

Key Points of Report

An Audit Report on Correctional Officer Staffing at the Department Of Criminal Justice

February 2001

Overall Conclusion

The Department of Criminal Justice's (Department) correctional officer shortage continues to grow. The number of correctional officer vacancies increased from 1,252 at the end of fiscal year 1999 to 2,292 at the end of fiscal year 2000. As this shortage continues to grow, the Department may have difficulty ensuring the safety of staff members and inmates.

The Department has recruited record numbers of new correctional officers, but it should do more to retain its trained, experienced officers. Correctional officer turnover for fiscal year 2000 was almost 23 percent. Between these staff losses and the jobs created for new units, the Department's vacancies increased from 2,292 at the end of fiscal year 2000 to 2,595 as of December 31, 2000.

Key Facts and Findings

- The Department's shortage of correctional officers is increasing. The number of new hires cannot meet the demand created by increased attrition, the addition of new positions, and correctional officers transferring to other positions. As a result of the shortage, the Department has reduced program operations, relied on overtime to fill the most critical positions, and decreased in-service training hours. If this situation continues, it may affect the continued safety of staff members and inmates.
- Injuries to correctional officers and inmates have not increased as the correctional officer shortage has grown. Among correctional officers, the number of injuries decreased slightly, from 1,702 injuries to 1,692 injuries. While inmate injuries requiring medical treatment decreased significantly, the number of assault-related injuries to inmates increased by 11 percent. Forty-three percent of the most serious assault-related injuries to inmates were self-inflicted.
- The Department recently initiated some retention efforts as a result of an Internal Audit Division report, but the Department could explore other options to increase retention of experienced correctional officers. Differential pay, childcare and transportation, expanding the exit interview process, and establishing a standard overtime policy are some options to consider. We estimate that the cost of correctional officer turnover in fiscal year 2000 was over \$40 million.
- Most newly promoted correctional officer sergeants do not receive the management training they need to supervise effectively. Only 35 percent (319 of 911) of correctional officers promoted to sergeant in the past two fiscal years received the supervisory training necessary to effectively manage the Department's increasingly less experienced correctional officers.
- One in four correctional officers does not receive the required 40 hours of in-service training. In fiscal years 1999 and 2000, only 78 percent and 74 percent of correctional officers received all of the required in-service training, respectively. This in-service training helps correctional officers keep pace with issues and changes in their jobs. In fiscal year 2000, several units had a reduced training schedule as a result of staffing shortages.

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This audit was conducted in accordance with Government Code, Sections 321.0132, 321.0133, and 321.0134.

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Executive Summary

The Department of Criminal Justice's (Department) correctional officer shortage continues to grow. As this shortage continues, the Department will have difficulty ensuring the continued safety of staff members and inmates.

The Department needs to do more to retain its trained, experienced officers. The number of correctional officer vacancies increased by more than 1,000 officers between fiscal years 1999 and 2000, although the Department successfully recruited record numbers of correctional officers.

Correctional officer turnover for fiscal year 2000 was almost 23 percent. We estimate that the cost of the Department's turnover in fiscal year 2000 was over \$40 million. This turnover combined with the addition of 940 new correctional officer positions contributed to a current overall correctional officer shortage of 2,595 officers as of December 31, 2000.

The Growing Shortage of Correctional Officers Has Strained Prison Operations, But Injuries Have Not Increased

Despite the correctional officer shortage, injuries to employees and inmates have not increased over the past two years. Although the Department has prevented an increase in injuries to date, the growing staffing shortage could compromise the safety of both employees and inmates in the future. For example, inexperienced correctional officers are more likely to be assaulted and injured. Officers with three or fewer years of experience make up 35 percent of all officers. However, they were involved in 47 percent of all assault-related employee injuries in fiscal year 2000.

To ensure the continued operation of Texas prisons, the Department has taken the following actions to compensate for the correctional officer shortage:

- Reduced program operations such as agricultural work, inmate craft shops, libraries, and indoor recreation.
- Relied increasingly on overtime. The Department sometimes requires correctional officers to work double-shifts, regardless of their personal plans.
- Used sergeants who have not received management training to supervise an increasingly inexperienced population of correctional officers.
- Reduced in-service training hours at some units because not enough correctional officers are available to cover the shifts of those in training.
- Changed from 8-hour to 12-hour shifts at many units in order to maximize available correctional officers.

At several of the six prisons we visited, we heard anecdotal evidence from correctional officers and managers that some safety procedures (such as cell shake-downs and strip searches) were not performed as often as prescribed by policy because of the shortage. However, we were unable to find evidence to confirm the extent to which these procedures were cut back.

The Department Could Improve Retention of Correctional Officers

The Department recently initiated some retention efforts as a result of an Internal Audit Division report, but it should do more to retain its trained and experienced correctional officers. The Department has focused on recruiting, hiring, and training new correctional officers rather than retaining those it has, according to the September 2000 Internal Audit report.

Recruitment has not kept pace with the Department's attrition and the growth of its prisons. For the past two fiscal years, the Department's total of correctional officer

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separations and new positions was more than the number of officers it was able to hire.

The Department has recently begun some initiatives to improve retention such as hiring a retention consultant, expanding the on-the-job training program, and conducting a workshop with correctional officers in order to identify non-salary-related reasons for turnover. However, there are other options for increasing retention. These options include differential pay, childcare and transportation, expanding the exit interview process, and establishing an overtime policy.

Providing Correctional Officer Training Could Increase Safety

The majority of newly promoted correctional officer sergeants do not receive the management training they need to supervise effectively. Only 35 percent (319 of 911) of correctional officers promoted to sergeant in the past two fiscal years received supervisory training that would enable them to effectively manage and communicate with others. Without management training, new sergeants are less prepared to manage the increasing number of inexperienced correctional officers the Department now has on staff.

In addition, one in four correctional officers did not receive the required 40 hours per year of in-service training. Departmental policy requires this in-service training to ensure that correctional officers keep pace with issues and changes in their jobs. In fiscal years 1999 and 2000, only 78 percent and 74 percent of correctional officers received all of the required in-service training, respectively. In fiscal year 2000, the Department spent almost \$7.6 million to train 4,053 new correctional officers.

The Department Should Update Hiring Tools to Improve Applicant Recruitment and Screening

The Department has not conducted a job analysis for the correctional officer position since July 1986. The testing instrument used to screen applicants for the correctional officer position has not been validated or significantly revised since 1986. The testing instrument, which is based on the job analysis, affects eligibility. It could affect whether the Department is hiring the individuals best suited to be correctional officers and hence most likely to stay. The Department collects the results of all pre-screening tests but does not analyze the data to determine if any groups of applicants are adversely affected.

The Department Needs to Complete Revisions of Authorized Staffing Plans In Order to Determine Minimum Coverage

The Department cannot know the exact number of correctional officers it needs to staff its prison units until it completes the revisions of its staffing plans. It appears that the revisions will not result in significant changes in the overall numbers of correctional officers needed. The Department is revising staffing plans for 79 prison units, but it has not met its January 2001 deadline for completing these revisions. Until these revisions are complete, some units are using staffing plans that do not accurately reflect their needs.

The unit staffing plans determine the number of correctional officers required at each post for each shift and prioritize the posts in the event of a shortage. Many of the staffing plans were developed in the mid-1980s. Since then, some of these units have expanded or added functions such as high security units or medical treatment units, and their old staffing plans are no longer accurate.

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Summary of Management's Response

The Department concurs with all of the recommendations in this report and has already begun to implement some of them. Specific responses describing the corrective actions and implementation target dates follow each recommendation. The Department's summary response is included immediately preceding Appendix 1.

Summary of Objectives, Scope, and Methodology

The objectives of the audit were to:

- Assess how current correctional officer staffing levels compare to authorized staffing patterns.
- Evaluate whether the Department has an effective process for determining the number of correctional officers needed at its institutions.

- Determine if the Department ensures the safety of staff members and inmates in light of its current staffing situation.
- Evaluate whether the Department has a sound process for recruiting, hiring, training, and retaining qualified correctional officers.

The scope of the audit included review and verification of the Department's fiscal year 2000 payroll, attrition, overtime, and disciplinary and risk management information and a review of screening, hiring, and training policies, procedures, and data. Information from prior fiscal years was considered as deemed necessary to accomplish our audit objectives.

The methodology for this audit consisted of obtaining applicable criteria, reviewing related reports, conducting interviews, performing audit tests and procedures, and analyzing and evaluating results against established criteria. We conducted fieldwork from June 2000 through November 2000.

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The Growing Shortage of Correctional Officers Has Strained Prison Operations, But Injuries Have Not Increased

Correctional Officer Salaries Have Been Increased to Help Retain Correctional Officers

Low correctional officer salaries were recently cited as a major factor affecting the Department's ability to attract and retain correctional officers. Between the 76th and 77th Legislative Sessions, the Department worked with state leadership to increase correctional officer salaries. The State implemented an interim pay adjustment for some correctional officers effective July 1, 2000:

Correctional Officer IIIs with more than 36 months of service were promoted to the newly created Correctional Officer IV position with an annual salary of \$28,380, an increase of \$1,656 per year. By the end of the biennium, the plan provided pay raises to 68 percent of correctional officers. The new Correctional Officer IV position will expire September 1, 2001, unless the 77th Legislature makes it permanent.

Sergeants received a one-step merit increase of \$965 per year, bringing their annual salary to \$29,345. The plan provided pay raises to all 1,782 sergeants.

The Department included a career ladder/salary adjustment proposal in its Legislative Appropriations Request for the 2002-2003 biennium that would extend the correctional officer career ladder to 12 years of service. This extension would increase the maximum correctional officer salary to \$34,056.

The Department's shortage of correctional officers continues to grow in spite of increased efforts to recruit and hire new officers. The number of new hires cannot meet the demand created by increased attrition, the addition of new positions, and transfers to non-correctional officer positions. The number of correctional officer vacancies increased from 1,252 at the end of fiscal year 1999 to 2,292 at the end of fiscal year 2000. During this same period, the number of authorized positions increased by 940 and correctional officer turnover reached almost 23 percent.

Despite the correctional officer shortage, injuries to employees and inmates have not increased over the past two years. Although the Department has been able to prevent an increase in injuries to date, the growing staffing shortage could compromise the safety of both employees and inmates in the future.

To ensure the continued operation of Texas prisons, the Department has taken the following actions to compensate for the correctional officer shortage:

- Reduced program operations such as agricultural work, inmate craft shops, libraries, and indoor recreation.
- Used correctional officers working overtime to fill the most essential positions. The Department sometimes requires correctional officers to work double-shifts, regardless of their personal plans. (See Section 2-D for more on overtime practices.)
- Used more sergeants without supervisory training to oversee an increasingly inexperienced population of correctional officers.
- Reduced in-service training hours at some units because not enough correctional officers are available to cover the shifts of those in training.
- Changed from 8-hour to 12-hour shifts at many units in order to maximize available correctional officers.

At several of the six prisons we visited, we heard anecdotal evidence that some safety procedures (such as cell shake-downs and strip searches) were not performed as often as prescribed by policy because of the shortage. However, we were unable to find sufficient evidence to confirm the extent to which these procedures were not performed.

With the growing correctional officer shortage, the Department's continued ability to ensure the safety of staff and inmates is at risk. The Department must begin retaining more of the correctional officers that it has worked so hard to recruit, hire and train. (See Section 2.)

Section 1-A:

The Correctional Officer Shortage Continues to Increase

The Department's correctional officer shortage continues to increase even though it hired more correctional officers in fiscal year 2000 than ever before. The number of correctional officers hired has not kept pace with the demand because of increased attrition and the addition of new positions. (See Table 1.) The availability of opportunities for correctional officers to transfer or promote to non-correctional officer positions such as those in maintenance or industries makes it even more difficult to keep correctional officer positions filled.

Table 1

Correctional Officers Positions for Fiscal Years 1995-2000				
Fiscal Year	Number of Authorized Positions	Number of Positions Filled	Number of Vacancies	Percent of Vacancies
1995	23,908	23,034	874	3.66%
1996	24,732	23,586	1,146	4.63%
1997	25,110	24,262	848	3.38%
1998	25,090	24,488	602	2.40%
1999	25,338	24,086	1,252	4.94%
2000	26,278	23,985	2,292.5	8.72%

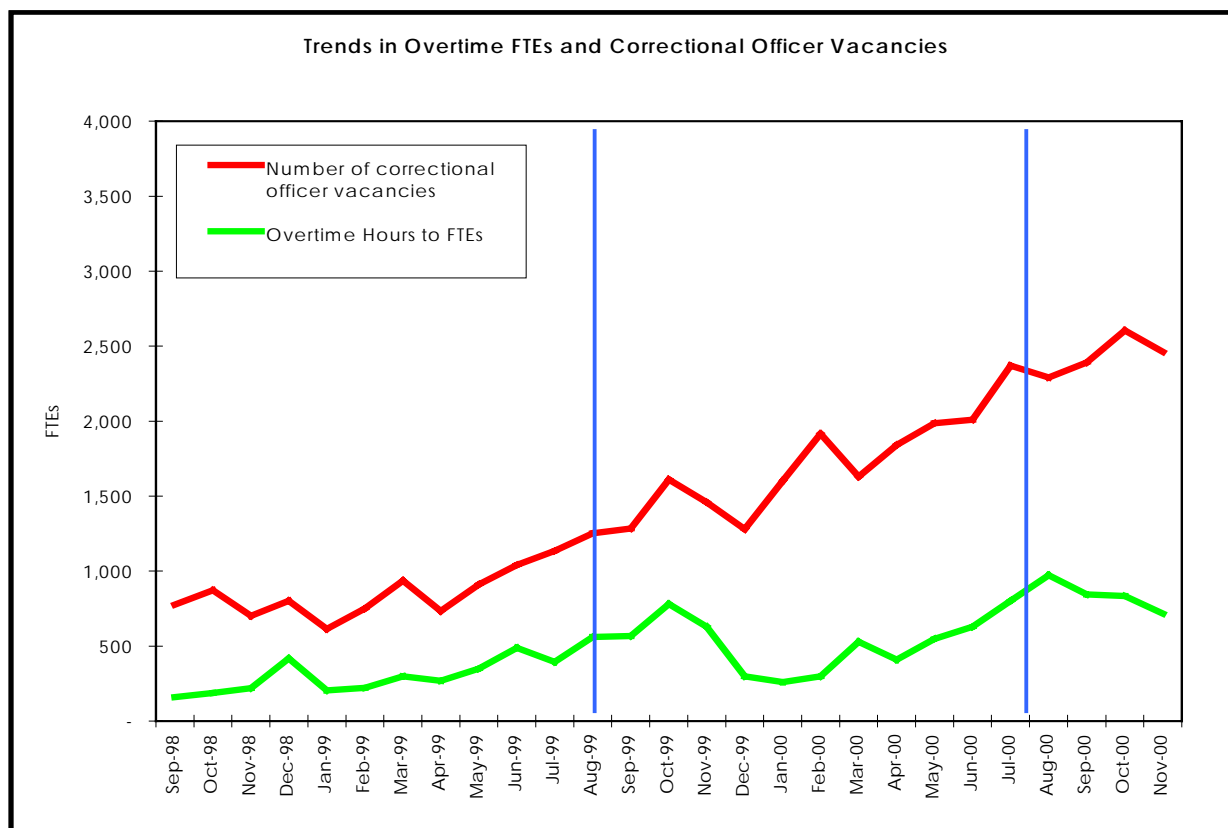
Note: Column 4 is the difference between columns 2 and 3.
 Column 5 is the result of dividing column 4 by column 2.
 The number of positions filled and the number of vacancies represent the numbers as of the last day of each fiscal year.

