

Department of Corrections

FY 2006

Discussion Points

1. According to the FY 2006 budget recommendation in August 2004, the Department of Corrections Office of Information Technology began to automate the process of tracking programs utilized by offenders in order to evaluate the efficiency of programs and their effect on the recidivism rate.

QUESTION

What is the status of this program? What changes, if any, does the monitoring suggest for the DOC programs?

RESPONSE

The Office of Information Technology has fully implemented a new module in the department's offender management system (iTAG) to track programs available to offenders, as well as the assignment of approved offenders to specific programs, courses or activities. The Programs Module has been fully operational since August 2004 and is available for use by NJDOC staff delivering educational, social work, and chaplaincy program services in state correctional facilities.

In addition to offender program assignment, the module tracks daily attendance and level of achievement, through completion or termination. Since the Programs Module is integrated into iTAG, its data elements are now available within offender data records, making a full range of

previously unavailable management reporting options possible. As a result, once a sufficient amount of data entry occurs, program offerings can be monitored and evaluated, including effect on offender behavior in the prison setting, success on re-entry into the community and recidivism. This, in turn, will assist the department in determining how best to deploy limited program resources.

2. The FY 2006 budget recommendation notes that the department has centralized all institutional social services under the Office of Transitional Services, which has "begun to develop partnerships with federal, state and local agencies for creating linkages to existing resources that provide the support necessary to reduce the cycle of incarceration." (Budget page D-53.)

QUESTION

How has this reorganization affected the operation of the Department of Corrections? How has this improved the provision of transitional services to the inmate population? What economies, if any, have been realized by this organization shift?

RESPONSE

Centralization of social services has allowed the department to create a model which stresses a continuum of care for offenders since May 2004. Emphasis has been placed on implementing nationally recognized social work practices as they relate to reentry services for offenders. The successful transition and reintegration of all offenders is a critical goal of the department. Through centralization, staff have become more proactive in the area of case management and

discharge planning due to the establishment of a department wide coordinated system for the delivery of services. It is important to provide the offenders with the tools necessary to enable them to become productive members of the community, rather than placing the community at risk.

Additionally, the centralization of social services has created multiple collaborations with federal, state, and local agencies. A noteworthy example is the development of a Memorandum of Agreement with the Social Security Administration for the purpose of processing inmate applications for duplicate and/or corrected Social Security number cards. Possession of this document is critical for offenders as they begin to transition from prison to the community.

There are no short-term economies as a result of this organization shift. Rather, the expectation is that this more unified approach will yield more efficient and effective service delivery with the very limited staff available. The long-term economic and societal impact will be realized by reductions in crime and re-incarceration of offenders.

3. News reports indicate that gang activity is generally on the rise in New Jersey. On January 1, 2005, Bayside State Prison experienced a disturbance that department officials indicated may be gang related. The FY 2006 budget recommends an appropriation of \$757,000 for the continued operation of the Gang Management Unit at Northern State Prison.

QUESTION

What is the impact of gang activity on the institutional population? Has the department seen an increase in gang activities within the institutions over the past several years? How effective is the gang unit at Northern State Prison? Is there a need for an expansion of the current gang unit? Does the department have plans for such an expansion? What steps, both within the gang unit, and in all of the other institutions, are being taken to reduce and control gang activity?

RESPONSE

The impact of gang activity on the inmate population has been significant over the past ten years. Historically, gangs operating within state prisons were small groups, with little in the way of organization, typically comprised of inmates with significant prison terms who were housed at the department's most secure facilities. They were more readily managed due to the department's ability to disassociate members from one another. The department relocated unmanageable cases out of the state. Disruptive activity by gang members was primarily centered at the highest-level custody facilities. In the early 1990's, the department experienced a significant change in the size of gangs, their level of organization and disruption attributable to gang members. This new wave of gangs came to occupy all of the department's facilities presenting special management problems for the department.

In 1994, the department established an Intelligence Section within its Special Investigations Division, charged with identifying gangs and gang members, and monitoring their activity. An identification and automated tracking process was established. An Investigator at each

institution was designated as the Institutional Intelligence Officer, with Institutional Intelligence Committees established at each facility to ensure that custody staff could participate in the process and keep abreast of gang trends. Since 1996, all Institutional Intelligence Committees have met with federal, state, and local law enforcement agencies on a monthly basis to share gang related information statewide. Since 1994, over 9,000 gang members representing 257 gangs have been processed through the state prison population. Currently, more than 4,500 are incarcerated.

