

# MEET & CONFER MEETING

## January 3, 2019

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Attendees: CO II Darren Sikes, ASPC-Lewis, CO II Tommy Carberry, ASPC-Florence, and Correctional Sergeant Matt Ball, ASPC-Florence represented AZCPOA; Senior Parole Officer Waldemar Mehner, Community Corrections, and CO III Martin Diaz, ASPC-Lewis, represented FOP. Also present from ADC were Director Charles L. Ryan, Carson McWilliams, Division Director of Prison Operations, Mike Kearns, Division Director of Administrative Services, Tim Rhyne, Chief Human Resources Officer, Denise Stravia, Strategic Planning Administrator, and Jake Gable, Budget Administrator. Natalie Poff was present to take minutes.

ACA was not in attendance.

Director Ryan greeted the Employee Organizations and addressed the below agenda items.

### **SUBMITTED QUESTIONS AND ANSWERS**

**Question 1** – Staff assaults seem to be on the rise. What number is the department up to for staff assaults year to date? The department has not updated the “Speedometer” for statistics as of sending this question.

**Answer 1** – Division Director Carson McWilliams: There were a total of 542 staff assaults from January through November 2018.

**Director Ryan reiterated that the number of assaults has declined from previous years. He referred to the number of staff assaults from the *Corrections at a Glance (CAG)* brochure, citing the following statistics:**

- **FY14 – 499 assaults**
- **FY15 – 518 assaults**
- **FY16 – 676 assaults**
- **FY17 – 640 assaults**
- **FY18 – 542 assaults**
- **FY19 – 307 assaults**

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**ADDITIONAL INFORMATION:**

**Below is the CAG brochure that was reviewed during the meeting:**

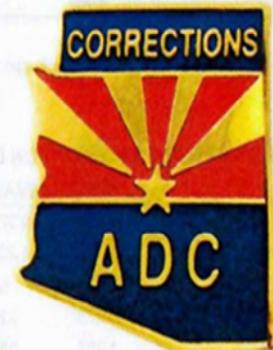
NOVEMBER 2018		
<b>INMATE PROGRAMS</b>		
ADC assesses the recidivism risk and programming needs of each inmate during intake. Assessment results, along with sentence structure, are used to prioritize inmate programmatic goals and placement.		
<b>Program Enrollment</b>	<b>Sub-Total</b>	<b>TOTAL</b>
ADC Education		5,250
Functional Literacy	1,070	
High School Equivalency	2,360	
Special Education	128	
Career & Technical Education	1,692	
Addiction Treatment *		795
Sex Offender Treatment		216
Self-Improvement		5,243
Work Programs		25,547
Arizona Correctional Industries		
- Labor Contracts	1,170	
- Owned & Operated	730	
Intergovernmental Agreements	2,144	
Work Incentive Pay Program	21,503	
<b>Total Program Enrollments **</b>		<b>37,051</b>
* Seventy-eight percent of inmates assessed at intake have significant substance abuse histories.		
** Inmates may be enrolled in more than one program.		
<b>INMATE CONTRIBUTIONS / REPARATIONS</b>		
<b>AZ COMMUNITY LABOR</b>	<b>This Month</b>	<b>FY YTD</b>
Fire Crew Hours	25,250	141,921
Public Sector Work Crew Hours	165,782	834,170
ADOT Crews Hours	14,549	77,450
<b>AZ CRIME VICTIMS</b>		
Court Ordered Restitution Collected	\$123,466	\$607,092
Victims' Compensation Collected	\$2,231	\$10,142
Victim Notifications of Release	295	1,574
<b>INMATE HEALTH SERVICES</b>		
Hospital Admissions.....		112
Inmates With: HIV... 199	Active TB...0	Hepatitis C...7,788
Inmates Requiring Ongoing Mental Health Services.....12,195		
<b>INMATE CONDUCT / INMATE GRIEVANCES</b>		
Inmate / Inmate Assaults.....37	Inmate Grievances.....325	
Inmate / Staff Assaults.....60		