Source: Columns 2 and 3 contain information provided by the Department based on internal payroll system data. We tested data from this system and found it to be reliable.

The Department reports that as of December 31, 2000, it is short 2,595 correctional officers. However, this calculation is based on outdated staffing plans that do not necessarily reflect changes made to some units' missions and/or layouts. A series of staffing plan reviews is underway that will give a better understanding of the number of correctional officers each unit requires. (See Section 5.) Because these reviews are not complete, the Department's current authorized staffing levels may not represent the true extent of the correctional officer shortage.

To test the reasonableness of the Department's reported shortage figures we compared the reported shortage to overtime use for the past two years. Figure 1 compares correctional officer vacancies with overtime worked since September 1998. For comparison purposes, we translated overtime hours into full-time equivalent (FTE) employees. In fiscal year 2000, correctional officers worked approximately 1 million overtime hours, which represented 562 FTEs. Overtime hours generally parallel the shortage, although the Department uses overtime only for the most essential positions.

Figure 1



Source: Overtime data provided by the Department. We tested the accuracy of this data by comparing a sample of shift rosters and timesheets to the corresponding data. We found the data to be accurate.

In fiscal year 2000, the Department hired 1,714 more correctional officers than it did in fiscal year 1999. However, the Department's successful recruiting and hiring efforts did not stem the growing shortage because:

- The Correctional officer turnover rate almost doubled between fiscal years 1996 and 2000. In 1996 the turnover rate was 12.01 percent; in fiscal year 2000 it was 22.80 percent. Separations in fiscal year 2000 totaled 5,561—an average of 463 per month. With so many correctional officers leaving, the Department could not replace them fast enough to stem the shortage. (See Appendix 2 for attrition by unit.)

Table 2

Correctional Officer Turnover			
Fiscal Year	Average Number of Correctional Officers	Number of Departing Correctional Officers	Annual Attrition Rate
1996	25,959	3,177	12.01%
1997	26,546	3,742	14.10%
1998	24,575	4,282	17.42%
1999	25,908	4,861	18.76%
2000 ^a	21,185	5,358	25.29%
2000 ^b	24,395	5,561	22.80%
2000 ^c	27,285	5,883	21.56%

^a Data for fiscal year 2000 does not include CO IVs as this position was added in July 2000 and is not part of the State Classification System.

^b Data for fiscal year 2000 includes CO IVs and was calculated by the State Classification Office using the same methodology it used to calculate the figures for other fiscal years.

^c Data for fiscal year 2000 includes ranking officers such as sergeants, lieutenants, captains and majors. Data for 1996-1999 also includes ranking officers.

Source: State Classification Office annual reports on full-time classified state employee turnover.

- The Department has added 1,546 new positions in the past four years. (See Table 3.) The Department reports that in fiscal year 2000 alone it added 940 new positions. These new positions include positions added as a result of the opening of new high-security units at the Smith, Lewis, Allred, and Clements prisons as well as the Department's takeover of a contract prison in Travis County.
- Correctional officers are frequently promoted to non-correctional officer positions such as positions in maintenance or industries. The Department reports that since the beginning of fiscal year 1997, 3,255 correctional officers have transferred or been promoted to other positions.

According to the U.S. Department of Labor's methodology for estimating the cost of turnover, correctional officer turnover cost the Department over \$40 million in fiscal year 2000. The U.S. Department of Labor estimates that it costs one-third of a new hire's annual salary to replace an employee. For correctional officers, this would be \$7,314 each, or \$40,673,154 for the 5,561 officers departing in fiscal year 2000. This figure includes costs such as recruitment, selection, training, orientation, lower productivity while the position is vacant and while the new employee is learning the job, and administrative costs related to the separation. While reducing turnover will not free up funds, it can free up staff now working to recruit and hire correctional officers.

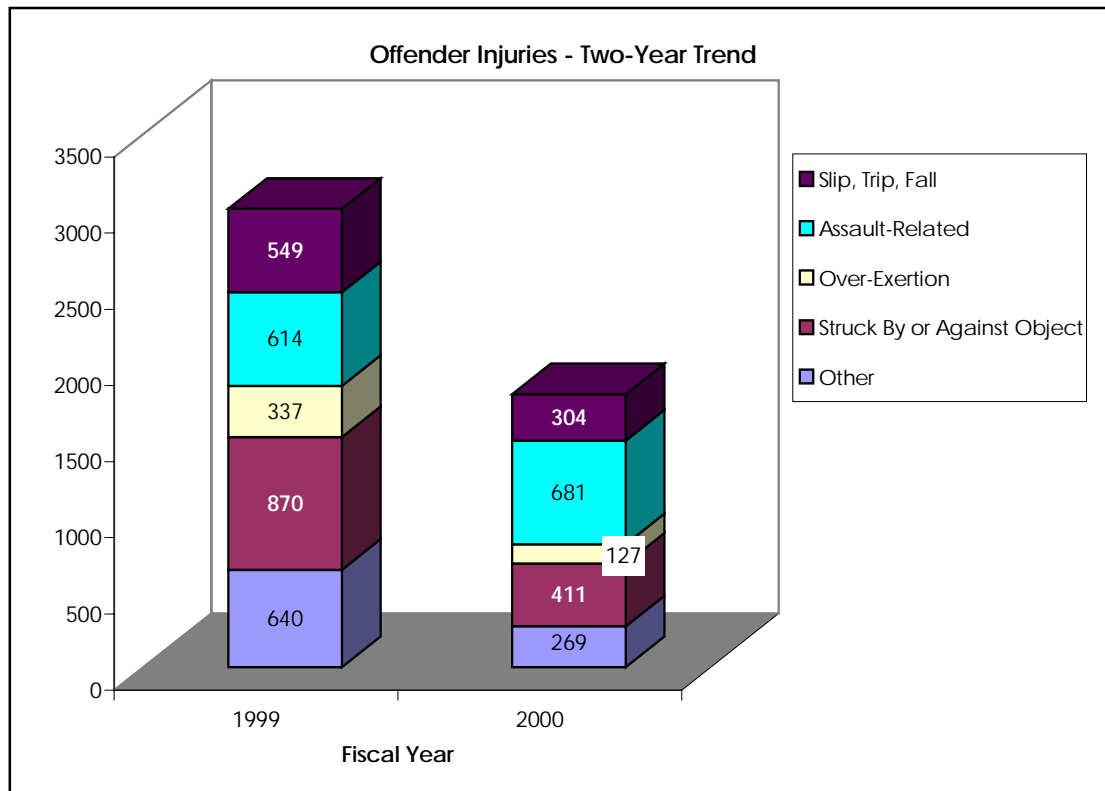
Section 1-B:

Injuries to Staff Members and Inmates Have Not Increased Over the Past Two Years

Injuries to correctional officers and inmates have not increased as the correctional officer shortage has grown. Although several well-publicized assaults on correctional officers occurred recently, the number of injuries to staff members and inmates has not increased over the past two years.

- Among correctional officers, the rate of injuries resulting in medical treatment or lost work time remained essentially the same in fiscal year 2000 compared to fiscal year 1999 (a decrease of less than 1 percent from 1,702 injuries to 1,692 injuries).
- Despite a 3 percent increase in the offender population compared to fiscal year 1999, the rate of injuries to inmates resulting in medical treatment decreased by 40 percent (3,010 to 1,792) from fiscal year 1999 to 2000. (See Figure 2.)

Figure 2



Source: Risk management data provided by the Department. We tested this data for fiscal year 2000 and found it to be reliable.

Employee Injuries

Injury Data Used

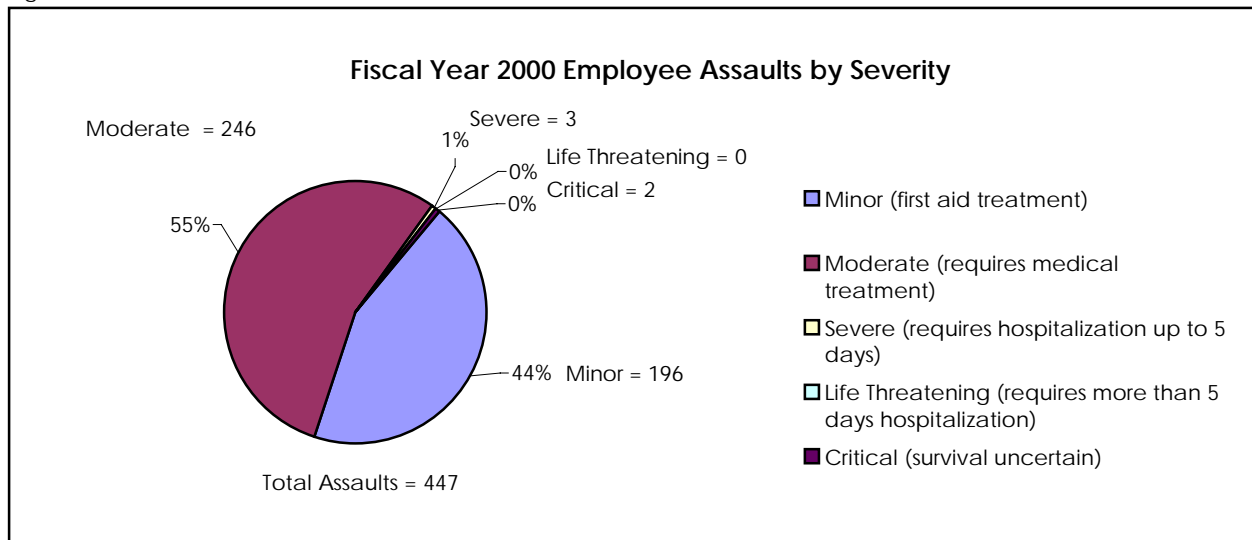
To determine whether the shortage of correctional officers has resulted in an increase in injuries to staff members and inmates, we tested workers' compensation data from the Department's Risk Management Office. We chose to use this data because other available data, such as the Department's Emergency Action Center (EAC) data, is less reliable. In a recent audit, the Department's Internal Audit Division stated that EAC data is subject to inconsistencies in reporting due to lack of clear criteria for what constitutes a serious incident.

Employees are hurt more often in a slip, trip, or fall than in an assault. In fiscal year 2000, the Department had 494 of these injuries compared to 447 assault-related injuries to employees. Forty-five percent of these assaults occurred during a use of force situation. Only 1 percent (5 of 447) of assault-related injuries to employees were severe enough to result in a hospital stay (see Figure 3).

Inexperienced correctional officers are more likely to be assaulted and injured. Officers with three or fewer years of experience make up 35 percent of all officers. However, they were involved in 47 percent of all assault-related employee injuries resulting in medical treatment or lost time from work (of the 205 assaults by inmates that we could

match to experience level) in fiscal year 2000. This includes ranking officers such as sergeants, lieutenants, captains, and majors.

Figure 3



Source: Risk management data provided by the Department. We tested this data for fiscal year 2000 and found it to be reliable.

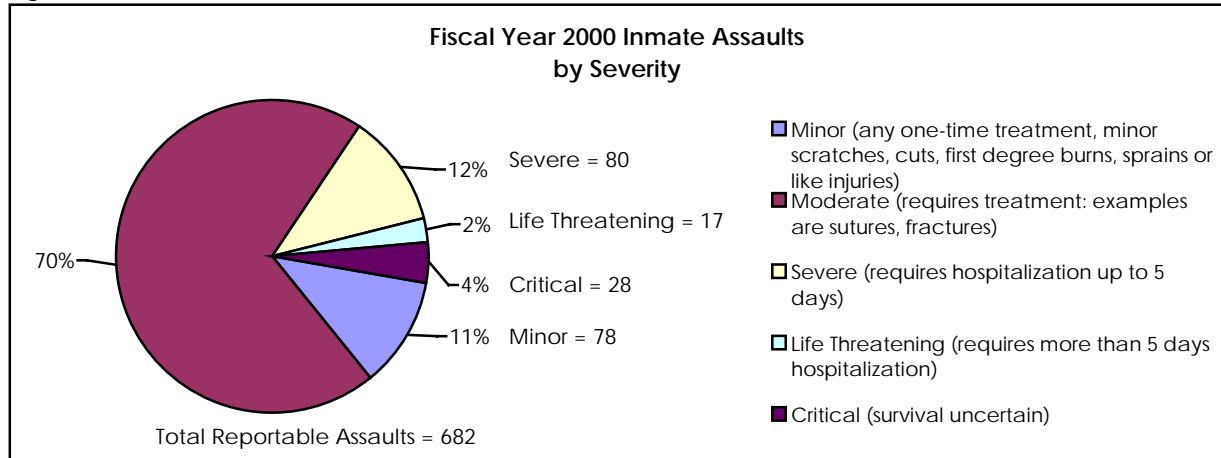
Inmate Injuries

For safety reasons, the Department reduced activities that require more correctional officers than were available to supervise the inmates. Inmates still receive outdoor recreation, but many units have cut agricultural work, crafts, community service, and indoor recreation. A decrease in agricultural work outside the unit may have contributed to the decreased rate of inmate injuries.

While reducing inmate activities helps keep overall inmate injuries low, the lack of activity may increase the potential for assault-related injuries among inmates. The number of assault-related injuries to inmates that required medical treatment increased

11 percent in fiscal year 2000 (from 614 to 682). Eighteen percent (125 of 682) of all assault-related injuries to inmates resulting in medical treatment required hospitalization. Of these 125 assault-related injuries, 53 (42 percent) were self-inflicted, while 71 of the 125 (57 percent) were the result of inmate-on-inmate assaults. (See Figure 4.)

Figure 4



Source: Risk management data provided by the Department. We tested this data for fiscal year 2000 and found it to be reliable.

Section 2:

The Department Could Improve Retention of Correctional Officers

The Department's Internal Audit Division conducted a retention audit in September 2000. It found that the Department's management did not have a system to capture and analyze reasons for correctional officer separation and to develop and implement strategies to increase retention. As a result, increased attrition was attributed to salary issues. Other factors that may have been within the Department's control were not identified.

The Department recently initiated some retention efforts as a result of an Internal Audit Division report, but it could do more to retain its trained and experienced correctional officers. The Department focused on recruiting, hiring, and training new correctional officers rather than retaining those it has, according to the September 2000 Internal Audit report.

The Department has recruited and hired record numbers of new correctional officers, but unless it retains its existing correctional officers, it will never meet its need during times of increased attrition and growth.

