

Special Report

The Effects of Cuts, Consolidations, Prison Closures, and Other Changes in the Department of Correction Since July 1997

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Executive Summary

This report is the third of a three-part series. It examines the effects of changes that have occurred in the Department of Correction since July 1997. These include the abolishment of over 400 positions, the consolidation of 10 prisons into five, and the closure of the Chattanooga and Knoxville Community Service Centers. In the preparation of the report, the Office of Research staff reviewed department documents and interviewed corrections' officials. Below is a summary of the questions, answers, conclusions, and recommendations contained in the report.

1. What happened to employees in abolished positions?

- **Many of the abolished positions were vacant at the time they were eliminated. Of those who were employed in abolished positions many either stayed at the Department of Correction in other positions or transferred to other state agencies.**

Over 150 of the 400 positions eliminated through cuts, consolidations, and closures were vacant when positions were eliminated. Of the remaining employees affected by the cuts and consolidations in July 1997, 58 percent stayed in the Department of Correction, 24 percent left state service, and 18 percent went to other state agencies. Of those affected in 1998 by prison closures, 43 percent transferred to other non-correction related state agencies, 37 percent stayed in the department, while others left state service through retirement, layoff, or resignation. (See pages 4-6.)

2. Did staff cuts, prison consolidations, and closing the community service centers save money?

- **The staff cuts, prison consolidations, and closing of the Chattanooga and Knoxville Community Service Centers saved money, but probably less than the \$10.3 million first estimated by the department.**

The cost per day per inmate decreased from FY 1996-97 to FY 1998-99, despite salary increases for state employees and additional increases for correctional officers in 1998. Clearly some of these savings resulted from the closing of the Chattanooga and Knoxville Community Service Centers, two of the more expensive facilities in the state's prison system. The reduction in staff helped limit the growth of personnel costs but some costs increased. Annual expenditures for overtime and compensatory time increased \$3.1 million in two years. In addition, classroom renovations to accommodate larger class sizes resulted in a one-time cost of over \$60,000. Savings have also decreased to some extent because a few positions abolished in 1997 have been reestablished. Department staff indicate that other actions not related to staff cuts, prison consolidation, or closures saved money. These include—the decrease in the department's vehicle fleet; the institution of energy saving measures; the consolidation and standardization of purchasing, and changes to the inmate telephone system. (See pages 6-9.)

3. *What were the programmatic effects of reorganizations, position cuts, and prison closures?*

- **Program performance in education, mental health, and facility safety decreased as a result of cuts, consolidation, closures, and contracting.**

From FY 1996-97 to FY 1998-99 the performance of education programs has decreased including: the number of inmates taking and passing the General Equivalency Diploma (GED), the percent of the population enrolled in educational classes, and the number of inmates completing vocational programs in TDOC facilities. As of September 1999, five facilities had no GED testing.¹ Since the cuts, annual inspections have revealed a significant number of violations on mental health, fire safety, occupational safety, and hazardous materials standards. (See pages 9-24.)

4. *Are there increases in security risks that have occurred as a result of the cuts?*

- **Security risks may have increased as a result of cuts, consolidations, and closures.**

Six inmates escaped in 1998 from a State-operated maximum security facility. Some cite ambiguous roles of staff related to the new centralized maintenance in Davidson County as contributing to the escape. The number of serious violent incidents increased in 1999; violations of security standards in the Department of Correction's (TDOC's) annual inspections increased in 1998 and 1999. In isolated incidents some inmates are working with no supervision because of staff cuts and vacancies. (See pages 24-27.)

- **TDOC has taken steps to fix some problems that have occurred.**

One such example is the department's decision to reestablish a facility safety officer position at each Davidson County prison after such functions were consolidated from six positions into three in 1997. Another example is the department's decision to initiate an external review of the worst performing facility on mental health standards as a result of an employee grievance alleging "insufficient services." In addition, the department added an administrative assistant and a principal position back after the department determined cuts were too severe. Lastly, the department more clearly defined the central maintenance procedures after concerns were expressed about tool control and the supervision of inmate workers. In October 1999 a new policy was implemented clarifying how inmates may be used and supervised; defining the control of tools; and explaining the work order process. (See page 27.)

¹ In November 1999 TDOC's Director of Education began GED testing at some of the facilities that had previously been without testing. In December 1999 the Department of Personnel approved adding a position to TDOC's central office education section. This new person will perform GED testing at TDOC prisons, which hopefully will increase the number of inmates taking and passing the GED.

5. Have there been unintended consequences of the changes in 1997 and 1998?

Some unintended consequences may have resulted from staff cuts, prison consolidations, and the closure of the Chattanooga and Knoxville Community Service Centers.

- **Prison staff rely on inmates for their maintenance expertise in Davidson County, which may jeopardize staff authority.**

In July 1997 TDOC centralized maintenance at the four prisons in Davidson County, decreasing maintenance staff. The remaining centralized maintenance staff have been troubled with difficult to fill vacancies in specialized areas like heating, ventilation, and air conditioning and electrician positions. With extended vacancies in centralized maintenance staff rely on the expertise of inmates to perform HVAC and electrician duties. Increased reliance on inmates may blur the roles between staff and inmates, jeopardizing staff authority. (See page 28.)

- **Although not a direct result of cuts or consolidations, central office staff turnover has delayed standard reports and made information and explanation more difficult to obtain.**

The TDOC central office has 21 employees at the directors' level or above; four started their current positions in 1999. Over half of the 21 have been in their current positions less than five years. Because some of the positions filled in 1999 had been vacant several months, obtaining data has been more difficult and standard reports were delayed. Although new staff are working diligently to learn new responsibilities, not having this information and losing more experienced staff members makes evaluation of the cuts, consolidations, and closures in 1997 and 1998 more difficult. (See page 28.)

- **Nashville may receive a larger percentage of inmates upon release.**

When the Knoxville and Chattanooga Community Service Centers were closed in 1998, the only community service center that remained was in Nashville, which is part of the Middle Tennessee Correctional Complex. Although not all inmates nearing release are transferred to Nashville, some East Tennessee inmates are. According to officials in Nashville, more inmates are released and remain in the city because it difficult for Nashville officials to arrange housing and jobs for them in their home cities. Integration into a new city may be more difficult for inmates without family or other support systems. (See page 28.)

6. What suggestions would improve future decisions to cut staff, consolidate, or close prisons?

The recommendations suggested in this report address specific concerns found in TDOC and advise correctional decision-makers how to improve future decision-making involving staff cuts, consolidations, and closures. Recommendations appear on pages 28 through 31 of the report and are listed below.

- The Department of Correction may want to consider increasing educational staff and reconsider increases in class size.
- The Department of Correction should examine the extent to which inmates working unsupervised in food services and the risk of inmates taking on more responsibility in other areas.
- The Department of Correction should review the qualifications and salaries for mental health positions.
- The Department of Correction should evaluate the increase in the most serious types of violent incidents during 1998-99.
- After changes, the Department of Correction should conduct more monitoring to determine the effects of change.
- Future decisions to consolidate prisons or functions in the Department of Correction should involve more discussions with facility staff and include the clarification of staff roles, prior to changes.
- The Department of Correction should consider vacancy rates in determining positions to cut and make a more aggressive attempt to fill current vacancies.

The Commissioner of Correction's response to this report begins on page 32.

Review of the Tennessee Department of Correction Effect of Budget Cuts, Prison Consolidations, Prison Closures and other departmental changes since FY 1997-98

MISSION: To determine the effects of abolishing over 400 positions, consolidating eleven prisons, closing the Chattanooga and Knoxville Community Service Centers, and other changes in the Department of Correction since the beginning of FY 1997-98.

Introduction

Because the Comptroller released the report entitled *The State of Corrections* in February 1998, legislative staff suggested that a standard performance audit of the agency was not needed in the same year. Instead, legislative officials asked the Comptroller's Office to undertake a series of smaller reports focused on specific areas of concern related to the Department of Correction. This report serves as the third of the three-part series. The first part, entitled *Review of the State of Tennessee Department of Correction, Contract Administration and Monitoring Process*, was released in April 1999 by the Comptroller's Division of Management Services. The second part, entitled *Inmate Incarceration Costs and Security Staff Morale*, was released in December 1999. This report examines the effects of changes that have occurred in the Tennessee Department of Correction (TDOC) since July 1997. Since July 1997 over 400 positions have been abolished, 10 prisons have been consolidated into five, and the Chattanooga and Knoxville Community Service Centers have closed. The largest staff cuts occurred in food service/Cook Chill, education, and administrative positions eliminated through prison consolidation.

Methodology

In order to determine the effects of cuts, consolidations, and closures, Office of Research staff:

- reviewed Department of Correction documents regarding the proposed changes;
- interviewed department staff at both consolidated and non-consolidated institutions, the central office, officials from the Department of Finance and Administration, and from the Select Oversight Committee on Correction; and
- analyzed information from the department's annual prison inspections, incident reports, inmate activity reports, and other departmental documents.

Background

In an effort to complete FY 1995-96 reductions, fund a salary increase for FY 1996-97, and reduce costs for FY 1997-98 the Department of Correction abolished a total of 241 positions during FY 1997-98. Of those positions, 162 were filled and 79 were vacant at the time the positions were abolished. Staff of the Select Oversight Committee on Corrections explain that during the 1997 budget cycle TDOC was offered additional funding to avoid having to make such drastic cuts. The department responded that in addition to cost

savings the reduction in force and consolidations were an effort to gain “efficiencies.” In addition, in 1998 the Department of Correction closed the Chattanooga and Knoxville community service centers. TDOC explained that the necessary building repairs for facilities serving so few inmates were just not worth keeping the facilities open. In addition, the Tennessee Correctional Work Center was closed, which was always considered a temporary facility used until expansions at Wayne County Boot Camp were completed. The closing of the community service centers and the boot camp affected an additional 211 positions.

In order to determine the effects of cuts, consolidations, and closures, this report attempts to answer the following questions:

1. What happened to employees in abolished positions?
2. Did the reductions in staff, consolidations, and prison closures save money?
3. How were programs at prisons affected by changes?
4. Has there been an increased risk to security as a result of changes?
5. Have there been unintended consequences of the changes?
6. What suggestions would improve future decisions to cut staff, consolidate, or close prisons?