NOVEMBER 2018				
OFFENSE	INMATE COMMITMENT OFFENSES			%
	US Citizens	Crim. Aliens	TOTAL	
Arson	128	7	135	0.3%
Assault	5,261	318	5,579	13.3%
Auto Theft	1,939	43	1,982	4.7%
Burglary/Criminal Trespass	2,868	69	2,937	7.0%
Child/Adult Abuse	304	15	319	0.8%
Child Molestation	1,476	298	1,774	4.2%
Criminal Damage	152	4	156	0.4%
Domestic Violence	154	4	158	0.4%
Drug Possession (All)	3,676	58	3,734	8.9%
<i>Marijuana Only</i>	198	3	201	0.5%
Drug Sales/Trafficking	3,772	1,092	4,864	11.6%
DUI	1,339	114	1,453	3.5%
Escape	174	6	180	0.4%
Forgery	375	7	382	0.9%
Fraud	286	7	293	0.7%
Identity Theft	375	12	387	0.9%
Kidnapping	1,096	254	1,350	3.2%
Manslaughter/Neg. Homicide	678	96	774	1.8%
Murder	2,714	388	3,102	7.4%
Other	1,514	74	1,588	3.8%
Rape/Sexual Assault	514	67	581	1.4%
Robbery	3,430	175	3,605	8.6%
Sex Offense	2,550	284	2,834	6.8%
Theft	999	21	1,020	2.4%
Trafficking in Stolen Property	651	12	663	1.6%
Weapons Offense	1,879	47	1,926	4.6%
<b>TOTAL</b>	<b>38,502</b>	<b>3,475</b>	<b>41,977</b>	<b>100.0%</b>
<b>%</b>	<b>91.7%</b>	<b>8.3%</b>	<b>100.0%</b>	
<b>INMATE CRIMINAL HISTORY</b>				
	US Citizens	Crim. Aliens	TOTAL	%
<b>Violent Offenders *</b>	<b>28,918</b>	<b>2,264</b>	<b>31,182</b>	<b>74.3%</b>
- <i>Current</i>	19,903	1,911	21,814	52.0%
- <i>Historical</i>	9,015	353	9,368	22.3%
<b>Non-Violent Offenders</b>	<b>9,584</b>	<b>1,211</b>	<b>10,795</b>	<b>25.7%</b>
<b>TOTAL</b>	<b>38,502</b>	<b>3,475</b>	<b>41,977</b>	<b>100.0%</b>
* Total Violent Offenders; includes offenders of a non-violent statute who have used a weapon or caused an injury				
	US Citizens	Crim. Aliens	TOTAL	%
<b>Prior ADC Prison Term</b>	<b>20,933</b>	<b>597</b>	<b>21,530</b>	<b>51.3%</b>
<b>First ADC Prison Term</b>	<b>17,569</b>	<b>2,878</b>	<b>20,447</b>	<b>48.7%</b>
<b>TOTAL</b>	<b>38,502</b>	<b>3,475</b>	<b>41,977</b>	<b>100.0%</b>

**The Arizona Department  
of Corrections**

**Charles L. Ryan  
Director**

**CORRECTIONS  
AT A  
GLANCE**



**NOVEMBER 2018**

This report contains preliminary statistics as of the end of the month. Changes/updates will be posted on the ADC website. Please refer to the online reports for the most current data.

**For further information, contact:**  
 Arizona Department of Corrections  
 Strategic Planning and Policy  
 1601 West Jefferson Street  
 Phoenix, Arizona 85007  
 602-542-1576  
<http://www.azcorrections.gov>

This document is available in alternative formats by contacting Central Office Public Access at: 602-542-5886

12/7/18

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## CORRECTIONS AT A GLANCE

## ARIZONA DEPARTMENT OF CORRECTIONS

NOVEMBER 2018

### ADC CENSUS

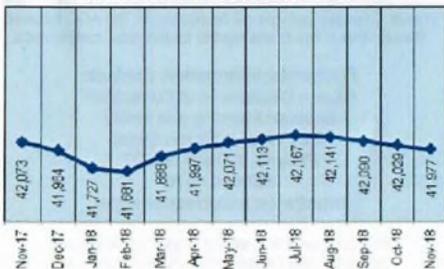
FACILITY	RATED	TEMP	OP CAP*	POP
ASPC-Douglas	1,435	343	1,778	1,812
ASPC-Eyman	3,976	1,666	5,642	5,560
ASPC-Florence	3,320	645	3,965	3,745
ASPC-Lewis	5,104	850	5,974	5,684
ASPC-Perryville	4,214	4	4,254	4,194
ASPC-Phoenix	552	160	720	529
ASPC-Safford	1,453	160	1,613	1,427
ASPC-Tucson	4,605	467	5,098	5,006
ASPC-Winslow	1,626	40	1,666	1,078
ASPC-Yuma	4,350	420	4,770	4,698
In-State Pvt. Prisons	7,900	638	8,538	8,244
PRISON TOTAL	38,535	5,393	44,018	41,977
COMMUNITY SUPERVISION OFFENDERS				5,453
ADC TOTAL				47,430

