.** — A. The Director shall maintain a system of classification which (i) evaluates all prisoners according to background, aptitude, education, and risk and (ii) based on an assessment of needs, determines appropriate program assignments including vocational and technical training, work activities and employment, academic activities which at a minimum meet the requirements of § 22.1-344.1, counseling, alcohol and substance abuse treatment, and such related activities as may be necessary to assist prisoners in the successful transition to free society and gainful employment.

B. The Director shall, subject to the availability of resources and sufficient program assignments, place prisoners in appropriate full-time program assignments or a combination thereof to satisfy the objectives of a treatment plan based on an assessment and evaluation of each prisoner's needs. Compliance with specified program requirements and attainment of specific treatment goals shall be required as a condition of placement and continuation in such program assignments. The Director may suspend programs in the event of an institutional emergency.

C. For the purposes of implementing the requirements of subsection B, prisoners shall be required to participate in such programs according to the following schedule:

1. From July 1, 1994, through June 30, 1995, an average of twenty-four hours per week.

2. From July 1, 1995, through June 30, 1996, an average of twenty-eight hours per week.

3. From July 1, 1996, through June 30, 1997, an average of thirty hours per week.

4. From July 1, 1997, through June 30, 1998, an average of thirty-six hours per week.

5. From July 1, 1998, and thereafter, an average of forty hours per week.

D. Notwithstanding any other provision of law, prisoners refusing to accept a program assignment shall not be eligible for good conduct allowances or earned sentence credits authorized pursuant to Chapter 6 (§ 53.1-186 et seq.) of Title 53.1. Such refusal shall also constitute a violation of the rules authorized pursuant to § 53.1-25 and the Director shall prescribe appropriate disciplinary action.

E. The Director shall maintain a master program listing, by facility and program location, of all available permanent and temporary positions. The Director may, consistent with § 53.1-43 and subject to the approval of the Board, establish a system of pay incentives for such assignments based upon difficulty and level of effort required.

F. Inmates employed pursuant to Article 2 (§ 53.1-32 et seq.) of Chapter 2 of this title shall not be deemed employees of the Commonwealth of Virginia or its agencies and shall be ineligible for benefits under Chapter 10 (§ 2.1-110 et seq.) of Title 2.1, Chapter 6 (§ 60.2-600 et seq.) of Title 60.2, Chapter 5 (§ 65.2-500 et seq.) of Title 65.2 or any other provisions of the Code pertaining to the rights of state employees. (1993, c. 768; 1994, 2nd Sp. Sess., cc. 1, 2.)

**Editor's note.** — Acts 1993, c. 768, which enacted this section, in cl. 3 provides that the provisions of the 1993 act shall become effective if sufficient funds are appropriated to implement the provisions of this act. Acts 1993, c. 994, item 457 provides funds to begin implementation.

**The 1994, 2nd Sp. Sess., amendments.** — The 1994, 2nd Sp. Sess., amendments by cc. 1 and 2, effective October 13, 1994, are identical, and inserted "or earned sentence credits" in subsection D.

# **Appendix D**

Department of Corrections' Statuts Report on the Implementation  
of §53.1-32.1



# COMMONWEALTH of VIRGINIA

*Department of Corrections*

RON ANGELONE  
DIRECTOR

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RICHMOND, VIRGINIA 23261  
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October 23, 1995

Judy Philpott  
Virginia State Crime Commission  
General Assembly Building  
910 Capitol Street, Suite 915  
Richmond, Virginia 23219

RE: Programming Hours Required by Code of Virginia 53.1-32.1

Dear Ms. Philpott:

You requested information about the number of programming hours which could realistically be provided to inmates, assuming unlimited resources were available. As we have previously discussed, the nature of prisons makes it impracticable for the Department to occupy inmates with programming 8 hours per day, or up to 40 hours per week as required by the Code. This letter will explain limits on program hours within a secure setting and will recommend a weekly number of hours which can be realistically achieved.

The Department is interested in providing inmates with as much constructive program activities as possible, to occupy otherwise idle time and to provide self-improvement opportunities for those wishing to change criminal lifestyles. As you have observed during recent visits to our prisons, the Department currently offers a range of innovative programs.