Description of the FY 1997-98 Reduction in Force

The largest reductions were in the areas of Cook Chill (inmate food), education (increased class size), and administrative positions (with the consolidation of prisons and functions). According to the department, the budget cuts and reorganization in FY 1997-98 resulted in salary increases for 41 employees and salary decreases for 39 employees; 155 employees either had no salary changes, or the employees’ salaries before and after the changes were not known by TDOC. The department reported that budget reductions saved \$8.7 million. Additional savings resulted from the closing of the Chattanooga and Knoxville Community Service Center.

Position cuts and reorganization resulting in the closing of the Knoxville and Chattanooga Community Service Centers and the Tennessee Correctional Work Center.

The proposal for cuts and consolidations during FY 1997-98 included the elimination of education programs where they existed at the community service centers and the closure of the Tennessee Correctional Work Center. In early 1998 the Department of Correction closed the Knoxville and Chattanooga Community Service Centers and the Tennessee Correctional Work Center. The community service centers were smaller than most prisons, serving between 120 and 350 inmates, and were focused on prerelease programs and community service for minimum-security inmates and technical parole violators to prepare them for release. As a result of their small size, these facilities had higher operating costs per day than the state’s average prison cost per day.

From its inception, the Tennessee Correctional Work Center was intended as a temporary facility. TDOC made renovations and used an existing space in the Nashville area to house

approximately 300 inmates, both male and female. After the facility closed, most employees were absorbed into Middle Tennessee correctional institutions. Most of the male inmates were transferred to Wayne County Boot Camp and the female inmates were transferred either to the Tennessee Prison for Women or the Mark Luttrell Reception Center.

The closing of the three facilities affected 211 positions, 106 from the Tennessee Correctional Work Center. Of the 211 positions abolished, 119 were filled. Of the 119 staff who were affected most either transferred to another state agency or remained at the Department of Correction. TDOC estimated that the closing of the community service centers saved \$1.6 million.

Prison Consolidations

Included in the position cuts was the consolidation of some closely located prisons in the state. The consolidated prisons now share some administrative staff and operate under the direction of a single warden. The prisons listed below were combined into correctional complexes. Exhibit 1 includes a listing of top administrative changes resulting from prison consolidation.

Brushy Mountain Correctional Complex - Combined the Morgan County Regional Correctional Facility and Brushy Mountain State Prison.

West Tennessee High Correctional Complex - Combined the West Tennessee High Facility (including the Lauderdale County expansion under construction at the time consolidation) and the Cold Creek Correctional Facility.

Middle Tennessee Correctional Complex - Combined the Middle Tennessee Reception Center and the Nashville Community Service Center. In addition to this prison consolidation, the department centralized the maintenance for all Davidson County institutions including DeBerry, the Middle Tennessee Correctional Complex, Tennessee Prison for Women, and Riverbend. Procurement for these prisons was also combined and moved to TDOC's central office. The procurement officers at the individual institutions were moved to the central office. Now only one principal oversees education in the Davidson County facilities. Lastly, TDOC attempted to consolidate facility safety in Davidson County prisons, but in December 1998, the department reversed its decision and placed a facility safety officer at each institution.

Northwest Correctional Complex - Combined the Northwest and Lake County prisons.

Northeast Correctional Complex - Combined Carter County Work Camp and the Northeast Correctional Facility.

Exhibit 1

Administrative Changes through Prison Consolidations in July 1997
Combined Positions Areas & Staff Responsibilities

<p>One Warden <i>Two wardens before consolidation</i></p>	<p>Facility safety Personnel/Training <i>Previously these areas of responsibility were under the Associate Wardens of Administration.</i></p>
<p>One Deputy Warden <i>Formerly an Associate Warden of Operations and an Association Warden of Administration before consolidation.</i></p>	<p>Food Services Health Services Maintenance <i>Previously these areas of responsibility were under the Associate Wardens of Administration.</i></p>
<p>Two Associate Wardens of Operations (1 per site) <i>Formerly an Associate Warden of Operations and an Associate Warden of Administration at each prison before consolidation.</i></p>	<p>Education/Library Records Security Unit Management Classification Inmate Jobs Religious Services Laundry <i>Same responsibilities as the previously organized Associate Wardens of Operations.</i></p>
<p>One Fiscal Director <i>Before consolidation, an Accountant at each prison reported to the Associate Warden of Administration. There was no fiscal director.</i></p>	<p>Procurement Commissary Warehouse Property One Accountant 3 under the Fiscal Director Fiscal Inmate Trust Fund Inventory Control <i>Warehouse, procurement, and commissary responsibilities used to be under the Associate Wardens of Administration. The accountant's responsibilities stayed the same except there is now one accountant and an accounting clerk instead of two accountants.</i></p>

Source: TDOC flow chart document, Appendix 7, March 11, 1997.

Analysis and Conclusions

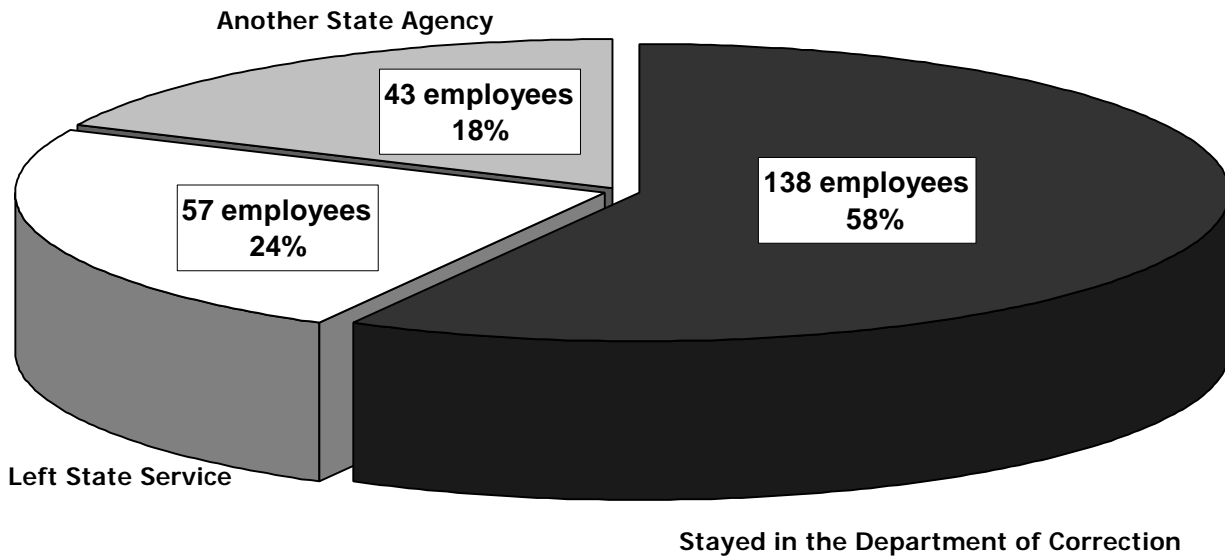
What happened to employees in abolished positions?

- Many of the abolished positions were vacant at the time they were eliminated. Of those employees whose positions were abolished, many either stayed at the Department of Correction in other positions or transferred to other state agencies.

Some department staff in positions that were abolished remained in the department in different positions and titles (58 percent). Others transferred to other state agencies (18 percent) while some left state service (24 percent). Exhibit 2 illustrates where TDOC employees in abolished positions were employed after the reduction in force.

Exhibit 2

Where Department of Correction Employees were Employed after Reduction in Force and Reclassifications in FY 1997-98

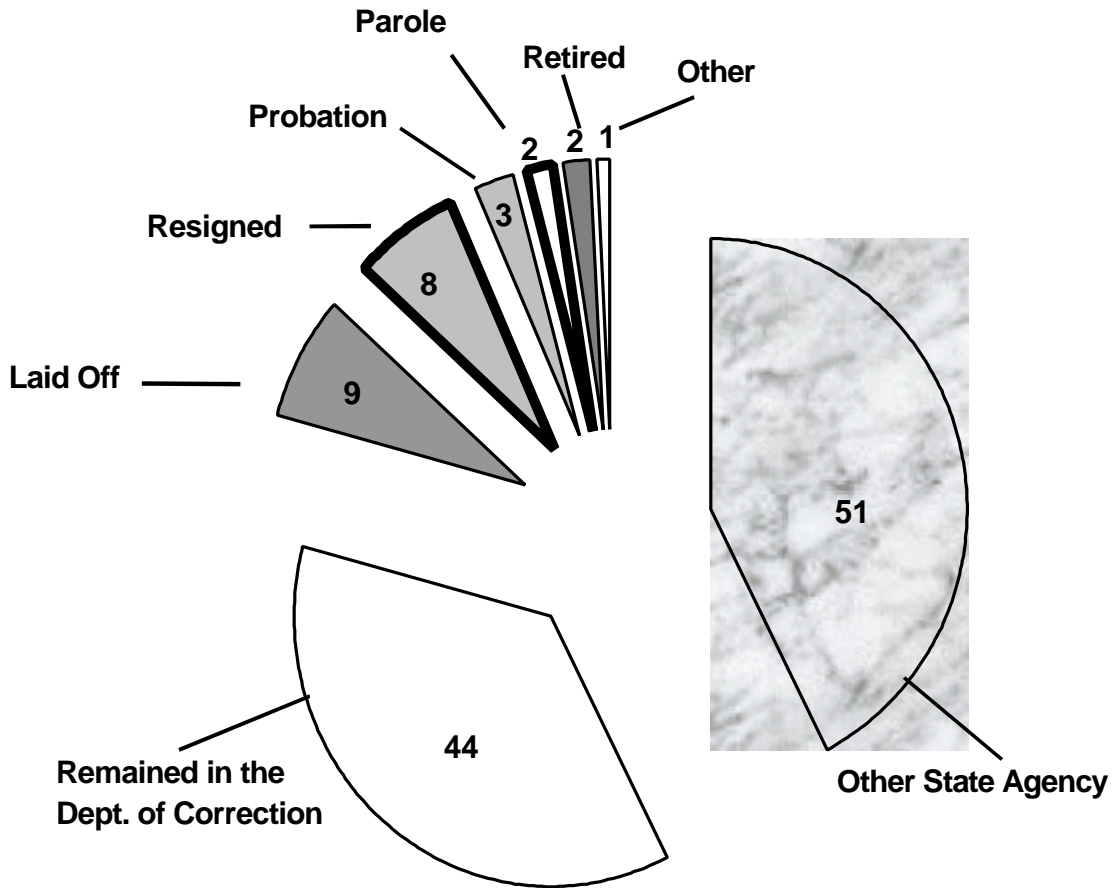


Source: "FY 97-98 Reduction-In-Force Information," Department of Correction, October 13, 1998.