In 1998, a Security Threat Group Management Unit (STGMU) was opened. The department designated five gangs as Security Threat Groups (STG). Core members of these gangs were considered eligible for placement into STGMU. Between 1998 and 2000, the department realized a substantial decline in gang disruption as a direct result of STGMU. In 2000 and 2003 respectively, the Bloods and Crips were added to the STG list, due to a spike in gang activity attributed to their members. The department has expanded Administrative Segregation Unit within STGMU due to increased numbers of Bloods and Crips requiring this level of supervision.

Since the opening of STGMU, the department has realized a 42% drop in assaults on staff and an 84% decrease in organized violent behavior. Moreover, our research has revealed that gang members who have completed the STGMU program recidivate at less than half the rate of the national average for prisoners who are released to the community. The department has no plans to expand STGMU at this time, as its current size and configuration meet existing departmental needs.

4. In FY 2006, the Civilly Committed Sexual Offender Facility is expected to provide 150 bed spaces and the Civilly Committed Sexual Offender Facility - Annex would provide 209 bed spaces, for a total of 359 bed spaces. Because of the nature of the civil commitment of sexual offenders, it can be anticipated that the population of these facilities will continue to grow over time.

QUESTION

When does the department anticipate that these facilities will be fully occupied? How does the department intend to accommodate the increasing population of civilly committed sexual offenders once these facilities become fully occupied?

Has the Department of Corrections identified a permanent site or sites for the civilly committed sexual offender facilities? If so, what are the locations of these sites? If not, what are the difficulties of site location and when does the department expect to identify these sites?

RESPONSE

On June 30, 2004, the number of residents housed in the department's two civilly committed sexual offender units totaled 309 combined. At that time, the department anticipated a growth of six per month, which has not occurred. As of March 30, 2005, the population reached 318, which equates to growth of one per month, significantly less than anticipated. Consequently, projecting future growth for this population has become more difficult.

The Departments of Corrections and Human Services continue to work with the Governor's Office, the Office of the Attorney General, and the State Treasurer to determine the site for the permanent location of this facility. Existing state owned property is being considered as well as other locations. It would be premature to identify potential sites at this time.

5. According to the New Jersey Law Journal, the State's practice of confining sexual predators who have served their sentences but who are considered to remain a danger to the public has had major repercussions on the State in terms of the frequency of appeals filed and in commitment hearings held.

QUESTION

How has this phenomenon affected the operations of the department's Civilly Committed Sexual Offender facilities? What special services and facilities, if any, must be made available to residents of these facilities to accommodate their appeal processes? What is the estimated cost to the department for the provision of these services?

RESPONSE

Appeals filed by residents of the Special Treatment Units (STU) are part of the regular operations of these facilities for the Department of Corrections. If the appeal is of a civil commitment, it is held in the court room of the STU in Kearney. If the matter is before the Appellate Division, the resident does not appear in person. Commitments are generally made for six months and all residents are assigned counsel; therefore, these hearings are routine. The direct cost associated with the appeal process is that of having provided a computerized law library at both facilities in the amount of \$40,000. A related cost would be for transport of the

residents housed separately on the grounds of the East Jersey facility to the court room hearings conducted by use of video teleconferencing in Kearney. The department's Central Transport Unit does this transport as a routine part of its regularly assigned workload, for which a specific cost estimate is not available. The court room is staffed by regularly assigned DOC officers. These processes seldom incur overtime.

Legal services costs as related to these units are incurred by the Attorney General's Office staff handling commitments and appeals, and the Department of Human Services staff completing assessments and providing testimony at the hearings, as well as the cost for hiring outside expert witnesses. In FY 2003 and FY 2004, the department reimbursed the Division of Law \$670,000 and \$759,000 respectively for providing these legal services.

6. The Department of Corrections recently renewed its contract with Correctional Medical Services (CMS) for medical services to State sentenced inmates. The new contract with CMS covers medical and dental coverage only, and extends from April 1, 2005 through December 31, 2006. Mental health services, which were provided by CMS under the former contract are now provided by the University of Medicine and Dentistry of New Jersey (UMDNJ). The contract from mental health services extends from January 1, 2005 to December 31, 2006.

QUESTION

What procedures does the department follow to monitor and evaluate the services provided by both Correctional Medical Services and UMDNJ? How does the department address

and investigate complaints, which may be filed by inmates on the quality of medical care received?

RESPONSE

Expert clinical staff have been hired by the department in the major disciplines, including general medicine, dentistry, psychiatry, psychology and nursing, to provide professional healthcare expertise and leadership within the NJDOC. This staff is headed by the department's NJDOC Medical Director, who is the final authority in clinical matters associated with inmate healthcare, including disputes as might arise with providers of a clinical nature.