\*OP CAP: Operating Capacity Beds = Rated Beds + Temporary Beds

### INMATE BED CAPACITY & POPULATION DETAIL

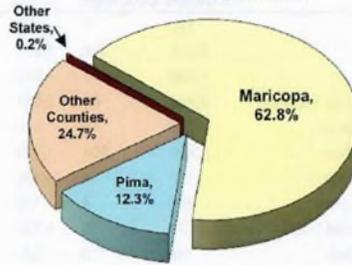
CATEGORY	MALE	FEMALE	TOTAL
Operating Capacity Beds	39,744	4,274	44,018
Inmate Population	37,772	4,205	41,977
Bed Surplus / (Deficit)	1,972	69	2,041
Month's Admissions	1,273	229	1,502
Month's Releases	1,297	257	1,554
Month's Growth	(24)	(28)	(52)

### MONTHLY POPULATION CHANGE

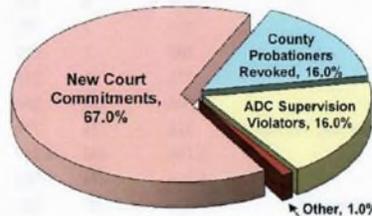


Snap-shot of Population on Last Day of Each Month

### COMMITTED POPULATION BY COUNTY OF CONVICTION



### ADC HAS ADMITTED 7,486 INMATES FY 2019 YEAR TO DATE



### ADC HAS RELEASED 7,622 INMATES FY 2019 YEAR TO DATE

**Releasees Served an Average of: 27 Months:**  
 Served Over 1 Year.....55%  
 Served 6 Months to 1 Year.....15%  
 Served Less Than 6 Months.....30%

### SPECIAL POPULATION GROUPS

SENTENCE TYPE	MALE	FEMALE	TOTAL
Death Row	113	3	116
Minors	45	4	49
Veterans	2,338	31	2,369

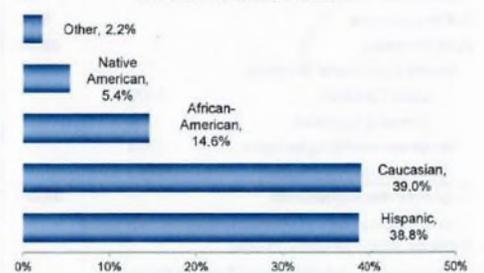
### CITIZENSHIP / GENDER DISTRIBUTION

	MALE	FEMALE	TOTAL	%
US Citizens	34,436	4,066	38,502	91.7%
Crim Aliens	3,336	139	3,475	8.3%
TOTAL	37,772	4,205	41,977	100.0%
%	90.0%	10.0%		100.0%

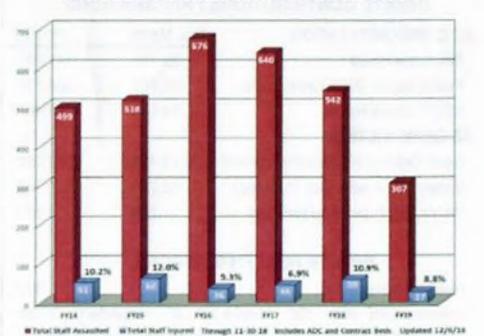
### AGE DISTRIBUTION



### ETHNIC DISTRIBUTION



### TOTAL STAFF ASSAULTED - WITH INJURY



ADC CONSTITUENT CONTACTS 3,551  
 ADC PERSONNEL ON MILITARY LEAVE 98  
 ADC PERSONNEL ON MILITARY STANDBY 51

**Director Ryan encouraged the Employee Organizations to read the CAG report which is updated and published monthly. Further, he assured the Employee Organizations that the ADC dashboard in which the Employee Organization referred to as the "Speedometer" will be updated accordingly.**

**Division Director Carson McWilliams stated that the Department is aggressively making changes to the staffing at ASPC-Lewis. He shared that the change will include a combination of CIU, SSU, STG and K-9 staff. Issues will be addressed in real-time which he believes will positively change the inmate population.**

**Director Ryan discussed a recent incident at ASPC-Lewis where an Inmate held an employee hostage. Director Ryan acknowledged the fine work done**

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by the staff who worked diligently to ensure the safe passage of the employee who had been taken hostage. He also acknowledged that a number of things could have been done differently to avoid such incidences. Director Ryan stated that he made the decision to make the aforementioned changes at ASPC-Lewis. He expressed great concern regarding what has gone on at ASPC-Lewis over the last couple of years, in that staff have become fearful of the inmates. Director Ryan shared that during Christmas week, ADC lost fifty (50) COs, some of which were due to promotions, others were regrettable losses.