Exhibit 3 illustrates where employees with the Chattanooga and Knoxville Community Service Centers and the Tennessee Correctional Work Camp were employed after their closure in 1998. Many transferred to other state agencies, while others remained at the Department of Correction.

Exhibit 3

Placement of TDOC employees after closure of the Chattanooga and Knoxville Community Service Centers, and Tennessee Correctional Work Camp



Source: TDOC documents provided January 1999. Note: Probation and Paroles were combined in July 1999.

Did staff cuts, prison consolidations, and closing of the community service centers save money?

- The department saved money by cutting staff, consolidating prisons, and closing the community service centers, but true savings were probably less than the \$10.3 million first estimated.

The Department of Correction estimated that the cuts in FY 1997-98 would result in an estimated \$8.7 million in savings and an additional \$1.6 million by closing the Chattanooga and Knoxville Community Service Centers, a projected total savings of \$10.3 million. However, estimating the actual savings of changes in 1997 and 1998 is difficult because

the prison population is expanding as are the number of beds in the prison system. The Department of Correction officials said, in their final response to this report, that "...it is difficult to identify a specific savings." However, it can be determined that TDOC's cost per day per inmate decreased from FY 1996-97 to FY 1998-99. The estimated cost per day difference from FY 1996-97 to FY 1998-99 is \$3.66 per inmate for a total savings of \$57,506 per day and \$21 million annually. (See Exhibit 4.) Some of this per day cost savings is from the cuts, consolidations, and closures made in 1997 and 1998, while some savings came from other departmental changes. Because some expenses increased, the Office of Research estimates the total savings that resulted from cuts, consolidations, and closures to be less than the estimated \$10.3 million.

Exhibit 4
Average Cost per day per Inmate at TDOC & CCA-Operated Facilities

FY 1996-97	FY 1997-98	FY 1998-99
\$48.66	\$46.12	\$45.01

Source: Department of Correction Budget Division.

Rounding results in a .01 cent difference in calculated savings per day.

Does not include the cost per day of state inmates in local jails.

Undoubtedly some of the decrease in systemwide costs per day per inmate resulted from closing the Chattanooga and Knoxville Community Service Centers. Other than the DeBerry Special Needs Facility, Chattanooga and Knoxville were the two most expensive facilities to operate, costing over \$60 per day in FY 1997-98. The position cuts in FY 1997-98 and the prison consolidation also contributed to the decrease in cost per day.

From FY 1996-97 to FY 1998-99 the institutions with the largest estimated dollar savings per day were Wayne County Boot Camp and DeBerry Special Needs Facility. Both facilities averaged savings of at least \$30 per day per inmate. Neither was consolidated with other institutions in FY 1997-98. Of the four institutions that had the largest percentage savings since FY 1996-97— each over a 20 percent saving in cost per day per inmate —only one was involved in a consolidation in FY 1997-98.

When predicted savings are analyzed more closely, overall institutional personnel expenditures from FY 1996-97 to 1998-99 increased five percent. The increase is most likely attributable to a state salary increase and the allocation of an additional \$3.4 million in classification/compensation money appropriated in June 1998 to increase the salaries of correctional officers. Other TDOC operational expenditures from FY 1996-97 to FY 1998-99 decreased including: printing, utilities, communications, maintenance, professional services, supplies, rental and insurance, motor vehicle operation, awards and indemnities, grants/subsidies, and travel.

TDOC officials and documents suggest that decreases in the department's vehicle fleet, changes in the inmate telephone system, and a more systematic procurement system have contributed to savings. In addition, food service costs have decreased since FY 1996-

97. With the cuts in food service staff and Cook-Chill operation, the total food service cost per day per person decreased from \$5.07 in FY 1996-97 to \$4.53 FY 1997-98.

- **Some costs have increased since the reduction in staff, which may lessen the cost savings from staff cuts, prison consolidations, and closures.**

Departmental use of overtime has increased since the reduction in force. The Department of Correction spent an additional \$3.1 million on overtime in FY 1998-99 over expenditures in FY 1996-97, prior to staff cuts. This amounts to a 141 percent increase in overtime expenditures in two years. From FY 1996-97 to FY 1998-99, the department's use of compensatory time, which grants leave instead of money for working additional hours, remained stable. (See Exhibit 5.)

Exhibit 5

TDOC Overtime and Compensatory Time Expenditures FY 1996-97--FY 1998-99

Expenditures	1996-97	1997-98	1998-99
Overtime	\$2.2 million	\$4.5 million	\$5.3 million
Compensatory Time	\$2.5 million	\$2.4 million	\$2.5 million
Total	\$4.7 million	\$6.9 million	\$7.8 million

Sources: FY 1996-97 data from TDOC responses to Sunset Review Hearing before the Judiciary, Law Enforcement, and Criminal Justice Joint Subcommittee, Attachment 1. FY 1997-98 and 1998-99 information supplied by the Department of Finance and Administration, Budget Office.

The increase in overtime in FY 1998-99 may partially result from position cuts made in 1997. Field staff in food service and central maintenance said that their use of overtime has increased since the cuts. Department officials contribute most of the increase in overtime to the high vacancy rate for security staff. Although the cuts in 1997 did not eliminate security staff from facilities that remained open, more than half the staff from the Chattanooga Community Service Center, Knoxville Community Service Center, and the Tennessee Correctional Work Camp chose to leave TDOC rather than transfer to another TDOC facility. Some of these staff who selected not to transfer could have filled vacant security positions. In addition, a salary increase of correctional officers in FY 1998-99 makes each overtime hour for correctional officers more expensive. Therefore, any true savings measured from the position cuts must be calculated against increased costs which may be related to position cuts, like use of overtime. In this scenario, the true savings from cuts in 1997 may be less than the estimated \$10.3 million.

There were also some additional costs associated with increasing class sizes and contracting for General Equivalency Diploma (GED) testing services, such as one-time costs associated with increasing class sizes. According to a TDOC central office official, some institutions had to renovate education space to accommodate larger class sizes. Figures provided by TDOC, which excluded labor costs at one institution, estimated the cost of renovation at \$62,130. This includes cost of engineering design, labor, and materials. The department has also increased its cost for GED testing by contracting for the testing at some of its prisons, for a total estimated cost of \$36,000 in 1999.

In Davidson County a few of the positions eliminated in 1997 were added back, which decreases the amount of the estimated savings. A fire safety officer, an administrative assistant, and a principal position were all added back. The cost of adding these positions totals approximately \$113,000 annually.

What were the programmatic effects of reorganizations, position cuts, and prison closures?

- **Program performance in education, mental health, and facility safety decreased as a result of cuts, consolidation, closures, and contracting.**

Since July 1997 the performance indicators for TDOC's education programs have decreased including: the number of inmates taking and passing the GED, the percent of the population enrolled in educational classes, and the number of inmates completing vocational programs in TDOC facilities. In addition, since cuts were made violations on annual inspections of mental health, fire safety, occupational safety, and hazardous materials have increased.

Education

- **Participation in educational programs and vocational program completion have slightly decreased while the number of inmates taking and passing the GED have significantly decreased from FY 1996-97 to FY 1998-99.**

In February 1997 TDOC planned either to reclassify or abolish 81 education positions. These changes affected principals, teacher supervisors, academic and vocational teachers, and teacher/librarian positions. Many of these changes reclassified teachers and teacher/librarian's positions to correctional clerical officers (CCO). Other teaching and a few supervisory positions were eliminated. The department reported that when the changes were implemented in July 1997, 68 employees were affected. Thirty employees were in positions that were abolished and 38 others were in positions that were reclassified. The cuts in educational personnel resulted from an increase in class sizes; the elimination of education programs at the community service centers, reception centers, and the work camp; and staffing inmate libraries with clerical correctional officers instead of licensed teachers or librarians.

Increase in Class Size

Beginning in FY 1997-98 the department increased the size of its educational class sizes to the maximum of the public school system. Academic classes were increased from a maximum of 25 inmates per teacher to 35 inmates per teacher. Vocational classes were increased from a maximum of 15 inmates per instructor to 23 inmates per instructor. With the increase in class sizes the department reclassified some teacher positions to CCOs. The department planned for every two teachers to receive a correctional clerical officer to assist in the planning and preparation of class work and aid in monitoring the larger classes.¹

¹ Select Oversight Committee on Corrections Packet, March 17, 1997, p. 4.

- **Field education staff has expressed concern with increases in class sizes, particularly in classes for inmates at lower academic levels and in vocational classes.**

Instructors in state correctional institutions teach inmates who may have a variety of special needs and are also at varying grade levels academically. Some suggested that a more appropriate student/teacher ratio might be the suggested class sizes for alternative schools. In a November 1998 memo, the Department of Education suggested the appropriate teacher-student ratio for alternative programs was one teacher for every 10 students and 10 to 20 students if the class had both a teacher and an aide.² Some field education staff indicated that they would choose to give up one or two CCO positions to reestablish another teaching position at each prison.

In comparison to 13 other states, Tennessee has larger inmate classes. All 13 states have smaller classes for adult basic education than allowed in Tennessee. Of the five states that provided separate GED class size information, all have larger classes for GED students than for Adult Basic Education students, but still smaller than the 35 students allowed in Tennessee. For vocational classes, only one state, South Carolina, allows more students than Tennessee in vocational classes. (See Exhibit 6.) Department officials assert that although Tennessee has increased the maximum class sizes, on any given day the actual number of students in a class is considerably less than the maximum allowed.