Table 3

New Positions, Hires and Net Gain or Loss			
Fiscal Year	New Correctional Officer Positions Added	Number of Correctional Officers Hired	Net Gain or Loss
1997	378	5,342	+298
1998	(20)	5,215	+246
1999	248	5,010	-650
2000	940	6,724	-1,040.5

Source: Provided by the Department based on Human Resources Division data

Table 3 shows the increase in new positions and the net gain or loss.

The Department has recently begun some initiatives to improve retention. These initiatives included requesting a twelve-year career

ladder to bring correctional officer salaries up to the national average, hiring a retention consultant, expanding the on-the-job training program, and conducting a workshop with correctional officers in order to identify non-salary-related reasons for turnover. However, other options to increase retention should be considered, including differential pay, childcare and transportation, expanding the exit interview process, and establishing a standard overtime policy.

Section 2-A:

Differential Pay Could Increase Retention at Selected Units

Paying correctional officers a differential for working in the more difficult units could help keep these units staffed with experienced officers. For the first three years, correctional officers are paid based on length of service with the Department, even though some units are more difficult to work in than others. As a result, experienced correctional officers have no incentive to stay at difficult units, and the units that are easier to work in are staffed with more experienced officers. The Department has attempted to correct this problem by assigning all correctional officers who have left and been re-hired to units that are staffed with less experienced officers.

Other state agencies have paid a differential to staff who work in more difficult areas. For example, the General Appropriations Act, Article II, page 74, Rider 10, 76th Legislature, allows the Department of Mental Health and Mental Retardation (MHMR) to pay a two-step differential to all staff members working in its maximum-security units. Staff members who leave these units for less hazardous assignments lose the pay differential. An MHMR spokesman reported that this differential has helped with retention in their maximum-security units.

In addition, General Appropriations Act, Article V, page 54, Rider 48, 76th Legislature, allows the Department of Public Safety to designate “hardship stations” in the Traffic Law Enforcement Division based on excessive vacancies, and to provide incentives to officers who accept positions at these posts.

The Department would have to pay between \$5 million per year and \$9.4 million per year to provide a \$100 per month pay differential, the equivalent of a two-step increase for most correctional officers. We calculated estimates for providing a differential to staff members working in the 10 largest units, the 12 most chronically understaffed units, and the 10 units with the greatest number of people requesting transfer to other units. The cost would be \$5 million per year if the differential were paid only to correctional officers at the 10 units with the most “transfer from” requests. It would be \$9.2 million per year if the differential were paid to all staff members at the 10 largest units. For all staff members at the 12 most chronically understaffed units, the cost of paying a differential would be \$9.4 million. If the Department implemented a pay differential, it might pilot the program in specific areas to determine the effect on retention. The Department should determine the criteria for the differential and the units that receive it. (See Appendix 4 for a breakdown of these estimates.)

Recommendation:

The Department should work with the Legislature to study the feasibility of providing differential pay according to Department needs.

Management's Response:

Concur with recommendation. We are working with the Legislature to determine the feasibility of providing differential pay based upon a number of different criteria. However, we feel that extending and expanding the career ladder is critical and should be implemented prior to, or in conjunction with, any differential pay proposal. Target date: 5/31/01.

Section 2-B:

Childcare and Transportation Could Improve Working Conditions

Improving working conditions by providing childcare and transportation options might help the Department retain staff. Correctional officers reported that childcare was difficult to find for the shifts they must work, and that transportation, especially to the outlying units, is difficult to obtain.

With 12-hour shifts and mandatory overtime, childcare options for correctional officers would be helpful. Many prison units are located in areas that are a substantial distance from the nearest town, making it difficult and costly for correctional officers to travel to these units. Providing some form of transportation would help ease the burdens on officers assigned to these units.

Other agencies such as MHMR have used childcare as a retention strategy. (See Appendix 6 for statutes and Attorney General Opinions regarding this issue.)

Recommendation:

The Department should consider increasing childcare and transportation options for correctional officers. The Department should target a particular area with a population large enough to support such efforts, and set up a committee of correctional officers and administrators to determine need and to work out the details.

Management's Response:

- *Concur with recommendation to consider facilitating childcare options for correctional officers. The agency will identify the geographical area with the highest correctional officer attrition rate, conduct a needs assessment, and assess whether facilitating child care options is a viable step to reduce the correctional officer attrition rate in the identified area. Target date: 10/31/01.*

- *Concur with recommendation to consider facilitating transportation options for correctional officers. The agency will identify a geographical area with high correctional officer attrition rates and conduct a needs assessment, develop a cost benefit analysis, and assess whether facilitating transportation options is a viable step to reduce the correctional officer attrition rate in the identified area. Target date: 11/30/01.*

Section 2-C:

Exit Interviews at All Facilities Could Help the Department Develop Retention Strategies

Exit interviews are not conducted with separating correctional officers at all units. Without good information on the officers' reasons for leaving, it is more difficult for the Department to develop effective strategies to increase retention.

Top Reasons for Leaving

Results of the Department's exit interviews as of July 2000 revealed that the top reasons for leaving were as follows:

1. Inadequate Salary
2. Working Conditions/Environment
3. Personal Reasons Unrelated to the Job
4. Obtained Employment Elsewhere

The Human Resources Division began a pilot exit interview project at selected units in February 2000 in which separating correctional officers voluntarily complete an exit interview questionnaire. This helps the Department determine the reasons for the employees' separation.

Currently, only 15 units are participating in the exit interview pilot project. These 15 units accounted for 44 percent of the correctional officer attrition in fiscal year 2000. During July 2000, only five units were participating in the exit interviews, and the response rate was 36 percent. One reason for the low response rate may be that the exit interview is a voluntary questionnaire and that the separating officers must mail in their responses.

Wardens at some units perform informal exit interviews; these are not documented or tracked by the Department in order to determine if trends exist that could be addressed. The wardens that we talked to who perform these interviews indicated that the interviews afford them the opportunity to address any concerns the separating officer may express and to gather information on how their units can be improved.

Without formal and informal exit interview data, the Department is unable to determine detailed or personalized reasons for attrition, or to develop retention strategies based on this information.

Recommendation:

The Department should:

- Expand the exit interview process to include all units in order to capture information regarding correctional officer attrition for the Department as a whole.

- Conduct and document an informal person-to-person interview in addition to the voluntary exit interview to determine reasons for attrition.

Management's Response:

Concur with recommendation. The agency will expand the current Exit Interview Questionnaire process to include voluntarily separating correctional officers at all units/facilities. Target date: 4/01/01.

Concur with recommendation. The agency will expand our informal person to person interviews when officers voluntarily separate from employment. Target date: 4/01/01.

Section 2-D:

A Standard Overtime Policy Could Make Overtime Requirements Less Disruptive to Employees' Lives

The correctional officer shortage has required many units to either ask for volunteers to work overtime or to make overtime mandatory in order to sufficiently fill essential positions. The Department does not have a standard overtime policy, but employees who refuse to work mandatory overtime are subject to disciplinary action.

With no standard overtime policy, informal overtime policies vary from unit to unit. Some units wait until overtime is needed before requesting volunteers or assigning mandatory overtime. Other units try to provide as much advance notice as possible of the potential need for overtime. This practice enables officers to plan ahead for their personal needs such as childcare or transportation.

A total of 77 Department employees were disciplined for refusing to work overtime in fiscal year 2000. Refusals to work overtime accounted for 2 percent of all disciplinary actions in fiscal year 2000.

Recommendation:

The Department should establish a standard overtime policy to ensure consistency between units and to make the overtime requirement less disruptive to the personal lives of employees.

The policy should include:

- A periodic unit-level review of the overtime hours each officer has worked in order to ensure that individuals are not working an excessive amount of overtime.
- A methodology for how overtime is assigned. For example, asking for volunteers, then requiring correctional officers to work if needed on the first or last day of their work week so that they are able to plan accordingly.

- A maximum number of additional overtime hours per shift, depending on the length of the shift. For example, a correctional officer working a twelve-hour shift should not be required to work two complete shifts back-to-back.

Management's Response:

Concur with the recommendation to establish a standard overtime policy to ensure consistency between units, and make the overtime requirements less disruptive to the personal lives of employees.

The policy will include:

- *A periodic unit review of the overtime hours worked by each officer in order to ensure that individuals are not working an excessive amount of overtime.*
- *A methodology of how overtime is assigned.*
- *A maximum number of additional overtime hours per shift, depending on the length of the shift.*

Target date: 4/20/01

Section 3:

Providing Correctional Officer Training Could Increase Safety

While the Department has improved its training department recently, it can still improve management training, in-service training, and decrease pre-service training class sizes. The majority of newly promoted correctional officer sergeants are not receiving the management training they need in order to be able to supervise effectively. One in four correctional officers did not receive all of the required in-service training. In addition, large pre-service training classes make it difficult to provide effective training to new correctional officers.

In fiscal year 2000, the Department spent almost \$7.6 million to train 4,053 new correctional officers. This amount includes the salaries paid to trainees while they are in training. The number of new officers trained does not include re-hires, who if returning within three years of their separation, do not have to attend pre-service training and new officers who completed their pre-service training through a college program.

Section 3-A:

The Department Should Ensure That All Sergeants Receive Management Training

The Department is not providing management training to the majority of newly promoted sergeants. Only 35 percent (319 of 911) of correctional officers promoted to sergeant in the past two fiscal years received supervisory training that taught them to effectively manage and communicate with others. In *An Assessment of Human Resource Management Controls in Texas State Government*, (SAO Report No. 97-058, May 1997) we made the following recommendation:

TDCJ should (also) require all new managers and supervisors of personnel to attend a basic management skills training course within 90 days of their appointment to a supervisory position.

Lack of management training for new sergeants could affect their ability to manage a largely inexperienced workforce of correctional officers.

The Department has enough training classes and spaces to meet the needs of senior managers. Senior managers (for example, majors and wardens) are receiving training in management skills. Eighty-one percent of senior managers attended advanced management training, although there is no requirement for this training.

Recommendation:

The Department should ensure that all newly promoted sergeants receive management training in communication and leadership skills either before or shortly after promotion. The Department should schedule the training immediately after the promotion boards meet to make promotion decisions and require attendance. For current sergeants, receipt of this training before being eligible for future promotions would ensure that the training is eventually received.

Management's Response:

Concur with recommendation. We are currently revising PD-97, Training and Staff Development, and the revised policy will include a stipulation that all newly promoted Sergeants of Correctional Officers shall attend a Principles of Supervision and a Human Resources Topics for Supervisors (HRTS) training session shortly after promotion. We will develop a report that will identify newly promoted Sergeants by Region and unit/facility to assist the Institutional Division and Human Resources Training Departments to ensure that these newly promoted sergeants of correctional officers attend this training. Target date: 6/01/01.

Section 3-B:

Providing In-Service Training as Required Would Help Correctional Officers Maintain Their Skills

Not all correctional officers are receiving the required 40 hours per year of in-service training. Departmental policy requires this in-service training to ensure that correctional officers keep pace with issues and changes in their jobs. In fiscal years 1999 and 2000, only three of every four correctional officers received in-service training (78 percent and 74 percent respectively). In the first year of work, a correctional officer's pre-service training counts toward this requirement; therefore, the policy applies to all correctional officers employed more than one year.

Several units had a reduced in-service training schedule due to staffing shortages. Additionally, the Department does not have an automated process for determining, notifying, and tracking the officers who need training. Currently, the manual process involves using e-mail notifications. Individual units keep the training records. Some divisions of the Department use an automated system to track training, but this practice has not expanded to include unit staff members, who make up the majority of the Department's employees.

Recommendation:

The Department should:

- Provide in-service training to all correctional officers as required by policy.
- Complete the implementation of the automated system at the unit level to track training received and determine training needs.

Management's Response:

Concur with the recommendation. In order to increase the overall number of officers receiving In-service Training, despite the growing staffing shortages, the Department will continue to expand local-area In-Service Training sites. To date, the Department has taken the following action to increase In-Service Training opportunities and attendance: contract with local-area state colleges to provide In-Service Training in locations where Department Training Academies are not present; opened six unit-based In-service Programs for local area employees over a three year period beginning in FY98; identified other potential unit-based In-Service program sites; and implemented during FY01 a video/computer-based training pilot program at the Wynne Unit to determine feasibility and effectiveness. Target date: 3/31/01.

Concur with the recommendation to complete the implementation of the automated system at the unit level to track training received and determine training needs. A project (Registrar Expansion Project) has been in progress as an initiative of the Training Improvement Committee (TIC). The TIC is composed of the Division Directors and Training Section Directors from the Community Justice Assistance

Division (CJAD), Human Resources Department, Institutional Division, Parole Division, and State Jail Division. Registrar is a software product of the Pathlore Corporation (formerly Silton-Bookman) and is already in place in both the Parole Division and CJAD. Expansion of this software to other than training sections will enable the agency to meet this audit recommendation. Target date: 6/01/02.

Section 3-C:

Reduced Pre-Service Class Sizes Could Increase the Effectiveness of Training

The Department is hiring increasingly larger numbers of correctional officers in order to try to keep pace with attrition and growth. Pre-service training class sizes can be as large as 250 trainees. The number of trainers has not grown accordingly. Large pre-service class sizes could reduce the effectiveness of training. This puts a strain on trainers and on training resources. Participants in large classes may not get the individual attention they need in order to learn to be effective correctional officers.

In fiscal year 2000, the Department trained 4,053 new correctional officers through its pre-service training program. The Department spent approximately \$7,587,581 to train these officers. The majority of this cost is the salary paid to trainees while attending four weeks of training and the salaries paid to the trainers.

Recommendation:

The Department should evaluate the need for additional trainers and other training resources in light of the amount of training currently provided.

Management's Response:

Concur with the recommendation. The Department will evaluate the need for additional resources to include reviewing the Job Task Analysis recently conducted by the Agency's Research, Evaluation and Development (RED) section. The Department is also reviewing other sites to construct new or expand current training facilities (the Agency is constructing an additional Regional Training Facility at Plainview adjacent to the Formby/Wheeler State Jail Facilities).

The Department has attempted to reduce pre-service class size and increase new employee recruiting potential by reopening former Pre-Service Academy sites and opening new Pre-Service Academies where none had previously existed. Pre-Service programs were extended from Beeville to Gatesville, Huntsville, Palestine and Rosharon Department Academies. The Department contracted in mid FY00 with state colleges to provide a TDCJ Pre-Service Academy in a regional location not equipped with a Department Academy. The Department has continued an earlier developed college Pre-Service program where citizens attend a Departmental approved training course and upon successful completion are hired by the Department. These efforts have helped reduce the Beeville Pre-Service Academy class size significantly during FY01

and have increased statewide recruiting particularly in the local-area of each new Pre-Service training site.

During FY00 a new Field Training Officer/On-The-Job Training (FTO/OJT) Program was developed and implemented January 1, 2001. This program is Part II of the Pre-Service training program and is conducted at the new employee's unit of assignment after graduation from a Pre-Service Academy. This program has a greatly reduced the need for smaller class sizes because employees are being taught skill competency at this level. The Program is both knowledge and skill based with skill competency being documented. OJT is modeled somewhat on the general Pre-Service curriculum areas but is to be focused upon hands-on unit specific training rather than on lecture style instruction over general policy/procedure. Target date: 6/30/01.