Director Ryan informed the employee organizations that the 12-hour shifts are still being worked out of necessity, and Officers are able to work up to 24 hours of overtime per week.

Director Ryan shared that he had a discussion with the Governor's office regarding the compensation package. He advised that there is great support for public safety and the Governor's office is listening to our requests and that he is hopeful that the pay package will be approved.

Director Ryan advised that he, Division Director Mike Kearns, and Budget Administrator Jake Gable met with the OSPB and that the CO series through the Warden classifications are among the top priorities to receive a meaningful pay package.

**Question 2** – Of the staff assaults, how many were caused by inmates that ADC considered as having mental illness?

**Answer 2** – Division Director Carson McWilliams: We do not track assaults by the Mental Health (MH) score and could not gather this volume of information prior to the meeting. MH inmates in general react to things the same as other inmates. We must interact with them in a clear professional manner being consistent and fair. Building rapport always assists the staff member with being seen favorably by the inmate. Ensuring the inmate is involved in meaningful programming, recreation and other out of cell activities adds to officer safety.

Division Director Carson McWilliams shared that mental health treatment for females is being moved so that all females can be grouped at ASPC-Perryville, and the mental health treatment for males will be at ASPC-Phoenix. He further shared that during a recent visit at SMU 1 with ACLU, he noticed that there were quite a few inmates on recreation. Division Director Carson McWilliams shared that Dr. Nicole Taylor created a flow chart on how

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**to calm inmates and how staff should manage inmates to create a safer environment which seems to be working.**

**Director Ryan advised that one of the things that the Department is doing with grant money is motivational interviewing (MI) where Officers learn a communicative and problem solving approach when working with inmates. All CO IIIs have received MI training and that training is also being modeled at COTA.**

**Director Ryan stated that significant changes have been made to the COTA curriculum which covers enhanced communication. Director Ryan believes that the new COTA training will produce a more informed cadre, which ultimately will encourage a safer environment for staff.**

**Question 3** – During Governor Ducey’s first term, he had identified the need for a pay raise for Corrections Officers, however, he did not say when that would happen. Hypothetically, if a raise does not come on or before this next fiscal year through the Legislators, has ADC thought of alternative ways within the department’s budget to provide a pay increase for Correctional Officers and/or all staff?

**Answer 3** – Budget Administrator Jake Gable: The ADC FY 2020 Budget Request included a Decision Package titled, “Enterprise Compensation Strategies”. The text of the Decision Package follows:

“ADC has identified positions within the Department where compensation adjustments are warranted. Therefore, the Department is currently working with the Governor’s Office to address this issue for key positions in FY 2020. A well-designed pay increase plan will reduce high turnover and vacancy rates, resulting in a more efficient government that saves resources on constantly hiring and training new staff. The Department and the Governor’s Office are considering a variety of pay package options that could potentially include: across-the-board pay raises; merit based increases; and/or leveling to market rates.

ADC recognizes that the Governor is particularly focused on compensation adjustments for vital public safety agencies. State public safety agencies often compete with local and federal operators that currently pay higher salaries than state positions, hindering the State’s ability to recruit and retain highly qualified individuals. Working to create a safe and secure environment for Arizona citizens and visitors is one of our State’s greatest responsibilities and challenges.

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Further, the Governor is uniquely positioned to collaborate across public safety and non-public safety departments, identifying critical compensation challenges and crafting the best solution that is appropriate for each.

ADC looks forward to working with the Governor's Office on these solutions during the development of the FY 2020 Executive Budget."

As the 2019 Legislative Session approaches ADC remains committed to working with the Governor's Office to address compensation for ADC employees. ADC is hopeful that these efforts will be productive.

ADC has, within base funds, increased stipends at hard to fill locations and has also utilized allowable compensation strategies from the Compensation plan. However, it is not realistic to assume that the ADC budget could absorb permanent pay increases for a significant number of its employees without a budget increase.