Exhibit 6
Educational and Vocational Class Sizes in Other States

State	Number of Students per Teacher in Adult Basic Education Programs	Number of Students per Teacher in Vocational Programs
Arkansas	Average 25, Maximum of 30	15
Colorado	Average 12-15, Maximum of 20	Average 12-15, Maximum of 20
Georgia	20	15
Florida	Minimum capacity of 18	Minimum capacity of 15
Illinois	15	18
Kentucky	15	Average 15, Maximum of 18
Michigan	Ranges from 15-20	Depends on type of class
Mississippi	15	15
New York	15	Depends on type of class and room size
North Carolina	15	15
South Carolina	Ranges from 22-25	Ranges from 22-25
Tennessee	Maximum of 35	Maximum of 23
Vermont	Ranges from 2-15	Ranges from 2-15
Virginia	Average 15, Maximum of 17	Average 12, Maximum of 15

Source: Telephone inquiry with Prison Education Directors, November 1999.

² Memo from Cindy Fagan, Director, Academic Support Programs, Tennessee Department of Education, November 6, 1998.

One facility safety officer interviewed expressed concern that more injuries have occurred because of increased class sizes in vocational education. The official cited proceedings before the Board of Claims because an inmate had lost a finger in a vocational class without sufficient desks to accommodate students. TDOC's Director of Education said she has heard concerns about lack of adequate space to accommodate larger vocational class sizes. Because the department does not record where injuries took place, Office of Research staff are unable to determine the number of injuries in vocational areas before and after the increase in class sizes.

Library Changes and the Use of Correctional Clerical Officers

Before July 1997 most TDOC prison libraries had a teacher who served as the librarian. In July 1997 these teacher positions were reclassified to correctional clerical officers (CCO), positions that require much less training. Some education staff expressed concern about losing qualified teachers, of which a few were also licensed librarians, as a result of the cuts and reclassification. To satisfy Department of Education requirements TDOC now contracts with a librarian who is available for consultation as needed and is supposed to visit each prison library annually.

TDOC policy requires that prison libraries should be open no less than five days a week for a minimum of 37.5 hours per week, including three hours on the weekend. This policy did not change with the changes in library staff. The American Correctional Association (ACA) accreditation standard says, "It is preferable that the facility's main library is available seven days a week; in lieu of this, library services are available seven days a week." The Director of Education for the department says that only one institution is currently open seven days a week. However, she contends that books are available when the library is closed and therefore the department is not violating the accreditation standard. One facility, in its annual inspection in 1998, was found in violation of the department's requirement to be open three hours on the weekend.

Administrative Staff Changes

With the decrease in the number of teachers, the department decreased principal positions at prisons with fewer than nine teachers. Instead of principals, lead teachers were designated to fulfill administrative and supervisory duties. At larger institutions, which had both a principal and a teacher supervisor, the teacher supervisors were eliminated. In Davidson County education was further consolidated with one principal responsible for the educational programs at four institutions. TDOC responds that although the Davidson County principal's responsibilities increased she supervises fewer teachers than a principal in the public school system.

Elimination of Educational Programs at Certain Facilities

Educational programs at reception centers, community service centers, and work camps were eliminated in July 1997. The departmental justification was that inmates at reception centers were not there long enough to participate in an educational program and that the programming required at both the community service centers and work camps did not allow inmates to participate fully in educational programs.

Information obtained from interviews of TDOC officials and from documents provided by TDOC to the Select Oversight Committee on Corrections indicate that TDOC education staff were not concerned about the elimination of educational programs at the reception centers and the remaining community service center. However, officials with Middle Tennessee Correctional Complex (MTCX) are requesting to reestablish an education program. MTCX serves as a classification center for inmates coming into the system, and as the last remaining community service center, serving inmates at the end of their sentences. Officials from the complex explained that some inmates at MTCX are assigned to MTCX not for classification or prerelease but to fill jobs to support the operation of the prison. MTCX officials believe these inmates should be afforded education just as inmates in time-building facilities, since these inmates are serving their sentences at MTCX.³ Central office correspondence indicates that the limited number of inmates in support jobs at MTCX are needed full time to work and could not be spared to spend a half day in education. Central office officials said that MTCX officials could consider establishing voluntary night programming for interested offenders in coordination with the local adult education authority. In addition, central office documents state that an inmate in a support job at MTCX may request a transfer to another facility in order to obtain educational programming.

One department official stated that inmates awaiting classification at MTCX typically stay four to six months with very few activities to keep them busy. Another official believes that inmates preparing for release would benefit from reestablishing an education program at MTCX as a last effort to prepare them for the outside world.

Educational and Vocational Participation

- **The rates of educational and vocational participation, and vocational program completion have slightly decreased, while the number of inmates taking and passing the GED has decreased more significantly from FY 1996-97 to FY 1998-99.**

A year after staff and educational programming cuts the percent of inmates participating in education decreased. The number of inmates participating in 1999 increased and was greater than in years before cuts, but since the inmate population continues to grow, the actual participation rate has decreased. (See Exhibit 7.)

³ Time-building facilities refers to permanent placements for inmates where they actually serve their sentence as compared to a temporary placement, like a classification center.

Exhibit 7

Full and Part Time Inmate Participation in Academic and Vocational Programs

	July 1996	July 1998	July 1999
Number of Inmates Participating	3,535	3,442	4,111
Percent of the TDOC Population Participating	26.4%	22.3%	25.5%

Sources: 1996 and 1998 information from TDOC responses to Sunset Hearing before the Judiciary, Law Enforcement, and Criminal Justice Joint Subcommittee, pp. 24 and 43, August 25, 1998. July 1999 population figure provided by Howard Cook, Department of Correction.

The percentage of inmates assigned full time to education or vocational classes in March, April, and May of 1999 was slightly lower than in previous years and lower than TDOC projected when cuts and class size increases were proposed. TDOC estimated that changes would result in an assigned academic rate of 13 percent (actual 10 percent in 1999) and an average assigned vocational rate of nine percent (actual 8 percent in 1999.) Perhaps the increase in the percentage of inmates awaiting jobs is a result of fewer inmates participating in educational programs. (See Exhibit 8.)

Exhibit 8

Average Assigned Inmate Worker Positions for March, April, and May 1996-1999⁴

Type of Assignment	1996	1997	1998	1999
Academic	14%	11%	11%	10%
Vocational	9%	8%	8%	8%
Job waiting list	3%	4%	4%	5%

Sources: 1996, 1997, and 1998 figures from TDOC responses to Sunset Hearing before the Judiciary, Law Enforcement, and Criminal Justice Joint Subcommittee, Attachment 12 "Average Assigned Inmate Worker Positions," August 25, 1998. 1999 information supplied by Janice Hoff, TDOC Inmate Jobs Specialist.

Note: TDOC assigned rates include CCA-operated South Central, but do not include Hardeman County since the department defines it as a county facility.

The percentage and number of vocational participants at state-operated facilities completing programs and graduating each month has also decreased since the cuts. Such a decrease may be the result of changes to vocational class sizes and the reduction in vocational instructors.

⁴ Numbers were rounded to the nearest full percent.

Exhibit 9

Number and Percentage of Inmates Who Participated in Vocational Programs and who Completed Programs in July of 1997, 1998, and 1999

Year	Percentage of inmates who were participating in vocational programs who completed their program in July	Number of inmates graduating from vocational programs in July
1997	16%	426
1998	15%	346
1999	14%	251

Sources: FY 1996-97 and 1997-98 information from the TDOC responses to Sunset Hearing before the Judiciary, Law Enforcement, and Criminal Justice Joint Subcommittee, August 25, 1998, p. 43. FY 1998-99 information from "TDOC Educational Enrollment (Total Served) July 1, 1998 Through June 30, 1999" and July 1999 TDOC Monthly Education Reports.

Note: These figures do not include vocational graduates at CCA institutions in order to make figures consistent and to isolate the effects of the TDOC staff cuts and increase in class size. Percentages rounded up to the nearest whole percent.

If vocational completion and graduation numbers from CCA-operated facilities were included, FY 1998-99 data would show an increase in both the number and percentage of inmates completing vocational programs. For FY 1998-99, 295 inmates at South Central and Hardeman County graduated from vocational programs. Unlike department programs, CCA contracts with Pontiac Business Institute to run its vocational programs, which are shorter in length than TDOC equivalents and offered during the day and evening.

GED Passage Rates

The number of students taking and passing the GED since 1996 has decreased. Exhibit 10 illustrates that in FY 1998-99 GED testing and passage rates were lower than the calendar year before the cuts (1996) and lower than the calendar years (1997 and 1998) in which the cuts were implemented.

Exhibit 10

Number of TDOC Inmates Taking and Passing the GED from 1996 to 1999

Year	Number Taking GED	Number Passing GED	Percent Passing
Calendar Year 1996	838	638	76.1%
Calendar Year 1997	746	553	74.1%
Calendar Year 1998	723	567	78.4%
Fiscal Year 1998-99 (Overlaps with Calendar Year 1998)	586	406	69.3%

Source: Calendar year data from the GED Statistical Reports, as reported to the American Council on Education by the Department of Correction. This report was completed before the end of calendar year 1999. FY 1998-99 data provided by Deborah Copeland, Education Director, TDOC. CCA data included.

**Note: In 1997 the GED Testing Service increased the passing standard for the GED. National figures showed a small decrease in the percentage passing the GED in 1997 compared to 1996. However, 1998 figures seem to have recovered nationally. Therefore, a portion of the decrease in the percent passing the GED in Tennessee from 1996 to 1997 may relate to an increase in the required passing score.*

As of September 1999 five institutions no longer had GED testing, which partly explains decreases in the number taking and passing the GED in 1998 and 1999. Those institutions with no contracts for GED testing included the four Davidson County prisons and the Mark Luttrell facility. Some had no GED testing since November 1998. During the 1997 cuts, the Director of Education left the central office to become a teacher at a prison. The former director had conducted all GED testing at prisons. The new director did not conduct GED testing. Instead, TDOC began contracting for GED testing from the state Technology Centers and Community Colleges. Difficulties in finding contractors resulted in contracted testing at only seven of 12 state operated prisons.

To address concerns the Director of Education and some principals initiated GED testing in November 1999 at institutions that did not have contracted testing. Results show that with the reinstating of testing at all institutions, the number of inmates tested and passing the GED has improved. In addition the Department of Personnel has approved the addition of a position in the central office education section to conduct GED testing and assist the Director of Education. With the additional position, TDOC will no longer need to contract for testing. Preliminary figures have shown that adding an additional employee to perform GED testing may cost less than contracting for the service systemwide. Hopefully, with the new education position, the numbers of GED testing and passage will increase.