Section 4:

The Department Should Update Hiring Tools to Improve Applicant Recruitment and Screening

The Department has not conducted a job analysis for the correctional officer position since July 1986. The testing instrument used to screen applicants for the correctional officer position has also not been validated or significantly revised since 1986. The testing instrument, which is based on the job analysis, affects eligibility, and could affect whether the Department is hiring the individuals best suited to be correctional officers and hence most likely to stay. The Department collects the results of all pre-screening tests but does not analyze the data to determine if any groups of applicants are adversely affected.

A job analysis should be revised at least once every five years or as a position's job duties change. New facility designs and advances in correctional technologies have changed the duties of the correctional officer. At the time of the current job analysis, the Department operated 26 prison units. Today, the Department has more than 100 units, many vastly different in structure from the older units. An updated job analysis could affect the job skills targeted for recruitment.

The Department should validate the test used to screen correctional officer applicants when the job or the relevant job market changes. The results of pre-screening tests should be analyzed to determine if the test adversely affects any groups of applicants.

Recommendation:

The Department should:

- Revise the correctional officer job analysis and re-evaluate it at least every five years to ensure its relevancy to required correctional officer responsibilities.
- Re-validate and revise the pre-screening test. Investigate other standard, validated tests related to corrections to determine if the Department could benefit from their

use. The Department could possibly purchase a validated test rather than periodically re-validating and revising their existing test.

- Establish a process for conducting periodic reviews of the job analysis and the pre-screening test to ensure that both instruments remain current.
- Analyze the data collected from the results of pre-screening tests to ensure that groups of applicants are not adversely affected by the testing instrument. If the Department purchases a testing instrument, this analysis might be included.

Management's Response:

Concur with recommendations. The agency will enter into a contract to update the current Correctional Officer Job Analysis. Based on the update, the agency may revise the correctional officer pre-employment test or purchase a validated test. If the test is updated, results from the use of the updated test will be analyzed to ensure that the testing instrument does not adversely affect groups of applicants. Target date: 8/31/02.

Section 5:

The Department Needs to Complete Revisions of Authorized Staffing Plans in Order to Determine Minimum Coverage

The Department cannot know the exact number of correctional officers it needs to staff its prison units until it completes the revisions of its staffing plans. It appears that the revisions will not result in significant changes in the overall number of correctional officers needed. The Department is revising staffing plans for 79 prison units but has not met its January 2001 deadline for completing these revisions. Until these revisions are complete, some units are using staffing plans that do not accurately reflect their needs.

The unit staffing plans determine the number of correctional officers required at each post for each shift and prioritize the posts in the event of a shortage. Many of the staffing plans were developed in the mid-1980s. Some of these units have since expanded and/or changed their missions so that these old staffing plans are no longer accurate.

For example, since the last staffing plan was developed for the Estelle unit, the unit has added a high security facility, doubled its educational and vocational programming, and become the regional medical facility. Because it is the regional medical facility, there are reportedly over 300 inmates per day transferring into the unit for medical treatment and transferring out of the unit to return to other units or to go to hospitals. This requires additional staff members to supervise and process these inmates. Staff was reportedly added for the high security facility but not for the other changes.

The Department put together a Staffing Review Team to evaluate and revise the staffing plans after an Internal Audit Division report in September 1999 recommended

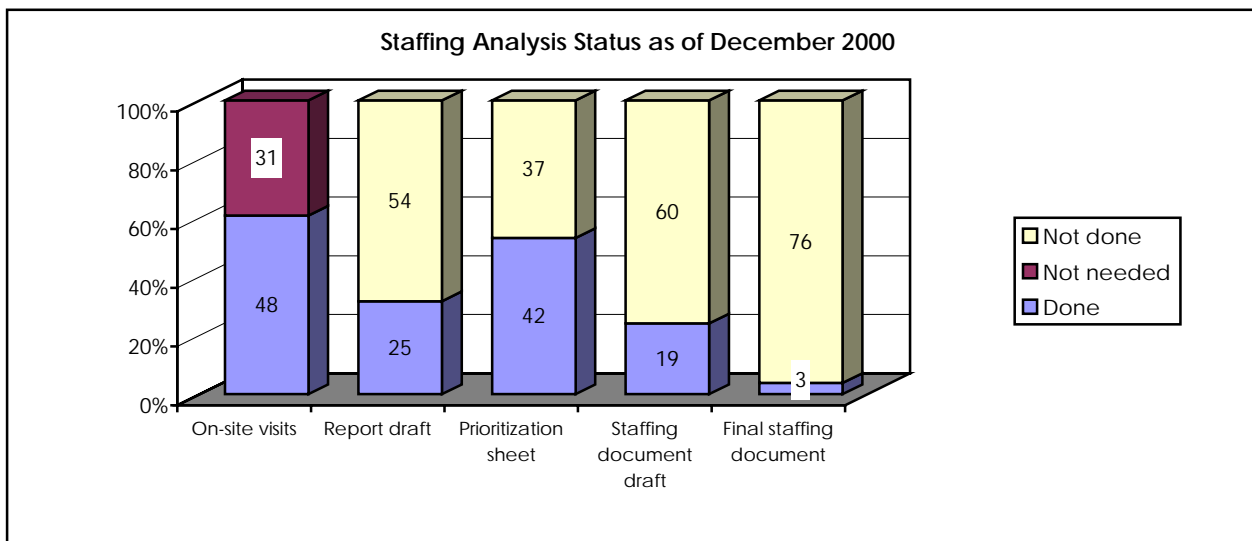
that the staffing plans be revised. The Staffing Review Team, when finished with its reviews, will produce useful and accurate staffing plans. The evaluation process is consistently applied from unit to unit, and appropriately skilled people make the assessments. The evaluators consider the unique characteristics of different units to determine appropriate staffing levels and staffing priorities.

Although all units are being evaluated, not all evaluations are being conducted by the Staffing Review Team. Sixteen state jails and Substance Abuse Felony Punishment Facilities (SAFPs) are being evaluated by the State Jails Division using the same process the Staffing Review Team is using.

The Staffing Review Team did not meet its November 2000 goal for completing the staffing plan revisions for all units. It will not meet its revised goal of January 2001 either.

Security Operations is revising the staffing plans for 79 units. Figure 5 shows the status of these revisions as of December 2000.

Figure 5



Source: Information provided by the Staffing Review Team

The staffing plan revisions will probably not change the overall number of positions significantly. The 19 units that have completed staffing documents gained 23.3 positions. These 19 units had 3,907.3 authorized positions under the old staffing plans. The 23.3 positions represent an increase of 0.6 percent overall. The 3,907.3 total authorized positions represent 16.7 percent of the total authorized positions for the Department under the old plans. Estimating an overall increase of 0.6 percent Department-wide, the total gain could be approximately 140.5 authorized positions. However, this estimate may not be reliable because all but one of these 19 units are small units (around 200 beds), and hence are not representative of the 79 units as a whole.

Recommendation:

The Department should complete the staffing plan revisions in order to have accurate information regarding the precise extent of the staffing shortage, and to plan activities such as training.

Management's Response:

Concur with the recommendation to complete the staffing plan revisions in order to have accurate information regarding the precise extent of the staffing shortage, and to plan activities such as training. Target date: 4/1/01.

Section 6:

The Department's Technology Review Team Has an Organized and Effective Process for Reviewing New Technology

The Department has a good process to investigate and review new technology products to evaluate their potential benefits to the Department in improving the safety of staff members and inmates. The Technology Review Team reviewed 28 products in fiscal year 2000 and recommended 16 of these to the executive director. The Department reports that they spent a total of \$381,745 on new technology in fiscal year 2000. Most (89.5 percent) of these funds reportedly went to purchase stab-resistant vests for correctional officers.

The Technology Review Team was created in 1998 to investigate and review new products. It recommends vendors and products in the field of security technology to the executive director for the Department's consideration.

Most criminal justice standards view technology as a supplement to, but not as a replacement for, staff members. The Department believes that video cameras are not an effective means of replacing officers. Only electric fencing combined with a surveillance and detection system could reduce the effects of a staffing shortage, and it is very expensive.

Security related technology purchases are not formally budgeted. When funds are requested on technology items, the budget department undergoes a process to find available funds. However, the Department states that it has not had a problem funding needed purchases.

Recommendation:

The Department should set aside some funds for new technology purchases throughout the year in order to ensure that technology purchases remain a priority and that funds are available as needed.

Management's Response:

Concur with recommendation. We will continue to make funding available on a priority basis for security-related technology items when security management deems it critical. Target date: ongoing.

Management's Response



TEXAS DEPARTMENT OF CRIMINAL JUSTICE

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P.O. Box 99 • Huntsville, Texas 77342-0099

Wayne Scott
Executive Director

February 7, 2001

Mr. Lawrence Alwin, CPA
State Auditor
P.O. Box 12067
Austin, Texas 78711-2067

Dear Mr. Alwin:

Thank you for the opportunity to respond to the report. We concur with all the recommended improvements in our efforts to recruit and retain correctional officers. As always, we sincerely appreciate the effort your staff put into the audit.

As we have discussed with the members of your audit team, we believe your work will assist us in our ongoing efforts to improve agency operations. You should know that implementation has already begun on all of the recommendations.

Again, thank you for your staff's assistance. If we can provide further information, please do not hesitate to call on us.

Sincerely,


Wayne Scott
Executive Director

409/437-5550

P.O. Box 4011 • Huntsville, Texas 77342-4011

Allen J. Sailer, P.E., C.P.E.
Director, Facilities Division

Objectives, Scope, and Methodology

Objectives

The objectives of the audit were to:

- Assess how current correctional officer staffing levels compare to authorized staffing patterns.
- Evaluate whether the Department has an effective process for determining the number of correctional officers needed at its institutions.
- Determine if the Department ensures the safety of staff members and inmates in light of its current staffing situation.
- Evaluate whether the Department has a sound process for recruiting, hiring, training, and retaining qualified correctional officers.

Scope

The scope of the audit included reviewing and verifying the Department's fiscal year 2000 payroll, attrition, overtime, and disciplinary and risk management information and a review of screening, hiring, and training policies, procedures, and data. We made on-site visits to six prison units and the Mireles training academy. Information from prior fiscal years was considered as deemed necessary to accomplish our audit objectives.

Methodology

The methodology for this audit consisted of obtaining applicable criteria, reviewing related reports, conducting interviews, performing audit tests and procedures, and analyzing and evaluating results against established criteria. We conducted fieldwork from June 2000 through November 2000. Most of our testing covered fiscal year 2000 data.

Related Reports:

- *A Report on Correctional Officer Retention, Tennessee Colony, Texas*, Department of Criminal Justice, Internal Audit Division, Report 0132-1, October 23, 2000
- *A Report on Correctional Officer Retention*, Department of Criminal Justice, Internal Audit Division, Audit 0009, September 6, 2000
- *A Report on Incident Reporting*, Department of Criminal Justice, Internal Audit Division, Audit 0010, September 6, 2000

- *Report on Security Staffing*, Department of Criminal Justice, Internal Audit Division, Audit 9915, September 8, 1999
- *Report on Employee Training*, Department of Criminal Justice, Internal Audit Division, Audit 9819, December 18, 1998
- *An Assessment of Human Resource Management Controls in Texas State Government*, SAO Report No. 97-058, May 1997
- *A Biennial Report on Recommended Changes to the Position Classification Plan*, SAO Report No. 01-702, October 2000
- *A Biennial Report on Recommended Adjustments to the Classification Salary Schedules*, SAO Report No. 01-701, October 2000
- *An Annual Report on Full-Time Classified State Employee Turnover for Fiscal Year 2000*, SAO Report No. 01-703, December 2000
- *An Annual Report on Full-Time Classified State Employee Turnover for Fiscal Year 1999*, SAO Report No. 00-707, March 2000
- *An Annual Report on Full-Time Classified State Employee Turnover for Fiscal Year 1998*, SAO Report No. 99-702, December 1998
- *An Annual Report on Full-Time Classified State Employee Turnover for Fiscal Year 1997*, SAO Report No. 98-703, November 1997
- *An Annual Report on Full-Time Classified State Employee Turnover for Fiscal Year 1996*, SAO Report No. 97-705, February 1997

Information collected to accomplish our objectives included the following:

- *Training Department Strategic Plan*, Department of Criminal Justice Institutional Division Support Services, Revised June 7, 2000
- *Training Advisory Committee Meeting Information*, Department of Criminal Justice Institutional Division Training Department, August 16, 2000
- Annual Training Reports, Fiscal Years 1995-1999
- Fiscal Year 2000 Training Plan
- *Visiting Committee Report (for ACA Accreditation)*, American Correctional Association, December 18, 1995
- Training department expenditures for fiscal years 1994-2000 according to the Department
- Correctional officer overtime hours and expenditures for fiscal year 2000
- *Security Staffing Analysis and Assessment*, Security Response Technologies, Inc., December 1999

- Nineteen draft staffing plans for units reviewed by the Staffing Review Team
- Risk management data for fiscal years 1998 through 2000. We obtained a copy of the risk management database
- Board meeting minutes for fiscal years 1998 through 2000
- Emergency Action Center Statistics for fiscal year 2000 and the first quarter of fiscal year 2001
- Serious Incident Reports for fiscal years 1999 and 2000
- Risk management reports for fiscal years 1998 through 2000
- Recruitment expenditures for fiscal year 2000
- Fiscal year 2000 recruiting plan
- Survey of Organizational Excellence for the Department of Criminal Justice, fiscal year 1999

Procedures and tests conducted:

- Gained an understanding of the issues surrounding the correctional officer shortage, safety and security, training, recruitment, hiring, and retention through interviews, review of applicable internal and external reports, discussions with oversight entities, and review of applicable criteria.
- Compared the training department's pre-service curriculum from fiscal year 2000 to the revised curriculum for fiscal year 2001.
- Tested a random sample of correctional officer training records for pre-service and in-service training to verify required attendance and passing scores.
- Reviewed written course evaluation feedback from correctional officers for fiscal year 2000 pre-service and in-service training courses at three training academies.
- Analyzed training department expenditures for fiscal years 1999 and 2000 in order to determine the cost of training.
- Analyzed training class attendance statistics for fiscal year 2000.
- Interviewed management, supervisors, program coordinators, department trainers, and college instructors regarding the training department.
- Analyzed and tested overtime data for fiscal year 2000.
- Reviewed statutes and Attorney General's opinions regarding childcare provisions for state agencies.
- Traveled to two prison units with the Staffing Review Team in order to review the process used to revise unit staffing plans. During these visits, we randomly interviewed correctional officers regarding the staffing shortage.