In addition, the department has reassigned staff previously functioning as quality assurance analysts from the department's headquarters, to act as on-site Health Service Managers at each NJDOC facility, a need previously unmet during past years in which a third-party provider delivered inmate health services. Health Service Managers are responsible for general oversight and administration of health care at the facilities, as well as monitoring provider performance on a day-to-day basis, while at the same time acting as host to the providers and primary liaison with the institutional management and department clinical staff. Additionally, a smaller central quality assurance staff continue to conduct periodic audits to assess the adequacy of the services delivered.

Contractual agreements define specific clinical, procedural, and financial requirements to be met by the providers, including adherence to specified performance standards; the implementation of

quality improvement programs and committees; participation in contract compliance meetings and activities; regular reporting; and compliance with grievance handling procedures. Providers are required to respond to complaints by inmates and others in a timely manner, with oversight by NJDOC staff. Specific procedures remain in place, which define how complaints are to be handled.

As the NJDOC transitions to the above noted method of healthcare contract management, department staff involved have found the approach to be very effective thus far. Through daily, proactive management and communication with the providers, the department anticipates ongoing success for its inmate healthcare programs.

7. Recommended FY 2006 budget language continues a gainsharing program targeted toward the Departments of Corrections, Human Services, Law and Public Safety and Transportation, the departments with the highest number of Workers' Compensation claims. Under the program, these departments would be given an opportunity to retain savings realized below the amount spent in the previous fiscal for Workers' Compensation. The program is intended to help arrest the growth in claims and program costs. The program requires that any savings generated through gainsharing be applied to improvements in worker safety and reducing Workers' Compensation claims and costs.

QUESTION

What is the DOC share of these savings in FY 2005? How much can the department anticipate for FY 2006? What specific worker safety projects will be funded with the

savings generated? How does the reduction (if any) in workers' compensation claims affect the department's workforce productivity, i.e. overtime, decreased sick time, etc?

RESPONSE

In response to the gainsharing program implemented in the FY 2005 state budget, the department undertook a review of costs associated with sick leave/injury (SLI) and workers compensation (WC) claims of its employees, as well as the administrative practices within the organization that deal with the reporting, review, and approval processes for these claims.

Costs attributable to department claims are incurred by both Departments of Treasury and Corrections:

<u>Department</u>	<u>FY 2004</u>	<u>FY 2005 Through March 31</u>
Treasury	\$ 8.4 million	\$ 8.0 million
Corrections	<u>7.6</u>	<u>7.2</u>
SLI/WC Direct Costs	\$16.0 million	\$15.2 million

Corrections pays employees in SLI status straight-time salaries for up to a year, after which any employees requiring additional leave receive WC pay directly from Treasury. Treasury also pays employee medical costs and one-time lump sum payments for full or partial work related disabilities due to injuries experienced by employees on the job, as well as covering other costs related to claims, such as investigatory expenses.

In FY 2004, department workdays lost to SLI totaled 35,880, while FY 2005 days lost total 24,456 through March 31. These workdays must be backfilled with available staff to cover

security posts at correctional facilities, since with few exceptions, uniformed staff are SLI recipients. During FY 2005, the department has averaged 74 officers over its required officer FTE level at an additional straight time cost of \$4.6 million, plus \$6.7 million in overtime for a total \$11.3 million, to backfill workdays lost to SLI. While the department has been over, but close to, its FTE cap, the additional 74 officers have displaced some civilian positions, while overtime costs related to SLI continue to exert upward pressure on department overtime expenditures overall. Any reduction in workdays lost to SLI, therefore, allows the department to avoid having to pay 2 to 2 ½ times for each day otherwise lost.

As a result, procedures are being adjusted in order to insure that SLI claims review is uniform and as effective as possible throughout the department. As part of the review process, meetings have been held with Department of the Treasury's Risk Management staff, to discuss the SLI and WC process, and to clarify the respective roles of staff. The responsibility and accountability for recommending award of SLI has been elevated from a supervisory to a managerial level, and the check list for SLI review has been improved to ensure that all relevant information is considered, prior to a recommendation for SLI award or denial. A department level auditing strategy for SLI claims approvals made at the institutions is also being developed.

Although FY 2005 will not result in a reduction to levels desired, the projected number of workdays lost to SLI is estimated to be 15% less than FY 2004, - 32,608 as compared to 35,880-, equating to a \$346,000 reduction in department straight-time pay for workdays lost to SLI. With a full-year implementation of revised department procedures, a further decrease in the number of workdays lost to SLI and the related pay may occur through FY 2006.