The number of hours in which programming can be provided is limited by activities necessary to ensure the safety of inmates and staff, and the security of the facility. In prisons, a large portion of the daily schedule is required for supervised inmate movement, searches, security counts, meals, and the provision of ancillary services such sick call, clothing exchange, commissary, and the law library.

Institutional lockdowns for security checks, inmate transfer and reception periods, and inclement weather which prevents outside

work and recreation further limit the average number of weekly programming hours that can be achieved.

In spite of staff resources, the physical limitations within a facility also impacts program schedules. Some facilities must limit movement during evening hours due to insufficient lighting; distance between buildings may require closer supervision, increasing time for inmate movement; and smaller mess halls can increase the feeding time.

In addition, the lack of available space in our prisons also prohibits working a full 40 hours per week. You have been in many of our facilities and you know that every usable square foot in a prison is being put to good use. To expand training space or provide additional prison industry opportunities would mean a significant capital expenditure. At a time when we are being required to build new prisons to keep pace with the influx of new prisoners, it is unlikely that the funds necessary to expand existing prisons would be forthcoming.

To further demonstrate the complexities of prison operations and the hours available for programming, attached are sample schedules from several facilities including a maximum/close custody facility, a medium security dormitory facility, and a minimum custody field unit.

You will see from reviewing the attached schedules that a typical maximum/close custody facility has 6.50 hours each weekday potentially available for programming. A medium custody facility has 7.50 hours available, and a minimum custody facility has 7.75 hours available. It is important to stress that these hours are the maximum number available when all activities proceed as scheduled. On a day to day basis schedules may be further limited by unplanned events, such as counts which take longer to clear, and/or searches.

Another factor which must be considered in addition to hours actually available for programming is the inmate population's ability to participate in activities. Currently, over 16% of inmates are unemployable because they are in Segregation, are medically and/or mentally unable, or are being processed through Reception Centers. While a small number of these inmates can participate in some form of programming, across the system they significantly reduce our statewide average of inmate programming.

Considering prison security requirements, operational schedules, and the nature of the inmate population, even if resources were unlimited we do not believe we can on the average exceed 30 hours of programming per week. Therefore, Code of Virginia Section 53.1-32.1 should be allowed to reflect a more realistic goal of an average of 28 hours per week by 1998. The program activities for

an average inmate will be as follows:

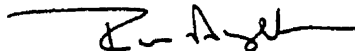
|                        |  |
|------------------------|--|
| 14.0 hours (50%)       | work   |
| 7.0 hours (25%)        | academic/vocational activities   |
| <u>7.0 hours (25%)</u> | treatment programming including substance abuse programs, life skills programs, counseling |
| 28.0 hours             | services and leisure time skills activities  |

The actual combination of program activities will vary among inmates based on their treatment needs and their progress in the system. Programming will also vary among facilities based on available resources. To use resources most effectively, more educational and treatment programming will occur at medium and minimum custody facilities, and with less occurring at maximum and close custody facilities where inmates serve longer sentences.

Let me reiterate my commitment to work as many inmates as possible given the constraints which I have outlined above. While I fully understand and support the Crime Commission's interest in seeing inmates involved in productive activities, I would hope that you can also understand the complexities of prison operation which limit the number of hours that inmates can work without jeopardizing the safety and security of our institutions.

I hope this information is helpful and that it answers your questions about this issue.

Sincerely,



Ron Angelone

RA:HSR

Attachment

cc: Gene Johnson  
James A. Smith  
Mike Leininger  
Scott Richeson

10/23/95

### MAXIMUM/CLOSE CUSTODY FACILITY

A typical Maximum/Close custody facility schedule allows a maximum of 6.5 hours of programming time.