Facility Safety

- **Fire and occupational safety violations have increased since cuts in the number of facility safety officer positions. Systemwide violations at state-operated facilities increased from 10 in 1996-97 to 31 in the 1998-99 TDOC annual inspections.**

The facility safety officers are responsible for ensuring compliance with Tennessee Occupational, Safety, and Health Administration (TOSHA) requirements, fire marshal requirements, American Correctional Association (ACA) fire, safety, and sanitation standards. In July 1997 TDOC decreased the number of facility safety officers from two to one facility officer at consolidated institutions. In Davidson County the cuts reduced the number of facility safety officers from six to three positions responsible for DeBerry, Middle Tennessee Correctional Complex, Tennessee Prison for Women, and Riverbend.

Facility safety officers said that their duties had significantly increased with position cuts. One facility safety officer is responsible for institutions that are 30 miles apart. The facility safety officer is also responsible for the control of hazardous materials, sprinkler system inspections, the training of weekly inspectors and the monitoring of their reports, and a review of accident reports.

Increases in responsibility resulted in:

—a decrease in the extent to which some items are checked or reviewed by the facility safety officer,

- a decrease in the amount of time available to interact with staff who conduct weekly and monthly monitoring reports, and
- an increase in duties which have been redistributed to other staff.

Facility safety officers interviewed expressed concern about the potential for increased injuries because they were not able to examine safety and sanitation as thoroughly as before. Areas viewed most at risk of increased accidents include: food service, vocational education areas, and hazardous waste disposal. One warden at a consolidated institution believes the increased volume of work of the facility safety officer results in an increased risk to the safety and health of inmates and staff. These concerns were realized with the decreased performance of the prison system on fire and occupational safety indicators since the cuts and consolidation. (See Exhibit 11.)

Exhibit 11

Annual Inspection Violations in Fire Safety, Occupational Safety, and Hazardous Materials from FY 1996-97 to FY 1998-99 in State-Operated Prisons

Fiscal Year	Number of Violations Systemwide	Number of Violations at Davidson County Institutions
1996-97	10	3
1997-98	26	12
1998-99	31	10

Source: TDOC annual inspections. Violations from CCA-operated facilities are not included.

- **Some abolished positions were reestablished.**

Amid concerns over the seriousness of inspection violations in Davidson County, the department in December 1998 reversed its consolidation of the facility safety officers and reestablished a facility safety position at each of the four Davidson County institutions. One deputy warden commended the department for reestablishing the position. Violations in Davidson County decreased the fiscal year the facility officer was added back.

Not all of the changes resulting from the cuts and consolidation caused concern for facility safety officers. The safety officers interviewed were pleased that they no longer were responsible for certain weekly inspection reports. This responsibility is now under the inspection area supervisors. In addition, one officer was glad that the warden's designee was now responsible for ensuring that violations are corrected, because the designee has more authority than the facility safety officer to enforce changes.

Food Service

The *Staff Report to the Select Oversight Committee on Corrections*, dated March 1997, stated in reference to the staff cuts related to food service and Cook Chill, that "the proposed staffing levels seem credible and should be monitored for skill level and workload appropriateness." Thirteen filled positions were affected by cuts. Interviews with food service staff yield concerns that food service staff is at a bare minimum, resulting in problems when staff are sick, on leave, or when vacancies occur. Exhibit 12 lists the total staff at three institutions on the day interviewed.

Exhibit 12

Number of Food Service Staff and Inmate Workers at Three Institutions, February 1999

Institution	Total Food Service Staff	Total staff out on day of interview*	Estimated Number of Inmates working in Food Service
Institution 1	12	4	60
Institution 2	10	3	87
Institution 3	11 <small>An additional three positions were vacant</small>	3	65-75

**Staff were out on the day interviewed for a variety of reasons including illness, extended leave, vacation, and training. Interviews conducted in February 1999.*

- **Because of cuts, vacancies, and staff absences inmates sometimes work unsupervised.**

In December 1999 Office of Research staff contacted five food service officials from across the state to determine the extent to which inmates were working unsupervised. All institutions have inmates working on third shift. There is no food service staff scheduled on third shift. At most facilities the third shift inmates are supervised under an assigned security guard. At two institutions, inmates are only periodically checked by security staff, but work unsupervised most of the time. Beyond third shift workers, one food service worker said that when staff is short because of vacancies, vacation, or illness inmates may work in a satellite feeding location unsupervised. Another said that when staff are out sick or on extended leave there are times when inmates may deliver food unsupervised, or a food steward may have to leave inmates in the kitchen to prepare and serve food in order to deliver meals. The same food service staff member said that if a delivery comes during meal time, food service workers may have to leave inmates in order to take the delivery. Other institutions handle staff absences and vacancies by increasing their reliance on security staff to deliver meals or take a delivery of a food shipment and by working food service staff six days a week using overtime.

Central office documents indicate that department policy does not allow inmates to work unsupervised or for inmates to supervise other inmates. Inmates working unsupervised may pose a particular risk to institutional safety and security, since inmates have access to knives in food service.

- **Because of cuts inmates are performing duties that previously were the responsibility of staff.**

Staff at two institutions explained that inmate food service workers had taken on more responsibility than they had before the cuts. Inmate clerks were now doing work previously done by secretaries in food service. On occasion the activities performed by inmate workers could include taking deliveries, conducting inventory and ordering, and preparing the inmate roster. According to institutional food service staff, the number of inmates working in food service has also decreased because of the lack of staff to supervise inmates. Some staff have asked to reestablish secretarial positions that were cut, while others have asked to upgrade the salaries for food stewards to help fill food service vacancies. A TDOC official stated that the food steward positions have been upgraded, increasing the salary grades for the positions. If vacant positions are more easily filled because of salary upgrades there may be less need to use inmates to complete staff duties.

Mental Health

- **Cuts, contracting changes, and salary inequity issues have inhibited TDOC's mental health programs.**

The staff reductions in FY 1997-98 eliminated six mental health program specialist positions at Turney Center, Southeast Tennessee State Regional Correctional Facility, Northwest Correctional Complex, Cold Creek Correctional Center, Lake County, and Morgan County prisons. The March 1997 *Staff Report to the Select Oversight Committee on Corrections* criticized the department for not conducting a workload analysis to determine how many mental health program specialist positions to eliminate. In addition, the Select Oversight Committee criticized the department for assuming that responsibilities of mental health program specialists would be covered by unit management counseling staff without knowing the staff's workload and qualifications. Departmental correspondence justifies the cuts because five of the six positions were vacant at the time the positions were eliminated and mental health program specialist positions were only eliminated where there were two mental health program specialist positions. However, the Director of Mental Health Services said that staff cuts exacerbate the following problems:

- Inadequate staffing at some institutions
- Staff vacancies and an increase in the assignment of employees with lower qualifications in higher level positions
- Increased responsibility for remaining staff, making it difficult to complete required tasks.

The remaining mental health program specialists at TDOC facilities spend a great deal of their time attending to paperwork needs, which has resulted in some lower level staff, such as correctional counselors, conducting counseling with no clinical training and/or psychology education.

Like correctional counselors, mental health program specialists interview and counsel inmates, but also monitor programs, interpret and measure compliance with laws and

policies, prepare reports, and supervise staff. According to the Director of Mental Health, mental health program specialists must have the knowledge to make good referrals to psychologists or psychiatrists, which is beyond the duties of a correctional counselor.

- **Compounding the effect of mental health cuts, salary inequities have caused staff mismatching and increased obstacles to filling vacant positions.**

As of January 1999, there were 23 mental health specialist positions, of which seven or 30 percent were vacant. Two filled positions were mismatched with correctional counselors. Although not a result of the cuts in 1997, the salary grade for correctional counselors II and mental health program specialists II are equivalent, while correctional counselors III are a higher grade than mental health program specialists III. The required qualifications and responsibilities for mental health program specialists are higher than for correctional counselors. Requirements for mental health program specialists include a four-year degree, preferably in the behavioral or social sciences, and four years of mental health experience. Requirements for correctional counselors II include a four-year degree with one year's experience either in counseling or in a correctional setting. Experience may be substituted for educational requirements.

The TDOC Director of Mental Health is concerned about the quality of the department's mental health staff resulting from cuts in staff, increases in responsibility, and the inconsistencies between salary and responsibility. Most recently the salaries of psychological examiners were upgraded to better reflect the market salary. This has helped in recruitment efforts, but has meant that some psychological examiners are hired at higher salaries than the existing heads of mental health at certain facilities who may have years of experience.

- **During the FY 1998-99 annual inspections of state-operated prisons, the lowest compliance ratings were in mental health.**

Compliance with annual inspection standards at State-operated prisons in the mental health category decreased from an average compliance level of 93 percent in FY 1996-97 and 93 percent FY 1997-98 to 72 percent in FY 1998-99. One institution had a compliance level of only 25 percent. The decrease in compliance occurred even though the number of inspection items related to mental health decreased from 24 items in FY 1994-95 to 16 items in FY 1998-99. (See Exhibit 13.)

Contributing to the decrease in compliance are both mental health staff cuts and the decision to contract centrally for mental health services in 1997. Department central office officials explain that (1) an increase in the training of the annual inspectors; (2) a change in the allowable error rate for items on the annual inspection; (3) the fact that all institutions received a full rather than a partial inspection; and (4) an increased level of expectation for mental health performance all contributed to the increase in the number of violations in FY 1998-99.

Exhibit 13
Number of Mental Health Violations from TDOC annual inspections
from FY 1994-95 to FY 1998-99 at State-Operated Prisons

FY 1994-95	FY 1995-96	FY 1996-97	FY 1997-98	FY 1998-99
14	23	16	12	52
All 19 institutions inspected on mental health standards	8 institutions inspected on mental health standards	12 institutions inspected on mental health standards	7 institutions inspected on mental health standards	11 institutions inspected on mental health standards

Sources: TDOC Memo on Mental Health Violations, March 25, 1999 and a review of FY 1998-99 inspections. Violations at CCA-operated facilities not included.⁵

Interviews with department mental health and annual inspection staff indicate that the significant increase in mental health violations stems from TDOC staff problems and shortages, contractor problems, and coordination problems between the two. According to Mental Health personnel the role of TDOC staff and contract agency's responsibilities have not always been clearly delineated.

