

**SENATE COMMITTEE ON REHABILITATION AND SOCIAL SERVICES
AND SENATE COMMITTEE ON RULES**

**Joint Committee to Study Staffing Levels and
Employment Conditions at the Department of Corrections (SR 34, 2014)**

Monday, December 8, 2014 at 1:00 p.m.
General Assembly Building
Richmond, Virginia

MEETING SUMMARY

I. Introduction & Opening Remarks

Senator Dave W. Marsden called the Joint Committee's final meeting to order and the members introduced themselves.¹

II. Presentation: Strategies for Mitigating Negative Impacts of Occupational Stressors Affecting Correctional Officers - Dr. Caterina Spinaris, Ph.D., LPC, Executive Director, Desert Waters Correctional Outreach

Dr. Caterina Spinaris gave a presentation to the Joint Committee via Skype about the stresses correctional officers endure and methods of mitigation. Dr. Spinaris provided a Corrections Fatigue Process Model, which indicated that correctional officers experience traumatic stressors related to events they witness or are involved in, operational stressors concerning staffing and other administrative issues, and organizational stressors related to human interactions that typically lead to declines in health and functioning, dysfunctional ideology and behavior, negative personality changes, and "correctional fatigue," a term coined by Dr. Spinaris to describe the impact of cumulative work-related stressors on corrections professionals.

Dr. Spinaris also provided information regarding disorder prevalence among correctional officers, which stated that 20 percent of correctional officers experience anxiety, 34 percent have post-traumatic stress disorder (PTSD), 31 percent are depressed, and 22 percent have both comorbid depression and PTSD. Dr. Spinaris explained that high rates of absenteeism, abuse, substance abuse, and health problems appear among those with PTSD, depression, or comorbidity of those disorders. Upon inquiry by Senator Marsden, Dr. Spinaris stated research does not indicate that age and length of service have any impact on PTSD; however, higher rates of PTSD have been prominent in correctional officers who work in high-level security facilities.

Dr. Spinaris testified that while current prison culture tends to ignore these problems, it is very important for DOC and its employees to address and monitor the mental health needs of

¹ The following Joint Committee members were present: Senator Emmett W. Hanger, Jr. (Co-Chairman), Senator Dave W. Marsden (Co-Chairman), Donald Baylor, Steve Morris, and Sheriff Kenneth W. Stolle. The following Joint Committee members were absent: Senator Kenneth C. Alexander, Joey O'Quinn, Senator Linda T. Puller, and Senator Jennifer T. Wexton.

correctional officers. Dr. Spinaris detailed a six-step model for reducing stress and increasing resilience.

1. Inform: it is essential that DOC stay informed of the stresses that affect correctional officers, along with the personal and organizational costs that accompany them.

2. Assess: DOC must look for accurate methods of collecting information and assess its current situation and the needs of its correctional officers.

3. Evaluate: DOC must evaluate its current policies and practices and identify necessary changes.

4. Plan: DOC then needs to detail a plan for implementation of needed additional programs.

5. Implement: DOC shall then implement the plan.

6. Reassess: it is also important that DOC periodically evaluate past efforts, determine their impact, use this information to identify new needs and interventions, and start the process again.

Upon inquiry by Senator Marsden about best practices for training, Dr. Spinaris stated that on-the-job training and shadowing work best, noting difficulties arise when supervisors tell their correctional officers, "Regardless of what you learned in training, this is how we do things here." Dr. Spinaris noted that accountability and repetition are important. Sherriff Stolle agreed, noting DOC must ensure trainees are comfortable in the prison environment and recommended that they be paired with trained officers for several months prior to attending academy training.