**Budget Administrator Jake Gable reiterated that the pay package is available online and can be found on page 342 of 430 at:**

**[https://corrections.az.gov/sites/default/files/documents/BudgetReq/adc-fy-2020-operating-budget-request\\_090618.pdf](https://corrections.az.gov/sites/default/files/documents/BudgetReq/adc-fy-2020-operating-budget-request_090618.pdf)**

**Jake stated that the Department's focus is and continues to be on getting a meaningful pay package.**

**To that point, Director Ryan shared with the group that he was going to meet with several legislators that day to further discuss the need for a pay package.**

**Question 4** – Are the new COII's being hired on at a higher pay rate but then not receiving the step raises (to stop or confirm a rumor)?

**Answer 4** – CHRO Tim Rhyne: No, each newly hired Correctional Officer has their salary calculated based on the Correctional Officer Pay Plan and their correctional experience. Experience is based on previous ADC experience in the CO series or outside experience for positions equivalent to a CO such as CO in another state. In addition, employees choosing to work at an institution receiving a stipend receive the appropriate percentage. The stipends are in addition to the step plan pay and are not added to the base pay.

**Question 5** – Cell doors at Lewis Complex: Carson McWilliams experienced the cell doors and the "pins" first hand by helping an Officer lockdown a pod of inmates and how fast a pod can get out of control with the cell doors not functioning

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properly. Officers at Lewis state that they would either need a floor Officer per pod or fix the doors with the pod speakers so they can attempt to control the pod from the control room. Any plans on fixing the door issue?

**Answer 5** – Carson McWilliams: I did experience this issue at the Rast close yard one evening last month. We need to do a number of things to address such as working on keeping doors properly maintained through routine preventive maintenance, holding inmates accountable for tampering with them and repairing the doors so they cannot be opened from the inside. We are putting together a plan to start door repairs in Rast, Morey and Buckley. It all starts with consistent, impactful enforcement of the inmate behavior.

**Carson advised that the door repair work will begin in July 2019.**

**Question 6** – CO Trainees (COTs) or CO I's: Verbal reports indicate that COT's have been escorting inmates to recreation alone at ASPC-Eyman. Not to say that they are not capable of doing so, but why are they doing work that is not in their job description?

**Answer 6** – Division Director Carson McWilliams: The use of the Correctional Officer Trainee positions is limited to posts that are non-contact secure posts and are unarmed. The Correctional Officer Trainees are allowed to come out of the control rooms on to the floor for employee engagement only. They are able to tour and observe activities, but have no "control" over the inmates. They do not act as the second floor officer and are not working as escorts. Administrators will monitor and reinforce with their subordinate supervisors and make it topic of discussion as they walk and talk with staff.

**Question 7** – Since some of the COT's are doing CO II's work, why not implement a COT then thru evaluation and promotion become a CO I. CO I's do Correctional Officer's jobs, just not armed posts due to being under 18 years of age. Those positions and posts would be left for CO II's and supervisors on overtime. Is something similar in the works? Something similar was suggested verbally by one of the labor organizations in a past M&C. Not sure by which one. The Interim Deputy Director stated AZPOST requirements were why this was not an option. Can ADC look back into this as a possible source for staffing?

**Answer 7** – Director Ryan: COT's are not completing the work of CO II's. Cadets at the Correctional Officer Training Academy (COTA) hold the official position title of CO I. Once a CO I graduates, they are promoted to CO II and report to their assigned institution. In order for an applicant to be admitted to COTA they must meet the requirements of Title 13, Public Safety, of the Arizona Administrative Code. Chapter 4 of

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Title 13, Arizona Peace Officer Standards and Training Board (AZPOST), requires a cadet being admitted to the academy for training as a Correctional Officer to be at least 21 years of age by the date of graduation from the academy. CO Trainee is not an official part of the CO series, as defined by AZPOST and consequently, not governed by AZPOST rules. CO Trainee positions require an applicant to be 18, giving them the ability to fill designated positions until they meet the age requirement and can attend COTA. The Recruitment Unit for Selection and Hiring (RUSH) tracks CO Trainee's currently in the field and contacts them to start the processing required for their admittance to COTA once they are eligible. Once processed, they are scheduled for a COTA start date and promoted to CO I.

In addition, the Department will be collaborating with AZPOST in the coming months to explore the possibility of modifying the hiring age of a Correctional Officer from 21 to 18 years old. This will require an AZPOST rule change, which may take several months to complete.