Violations were the highest at the Tennessee Prison for Women (TPW-11 violations during the November 1998 annual inspection).⁶ In response to an employee grievance "alleging insufficient services," the department initiated an external review of mental health at TPW.⁷ In addition, department staff indicate that TDOC's Director of Mental Health is coordinating a pilot project with the Department of Mental Health and Mental Retardation to improve mental health programs at TDOC institutions.

- **The increased need for mental health and psychiatric services could compound the impact of cuts in TDOC mental health staff.**

TDOC's Director of Mental Health has said that the deinstitutionalization of the mentally ill and cognitively impaired along with prison growth has increased the need for mental health and psychiatric services. In August 1998 TDOC materials said, "Despite the current stability in the delivery of chronic and/or acute psychiatric care, the department continues to experience challenges in meeting the growing demands for special mental health programming, which has been exacerbated by the growing inmate population."⁸ The Hamilton County Sheriff estimated that the county jail at any one time houses 20 to 30 inmates who should be in mental institutions, but are not as a result of the state closing of mental health facilities. The Director predicts that the need for services will continue to increase with:

⁵ December 9, 1999 presentation to the Select Oversight Committee on Corrections included CCA violations as well as violations from TDOC-operated prisons.

⁶ Tennessee Prison for Women had no staff cuts in mental health in FY 1997-98. Violations were the effect of TPW/contractor coordination problems.

⁷ TDOC response to this report, memo, January 6, 2000.

⁸ Tennessee Department of Correction, Response to the Judiciary, Law Enforcement, and Criminal Justice Joint Subcommittee Sunset Review, August 25, 1998, p. 37.

- the growth in population,
- continued deinstitutionalization,
- the increase in substance abuse,
- the aging of the inmate population, and
- the potential increase of juvenile offenders in the adult system with below normal cognitive function.

An official with the mental health contractor agreed that mental health needs among inmates are increasing nationwide. Information provided by Mental Health Management (MHM), the state-contracted provider for doctoral level mental health staff to TDOC, indicated that between February 1998 and January 1999 MHM had over 17,000 encounters with inmates, or an average of over one encounter per TDOC inmate.

A snapshot examination of the population on a day in June 1996 indicated that 1,465 inmates in state facilities had mental health diagnoses. On October 8, 1998, data showed that 2,435 inmates in state prisons had mental health diagnoses, an increase of almost 66 percent in two years. TDOC staff believe that the increase in inmates with a mental health diagnosis was underreported by 15 to 25 percent in 1996 and ten to 20 percent in 1998.

Such an increase in inmates with mental health diagnoses results in increased workloads for both contract and departmental mental health staff. In order to receive psychotropic medications inmates must have a mental health diagnosis and must continue to have periodic mental health status reviews while on medications. Therefore, if the number of inmates requiring medications increases, so does the number of follow-up review visits needed with mental health staff. Although much of the responsibility for conducting the medication reviews falls to contract staff, TDOC mental health staff are impacted. TDOC psychological examiners and mental health specialists have to screen inmates and determine who needs to see a doctoral level staff person because they may have a mental health diagnosis or need medication. TDOC staff schedule inmate appointments with the contract staff, pull inmate records, and perform preliminary and post-examination work.

The percentage of the population with sex-related or drug-related offenses also reflects the need for mental health services. Such inmates may benefit from targeted treatment programs. In July 1998, TDOC reported that 2,925 inmates or over 17 percent of the inmates in the state population had committed sex-related crimes. Currently, 116 inmates may be accommodated in sex offender treatment programs in state facilities at any one time. As of July 1998 almost 13 percent or 1,972 inmates were incarcerated in state facilities on drug-related offenses.

In addition to an increase in the need for mental health services for inmates, growth in the state prison population also increases the workload for mental health staff. At intake, inmates receive a mental health status examination performed by a psychological examiner. Therefore the increase of new inmates coming into the system requires more evaluations. The number of inmates received by the system in FY 1997-98 increased

approximately eight percent (from 5,008 to 5,426) over the previous fiscal year. The number also represented an increase of 28 percent over FY 1995-96.

Community Service Centers in Chattanooga and Knoxville.

- **The closing of the Chattanooga and Knoxville Community Service Centers had a minor effect on services offered to inmates. The closings have made it difficult for inmates from East Tennessee to move back home after release.**

The Knoxville and Chattanooga Community Service Centers were closed during the early part of 1998. These two facilities provided work release opportunities for inmates nearing release. The department decided to close these institutions in order to cut costs. Both facilities had higher per day operating costs than the state's average prison cost per day. In a TDOC news release in November 1997, the department announced the closing of the Knoxville (KCSC) and Chattanooga Community Service Centers (CCSC) stating that the inmates from these institutions would be absorbed into programs at larger prisons as would the prerelease programming.

Inmates who would have been sent to the CCSC or KCSC are now sent to Brushy Mountain Correctional Complex or the Middle Tennessee Correctional Complex (MTCX). West Tennessee High Correctional Complex also has prerelease inmates. The programming offered at the Brushy, Middle Tennessee, and West Tennessee facilities apparently does not differ greatly from that offered at CCSC and KCSC, primarily because they did not offer extensive prerelease programming. However, there are a few programming differences.

An official with Brushy Mountain Correctional Complex said that finding resources and work in communities for prerelease inmates has been difficult. Support services like family and financial planning are important for inmates prior to release and are not as available in rural areas, like Morgan County, compared to services that were available in Knoxville. To substitute, Brushy Mountain uses in-house staff to conduct training and offer services to prerelease inmates. Work in the community was also easier to obtain when KCSC was open. For example, inmates at KCSC used to work with the Boys Club and Salvation Army, but this work is not available to inmates at Brushy Mountain. Work release is less available to inmates in prerelease systemwide with MTCX having the only remaining prerelease program with work release. Unlike Brushy, West Tennessee, CCSC, and KCSC, MTCX does not have a GED program, hindering inmates' last chance to obtain a GED prior to release. TDOC central office officials note that prior to the closure of KCSC it had reduced its GED program with the justification that inmates nearing release are better served working in the community than attending class.⁹ Despite this philosophy, MTCX officials would still like to add an educational and GED program.

Probably the most significant effect of the closure of the Knoxville and Chattanooga Community Service Centers is the difficulty MTCX officials say they have in obtaining

⁹ TDOC officials note that the GED program at Knoxville Community Service Center was always staffed by volunteers, not TDOC staff.

housing, employment, and transitional services for inmates from East Tennessee back in East Tennessee. There are additional challenges in building relationships with inmates' families, who are located in East Tennessee, when the inmate and staff are located in Nashville. As a result, MTCX officials report that many of the inmates from East Tennessee stay in Nashville after release because it is easier for staff to find housing, employment, and transition services for inmates in Nashville, and because inmates come out of prison with limited resources to travel back home. The extent to which inmates from other parts of the state stay in Nashville upon release has not been analyzed. Such information would be useful.

Prison Consolidations

Three wardens or deputy wardens were interviewed at consolidated prisons. Two of the three said that the biggest impact consolidation had on their duties is the decrease in the amount of time each can spend overseeing daily operations in the prisons. One official said that prior to consolidation he used to visit the third shift staff once a week, but at the time of the interview, he had not visited for months. Time constraints resulted in difficulties in meeting new staff and building staff relationships. The effect of the wardens' and deputy wardens' visiting the prisons with less frequency is difficult to measure. None of the three mentioned unmanageable problems that have resulted from consolidation. However, concerns were expressed in the areas of food services, facility safety, and procurement.

Central Office Reductions

In FY 1997-98, 19 positions were eliminated in TDOC's central office, of which 11 were vacant. The total savings in eliminating these positions was approximately \$653,599.¹⁰ Because 11 of the positions were vacant it is difficult to analyze the programmatic effects of eliminating the positions. However, there have been some noticeable changes in the central office in the last two years, which may have resulted from cuts at the central office, cuts systemwide, or prison consolidation.

- **Cuts, reorganizations, and consolidations may have contributed to greater turnover at the highest levels of management in the department.**

Of the 21 TDOC central office employees at the director's level or above, four began in 1999. Twelve, or 57 percent, have less than five years experience in their current positions. Although this turnover is not a direct result of departmental cuts, notable turnover has occurred in recent years. Along with other departmental changes that turnover may contribute to an atmosphere of instability within TDOC.

- **The number of inmates working in the central office increased since FY 1997-98.**

In May 1997, prior to the cuts, two inmates were assigned to work in clerical positions in TDOC's central office. As of September 1999, six inmates were assigned to clerical duties

¹⁰ *TDOC Staffing and Reduction Summary for 1997-1998*, March 12, 1997 and TDOC Response to the Judiciary. Law Enforcement, and Criminal Justice Joint Subcommittee, Sunset Review, August 25, 1999, p. 33.

at the central office. The inmates, primarily from the Tennessee Prison for Women, perform clerical duties in purchasing. According to the purchasing supervisor the inmates are working on data entry of purchasing information to allow for more comprehensive analysis of prison-by-prison and systemwide spending. According to the inmates' supervisor the inmates are not performing duties fulfilled previously by TDOC employees before cuts, except for answering phones. The official stated that the inmates are assisting on a new project that could not be accomplished without the use of the inmates.

Another change in 1998 increased the number of inmates working in the central office. Prior to 1998, cleaning of TDOC central office was contracted. In 1998 the state canceled its contract and assigned 13 inmates to clean the Rachel Jackson building. TDOC officials interviewed seem happy with the quality of work the inmates are providing. One official expressed concern about having inmates work in the central office increasing the potential for a security risk and a deterioration of the line of authority between inmates and staff. However, others disagree and indicate that there have been no breaches of security. Including the clerical and cleaning staff, a total of 19 inmates are now assigned to work in some capacity at the central office.

**Are there increases in security risks that have occurred
as a result of the cuts?**

- **Security risks may have increased as a result of cuts, consolidations, and closures.**

One way to examine security risks is to analyze violent incidents occurring in a prison system. Because of staff vacancies in the central office, the most recent detailed information available on violence is for the third quarter of FY 1998-99. However, some limited information was available on the most serious incidents all of 1998-99. One may also determine security risks by reviewing the number of security violations in the department's annual inspections. Below is a review of incidents and security violations.