#### Buckingham Correctional Center

|            |   |
|------------|---|
| 5:30 a.m.  | Wake Up   |
| 6:00 a.m.  | Breakfast feeding begins  |
| 7:20 a.m.  | Breakfast feeding completed   |
| 7:30 a.m.  | Count   |
| 8:15 a.m.  | Count clears, inmates are available for work, school, and treatment programs  |
| 11:00 a.m. | Inmates return to housing unit for count  |
| 11:30 a.m. | Count   |
| 12:00 p.m. | Count clears/Lunch feeding begins with inmates in early school fed first  |
| 12:20 p.m. | Inmates in early school released from lunch to class; other inmates continue feeding process                            |
| 1:15 p.m.  | Lunch feeding completed; inmates available for work, school, and treatment programs                                     |
| 3:15 p.m.  | Inmates return to housing area  |
| 3:30 p.m.  | Count   |
| 4:00 p.m.  | Dinner feeding begins   |
| 5:15 p.m.  | First half of inmates released to outside recreation (schedule alternates with other half recreating the following day) |
| 6:00 p.m.  | Dinner completed  |
| 6:00 p.m.  | Program call for inmate/volunteer activities such as Jaycees, AA/NA, religious programs                                 |
| 7:30 p.m.  | Inmates return to housing units   |
| 8:30 p.m.  | Count   |
| 9:15 p.m.  | Personal time in housing unit day rooms   |
| 11:30 p.m. | Evening lockdown  |

10/23/95

### MEDIUM CUSTODY FACILITY

The typical Medium Custody facility has a maximum of 7.50 hours available for programming.

#### Haynesville Correctional Center

|            |   |
|------------|---|
| 6:00 a.m.  | Count   |
| 6:15 a.m.  | Count Clears; Breakfast feeding begins  |
| 7:45 a.m.  | Breakfast feeding completed   |
| 8:00 a.m.  | Count   |
| 8:15 a.m.  | Count clears, inmates are available for work, school, and treatment programs  |
| 11:00 a.m. | Inmates return to housing unit for count  |
| 11:30 a.m. | Count (Enterprises counted out)   |
| 12:00 p.m. | Count clears/Lunch feeding begins with inmates in early school fed first  |
| 12:30 p.m. | Inmates in early school released from lunch to class; other inmates continue feeding process  |
| 1:15 p.m.  | Lunch feeding completed; inmates available for work, school, and treatment programs   |
| 2:00 p.m.  | Count of inmates in assigned program areas  |
| 3:30 p.m.  | Return to housing areas for Dinner  |
| 4:00 p.m.  | Dinner feeding begins   |
| 5:30 p.m.  | Dinner completed; inmates return to housing buildings for Count   |
| 6:00 p.m.  | Count   |
| 6:15 p.m.  | Count clears; inmates are available for volunteer program activities such as Jaycees, AA/NA, religious programs, outside recreation (daylight savings time) |
| 8:30 p.m.  | Inmates return to housing units   |
| 9:00 p.m.  | Movement/yard closed except for special pre-approved activities or programs   |
| 9:15 p.m.  | Personal time in housing unit day rooms   |
| 11:30 p.m. | Evening lockdown  |



10/23/95

MINIMUM CUSTODY FACILITY

A typical minimum custody Field Unit has a maximum of 7.75 hours of programming available.

Chatham Correctional Unit #15

|            |   |
|------------|---|
| 6:00 a.m.  | Wake up   |
| 6:30 a.m.  | Breakfast feeding begins  |
| 7:00 a.m.  | Breakfast feeding completed   |
| 7:45 a.m.  | Work Call   |
| 8:00 a.m.  | Road gangs loaded, including vehicle searches, inmate searches, safety equipment issued, lunches loaded |
| 8:30 a.m.  | Road gangs leave Unit for work site   |
| 8:30 a.m.  | Count for non-road gang inmates   |
| 8:45 a.m.  | Count clears; non-road gang inmates available for work, school, programs                                |
| 12:00 p.m. | Lunch feeding begins (road gangs eat bag lunches at work site)  |
| 12:30 p.m. | Count   |
| 1:00 p.m.  | Count clears; inmates available for work, school, and treatment programs                                |
| 4:00 p.m.  | Road Gangs return to Unit; inmates searched, vehicle searched, inmate showers.                          |
| 4:30 p.m.  | Dinner feeding begins; commissary, clothing exchange  |
| 5:45 p.m.  | Count   |
| 6:00 p.m.  | Count clears; inmates available for programs, free time activities, laundry                             |
| 7:45 p.m.  | Lock down count   |
| 8:00 p.m.  | Movement/yard closed; inmate personal time in housing unit day rooms                                    |
| 11:30 p.m. | Evening lockdown  |