**Director Ryan stated that he is going to request to change the legal age limit for one to become a Correctional Officer from age 21 to 18 to expand the CO hiring pool. He shared that previous engagements at schools and other locations have garnered attention and interest from a younger demographic. Lowering the legal age limit to 18 will give young adults the opportunity to establish careers within Corrections whilst helping alleviate the CO vacancy rate.**

**Question 8** – With all the difficulties at ASPC-Winslow, we have received complaints about COII & COIII's working in cold offices that in some cases require the Officers to wear gloves to work. Officers noticed that heaters were moved to create heat for inmates, but when it came to heaters for the Officers, they were noticeably absent.

**Answer 8** – Division Director Carson McWilliams: To assist in mitigating the lack of heat due to the natural gas shut off at Winslow, portable heaters that tied into the ventilation system were ordered for the inmate population and space heaters that were more effective in providing heat to targeted areas such as control rooms and offices during work hours were provided for staff. Installation for the portable heaters was completed on November 14, 2018, and the space heaters for staff were purchased from November 9, 2018 through November 20, 2018, with distribution to staff beginning on November 10, 2018, with completion on November 23, 2018. Staff were also permitted to bring in personal space heaters, if they desired, and many did so beginning as early as October 28, 2018. The Winslow management team was also active in walking staff work areas to monitor temperatures and address concerns that were presented to them. In total, 43 space heaters were purchased for staff, and 45 heaters were brought

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in for personal use during this gas outage for use in CO II control rooms and offices, CO III offices, and support staff offices.

**Question 9** – Is there a plan to keep with the current trend to pay a merit bonus in the upcoming fiscal year?

**Answer 9** – Budget Administrator Jake Gable: We are not able to answer this question now. It is too early to forecast the availability of funds for compensation initiatives. Several factors that impact funding availability will not be known until later in the fiscal year. Employees should not plan for or have any expectation that merit pay will occur in FY 2019.

**Question 10** – Currently, at ASPC-Perryville, overtime assignments are only available to staff that are assigned to ASPC-Perryville. The prevailing reason is that it is hard to enforce a "no contact" assignment for PREA investigations, when it is with an employee that is not assigned to ASPC-Perryville. This wisdom assumes that misconduct will happen and breeds mistrust by Administrators towards staff. The Fraternal Order of Police urges the removal of the OT embargo on overtime at ASPC-Perryville.

**Answer 10** – Division Director Carson McWilliams: Inmates at ASPC-Perryville, report allegations of Prison Rape Elimination Act (PREA) against staff at a higher frequency than male inmates. The Prison Rape Elimination Act, as well as DO 125, Sexual Offense Reporting, requires that staff alleged of unlawful sexual conduct be removed from inmate contact pending final resolution of an investigation. These investigations take between 10 and 20 days to complete. To date in CY2018, 44 staff members have been placed on no-inmate contact pending resolution of their investigation. The investigators are hindered if they have to travel to other institutions to complete their investigations. Further, the institutions where these staff members are assigned suffer unduly by having to work the employee in a no-inmate contact post. There is no assumption that "misconduct will happen" as suggested. Of the 44 cases completed this calendar year so far, 0 were sustained, 12 were unfounded, and 32 were unsubstantiated. It is well known that the vast majority of our staff do their jobs in a manner consistent with our Agency Core Values. Our agency is audited for adherence to the Prison Rape Elimination Act and our investigations into allegations. The overtime restriction we have ensures that the investigation can be completed as quickly as possible and get staff back to work. There is a higher need for employees to work overtime at ASPC-Lewis. Staff not assigned to ASPC-Perryville can work overtime at ASPC-Lewis due to the low staffing.

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**Division Director Carson McWilliams advised that he will need the names of those working overtime to address any issues accordingly.**

**Question 11** – Department Order (DO) 509.11.1.1 restricts tuition reimbursement for classes in educational institutions inside of Arizona. This restriction limits the choice of employees to choose an educational institution to a select few options. ADOA Tuition Reimbursement for Education R2-5A-405 does not restrict State Agencies only to use in-state educational institutions; thus the Fraternal Order of Police urges the removal of this limitation to expand the employee’s choice for educational institutions (on-line).

**Answer 11** – CHRO Tim Rhyne: You are correct, ADOA’s policy does not contain any reference to limiting opportunities to only Arizona entities. The policy is different from the personnel rule which was cited, but that Personnel Rule also does not cite any specific references to limiting tuition reimbursement to Arizona.