- **Since the cuts, consolidations, and prison closures, the overall rate of incidents in the prison system has slightly decreased and violent incidents has remained stable.**

Compared to FY 1996-97, the average incident rate and violent incident rate per 100 inmates systemwide decreased in FY 1997-98 and is estimated to have slightly decreased in FY 1998-99. Examining the rate of violent incidents shows that it has and is expected to have remained stable from FY 1996-97 to FY 1998-99. (See Exhibit 14.)

Exhibit 14
TDOC Incidents Rates at State-Operated Prisons
from FY 1996-97 to the first half of FY 1998-99

Incident Rates	FY 1996-97	FY 1997-98	Estimated FY 1998-99*
Incident Rate Per 100 inmates	72.18	65.08	64.36
Violent Incident Rate per 100 inmates	9.54	9.40	9.33

Source: TDOC Quarterly Incident Reports. Figures do not include incidents in CCA-operated facilities.

**Note: Because information for the last quarter of FY 1998-99 was unavailable; the average quarterly rate for the first three quarters was used to project the fourth quarter incidents.*

- **Although the violent incident rate has remained stable, the increase in the most serious violent incidents in FY 1998-99 may cause concern.**

The number of homicides and escapes increased in FY 1998-99, noticeably so compared to the last two years. Exhibit 15 identifies the most serious incidents (homicide, suicide, and escapes) from FY 1995-96 to FY 1998-99.

Exhibit 15
Most Serious Incidents in State-Operated Prisons
from FY 1995-96 to FY 1998-99

Most Serious Incidents	FY 1995-96	FY 1996-97	FY 1997-98	FY 1998-99
Homicide	1	2	1	5
Suicide	0	1	2	2
Escape from Secure Facility	7	1	2	6

Source: Information for FY 1995-96, FY 1996-97, FY 1997-98, and the first three quarters of FY 1998-99 are from the Department of Correction's Quarterly Incident Reports. Information for the fourth quarter of FY 1998-99 is not completed by TDOC, but is provided by Jim Rose, Assistant Commissioner of Operations, TDOC, memo dated October 22, 1999. Serious incidents at CCA facilities not included.

The reasons for the increases are unclear, but could be affected by the number of changes that occurred in 1997 and 1998. External changes could also have contributed to the increase. The good economy combined with high correctional officer turnover and low salaries could have affected the increase of serious incidents. TDOC management explains that it is increasingly difficult to hire qualified staff, particularly at entry levels, resulting in young and inexperienced staff in some facilities. More examination of the increase in serious incidents is needed to determine the cause.

- **The centralization of maintenance in Davidson County may have contributed to an increase in security risks.**

In Davidson County four unique prisons are closely located, Riverbend (maximum security), DeBerry Special Needs Facility (health and mental health), Tennessee Prison for Women (female), and Middle Tennessee Correctional Complex (reception and community service center). Because of the special focus at each of these institutions, they were not consolidated (with the exception of MTCX) in FY 1997-98. However, the maintenance functions at the four institutions were combined in July 1997.

In the 1998-99 inspection cycle, Davidson County accounted for 35 of the 72 security violations. This was a significant increase from five violations in FY 1997-98 and 10 violations in FY 1996-97. As a result of consolidation, staff responsibilities can become blurred causing mistakes to occur more easily. Some officials in Davidson County expressed specific concern related to tool control as a result of centralized maintenance and cuts in maintenance staff.

In Davidson County, unit managers have staff that supervise maintenance inmates who need access to tools. Centralized maintenance also supervises inmates who must have access to tools. However, since centralization, tool monitoring has declined, resulting in violations. During the December 1998 inspection of the Middle Tennessee Correctional Complex, the tool control officer did not perform an independent audit. At Riverbend during the September 1998 inspection, toolboxes were out of compliance and tools were incorrectly "shadowed." The term shadowed refers to putting tools back in the proper place as is outlined in the tool case. Shadowing allows for staff to spot check what tools are being used at any given time.

In December 1998, six maximum security inmates escaped from the Riverbend Maximum Security Prison. Although an Assistant Commissioner argues that the centralization of maintenance had no bearing on or contribution to the escapes, the inmates did use a ladder that had been left out in a prison unit for 14 days. [According to policy, equipment is not to be left out overnight in a facility and for many years has mandated that all ladders must be stored outside prison facilities.] Because the roles and responsibilities were not clear between central maintenance and the facility staff, no one investigated the missing ladder during the 14-day period. To improve the operations of centralized maintenance and prevent breaches of security the director of centralized maintenance and the assistant commissioner for administration drafted a policy to clarify the roles and responsibilities of centralized maintenance, facility staff, and inmates. Policy 112.12 took effect on October 1, 1999. Under the new policy all inmates must be supervised while using a Class A tool, which is one that could be used for escape. In addition, the Director of Central Maintenance must locate certain tools that are not returned by the afternoon of the day used. It is hoped that the new policy will improve the control of tools and further breaches of security in the future.

- **Systemwide the number and percent of TDOC annual inspection deficiencies in security increased in FY 1998-99.**

Analysis comparing annual inspections for State-operated prisons from FY 1997-98 to FY 1998-99 found that security deficiencies increased from 9.0 percent of total inspection deficiencies (11 violations) to 21.8 percent (72 violations). In 1998-99 security had the second highest number of violations of the 10 categories. For 1997-98 it was the seventh highest. Although this increase in violations causes concern, it should be noted that even with 72 violations at State-operated prisons in security, systemwide in FY 1998-99 TDOC was still 95 percent in compliance with security standards. Of the 72 security violations in FY 1998-99, 29 are in the areas of tool control, key control, or armory. The previous year there were only four violations in those areas.¹¹

Like the increase in violations in facility safety and mental health, TDOC central office officials state that other factors may have affected the increase in violations in security. These factors include: (1) an increase in the training of the annual inspectors; (2) a change in the allowable error rate for items on the annual inspection; and (3) the fact that all institutions received a full rather than a partial inspection.

- **TDOC has taken steps to fix some problems that occurred as a result of cuts and consolidations.**

TDOC has taken steps to rectify situations when it appeared that some changes in 1997 and 1998 caused problems. One such example was the department's decision to reestablish the facility safety officer positions at each of the facilities in Davidson County after such functions were consolidated into one position. The department also added administrative assistants and a principal position back after the department determined cuts were too severe.

In addition, the department decided to initiate an external review of the worst performing facility on mental health after an employee grievance. Recognizing that problems in mental health service delivery or the changing mental health needs of inmates are not isolated to a single institution, TDOC is working on a pilot project with a physician from the Department of Mental Health and Mental Retardation to improve TDOC's mental health programs systemwide.

Lastly, the department more clearly defined the centralized maintenance procedures after concerns were expressed about tool control and the supervision of inmate workers. In October 1999 a new policy was implemented clarifying how inmates may be used and supervised, defining the control of tools, and explaining the work order process.

¹¹ Violations for CCA-operated prisons were not included for the purposes of this analysis. The presentation to the Select Oversight Committee on December 9, 1999, did include CCA figures.

Have there been unintended consequences of the changes in 1997 and 1998?

Some unintended consequences may have resulted from staff cuts, prison consolidations, and the closure of the Chattanooga and Knoxville Community Service Centers. Some have been previously discussed, including the decrease in the percentage of the inmate population involved in education and the potential increase in serious violent incidents. Other unintended consequences are described below.

- **Prison staff rely on inmates for their maintenance expertise in Davidson County, which may jeopardize staff authority.**

Centralized maintenance has had trouble filling position vacancies in specialized areas like heating, ventilation, and air conditioning and electrical, resulting in a reliance on inmates with this type of knowledge. Inmates in Davidson County working in facilities, but not as a part of centralized maintenance, report to non-maintenance staff. Because staff may not have maintenance knowledge, the inmate's expertise and word is relied upon. One warden expressed concern that inmate maintenance workers are involved in meetings with facility staff and the central office on maintenance issues. This may blur the roles between staff and inmates, jeopardizing staff authority.

- **Although not a direct result of cuts or consolidations, central office staff turnover has delayed standard reports and made information and explanation more difficult to obtain.**

With the turnover in the central office, research, personnel, and education data are more difficult to obtain. Standard reports, such as the quarterly incident reports, are behind schedule. Although new staff are working diligently to learn new responsibilities, not having this information and institutional expertise makes evaluation of the cuts, consolidations, and closures in 1997 and 1998 more difficult. This is of increasing concern as other key staff near retirement.

- **Nashville may receive a larger percentage of inmates upon release.**

According to officials in Nashville, more inmates are released and remain in the city because it contains the one remaining community service center. Some of these inmates are from East Tennessee, which makes it difficult for Nashville officials to arrange housing and jobs for them in their home cities. As a result, inmates released in Nashville may remain there.

Recommendations

What suggestions would improve future decisions to cut staff, consolidate, or close prisons?

- **The Department of Correction should consider increasing educational staff and reconsider increases in class size.**

The department has received approval from the Department of Personnel to add a central office position in education to perform GED testing. Hiring an in-house education staff

member to conduct GED testing may be less expensive and more effective than continuing to contract for testing. TDOC should consider the request from Middle Tennessee Correctional Complex to add a teacher given that the institution houses some time-building inmates and because it also serves as the last opportunity for inmates to receive GEDs before release. Also, with the decrease in participation rates in education and decreased GED performance, TDOC may want to reconsider the increases in class sizes.

- **The Department of Correction should examine the extent to which inmates are working unsupervised in food services and the risk of inmates taking on more responsibility in other areas.**

Interviews with food service staff indicate that with staff cuts and vacancies some prisons operate the third shift using only inmate workers, of which some may work unsupervised. In addition, inmates are on occasion handling responsibilities previously conducted by outside staff including inventory, deliveries, and overseeing other inmates. TDOC central office officials explain that inmates are not allowed to supervise other inmates nor are inmates allowed to work unsupervised. Any occurrences violate standard departmental practice. Although no serious incidents have occurred in food service, potential risks increase with inmates working unsupervised and performing additional administrative responsibilities.

- **The Department of Correction should review the qualifications and salaries for mental health positions.**

Some positions with lower level education and experience requirements (correctional counselors) pay the equivalent or more than positions with more requirements and responsibilities (mental health specialists). Such inequities have resulted in the mismatching of positions and staff, staff vacancies, and newly hired staff making more than experienced staff in similar positions. Salary inequity in mental health has compounded the effects of staff reductions. Central office staff indicate that they are undertaking a salary study of mental health positions in other state agencies and the private sector.