- Reviewed and analyzed the revised draft staffing plans for 19 units.
- Conducted on-site fieldwork at four prison units, which were selected based on a risk assessment that considered factors such as the correctional officer shortage level, the number of transfer requests, the size and mission of the units, and the number of grievances and injuries.
- While conducting on-site visits at four prison units, we tested the validity of data from the payroll system, the risk management data base, the disciplinary action database, the attrition database, and overtime data.
- While conducting on-site visits at four prison units, we attended turnout meetings, interviewed wardens, correctional officers of all ranks, former correctional officers who transferred to non-correctional positions, and correctional officers who were requesting transfers to other units.
- Reviewed correctional officer applicant statistics, hiring statistics, recruiting schedules, and applicant interview scoring guidelines.
- Met with a member of the Department's Board of Directors regarding departmental turnover, and interviewed managers and employees in the training, human resources, risk management, finance, and administration areas.

Criteria used:

- *Uniform Guidelines on Employee Selection Procedures*, U.S. Department of Labor, 41 Code of Federal Regulations, Chapter 60-3, 1978.
- Texas Government Code, Chapter 2165, Child Care Development Board.
- Texas Government Code, Chapter 663, Child Care Services for State Employees.
- Texas Administrative Code, Chapter 631, Standards for State Agency Employee Child Care Facilities.
- Attorney General Opinion No. JM-1156, Re: Child Care Facilities in Building Owned or Leased by the State of Texas, April 16, 1990.
- General Appropriations Act, Article II-74, Rider 10, 2000-2001 Biennium, 76th Legislature.
- General Appropriations Act, Article V-54, Rider 48, 2000-2001 Biennium, 76th Legislature.
- *Standards for Correctional Training Academies*, American Correctional Association, May 1993.
- *Standards for Adult Correctional Institutions*, American Correctional Association, January 1990.
- *1999 Recruitment Survey*, Oklahoma Department of Corrections, June 1999.
- *Designing Training for the National Institute of Corrections Academy: Instructional Theory into Practice*, U.S. Department of Justice, August 1992.
- *Developing and Managing Part-Time Trainers: The Manager's Role*, U.S. Department of Justice, National Academy of Corrections, April 1984.
- *Developing and Managing Part-Time Trainers: The Trainer's Role*, U.S. Department of Justice, National Academy of Corrections, April 1984.

- “Technology and Security Issue,” *Corrections Magazine*, June 2000.
- *Managing Prison Security Systems Workbook*, U.S. Department of Justice, National Academy of Corrections.
- *Conducting Security Audits Workbook*, U.S. Department of Justice, National Academy of Corrections, February 1999.
- *Recruitment, Hiring and Retention, Current Practices in U.S. Jails*, LIS, Inc., U.S. Department of Justice, National Institute of Corrections Contractor, January 2000.
- *Special Report: Inmate Incarceration and Staff Morale*, State of Tennessee, December 1, 1999.
- *Planning and Evaluating Prison and Jail Staffing: Results of an NIC Survey*, U.S. Department of Justice, National Academy of Corrections, October 1981.

Statement of Compliance With Applicable Auditing Standards

The audit was conducted in accordance with generally accepted government auditing standards.

The following members of the State Auditor’s staff performed the audit work:

- Sandra Donoho, MPAdmin (Project Manager)
- Rachel Cohen, CPA (Assistant Project Manager)
- Homer Garcia III, MBA
- William Hurley, CPA
- Sherry Sewell
- Greg Vitalich
- Worth Ferguson, CPA (Quality Control Reviewer)
- Julie Ivie, CIA (Audit Manager)
- Craig Kinton, CPA (Audit Director)

Staffing for the Department by Facility

Facility	Location	Security Level	All Unit Staff (August 31, 2000)			Correctional Officers (August 31, 2000)		
			Authorized	Filled	Percentage Vacant	Authorized	Filled	Percentage Vacant
Allred Unit	Wichita Falls	Maximum	984	901	8.43%	752	684	9.04%
Baten (Pampa) ISF	Tennessee Colony	Intermediate Sanction Facility	79	74	6.33%	65	60	7.69%
Beto Unit	Tennessee Colony	Maximum	774	625	19.25%	536	405	24.44%
Boyd Unit	Teague	Medium	296	251	15.20%	202	162	19.80%
Briscoe Unit	Dilley	Medium	296	287	3.04%	200	197	1.50%
Byrd Unit	Huntsville	Diagnostic Intake Facility	297	259	12.79%	167	137	17.96%
Central Unit	Sugar Land	Minimum	288	269	6.60%	191	179	6.28%
Clemens Unit	Brazoria	Maximum	323	285	11.76%	207	183	11.59%
Clements Unit	Amarillo	Maximum	1,218	1,022	16.09%	918	751.5	18.14%
Coffield Unit	Tennessee Colony	Maximum	967	792	18.10%	724	564.5	22.03%
Cole Jail	Bonham	State Jail	231	214	7.36%	158	149	5.70%
Connally Unit	Kenedy	Maximum	705	615	12.77%	526	448	14.83%
Cotulla Unit	Cotulla	Transfer Facility	114	110	3.51%	75	72	4.00%
Dalhart Unit	Dalhart	Medium	286	235	17.83%	205	161	21.46%
Daniel Unit	Snyder	Minimum	303	273	9.90%	203	181	10.84%
Darrington Unit	Rosharon	Medium	516	460	10.85%	366	321.5	12.16%
Dominguez Jail	San Antonio	State Jail	396	381	3.79%	268	260	2.99%
Duncan Unit	Diboll	Transfer Facility	116	118	-1.72%	77	79	-2.60%
Eastham Unit	Lovelady	Maximum	691	591	14.47%	512	414	19.14%
Ellis Unit	Huntsville	Medium	643	531	17.42%	440	343	22.05%
Estelle Unit	Huntsville	Maximum	867	714	17.65%	659	516.5	21.62%
Ferguson Unit	Midway	Maximum	683	582	14.79%	511	417	18.40%
Formby Jail	Plainview	State Jail	283	271	4.24%	194	185	4.64%
Fort Stockton Unit	Fort Stockton	Transfer Facility	115	112	2.61%	77	75	2.60%
Garza East Unit	Beeville	Medium	435	399	8.28%	316	289	8.54%
Garza Trusty	Beeville	Trusty Camp	73	64	12.33%	64	55	14.06%
Garza Unit	Beeville	Medium	16	14	12.50%	2	1	50.00%
Garza West Unit	Beeville	Medium	494	456	7.69%	356	328	7.87%
Gatesville Unit	Gatesville	Maximum	685	639	6.72%	498	461	7.43%
Gist Jail	Beaumont	State Jail	391	367	6.14%	265	255	3.77%

Facility	Location	Security Level	All Unit Staff (August 31, 2000)			Correctional Officers (August 31, 2000)		
			Authorized	Filled	Percentage Vacant	Authorized	Filled	Percentage Vacant
Glossbrenner Unit	San Diego	Substance Abuse Felony Punishment Facility	127	123	3.15%	80	78	2.50%
Goodman Unit	Jasper	Transfer Facility	147	144	2.04%	99	98	1.01%
Goree Unit	Huntsville	Minimum	375	308	17.87%	240	186	22.50%
Gurney Unit	Tennessee Colony	Transfer Facility	439	404	7.97%	307	277.5	9.61%
Halbert Unit	Burnet	Substance Abuse Felony Punishment Facility	126	126	0.00%	80	80	0.00%
Havins Unit	Brownwood	Substance Abuse Felony Punishment Facility	149	145	2.68%	102	98	3.92%
Henley Unit	Liberty County	Substance Abuse Felony Punishment Facility	120	107	10.83%	80	69	13.75%
Hightower Unit	Dayton	Medium	326	278	14.72%	206	178	13.59%
Hilltop Unit	Gatesville	Medium	259	237	8.49%	161	144	10.56%
Hobby Unit	Marlin	Maximum	306	279	8.82%	211	191	9.48%
Hodge Unit	Rusk	Mentally Retarded Offender Program	332	297	10.54%	258	224	13.18%
Holiday Unit	Huntsville	Transfer Facility	435	361	17.01%	306	238	22.22%
Hughes Unit	Gatesville	Maximum	742	673	9.30%	545	482	11.56%
Huntsville Unit	Huntsville	Minimum	436	375	13.99%	308	250.5	18.67%
Hutchins Jail	Dallas	State Jail	397	347	12.59%	268	226.5	15.49%
Jester 1 Unit	Richmond	Substance Abuse Felony Punishment Facility	125	118	5.60%	70	69	1.43%
Jester 3 Unit	Richmond	Medium	278	265	4.68%	188	180	4.26%
Jester 4 Unit	Richmond	Psychiatric Facility	389	371	4.63%	308	298	3.25%
Johnston Unit	Winnsboro	Substance Abuse Felony Punishment Facility	164	157	4.27%	81	80	1.23%
Jordan Unit	Pampa	Medium	253	228	9.88%	161	140	13.04%

Facility	Location	Security Level	All Unit Staff (August 31, 2000)			Correctional Officers (August 31, 2000)		
			Authorized	Filled	Percentage Vacant	Authorized	Filled	Percentage Vacant
Kegans Jail	Houston	State Jail	175	147	16.00%	125	101	19.20%
LeBlanc Unit	Beaumont	Minimum	284	250	11.97%	150	139	7.33%
Lewis Unit	Woodville	Medium	582	544	6.53%	425	393	7.53%
Lopez Jail	Edinburg	State Jail	274	266	2.92%	194	198	-2.06%
Luther Unit	Navasota	Minimum	301	275	8.64%	202	179	11.39%
Lychner Jail	Humble	State Jail	400	349	12.75%	266	227	14.66%
Lynaugh Unit	Ft. Stockton	Medium	287	275	4.18%	202	193	4.46%
McConnell Unit	Beeville	Maximum	732	640	12.57%	544	459	15.63%
Michael Unit	Tennessee Colony	Maximum	812	684	15.76%	577	462	19.93%
Middleton Unit	Abilene	Transfer Facility	441	424	3.85%	307	296	3.58%
Montford Unit	Lubbock	Psychiatric Facility	466	454	2.58%	375	367	2.13%
Moore Unit	Bonham	Transfer Facility	226	216	4.42%	155	146	5.81%
Mountainview Unit	Gatesville	Maximum	282	253	10.28%	208	182	12.50%
Murray Unit	Gatesville	Maximum	336	317	5.65%	245	228	6.94%
Neal Unit	Amarillo	Medium	283	248	12.37%	203	168	17.24%
Ney Unit	Hondo	Substance Abuse Felony Punishment Facility	128	119	7.03%	82	77	6.10%
Pack Unit	Navasota	Minimum	335	314	6.27%	233	215	7.73%
Plane Jail	Dayton	State Jail	398	356	10.55%	266	236	11.28%
Powledge Unit	Palestine	Minimum	287	261	9.06%	187	166	11.23%
Ramsey 1 Unit	Rosharon	Minimum	430	389	9.53%	288	266	7.64%
Ramsey 2 Unit	Rosharon	Minimum	304	293	3.62%	220	213	3.18%
Ramsey 3 Unit	Rosharon	Minimum	392	362	7.65%	264	242	8.33%
Retrieve Unit	Angleton	Maximum	307	275	10.42%	204	178	12.75%
Roach Boot Camp	Childress	Boot Camp	66	46	30.30%	53	34	35.85%
Roach Unit	Childress	Medium	311	274	11.90%	211	178	15.64%
Robertson Unit	Abilene	Maximum	795	754	5.16%	600	569	5.17%
Rudd Unit	Brownfield	Transfer Facility	146	140	4.11%	99	93	6.06%
Sanchez Jail	El Paso	State Jail	281	273	2.85%	193	195	-1.04%

Facility	Location	Security Level	All Unit Staff (August 31, 2000)			Correctional Officers (August 31, 2000)		
			Authorized	Filled	Percentage Vacant	Authorized	Filled	Percentage Vacant
Sayle Unit	Breckenridge	Substance Abuse Felony Punishment Facility	150	146	2.67%	102	99	2.94%
Segovia Unit	Edinburg	Transfer Facility	229	220	3.93%	154	148	3.90%
Skyview Unit	Rusk	Psychiatric Facility	379	317	16.36%	329	267	18.84%
Smith Unit	Lamesa	Medium	571	493	13.66%	422	355	15.88%
Stevenson Unit	Cuero	Medium	291	270	7.22%	201	183	8.96%
Stiles Unit	Beaumont	Maximum	721	694	3.81%	529	513.5	2.93%
TDCJ Hospital	Galveston	Maximum	303	291	3.96%	270	260	3.70%
Telford Unit	New Boston	Maximum	719	657	8.62%	536	488	8.96%
Terrell Unit	Livingston	Medical Facility	784	734	6.38%	594	550	7.41%
Texas City Hospital	Dickinson	Hospital	219	203	7.31%	160	147	8.13%
Torres Unit	Hondo	Medium	306	286	6.54%	207	189	8.70%
Transportation			641	600	6.40%	280	274	2.14%
Travis County State Jail	Austin	State Jail	267	237	11.24%	180	155	13.89%
Tulia Unit	Tulia	Transfer Facility	115	110	4.35%	75	70	6.67%
Vance Unit	Richmond	Minimum	116	103	11.21%	84	71	15.48%
Wallace Unit	Colorado City	Medium	308	268	12.99%	209	178	14.83%
Ware Jail	Colorado City	Transfer Facility	226	188	16.81%	158	129	18.35%
West Texas Hospital			121	103	14.88%	105	88	16.19%
Wheeler Unit	Plainview	Substance Abuse Felony Punishment Facility	161	151	6.21%	80	76	5.00%
Wilderness Camps			134	119	11.19%	102	90	11.76%
Woodman Jail	Gatesville	State Jail	252	232	7.94%	158	144	8.86%
Wynne Unit	Huntsville	Maximum	663	600	9.50%	467	409	12.42%

Turnover at the Department by Unit

Department Turnover for Fiscal Year 2000 In Order of Highest to Lowest Rate				
Unit	Location	Security Level	Total Turnover for fiscal year 2000	Turnover Rate
Coffield	Tennessee Colony	Maximum	284	50.3%
Estelle	Huntsville	Maximum	238	46.1%
Ellis	Huntsville	Medium	142	41.4%
Retrieve	Angleton	Maximum	72	40.4%
Ferguson	Midway	Maximum	160	38.4%
Beto	Tennessee Colony	Maximum	155	38.3%
Eastham	Lovelady	Maximum	149	36.0%
Terrell	Livingston	Maximum	194	35.3%
Darrington	Rosharon	Medium	111	34.5%
Clemens	Brazoria	Maximum	63	34.4%
Smith	Lamesa	Medium	121	34.1%
Hutchins	Dallas	State Jail	76	33.6%
Torres	Hondo	Medium	63	33.3%
Connally	Kenedy	Maximum	145	32.4%
Wynne	Huntsville	Maximum	132	32.3%
Dalhart	Dalhart	Medium	52	32.3%
Clements	Amarillo	Maximum	239	31.8%
Kegans	Houston	State Jail	32	31.7%
Ramsey I	Rosharon	Minimum	80	30.1%
Ramsey II	Rosharon	Minimum	63	29.6%
Telford	New Boston	Maximum	144	29.5%
Allred	Wichita Falls	Maximum	201	29.4%
McConnell	Beeville	Maximum	135	29.4%
Holliday	Huntsville	Transfer Facility	69	29.0%
Travis County	Austin	State Jail	45	29.0%
Robertson	Abilene	Maximum	164	28.8%
Murray	Gatesville	Maximum	61	26.8%
Moore	Bonham	Transfer Facility	39	26.7%
Ney	Hondo	Substance Abuse Felony Punishment Facility	20	26.0%
Stiles	Beaumont	Maximum	128	24.9%
Hightower	Dayton	Medium	44	24.7%
LeBlanc	Beaumont	Minimum	34	24.5%
Boyd	Teague	Medium	39	24.1%
Neal	Amarillo	Medium	40	23.8%
Mountain View	Gatesville	Maximum	43	23.6%
Luther	Navasota	Minimum	42	23.5%
Henley	Dayton	Substance Abuse Felony Punishment Facility	16	23.2%