We will modify the policy to remove this limitation and expand the choices of educational institutions for ADC employees.

**Question 12** – The Fraternal Order of Police would like information on the total amount of days off Department employees take for civil service duty (Jury Duty) for the last year. More specifically, Correctional Officers and Community Correctional Officers.

**Answer 12** – Division Director Mike Kearns:

<b>CY2018</b>	
All ADC Employees	319.19 days
Correctional Officers	201.13 days
<b>OFFICERS</b>	<b>DAYS</b>
CMTY CORRS OFFCR	2.69
CORRL CAPT	7.63
CORRL LT	17.00
CORRL MAJOR	1.00
CORRL OFFCR 2	134.72
CORRL OFFCR 3	23.00
CORRL OFFCR 4	4.41
CORRL SGT	10.69
<b>Grand Total</b>	<b>201.13</b>

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**Question 13** – Can we please get a concrete answer as to "why" the Department is not reporting staff assaults to the media?

**Answer 13** – Director Ryan: The Arizona Department of Corrections takes inmate assaults on staff very seriously and is always working to lower the number, especially assaults that result in an injury. Such assaults are not tolerated and often result in the referral of new criminal charges against the offending inmate(s).

ADC openly discusses the dangers that our staff face in their job, and we transparently share staff assault data by posting it publicly on the website each month, in both the "Corrections at a Glance" and "Inmate Assault, Self-Harm, & Mortality Data" reports. News media monitor this data and, on occasion, make inquiries or write stories about it.

However, they understand that while the agency tracks and publicly reports the data, the vast majority of assaults on staff do not result in an injury to the employee.

Moreover, news media and the public understand that with nearly 42,000 felons in state prisons, assaults do occur and, given that most are non-injurious, it doesn't warrant for them daily coverage. The same goes for police officers and other law enforcement who must deal with assaults upon them by suspects or others, assaults that often don't result in an injury. Departments do not report individual incidents and news media does not cover them.

When injuries occur to our staff, especially serious ones, the Department does not withhold news from the media, and we share available facts at that time.

**Inspector General Greg Lauchner reiterated the Department will continue to share information with the media when assaults that result in injury occur. He reminded the Employee Organizations that they are able to inform their constituents of the staff assaults.**

**Employee Organization: We need to know about staff assaults, it's important for our safety.**

**Director Ryan acknowledged the Employee Organizations' request for information regarding Staff Assaults.**

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**Question 14** – Can you please invite AZCPOA to any and all policy review committees for their input as well? We are being left out of the decision-making process and that is completely unfair to the members who make up a considerable part of the workforce.

**Answer 14** – Denise Stravia: Consistent with our ongoing implementation of the Arizona Management System (AMS), ADC is developing a regularly scheduled review of our Department Orders that creates greatly expanded employee participation. As part of this new process, employees throughout the agency will have the opportunity to be involved in two ways:

- a. The review schedule will be published in advance on the ADCnet, so all employees will be aware of when a DO is due for review. There will be a dedicated email box established so that employees are able to submit comments and suggestions, which will be taken into consideration by the Review Team.
- b. Each review team will represent a cross-section of functional areas and job classifications, to ensure the broadest possible participation. In this way, all employees will be invited to have a voice in the review and revision of ADC Department Orders.

Development and evaluation is still in progress, but we anticipate implementation early in the 3rd quarter of this fiscal year.

**Denise Stravia shared that the committee will meet around the 17<sup>th</sup> of this month.**

**Question 15** – Can you please comment as to why there are such weak disciplinary sanctions for inmates who seriously assault and injure your staff?

**Answer 15** – Division Director Carson McWilliams and Inspector General Greg Lauchner: First you should provide specific incidents where you feel weak disciplinary sanctions were used, this question is too general. I reviewed five serious staff assaults in the past eight months and found all to have received time loss, increased custody and CIU putting cases together for criminal prosecution.

**Question 16** – Why is it that when staff is seriously assaulted the yard is ran as normal but when an inmate is seriously assaulted the yard is locked down and TSU, SSU, and K9 are called out for searches.