- **The Department of Correction should evaluate the increase in the most serious types of violent incidents during 1998-99.**

Research should seek to determine, then focus on the cause of the increase in serious violent acts and the increase in inspection violations in security, specifically tool control. Research should determine if recent concerns are isolated or the beginning of a pattern. Further analysis should determine if staffing and/or policy changes could stop the increase in serious violent incidents.

- **After changes, the Department of Correction should conduct more monitoring to determine the effects of such change.**

No standard evaluation system is in place to evaluate the effects of changes. For example, it is not known if incidents in education units have increased since the increase in class sizes. Data is not gathered in such a way as to conduct "before and after" comparisons in

education. Another example is the concern by one official that some staff cuts in food service and increases in vocational class sizes may have resulted in increased inmate injuries and the potential for lawsuits. Again, central office data is not kept in such a way to determine if the official's assertions are true. It seems that the only real performance monitoring used to determine the effectiveness of changes are the annual prison inspections and cost-based analysis conducted in the fiscal and procurement areas of TDOC.

- **The Department of Correction should update the TOMIS database system to reflect the current organizational structure of prisons and to make increased performance analysis possible.**

TOMIS related data still had inmate positions at institutions that no longer exist, precluding data analysis to determine the effect of changes on a prison system. Data should be collected in a way that reflects the current structure of prisons, their staff, and their inmates. Otherwise, analysis of information and performance is impossible.

- **The Department of Correction should increase the involvement of facility staff before making future decisions to consolidate or reorganize prisons and prison functions.**

OREA staff discussions with prison staff in spring 1997 revealed that field staff had little involvement in determining staff cuts and restructuring. In fall 1996 wardens were asked for ways to save money, but were not informed until the release of the Governor's budget in February 1997 of staff cuts and consolidations. Therefore, any central office workforce analysis involving job duties and the process of consolidation was not discussed with field staff prior to decision making. Involving field staff may have avoided later problems.

For example, problems voiced with the centralization of maintenance in Davidson County and role confusion of the maintenance staff, unit managers, and inmates should have been addressed prior to making changes. The escape of six inmates from a maximum security prison should not provide the impetus for defining staff roles. The same applies to problems between the remaining TDOC mental health staff and the mental health contractor. It should not take a three-fold increase in mental health violations for central office staff, TDOC field staff, and contracting staff to begin discussing how to clarify roles and responsibilities.

- **The Department of Correction should consider vacancy rates in determining positions to cut.**

Cutting positions with high vacancy rates compounds the effects of staff shortages. According to staff in centralized maintenance, food service, and mental health, vacancies have made fulfilling job duties difficult. Some positions have been vacant over a year and a half. Most interviewed said that if they could just fill vacant positions, adjusting to the 1997 staff cuts would have been easier. However, adjusting to staff vacancies in addition to staff cuts created difficulties in carrying out responsibilities, lowered staff morale, and may have increased absenteeism.

- **The Department of Correction should make a more aggressive attempt to fill vacant positions.**

Staff at various institutions expressed concern over the extended periods of time positions have remained vacant. In centralized maintenance, five of 21 positions were vacant in September 1999 and one employee was on extended leave. In addition, a TDOC official says that correctional officer vacancies continue to be problematic. Staff shortages have resulted in increases in overtime use, decreased performance on annual inspections, the increase in serious violent incidents, and an increased reliance on inmates to perform needed work. Current recruitment attempts and increases in some salaries have helped, but have not fixed the department's chronic vacancy problem. In a December 1999 memorandum to the Comptroller's Office the Department of Correction explains that it anticipates filling some of the centralized maintenance vacancies within a very short period of time.

Appendix A: Department of Correction's Response to Report



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MEMORANDUM

TO: Ethel R. Detch, Director-Office of Research
Office of Education and Accountability
Comptroller's Office

FROM: Donal Campbell, Commissioner

DATE: January 24, 2000

SUBJECT: Revised Report on TDOC Budget Reductions Fiscal Year 1997-Dated
12/15/99

The following response is based on our review of the draft report provided in your correspondence of December 16, 1999, the draft attachment #4 in your correspondence dated December 15, 1999 and a subsequent meeting between you and your staff with Deputy Commissioner Linda Dodson.

COST SAVING FROM 1997 REDUCTIONS AND SUBSEQUENT FACILITY CLOSURES

As was discussed in the recent meeting, it is difficult to identify a specific savings and would probably be best to reflect the estimated savings reflected in the budget. While 8.8 million was the initial estimate for the 265 position reductions associated with the 1997 reorganizations, additional reductions were accomplished later with the closure of both Knoxville Community Service Center and Chattanooga Community Service Center. However, additional dollars were added for the new units at Wayne County Boot Camp, which were to absorb the population from Tennessee Correctional Work Center. Later additions in Middle Tennessee for Fire Safety Officers, Administrative Assistants, and a Principal also offset the actual reductions.

It should be noted that, included in the total number of positions abolished, 106 were related to the planned closure of the temporary Tennessee Correctional Work Center (TCWC) with the completed expansion at the Wayne County Boot Camp.

EDUCATION

Performance of Education Programs has decreased

Although not related to the 1997 reorganization and education changes, the number of GED testings did decrease after the Director of Education transferred to another TDOC position. Since the director previously performed all the testings, it took several months to establish contracts to provide the testing. Once contract costs were identified, a decision was made to establish a new position in the central office education section to provide needed GED testing and assist the Director with other functions. As of December 1999 this position was approved to be filled.

MENTAL HEALTH

Recent Efforts to improve mental health.

The external review of mental health services at the Tennessee Prison for Women was initiated due to an employee grievance alleging insufficient services - not as a result of staff reductions (no mental health staff reductions occurred at TPW). It should be noted that none of the mental health staff at TPW was affected in the 1997 reductions/reorganizations.

The Department's coordinated effort with the Department of Mental Health is not due to the reductions in 1997 of six (6) mental health program specialists, but rather to the continuing/changing needs of our inmate populations and our need to review treatment alternatives.

Staff Reductions

Although the Director of Mental Health believes that some institutions may have cut too many mental health positions, only one (1) position was reduced at facilities having two (2) Mental Health Program Specialists (MHPS) for routine mental health functions.

No staff related to any speciality programs were reduced. The movement of the sex offender phase II program from North East Correctional Complex (NECC) to Southeastern Tennessee State Regional Correctional Facility (STSRCF), and the relocation of the low functioning program to DeBerry Special Needs Facility, were initiated by the NECC warden and approved by the central management staff including the Director of Mental Health. An additional position was allocated for the STSRCF mental health, and DSNF already had the same type program for low functioning inmates.

Mental Health Annual Inspection Violations

The levels of noncompliance on annual inspections during 1998-99 was not isolated to institutions that decreased from two (2) mental health program specialists to one (1). Factors affecting the inspection results that should not be ignored include:

1. The Director of Compliance made several changes in the annual evaluation process to make the inspections more effective for Fiscal Year 1998-99. Training for inspectors was revised and intensified. The excusable error rate for some items on the annual inspection instrument was reduced from 10% to 5%. All institutions received a complete inspection during this year, in contrast to the partial inspection that some institutions had in the prior year.
2. Individual doctoral level mental health provider contracts for each institution were replaced by a statewide contract for improved efficiency and control. This change in providers produced changes in expectations and in the roles of institutional mental health staff.

The reduction of MHPS positions did not contribute to the long term problem with salary. The MHPS position is a statewide classification that is also in use by the Department of Mental Health. Salary equity among various positions, including the mental health program specialist, creates comparison issues and affects staff morale. While some of these issues are addressed each year by the states personnel department, not all issues can be resolved without adequate resources.

FACILITY SAFETY

Prior to the 1997 proposed reductions, the Middle Tennessee institutions had five (5) established fire safety positions (RMSI - 329.42, DSNF - 329.46, NCSC - 329.07, TPW - 329.13, and MTRC - 329.17) and one authorized but unestablished position at TCWC (329.20), for a total of six (6) positions. The reductions included three (3) positions with three employees remaining.

Fire safety annual inspection violations

There are multiple conclusions in the body of the report and in the executive summary that draw a direct correlation between the increase in deficiencies in the annual inspections of the institutions and the reorganizations, position cuts, and prison closures. The report would lead one to believe that there is a causative relationship between these management decisions and the increase in the number of deficiencies in the areas of mental health, fire safety, and security. No other factors are discussed or considered. It is agreed that the effectiveness of the Facility Safety Officers in middle Tennessee with one position being vacant for a period of time, was impacted by the three position (two staff) reductions. That change was later reversed, and one fire safety officer was provided to each of the four institutions.

Other factors should have been considered that impacted the increase in overall annual inspection deficiencies. These additional factors are perhaps far more significant than the position cuts and reorganizations.

- The Director of Compliance made several changes in the annual inspection evaluation process to make the inspections more effective for Fiscal Year 1998-99.
- Training for inspectors was revised and intensified.
- The excusable error rate for some items on the annual inspection instrument was reduced from 10% to 5%.
- All institutions received a complete inspection, in contrast to the partial inspection for some facilities in prior years.

Based on our discussion, the Comptroller's staff were to review with the DOC Director of Compliance the annual inspection reports and exclude the findings for the CCA facilities, since the DOC reorganizations had no affect on the staffing at these facilities.

SECURITY RISKS

The draft report utilized only two quarters of the 1998-99 incident reports. Utilizing the incident summary now available through the third quarter of 1998-99, the total per 100 inmate rate of violent incidents, including CCA facilities, are actually down as compared to the first three quarters of the previous year. Extending the quarterly average for the fourth quarter would indicate a slight decrease in violent incident rates (from 9.92 to 9.86) from Fiscal Year 1998 to Fiscal Year 1999, and a decrease in total incidents from 68.44 to 63.71 per 100 inmates.

Based on recent discussions, the Comptroller staff recently meet with our planning staff and were updating these statistics, as well as extracting the incidents related to the CCA managed facilities, since none of the 1997 reductions/reorganization affected them.

RESPONSE TO RECOMMENDATIONS

Recommendation-The department should make a more aggressive attempt to fill current vacancies.

The DOC has engaged in extensive recruitment efforts to reduce the number of vacancies in many position classifications.