Department Turnover for Fiscal Year 2000 In Order of Highest to Lowest Rate				
Unit	Location	Security Level	Total Turnover for fiscal year 2000	Turnover Rate
Goree	Huntsville	Minimum	42	22.6%
Michael	Tennessee Colony	Maximum	103	22.3%
Lewis	Woodville	Medium	87	22.1%
Cole	Bonham	State Jail	32	21.5%
Roach	Childress	Medium	45	21.2%
Powledge	Palestine	Minimum	34	20.5%
Plane	Dayton	State Jail	48	20.3%
Gurney	Tennessee Colony	Transfer Facility	55	19.8%
Lynaugh	Fort Stockton	Medium	38	19.7%
Byrd	Huntsville	Diagnostic Intake Facility	27	19.7%
Hobby	Marlin	Maximum	37	19.4%
Rudd	Brownfield	Transfer Facility	18	19.4%
Daniel	Snyder	Minimum	35	19.3%
Hughes	Gatesville	Maximum	91	18.9%
Huntsville	Huntsville	Minimum	47	18.8%
Tulia	Tulia	Transfer Facility	13	18.6%
Garza East	Beeville	Medium	63	18.3%
Baten	Pampa	Intermediate Sanction Facility	11	18.3%
Hodge	Rusk	Mentally Retarded Offender Program	40	17.9%
Ware	Colorado City	Transfer Facility	23	17.8%
Lychner	Humble	State Jail	40	17.6%
Ramsey III	Rosharon	Minimum	42	17.4%
Woodman	Gatesville	State Jail	25	17.4%
Sanchez	El Paso	State Jail	33	16.9%
Vance	Richmond	Minimum	12	16.9%
Hilltop	Gatesville	Medium	24	16.7%
Gatesville	Gatesville	Maximum	75	16.3%
Pack	Navasota	Minimum	35	16.3%
Ft. Stockton	Fort Stockton	Transfer Facility	12	16.0%
Central	Sugar Land	Minimum	27	15.1%
Jordan	Pampa	Medium	21	15.0%
Briscoe	Dilley	Medium	29	14.7%
Garza West	Beeville	Medium	48	14.6%
Jester IV	Richmond	Psychiatric Facility	42	14.1%
Stevenson	Cuero	Medium	25	13.7%
Segovia	Edinburg	Transfer Facility	20	13.5%
Wheeler	Plainview	Substance Abuse Felony Punishment Facility	10	13.2%
Middleton	Abilene	Transfer Facility	37	12.5%
Montford	Lubbock	Psychiatric Facility	53	11.6%

Department Turnover for Fiscal Year 2000 In Order of Highest to Lowest Rate				
Unit	Location	Security Level	Total Turnover for fiscal year 2000	Turnover Rate
Wallace	Colorado City	Medium	29	10.8%
Glossbrenner	San Diego	Substance Abuse Felony Punishment Facility	8	10.3%
Texas City	Dickinson	Medical Facility	15	10.2%
Duncan	Diboll	Transfer Facility	8	10.1%
Halbert	Burnet	Substance Abuse Felony Punishment Facility	8	10.0%
Skyview	Rusk	Psychiatric Facility	26	9.7%
Formby	Plainview	State Jail	18	9.7%
Jester III	Richmond	Medium	16	8.9%
Cotulla	Cotulla	Transfer Facility	6	8.3%
Dominguez	San Antonio	State Jail	21	8.1%
Lopez	Edinburg	State Jail	15	7.6%
Johnson	Winnsboro	Substance Abuse Felony Punishment Facility	6	7.5%
Havins	Brownwood	Substance Abuse Felony Punishment Facility	7	7.1%
Gist	Beaumont	State Jail	17	6.7%
Hospital Galveston	Galveston	Medical Facility	17	6.5%
Sayle	Breckenridge	Substance Abuse Felony Punishment Facility	6	6.1%
Goodman	Jasper	Transfer Facility	2	2.0%
Jester I	Richmond	Substance Abuse Felony Punishment Facility	1	1.4%

Data on Staff Experience and Assaults

Experience Level of Correctional Officers

Sixty-five percent of correctional officers have more than three years' experience as correctional officers. This group includes ranking officers such as sergeants, lieutenants, captains and majors.

Table 1

Months of Service	Total Number	Experience Distribution of Correctional Officers
1 to 12 months	4,112	15%
13 to 24 months	2,738	10%
25 to 36 months	2,683	10%
37 to 48 months	2,284	9%
49 to 60 months	2,234	8%
Over 60 months	12,732	48%
Total	26,783	100%

Source: Information provided by the Department's Human Resources Division

Excluding ranking officers, 61 percent of correctional officers I-IV have more than three years' experience.

Table 2

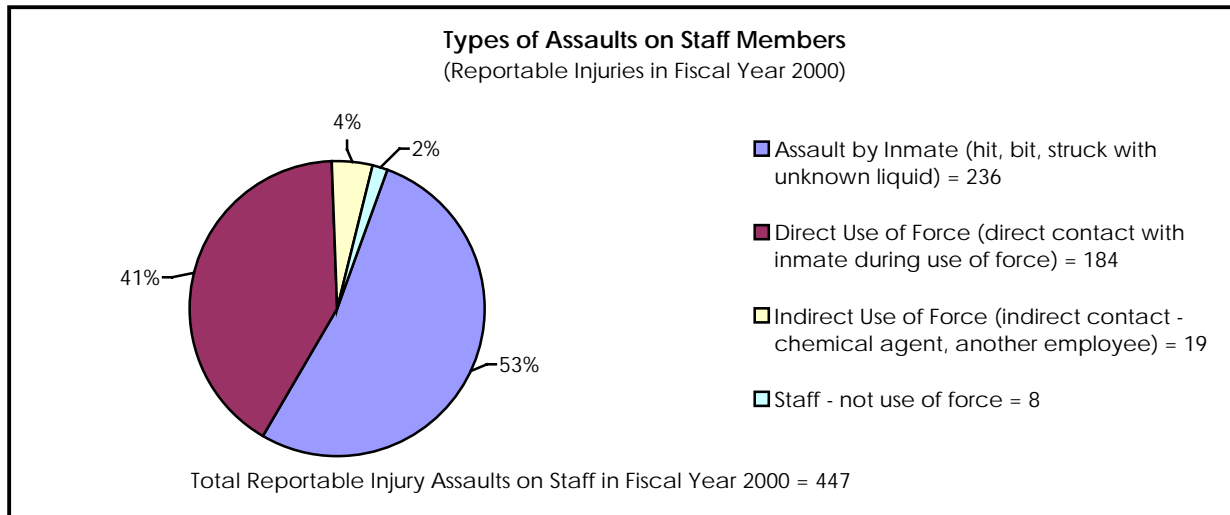
Months of Service	Total Number	Experience Distribution of Correctional Officers
1 to 12 months	4,112	17%
13 to 24 months	2,736	11%
25 to 36 months	2,660	11%
37 to 48 months	2,198	9%
49 to 60 months	2,067	9%
Over 60 months	10,246	43%
Total	24,019	100%

Source: Information provided by the Department's Human Resources Division

Types of Assaults on Staff

Only 53 percent (236 of 447) of assault-related reportable injuries to staff members were direct assaults by inmates. Reportable injuries are defined by Risk Management as injuries resulting in medical treatment beyond first-aid, or in lost work time. Forty-five percent (203 of 447) of these types of injuries occurred during use of force operations. (See Figure 3.1.)

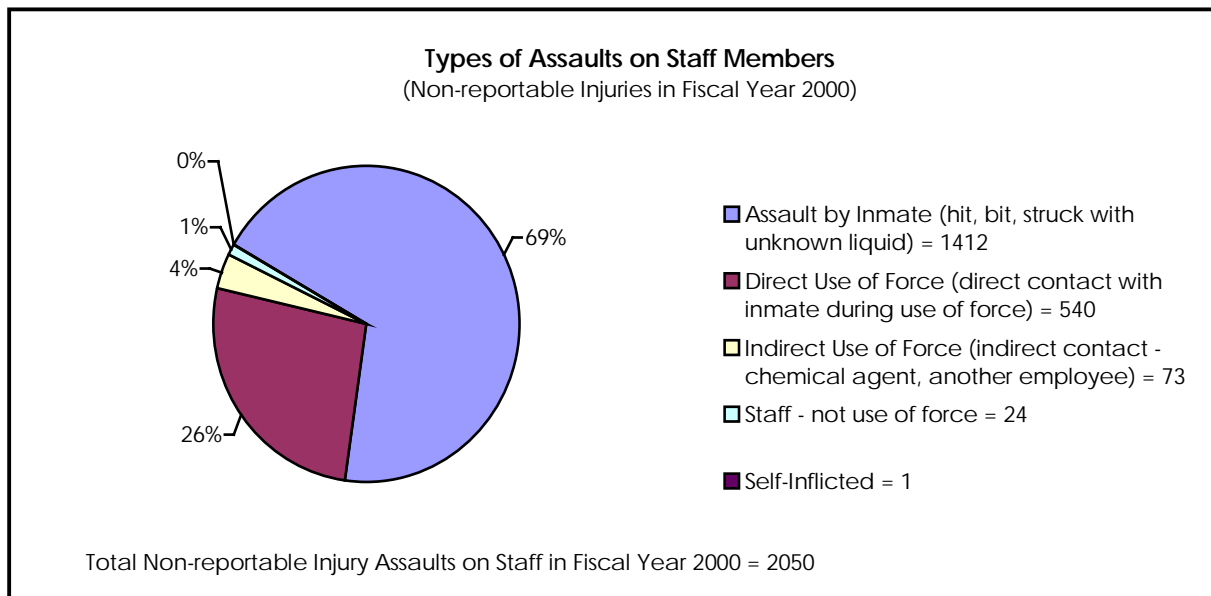
Figure 3.1



Source: Based on the Department's risk management data. We tested this data for fiscal year 2000 and found it to be reliable.

Non-reportable staff assault-related injuries are defined by the Risk Management Office as injuries that did not result in medical treatment beyond first-aid and did not result in lost work time. These injuries to staff had a higher percentage of direct assaults by inmates that did not occur during a use of force—69 percent (1412 of 2050). (See Figure 3.2.)

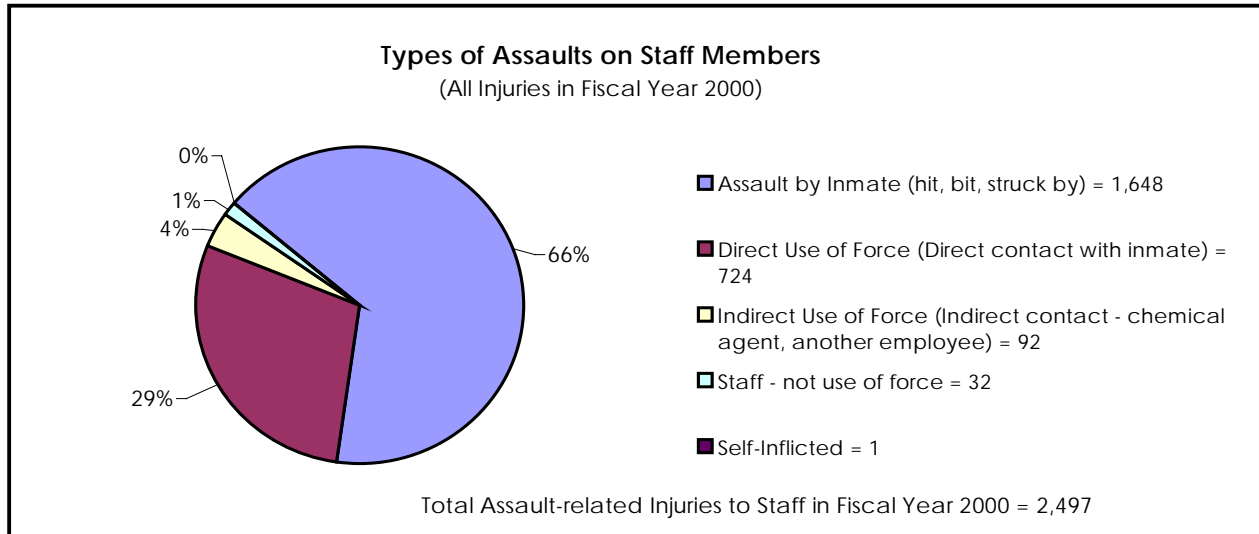
Figure 3.2



Source: Based on the Department's risk management data. We tested this data for fiscal year 2000 and found it to be reliable.

There were a total of 2,497 assault-related injuries to staff members (reportable and non-reportable) in fiscal year 2000. Sixty-six percent (1648 of 2497) were direct assaults by inmates and did not occur during a use of force. (See Figure 3.3.)

Figure 3.3

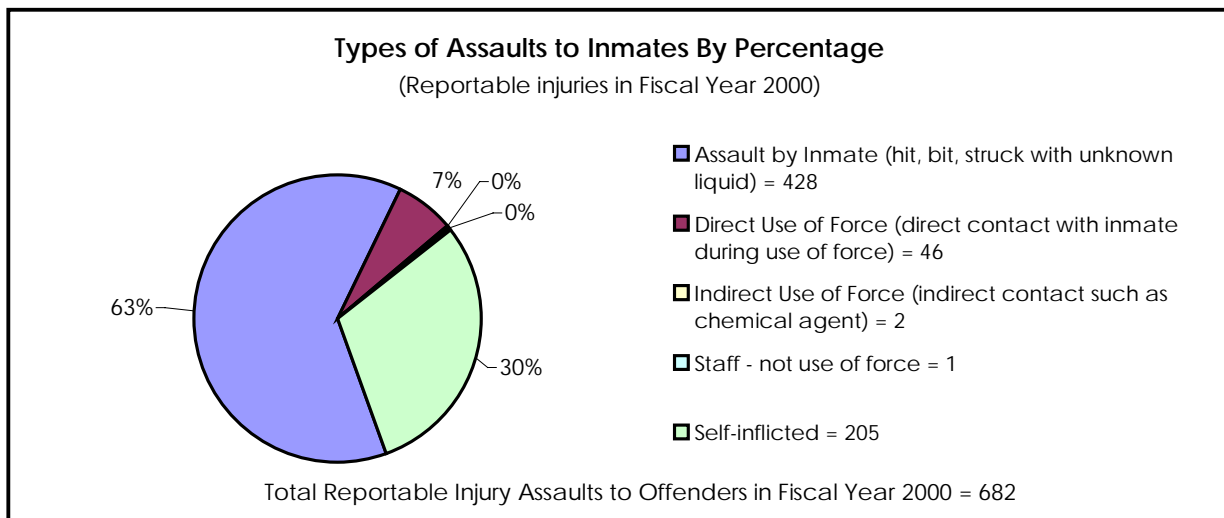


Source: Based on the Department's risk management data. We tested this data for fiscal year 2000 and found it to be reliable.