**Answer 16** – Division Director Carson McWilliams: This allegation is inaccurate. Each incident is carefully evaluated and responded to accordingly. A good example to refer to

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is related to the most recent serious staff assaults that occurred at the Lewis Complex in the Morey and Buckley Units. Intelligence gathering, search and compliance operations were launched at each unit subsequent to the assaults on staff. Over 100 responders were deployed to these units. Law enforcement officers from outside agencies were embedded with ADC investigators for intel gathering purposes, and TSU/SSU/K9 officers fully searched the units and populations. Inmate property was put into full compliance with policy as were the inmates for their grooming and dress. Several inmates removed from these yards and placed into higher custody. Any inmates that assault staff where injury or the risk of serious injury is present, are always moved to higher custody, to include placement into the Restrictive Status Housing Program or into Enhanced Security. The timing of the agency response to these incidents may not always be perceived as immediate, but be assured that some form of official review and coordinated response to staff assaults always occur.

**Employee Organization: As of January 1, 2019, Employees have been told that they can no longer wear the stab vests that they previously purchased. In addition, employees are being told that they have to purchase their own utility belts. Why are the staff not allowed to wear their stab vests, and why do we have to purchase our own belts?**

**Division Director Carson McWilliams advised that ASPCs Perryville and Central Unit do not have to wear stab vests. He said that the stab vests expire after five (5) years and that if the plates are removed from the stab vests, they should not be worn for any other reason.**

**Director Ryan advised that he will have a conversation about the vests and the utility belts with Carson McWilliams and his team. He advised that there should be no reason as to why Officers would need to purchase their own stab vests.**

**Question 17** – Can someone explain the retirement programs?

**Answer 17** – CHRO Tim Rhyne: This allegation is inaccurate. Each incident is carefully evaluated and responded to accordingly.

- a. The Corrections Officers Retirement Plan (CORP) is administered by the Public Safety Personnel Retirement System (PSPRS). The plan currently consists of three different tiers based on statute changes over time. Tier membership is based upon date of hire.
  - Tier I is a Defined Benefit (DB) Plan – Membership is based on a hire date in a CORP position prior to January 01, 2012.

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- Tier II is a Defined Benefit (DB) Plan – Membership is based on a hire date in a CORP position on or after January 01, 2012.
- Tier III is a Defined Contribution (DC) Plans – Membership is based on a hire date in a CORP position on or after July 01, 2018.

A previous employee who returns to work in a CORP position typically returns to the tier they were in during their initial term of employment. The exception to this is for a small group of people from Tier II that resigned prior to July 1, 2018 and were rehired after July 1, 2018.

A Matrix with details regarding each tier is available at:

[http://www.psprs.com/uploads/sites/1/CORP\\_matrix\\_FY18-19.pdf](http://www.psprs.com/uploads/sites/1/CORP_matrix_FY18-19.pdf)

- b. Drop retirement conflicting issues. HR is stating you can't enroll in the drop program until you have retired after 24 year. And are you living off your Corp retirement and dropping your bi weekly pay check?

**Answer** - Employees in CORP positions do not have a DROP program but do have the option of a reverse DROP program. Tier I and II employees that are eligible for a retirement benefit that have at least 24 years of credited service as a non-dispatcher may elect to participate in the Reverse Deferred Retirement Option Plan (Reverse DROP). Reverse DROP is an optional benefit program allowing members the opportunity to receive a one-time lump-sum payment (from 1 to 60 months) at the time of retirement in addition to their monthly retirement benefit.

The calculation for their monthly retirement benefit and Reverse DROP payment is based on the member's service and salary at the time of participation in Reverse DROP and the lump-sum payment is credited as though it accrued monthly from the Reverse DROP date to the date the member elected to participate (plus interest equal to the yield on a 5-year Treasury note as of the first day of the month as published by the Federal Reserve Board).

It is important to note that if a member elects to participate in Reverse DROP, their credited service cannot go less than 24 years as a non-dispatcher.

- c. Can someone retire, draw their CORP retirement and come back to work for DOC?

**Answer** - A CORP Retiree cannot return to any CORP position until they are retired for 12 months or their pension will be suspended. The retiree may return after one week to an ASRS position without suspending their pension.

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It is important to note the CORP retirement system is administered by the Public Safety Personnel Retirement System, not the department. Likewise, ASRS is administered by the Arizona State Retirement System. Both systems have personnel available to assist participants in understanding the respective retirement system.

PSPRS: <http://www.psprs.com/>

ASRS: <https://www.azasrs.gov/>

Close:

Director Ryan thanked those who were in attendance.

Meeting adjourned at 1230 hours

cc: Executive Staff  
Wardens  
File