III. Presentation: Corrections Staffing and Training Standards - Mr. Paul Broughton, Human Resources Director, Department of Corrections

Paul Broughton gave a PowerPoint presentation on corrections staffing and training standards. Mr. Broughton explained that DOC uses the American Correctional Association (ACA) standards for accreditation and a post-audit system for staffing numbers. Upon inquiry by Sheriff Stolle, Mr. Broughton explained that although the post-audit system informs prison administration of the number of correctional officers that need to man each post, due to budget constraints, they are then required to keep three percent of those positions vacant. This results in the Commonwealth's prisons being required to operate with fewer people than they actually need.

Regarding training, Mr. Broughton stated that DOC provides 200 hours of training to its correctional officers, which exceeds the ACA recommendations. This training includes one week of orientation, three weeks in an institution, five weeks at the academy, and at least two more weeks at the institution. Additionally, correctional officers receive 40 hours of training per year related to the review of policies and updates on those policies.

IV. Stakeholder Testimony

Several DOC employees from various prison facilities across the Commonwealth testified about their employment experiences with DOC. One correctional officer stated that after

working for DOC for 21 years, he has lost all of his emotions. The officer explained that his family often comments that he now has a "police face," hiding any indications of his mood or feelings. The officer testified that the prison environment has caused him to develop this behavior because many inmates study every move correctional officers make, constantly looking for vulnerabilities and opportunities to manipulate them. The officer also testified that inmates have threatened him and his family multiple times, which has prompted him to create a code word to use with his daughter in dangerous situations.

Another correctional officer mirrored the remarks that their working environment is very stressful. The officer also recommended that correctional officers be given a raise, noting she must work two jobs to support her family. The officer further noted that DOC has recently invested substantial funds in new uniforms for its correctional officers, which were unnecessary because their existing uniforms were satisfactory. The officer recommended that DOC devote funds to raises for its correctional officers rather than wasting it on such superfluous expenses.

Another officer complained that many of the trainers for correctional officers have never worked in a prison. The officer recommended that correctional officers be required to work in a prison for a short period of time prior to being eligible for training, noting this may save the Commonwealth money on funds wasted to train employees who quickly leave DOC after experiencing the prison environment and deciding they are not a proper fit. The officer opined that many people simply cannot handle the stresses associated with the prison environment, and that it would be more efficient to make this determination prior to training.

Finally, another correctional officer testified that in closing several prison facilities, DOC has had to create bed space at other facilities for the inmates who formerly resided in the closed facilities. The officer testified that in an effort to comply with budget cuts, DOC is transforming many different types of buildings into dorms and double-bunking them. The officer testified that DOC uses this practice to artificially raise the maximum capacity of its prison facilities. The officer stated this is causing overpopulation in facilities that correctional officers already struggled to control given their staffing shortages.

V. Discussion & Vote - Recommendations

The meeting continued with discussion among the Joint Committee members. Mr. Morris stated it is very important that the Joint Committee take action to address the issue of inadequate staffing levels in DOC's facilities. Mr. Morris noted that DOC is unwisely lowering the number of correctional officers required to man each post in its prison facilities, but should be heading in the opposite direction because this practice is very unsafe for prison staff, inmates, and the general public.

Sheriff Stolle commented that the issues before the Joint Committee ultimately boil down to whether the General Assembly is willing to allocate more money to DOC. Senator Marsden recommended that the Joint Committee make efforts to address the issues related to salary increases for correctional officers. Senator Marsden stated the General Assembly has not provided DOC with enough funds for salary increases, noting such practices have led to many of the Commonwealth's employees being paid below the federal poverty level, as recently detailed in a *Richmond Times-Dispatch* article.