Types of Assaults to Inmates

Most assault-related reportable injuries to inmates (63 percent or 428 of 682) were the result of inmates being assaulted by other inmates. Risk Management defines reportable injuries to inmates as injuries requiring medical treatment beyond first-aid. (See Figure 3.4.)

Figure 3.4



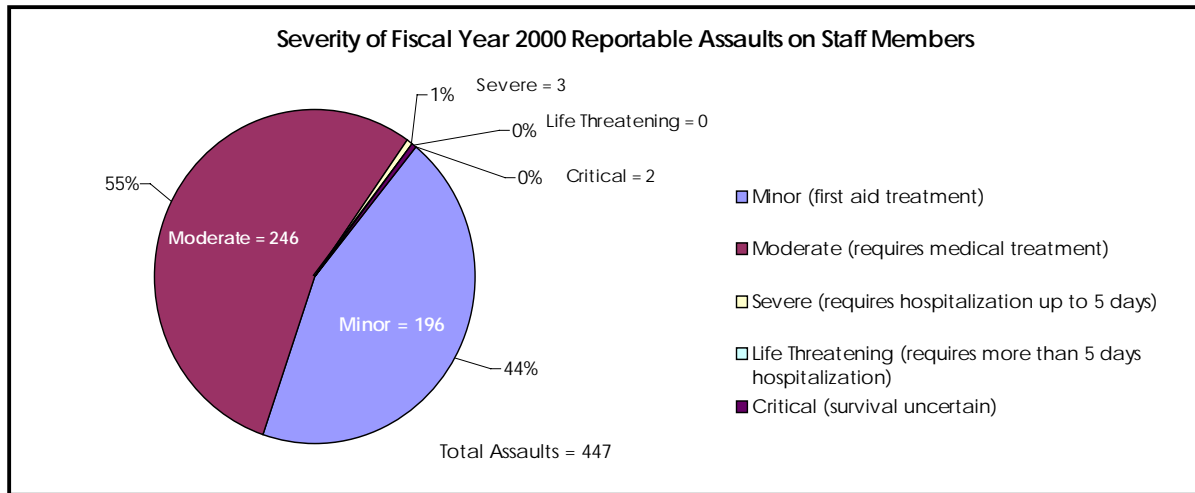
Source: Based on the Department's risk management data. We tested this data for fiscal year 2000 and found it to be reliable.

Inmate self-inflicted reportable injuries accounted for 30 percent (205 of 682) of all assault-related injuries in fiscal year 2000. The Department's Risk Management office counts self-infliction as an assault-related injury.

Severity of Assaults

Only 1 percent of assaults to staff members resulted in serious injury. (See Figure 3.5.)

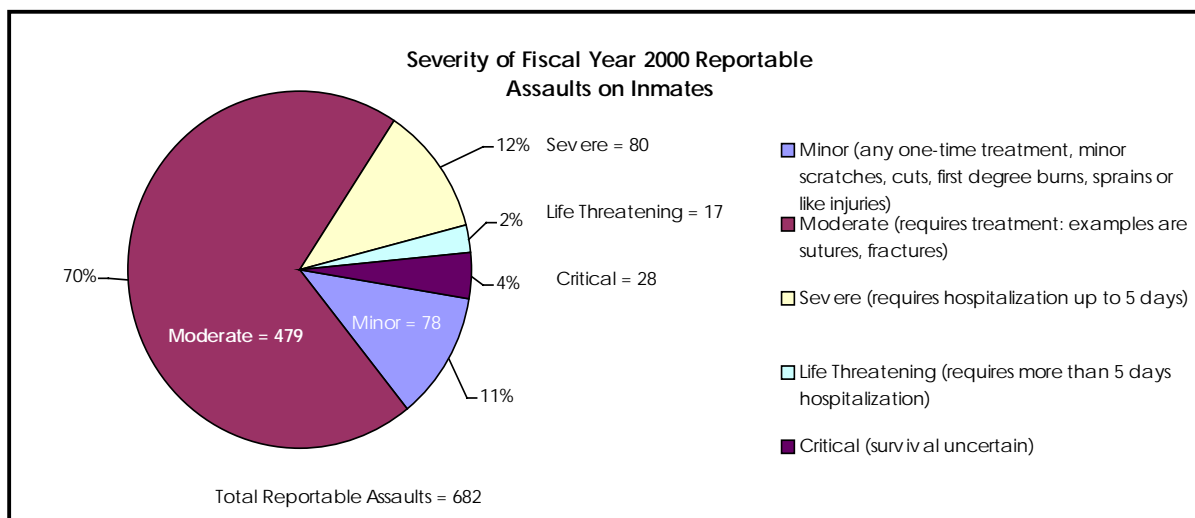
Figure 3.5



Source: Based on the Department's risk management data. We tested this data for fiscal year 2000 and found it to be reliable.

Eighteen percent of reportable assaults to inmates (125 of 682) resulted in serious injury. (This figure includes some self-inflicted injuries.) (See Figure 3.6.)

Figure 3.6



Source: Based on the Department's risk management data. We tested this data for fiscal year 2000 and found it to be reliable.

Estimated Correctional Officer Salaries Under a Differential Pay Policy

Estimated Correctional Officer Salaries Under A Differential Pay Policy					
	Unit	Location	Security Level	Differential of \$100/month for correctional officers only	Differential of \$100/month for all staff members
10 Largest Units*	Allred Unit	Wichita Falls	Maximum	\$ 820,800	\$ 1,081,200
	Clements Unit	Amarillo	Maximum	\$ 901,800	\$ 1,225,800
	Coffield Unit	Tennessee Colony	Maximum	\$ 677,400	\$ 949,800
	Estelle Unit	Hunstville	Maximum	\$ 619,800	\$ 856,200
	Hughes Unit	Gatesville	Maximum	\$ 578,400	\$ 807,600
	Michael Unit	Tennessee Colony	Maximum	\$ 554,400	\$ 820,800
	Robertson Unit	Abilene	Maximum	\$ 682,800	\$ 904,800
	Stiles Unit	Beaumont	Maximum	\$ 616,200	\$ 832,200
	Telford Unit	New Boston	Maximum	\$ 585,600	\$ 788,400
	Terrell Unit	Livingston	Maximum	\$ 660,000	\$ 880,800
Total				\$ 6,697,200	\$ 9,147,600
10 Units With the Most Transfer Requests	Beto Unit	Tennessee Colony	Maximum	\$ 486,000	\$ 750,000
	Coffield Unit	Tennessee Colony	Maximum	\$ 677,400	\$ 949,800
	Estelle Unit	Huntsville	Maximum	\$ 619,800	\$ 856,200
	Ferguson Unit	Midway	Maximum	\$ 500,400	\$ 698,400
	Hightower Unit	Dayton	Medium	\$ 213,600	\$ 333,600
	McConnell Unit	Beeville	Maximum	\$ 550,800	\$ 768,000
	Ramsey 1 Unit	Rosharon	Minimum	\$ 319,200	\$ 466,800
	Robertson Unit	Abilene	Maximum	\$ 682,800	\$ 904,800
	Smith Unit	Lamesa	Medium	\$ 426,000	\$ 591,600
	Terrell Unit	Livingston	Maximum	\$ 660,000	\$ 880,800
Total				\$ 5,136,000	\$ 7,200,000
12 Units Considered Chronically Understaffed by the Department	Beto Unit	Tennessee Colony	Maximum	\$ 486,000	\$ 750,000
	Clements Unit	Amarillo	Maximum	\$ 901,800	\$ 1,225,800
	Coffield Unit	Tennessee Colony	Maximum	\$ 677,400	\$ 949,800
	Connally Unit	Kenedy	Maximum	\$ 537,600	\$ 738,000
	Dalhart Unit	Dalhart	Medium	\$ 193,200	\$ 282,000
	Ellis Unit	Huntsville	Medium	\$ 411,600	\$ 637,200
	Estelle Unit	Huntsville	Maximum	\$ 619,800	\$ 856,200
	Ferguson Unit	Midway	Maximum	\$ 500,400	\$ 698,400
	McConnell Unit	Beeville	Maximum	\$ 550,800	\$ 768,000
	Michael Unit	Tennessee Colony	Maximum	\$ 554,400	\$ 820,800
	Stiles Unit	Beaumont	Maximum	\$ 616,200	\$ 832,200
	Terrell Unit	Livingston	Maximum	\$ 660,000	\$ 880,800
Total				\$ 6,709,200	\$ 9,439,200

*Largest Units designation is based on units with the most authorized correctional officers as of August 31, 2000.

Comparison of Other States' Retention and Technology Strategies

The State Auditor's Office surveyed correctional staff from 12 states with inmate populations similar to Texas in an effort to learn what those states are doing to improve recruitment, retention, and safety of correctional officers. Tables 1 and 2 in this appendix contain the survey results.

Table 1

Recruitment and Retention				
	Survey Questions			
States	Are recruitment programs used?	Which recruitment tools have been effective and how is program effectiveness assessed?	Are programs used to reduce turnover?	Is your department doing anything different in recruiting or retention due to staff shortages?
Arizona Department of Corrections	Recruitment Unit for Selection and Hiring (RUSH); attending job fairs; looking out of state, on-line with monster.com; "2 for 1 drive," which rewards each employee who recruits two officers with a choice of a shift change or unit transfer.	Use surveys to assess effectiveness; Correctional Officer Recruitment Advocates (CORAs) work in the community to improve the public image of correctional officers doing various service projects.	Child care center; Correctional Officer Day; Van pool that allows correctional officers to travel to work in agency vans (pay a nominal gas fee)—vans always full with a waiting list; retirees come back part time; tuition reimbursement.	Turnover has really become a problem over the last 2-3 years with the opening of new units.
California Department of Corrections	Correctional officers are used as regional recruiters (given two-year training and development assignment); units are reimbursed for funds spent on recruiting; hiring a consultant to develop an advertising campaign.	Programs are effective if they increase the number of applicants because only 1 out of every 13 applicants is accepted, and standards are becoming tougher every year.	No.	Put together recruiting unit (for the third time) because applications are down 36 percent and not meeting affirmative action goals. A proposed increase in training hours may be difficult because can't get bodies fast enough.
Illinois Department of Corrections	Each facility has a recruiter and recruitment plan; Office of Affirmative Action also recruits; recruit heavily where new facilities are built and target women and minorities.	Recruiting at community colleges.	No; worried about filling vacancies in new facilities about to come on-line but have not focused on turnover.	Using recruiters at each facility.
Louisiana Department of Public Service and Corrections	College recruiting; fliers in stores; booths at career fairs; radio/newspaper ads.	None because pay not at a livable rate and benefits are not attractive; management doesn't understand the value of Human Resources.	No.	Not answered.

Recruitment and Retention

Survey Questions				
States	Are recruitment programs used?	Which recruitment tools have been effective and how is program effectiveness assessed?	Are programs used to reduce turnover?	Is your department doing anything different in recruiting or retention due to staff shortages?
Michigan Department of Corrections	Have changed educational and testing requirements to increase applicant pool.	Requirement changes have increased applicant pool by 3-4 times.	Handled by each unit's personnel office.	Allowing new hires 18 months to complete required college credits; waived civil service exam for those with military experience; accepting applicants with 30 hours college credit in any area.
Mississippi Department of Corrections	State personnel board was taking 2-3 months to process applications, so created "Rapid Hire" program, which allows the Department to process applications in 2 ½ weeks.	Basic recruiting tools such as job fairs and newspapers.	Turnover is starting to decrease.	Looking to reduce the time spent between application submission and interview.
New Jersey Department of Corrections	Yes.	Setting up booths at job fairs and speaking at high schools and colleges.	No.	No.
New York New York State Department of Corrections	Advertise when civil service exam will be given (TV, newspaper, booths); average of 15,000 take exam; only actively recruit women and minorities.	Do not evaluate programs.	Turnover is not a problem.	Not experiencing a shortage.
Ohio Department of Rehabilitation and Correction	Regional recruitment teams with one administrator in each region; central office focuses on regions with a need for applicants; recruit through media, job fairs, website, etc.	Regional teams in existence less than six months so have not evaluated them.	Less than a year ago, created Bureau of Staff Enrichment to focus on reducing turnover; started a mentorship program that provides career guidance by linking correctional officers with more senior staff.	Focusing on retention and increasing applicant pool.

Recruitment and Retention				
Survey Questions				
States	Are recruitment programs used?	Which recruitment tools have been effective and how is program effectiveness assessed?	Are programs used to reduce turnover?	Is your department doing anything different in recruiting or retention due to staff shortages?
Oklahoma Department of Corrections	Radio ads, website, TV advertising, job fairs, public service announcements; work with each facility on recruitment efforts; hand out items such as ruler printed with toll free info number that said "measure up to public safety."	24-hour toll free information number that allows parties to leave a message; hope to add question on job application asking how the person found out about the job.	Conduct management training to help supervisors create a working environment that will reduce turnover; hoping for legislative change allowing the Department to give bonuses to employees who refer applicants.	Staff shortages may make it easier to get funding for recruiting efforts.
Pennsylvania Department of Corrections	Attend job fairs, post newspaper ads, list jobs on college websites, have a "Recruitment Needs" page on Department website.	Programs are successful because have 7,737 eligible applicants on statewide employment list for Corrections Officer Trainee.	Turnover is not a problem.	Developing a recruitment video.

Table 2

Safety Technology					
Survey Questions					
States	How do you determine which new technology to purchase?	Are pilot programs used?	Which new technologies have you found to be successful?	What communications equipment is available to Corrections Officers?	What is standard equipment for Corrections Officers?
Arizona Department of Corrections	Technology Committee reviews current and cutting-edge technology to determine what should be piloted or purchased; not only look at new technology, but determine what is best of available equipment (i.e. vests, chemical weapons, etc.).	Yes.	Pepper ball gun.	Currently evaluating personal alarm system; piloting an inmate accountability system, which uses wristbands to monitor inmates.	Mace and holder, handcuffs; no weapons when in facility.
California Department of Corrections	Technology Transfer Committee handles paperwork and legal aspects before approving technology for piloting.	Yes.	Have successfully used a personal alarm system they call the "garage door system" for over 12 years; this system identifies which building the distressed correctional officer is in but not the exact location.	Every correctional officer has either a radio or personal alarm depending on the post.	Batons, pepper spray, and handcuffs.