Attempting to determine associated savings in Treasury costs due to reduction in days lost to SLI is not feasible on a projection basis. If gainsharing dollars were to become available for work safety projects, the department would apply these resources to projects to correct conditions resulting in work related injury based on review of recent claims, in addition to those safety improvements as may already be in process.

After a thorough review of the SLI process internal to the department and Title 4A, which establishes the parameters for awarding SLI and WC, it is clear that for any substantial reduction in cost, a comprehensive review of the entire process statewide is warranted. The department has been invited by the Department of the Treasury to participate in such a review, to be conducted in consultation with a Risk Management Advisor, in the near future. Few states if any allow the one-year's sick leave at full pay benefit that the State of New Jersey provides.

8. At a recent hearing of the Senate Law and Public Safety Committee, the commissioner testified that custody staff receives training when they begin employment with the Department of Corrections. While no continuing education is currently offered, the commissioner stated that in-service training is "crucial for all custody staff to ensure their safety and well being."

QUESTION

What type of training is currently offered to custody staff when they begin employment with the DOC? What would be the recommended training enhancements? What is the

estimated cost in both overtime and education expenses, of providing this additional training to the custody staff-training program?

RESPONSE

Currently, the department provides 14 weeks of training for all new correction officer recruits. During the first 12 weeks, recruits are provided in-residence training in a classroom setting, in the following areas: law, legal aspects of arrest, search and seizure, use of force, communications, emergency care, weaponry and armed defense, correctional security concepts, investigations and physical conditioning. The final two weeks of training consist of hands-on experience in an institutional setting.

The American Correctional Association, the leading national organization that accredits correctional entities, has specific standards for 40 hours of in-service training annually based on an annual needs assessment and includes core subject matter. Currently, the department does not meet this mandatory requirement, but provides eight hours budgeted weapons re-qualification and use of force training as regularly scheduled annual in-service training. Other specialized training is offered each year, as needs demand based on resource availability, in such areas as gang management. During the FY 2006 budget process the department reallocated funding shifting \$2.2 million to overtime for CPR training. A total of 16 hours of overtime will be funded in the FY 2006 budget for in-service training. Enhanced annual in-service training of an additional 24 hours per year would cover the following areas: inmate gangs, cultural diversity, health and safety, department updates (laws and policies/procedures), cell extraction, institutional searches, and special needs inmates/ mental health issues. The cost of this

enhancement totals \$13.1 million, including 49 new staff to conduct the training at \$4.7 million; \$7.5 million for all senior correction officers, sergeants and lieutenants on an overtime basis including fringe benefits; and \$.9 million overtime costs for civilian staff in regular contact with inmates.

9. The FY 2006 recommendation includes \$4 million in capital funding which would provide for brick-and-mortar replacement of trailer units, which had outlived their original ten-year life expectancy. Currently, the department maintains nine units, containing 1, 023 bed spaces throughout the State prison system.

QUESTION

How many trailer units would the recommended funding replace? Where are these trailers located? Where are the new facilities being built? How much funding would be required to replace all 9 units? How long would it take the department to complete the construction of all 9-replacement buildings?

RESPONSE

The recommended funding would replace approximately 108 bedspaces located in trailers. At present, the Department is reviewing the condition and location of each unit and has not yet determined the site of the replacement facility.

Listed below are the individual trailers units, their locations and existing operational capacities:

<u>Unit</u>	<u>Institution</u>	<u>Existing Capacity</u>
TM 3	Bayside	140
TM 4	Bayside	140
D Cottage	Edna Mahan	52
East Cottage	Edna Mahan	120
Hillcrest Cottage	Edna Mahan	120
Rahway Camp	East Jersey	91
Housing Unit D	Riverfront	120
Housing Unit E	Riverfront	120
Housing Unit F	Riverfront	<u>120</u>
		1,023

The replacement of the nine individual trailer units at a cost of \$39.9 million, is the department's number two priority in its FY 2006 Capital Budget Request. The request identifies a phased replacement of the units with the Department's dormitory prototype inside the secure perimeter of a host facility. However, the prototype (the 134-bed dormitory unit at Jones Farm occupied in February 2004) would cost \$4.98 million, or approximately \$37,000 per bed. Therefore, a similar prototype reducing the number of replacement beds from 134 to 108 would be developed. The department's replacement proposal would be carried out in four phases (Bayside, Edna Mahan, East Jersey & Riverfront) with an approximate completion date of June 30, 2009. This assumed funding were provided in FY2006 and the subsequent three Fiscal Years (2007 – 2009).

By comparison, if this year's Capital Appropriation of \$4.0 million is used as a basis for future appropriations, it would take the Department ten years, to FY 2015, to replace the 1,023 beds.