Following this discussion and upon recommendation by Senator Hanger, the Joint Committee members voted to (i) introduce a resolution to be carried by Senator Marsden during the 2015 Session continuing the study for an additional year, (ii) request that DOC create a five-year planning document setting forth long-term staffing and training requirements and strategies for meeting those requirements, and (iii) adopt the following recommendations:

1. Increase Funding to Allow for Adequate Staffing Levels.

- Insufficient funding is resulting in inadequate staffing levels throughout the Commonwealth's prisons. Testimony was presented that such inadequate staffing:
 - presents safety concerns because there are not enough correctional officers to properly staff all posts with a sufficient number of officers;
 - causes health problems because inadequate staffing results in severe stress on correctional officers in an already-stressful environment (PTSD rate of 31% v. 12-20% for Operation Iraqi Freedom veterans);
 - requires the use of substantial funds towards overtime wages;
 - causes a shortage of support for inmate programs, including those tailored towards re-entry;
 - results in insufficient oversight regarding inmate possession of contraband; and
 - is compounded by transportation requirements set forth in the Institutional Post-Audit System.
- Note: VADOC's budget continues to begin each year with a shortfall of approximately \$32,000,000, which is equivalent to approximately 600 correctional officer positions.

2. Salary Increases.

- Paul Broughton, Director of Human Resources at VADOC, made the following recommendations for salary increases at the Joint Committee's October 21, 2014 meeting:
 - 1) 3% increase to the minimum security staff salaries;
 - 2) additional 1% salary increase for all security staff with more than five years of experience;
 - 3) increase by 3-4% the salaries of correctional officers, correctional officer seniors, sergeants, lieutenants, captains, and majors based on length of service (cost: \$11,350,000); and
 - 4) create a new "Master Corrections Officer" level (cost of \$11,800,000 over a three-year implementation period: \$2,600,000 in year one, \$3,900,000 in year two, and \$5,300,000 in year three).
- Testimony was presented that:
 - the average starting salary for correctional officers is \$28,035 and only \$3,000 separates the 25th and 75th percentile;
 - the starting salary for VADOC correctional officers is 13.1% lower than the average starting salary for officers in regional jails, 29% lower than the minimum starting salary for officers with the Virginia State Police, and

30% lower than the average starting salary for other Richmond-area law enforcement officers;

- salaries need to, but have not, increased in coordination with inflation and cost-of-living;
- salary increases will help lower the turnover rate for correctional officers (currently 16.98%) and promote the retention of seasoned staff, which will lead to safer and more efficient operations and save the Commonwealth money by avoiding wasted funds toward hiring, training, and overtime wages; currently, many correctional officers leave VADOC after one year for higher paying jobs;
- salary increases will also yield better recruitment and increase occupational prestige;
- current salary levels require many correctional officers to work second jobs and, in some instances, collect supplemental assistance from the government;

3. Training.

- Substantial funds are being wasted to train correctional officers that ultimately leave VADOC within one year.
- Testimony was presented that in the past, certain Virginia prisons required hopeful correctional officers to work in the prisons for approximately three months before the start of training, which provided them an opportunity to experience the prison environment and determine whether they were a suitable fit. It was suggested that reimplementing of this pre-training practice may allow the Commonwealth to diminish the amount of funds squandered on training correctional officers that quickly leave the Department.

4. Conduct & Fairness.

- Numerous correctional officers testified that prison leadership is prohibiting them from issuing charges for inmate misconduct and, instead, requiring that officers ask inmates to "write a paragraph" about such misconduct as punishment. Correctional officers testified this practice is ineffective because many inmates simply employ other inmates to fulfill the writing requirement for them. Correctional officers further testified that the prohibition against the issuance of formal charges has resulted in an increased level of inmate misconduct, a lack of respect from inmates for correctional officers, and is merely used as a means of artificially lowering reported incident numbers.
- Several correctional officers also requested that a forum to voice concerns to prison leadership and administration on a regular basis. Correctional officers testified that they are being penalized for speaking up for themselves, that raises are being given based on favoritism, that supervisors often undermine their decisions, and that supervisors are in many instances unhelpful, often responding to questions posed by correctional officers with statements such as, "It is what it is," or "Because I said so." Correctional officers requested a forum to voice such concerns to prison administration on an ongoing basis.

VI. Adjournment

There being no further business before the Joint Committee, the meeting was adjourned by Senator Marsden.