Safety Technology

Survey Questions					
Florida Department of Corrections	Security Review Committee was created by statute and is made up of wardens and correctional officers and is chaired by Director of Security; meets quarterly to review new technology and recommend items to pilot.	Yes.	Moving away from gun towers, reinforcing perimeters instead to allow more staff inside; "Key Watcher," which is similar to a vending machine, avoids human error by distributing keys using a hand verifier or fingerprint technology; heartbeat detector.	Initiative underway to provide every officer with a radio with a panic button; every employee will soon have a body alarm, which is being designed in-house and will install for \$20,000 (much less than \$180,000 quoted by a contractor).	Body armor required when transporting inmates.
Illinois Department of Corrections	The newly created Technology Committee reviews what they have and what is available; currently looking at cameras and locking systems.	Looking to pilot new technologies.	New technology officer was unable to provide this information.	New technology officer uncertain but fairly sure don't use body alarms.	Depends on post.
New Jersey Department of Corrections	All new security items are reviewed by different units within the Dept; purchase recommendations are approved by the Commissioner.	Yes.	X-ray machines, razor ribbon, video conferencing, computer enhancements.	Radios – Motorola HT-1000 and MTB-1000.	Stab-resistant body armor.
New York NY State Department of Corrections	Management decides to pilot programs on a case by case basis.	Yes.	Personal alarm systems.	Personal alarms in pilot stage; have not conducted formal surveys on correctional officer impressions of increased security but have had positive feedback.	Batons, some chemical agents with prior approval.

Safety Technology

Survey Questions					
Ohio Department of Rehabilitation and Correction	Technology committee reviews and recommends technology for piloting.	Yes.	Iris scans; biometric palm readers; digital photo id system, which is part of Information Management System that tracks all inmate data (classification history, medical info, visitors, etc.).	800 megahertz Spider Alert System; initiative in place to use systemwide.	Depends on post.
Oklahoma Department of Corrections	Technology committee recommends items for piloting.	Yes.	Not answered.	Radios.	Not answered.
Pennsylvania Department of Corrections	Technology committee reviews new technology, recommends for 6 month pilot program, monitors effectiveness.	Yes.	Defensive weapons testing system; Nova stun devices; projected gas jet; stun shields.	Beeppers, personal body alarms; PAT and PAR are standard in new facilities only.	Not answered.

Information on Child Care Regulations

If the Department considers offering child care as a retention strategy, it should review the regulations for the operation of child care services. Below are some of the applicable statutes from the Government Code and the Texas Administrative Code. We have also included an Attorney General Opinion on the issue.

From the Government Code

Section 2165.103. Child Care Development Board Standards

- (a) The Child Care Development Board by rule shall adopt standards regarding the type, size, and location of child care services that may be needed by a state agency based on an agency's location and employee demographics.
- (b) The commission shall apply standards adopted by the board under this section in fulfilling the commission's responsibilities relating to the establishment of child care facilities.

Added by Acts 1995, 74th Legislature, Chapter 41, Section 1, effective Sept. 1, 1995.

Section 2165.105. State Agency Request for Space; Commission Determinations

- (a) The head of a state agency or that person's designee shall send to the commission a written request for space the agency needs to perform its functions. A state agency may consider the need of its employees for child care services in its request for space.
- (b) After consulting the state agency regarding the amount and type of space requested, the commission shall determine:
 - (1) whether a need for the space exists; and
 - (2) specifications for needed space.

Added by Acts 1995, 74th Legislature, Chapter 41, Section 1, effective Sept. 1, 1995.

Section 2165.206. Lease of Space for Child Care Facility

- (a) Providing a site for a child care facility in a state-owned building has first priority over all other uses of a building, except for the purposes essential to the official functions of the agencies housed in the building.
- (b) If the commission allocates space for the purpose of providing child care services for state employees, the commission shall designate the use of the space most appropriate for child care at the direction of the Child Care Development Board.
- (c) Notwithstanding any other provision of this subtitle, the commission shall lease at a rate set by the Child Care Development Board suitable space in state-owned

buildings to child care providers selected by the board, as provided by Chapter 663.

Added by Acts 1995, 74th Legislature, chapter 41, Section 1, effective Sept. 1, 1995.

Section 2166.551. Child Care Facility in State Building

- (a) The Child Care Development Board shall determine whether a child care facility may be included in a state-owned office building constructed after September 1, 1989, that contains 100,000 square feet or more of net usable space and shall notify the commission of that determination.
- (b) The commission shall notify the Child Care Development Board of a project to rehabilitate or renovate substantially an existing state-owned office building containing 100,000 square feet or more of net usable space before developing the rehabilitation or renovation plan.
- (c) Not later than the 30th day after the date the Child Care Development Board receives the notice required by Subsection (b), the board shall determine whether a child care facility may be included in the rehabilitation or renovation project and shall notify the commission of that determination.
- (d) The commission shall include a child care facility in a construction, rehabilitation, or renovation project if the Child Care Development Board determines that the child care facility should be included.

Added by Acts 1995, 74th Legislature, Chapter 41, Section 1, effective Sept. 1, 1995.

From the Texas Administrative Code

Title 40, Part 18, Chapter 631, Rule Section 631.1

- (a) Quality child care for all children is a critical need for Texas families. In 1989, the legislature established the Texas Child Care Development Board to develop and administer a program to provide child care services for state employees. The board is composed of the governor, lieutenant governor, attorney general, state treasurer, comptroller, and commissioner of the General Land Office.
- (b) The Child Care Development Board is required by statute to set specific performance standards for child care services under the program and to prescribe the number of children a facility may serve. The board by rule may establish methods to administer and supervise the program.
- (c) It is the intent of the Child Care Development Board to maximize child care options for state employees and to establish the state as a model employer in the area of child care.

Source Note: The provisions of this Section 631.1 adopted to be effective August 17, 1992, 17 TexReg 5460.

Title 40, Part 18, Chapter 631, Rule Section 631.2

- (a) State agencies shall comply with standards set by the Texas Child Care Development Board in order to ensure quality and to minimize administrative costs. The board will work with agencies to plan and develop facilities that maximize the use of available resources in meeting state employees' needs.
- (b) State agencies should notify the Child Care Development Board as early as possible of interest in establishing a center.
- (c) Each agency or group of agencies that intends to establish a child care center must submit an implementation plan to the board for approval before proceeding with implementation.
- (d) The implementation plan must include:
 - (1) a survey which defines the need for a center by determining:
 - (A) the number of state employees with children of child care age;
 - (B) the number of state employees with children of child care age who are interested in using the center;
 - (C) the lack of available private facilities;
 - (D) the lack of available private facilities that meet quality standards;
 - (2) a strategy for interagency cooperation to maximize the use of state resources and facilities;
 - (3) provisions for meeting high quality standards; and
 - (4) the proposed use of consultants, if any.
- (e) No consultant or provider contract may be finalized unless and until it has been approved by the board included as part of an implementation plan.
- (f) Any reports, surveys, research materials, or other documents developed by consultants shall be made available to the Child Care Development Board upon completion and to other agencies upon request.
- (g) Any revision to the implementation plan must be approved by the board.
- (h) Each center must meet high quality standards.
 - (1) Providers must comply with all federal, state, municipal, and other laws, codes, ordinances, rules, and regulations applicable to its operations.
 - (2) All centers established by state agencies must become accredited by the National Association for the Education of Young Children.
 - (3) The Child Care Development Board will assist state agencies in all stages of the process of establishing a child care center, including, but not limited to, needs assessment; bids; contracts; leases; and provider selection.
- (i) Any child care facility established for state employees must establish a minimum enrollment to ensure financial viability of the center.

Attorney General Opinion



THE ATTORNEY GENERAL OF TEXAS

April 16, 1990

JIM MATTOX
ATTORNEY GENERAL

Honorable William P. Hobby Opinion No. JM-1156
Lieutenant Governor
The State of Texas Office Re: Child care facilities in
of the Lieutenant Governor building owned or leased by the
P. O. Box 12068 State of Texas (RQ-1905)
Austin, Texas 78711-2068

Dear Governor Hobby:

You ask several questions about Senate Bill 1480. Acts 1989, 71st Leg., ch. 1207, at 4904. That bill established the Child Care Development Board, which is charged with developing and administering a program to provide child care services for state employees who work in state-owned buildings. V.T.C.S. art. 6252-3e. The bill also made several amendments to the provisions of the State Purchasing and General Services Act, article 601b, V.T.C.S., that deal with the lease of space in state-owned buildings to private tenants.

Your first question is whether the site must be located in a state-owned building.¹ The language of Senate Bill 1480 and the legislative history make clear that the legislature contemplated that the site for a child care facility would be in a state-owned building. The caption to Senate Bill 1480 states that the act relates "to the creation of a Child Care Development Board and a Child Care Advisory Committee and to using state-owned buildings for child care facilities." A bill analysis prepared for Senate Bill 1480 states that the purpose of the bill is to "implement a program to use state-owned buildings for child care facilities." Bill Analysis, S.B. 1480, 71st Leg. (1989). Also, section 7 of article 6252-3e provides that

1. We do not consider what particular financing arrangements may qualify a building as a "state-owned building."

the Purchasing and General Services Commission shall lease a state child care facility site at a reasonable rate. A requirement that the State Services and General Purchasing Commission lease the space for the facility at a reasonable rate makes sense only if the facility site is owned by the state. See V.T.C.S. art. 601b, § 4.15 (dealing with lease of space in state-owned buildings to private tenants). We think that the caption to Senate Bill 1480 and the provisions discussed above make clear that child care facilities developed under article 6252-3e were intended to be in state-owned buildings.

Your second question is:

Under SB 1480 and Article 5, State Purchasing and General Services Act, may a child care facility site be located in a building of appropriate size that would be newly constructed specifically for the board by the commission, or is the board limited respecting newly constructed state buildings to buildings that contain at least 100,000 square feet of net usable space, under section 5.01(b), State Purchasing and General Services Act?

Most of the provisions of Senate Bill 1480 deal with the development of a child care facility in existing state-owned space. Nothing in the bill suggests that the legislature intended that a building be built solely for child care. Our conclusion that Senate Bill 1480 does not authorize the construction of a building solely for the purpose of providing a child care facility is supported by section 5.01 of article 601b, which provides:

(a) Under such terms and conditions as may be provided by law, the commission may acquire necessary real and personal property, modernize, remodel, build, and equip buildings for state purposes, and make contracts necessary to carry out and effectuate the purposes herein mentioned in keeping with appropriations authorized by the legislature. The commission shall not sell or dispose of any real property of the state except by specific authority from the legislature.

(b) The Child Care Development Board shall determine if a child care facility may be included in a state-owned office building constructed after September 1, 1989, that contains at least 100,000 square feet of net usable space and shall notify the commission of that determination. The commission shall notify the Child Care Development Board of a project to rehabilitate or renovate substantially an existing state-owned office building containing at least 100,000 square feet of net usable space before developing the rehabilitation or renovation plan. Not later than the 30th day after the date on which the Child Care Development Board receives the notice, the board shall determine if a child care facility may be included in the rehabilitation or renovation project and shall notify the commission of that determination. The commission shall include a child care facility in a construction, rehabilitation, or renovation project if the Child Care Development Board determines that the child care facility should be included.

The language that is now subsection (a) has been in article 601b since it was adopted in 1979. Acts 1979, 66th Leg., ch. 773, at 1908. Subsection (a) addresses the authority of the State Purchasing and General Services Commission to construct new state buildings. Senate Bill 1480 added subsection (b), which deals with inclusion of space for a child care facility in a newly-constructed state building. The fact that subsection (b) refers to the "inclusion" of a child care facility in a newly constructed building indicates that the legislature did not intend that new state buildings be constructed solely for the purpose of housing a child care facility.

Your third question is:

Once a site is obtained, may it be leased to a child care provider at a reasonable rate that is less than fair market value under Section 4.15(b), State Purchasing and General Services Act; Section 7(a), Article 6252-3a, Revised Statutes; Article III, Section 51, of

the Texas Constitution; and other relevant law?

Section 7(a) of article 6252-3e provides in part:

The [State Purchasing and General Services] commission shall lease a state child care facility site at a reasonable rate to a child care provider selected by the board.

Section 4.15 of article 601b deals with the lease of space in state-owned buildings to private tenants. Senate Bill 1480 amended subsection (f) of section 4.15 to provide as follows:

The commission may lease space in a building after the lease is negotiated with the tenant or after the tenant is selected through a competitive bidding process. In either case, the commission shall follow procedures that promote competition and protect the interests of the state; except that, if the space is leased for the purpose of providing child [day] care services for state employees [of-the-building], the Child Care Development board, in its sole discretion, [commission] may select the child care provider [tenant] through procedures other than competitive bidding. (Language added by S.B. 1480 emphasized; language deleted by S.B. 1480 overstricken.)

Read together, those provisions indicate that space for a child care facility is to be leased at a rate that is reasonable to charge for a child care facility, not necessarily at the rate that could be charged for the same space if it could be leased for other purposes. Therefore, we conclude that space to be used as a child care facility is not required to be leased at fair market value.

You ask whether leasing space for child care facilities at a rate lower than fair market value would be a donation of public property and therefore in violation of article III, section 51, of the constitution. Article III, section 51, would not prohibit lease of public property for less

than fair market value if it served a public purpose.² Attorney General Opinions JM-1091 (1989); MW-373 (1981). The bill analysis to Senate Bill 1480 sets out the public purpose to be achieved by leasing space for child care facilities at a rental rate that may be less than fair market rates:

Various studies have shown that absenteeism, tardiness and employee turnover can be reduced substantially when employees with young children have convenient, economical, quality child-care services available. Such studies have also shown positive effects on employee morale, job satisfaction, and productivity.

Bill Analysis, S.B. 1480, 71st Leg. (1989). We think the courts would agree with the legislature that leasing space for child care facilities at a rate less than fair market value in order to improve employee performance is a public purpose.

Your fourth question is:

Under Section 7(a), Article 6252-3e, Revised Statutes, may the board determine and set what constitutes a reasonable rate for the lease as part of the board's power to prescribe by rule provisions that must be included in a lease to a child care provider?

Section 7(a) of article 6252-3e provides:

The [State Purchasing and General Services] commission shall lease a state child care facility site at a reasonable rate to a child care provider selected by the board. The [Child Care Development] board by rule may prescribe provisions that must be included in a lease and provisions that may not be included in a lease.

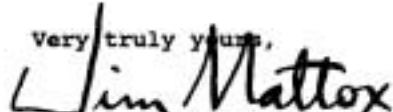
2. There must also be adequate controls to assure that the public purpose is achieved.

We think the plain meaning of that provision is that the determination of a "reasonable" rental rate was to be a matter for the State Purchasing and General Services Commission, not the Child Care Development Board.

S U M M A R Y

Senate Bill 1480, Acts 1989, 71st Leg., ch. 1207, authorizes the development of child care facilities in state-owned buildings. It does not authorize the state to lease space for child care facilities in privately owned buildings. The bill does not authorize the construction of a new state building solely for the purpose of housing a child care facility. The bill authorizes the State Services and General Purchasing Commission to rent space for a child care facility at a rate that is "reasonable" to charge for a child care facility; that rate may be less than fair market value. It is for the State Services and General Services Commission, not the Child Care Development Board, to determine what constitutes a "reasonable" rental rate.

Very truly yours,


J I M M A T T O X
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