

Prison Reform Advisory Board Meeting Minutes

May 22, 2019
9:00 am – 12:00 pm
Governor's Crime Commission

Board Members Attending: Beth Austin, Art Beeler, Mike Killmer, James French, Dorothy Ledford, and Stephanie Hollembaek. Stanley Drewery was absent.

Department of Public Safety (DPS) Officials Attending: Secretary Erik Hooks, Tim Moose, Tracy Little, Kenneth Lassiter, Chris Holland, Billy Lassiter, Pam Walker, Jerry Higgins, Jodi Harrison, Loris Sutton, Sarah Cobb, and Gary Mohr.

Chair Austin called the meeting to order. Chair Austin and Secretary Hooks welcomed everyone to the meeting. Chair Austin congratulated and recognized Tim Moose as the new Chief Deputy Secretary of Adult Correction and Juvenile Justice since the departure of Reuben Young. Judge Young was appointed to the NC Court of Appeals.

Chief Deputy Secretary Moose thanked the board as well as staff for their commitment and hard work.

Board members and DPS officials introduced themselves.

A motion was made by James French and seconded by Art Beeler to approve the February 5, 2019 meeting minutes. Minutes were approved as presented.

The Board heard several presentations related to current operations and initiatives. Copies of the presentations can be found on the DPS Prison Reform [website](#).

Billy Lassiter, Deputy Secretary for Juvenile Justice, provided a presentation on Raise the Age and updates within the Juvenile Justice section.

Raise the Age (RTA) is a major initiative for NC. RTA is changing the juvenile jurisdiction from 16 years old to 18 years old. North Carolina is the last state in the country to adopt the change. The change will affect the long-term population of prisons and adult probation and save the state money. RTA will become effective December 1, 2019. Some of the highlights of the initiative are as follows:

- New definition of “delinquent juvenile” includes 16 and 17-year-olds who commit crimes, infractions, or indirect contempt by a juvenile, but *excludes motor vehicle offenses*.

Also excludes juveniles who:

- are 18 and older;
- have been transferred to and convicted in superior court; and

- have been **convicted of a felony or misdemeanor, including motor vehicle offenses, in district or superior court.**

Expedited Transfer for 16 & 17 year olds

For Class A-G felonies, transfer is mandatory upon:

- notice of an indictment, or
- a finding of probable cause after notice and a hearing

For Class H or I felonies, transfer requires a transfer hearing

Maximum Age of Jurisdiction

Effective Dec. 1, 2019

- For 16-year-olds, until age 19
- For 17-year-olds, until age 20

Beyond maximum age of jurisdiction,

- Court has **indefinite jurisdiction** over felonies and related misdemeanors to either transfer the case to Superior Court or dismiss the petition.

Mr. Beeler and Mike Killmer commented that Mr. Lassiter's passion for RTA was evident and there was no doubt that he was the reason that RTA was adopted in NC.

Mr. Killmer requested printouts of trades and vocational training programs being offered.

Stephanie Hollembaek asked what types of services are offered to the families of the juveniles in terms of counseling and being able to better support the juvenile. Deputy Secretary Lassiter stated functional family therapy is offered to every juvenile in the system. Functional family therapy looks at the whole family unit. In addition, the department offers parenting classes for the parents of the juveniles. Currently 36% of parents indicate they are either unwilling or incapable of supporting their child, which is a huge risk factor to our children. This was one of the main reasons functional family therapy was implemented in North Carolina.

Tracy Little, Deputy Secretary, provided a presentation on Prison Reform updates.

Facility Re-Missioning Update

- Converting Eastern and Southern Correctional Institutions from female to close custody male facilities. Some close custody males received at Eastern and Southern.
- Converting Lanesboro Correctional to a female facility and re-naming it Anson Correctional Institution.
Male close custody offender population reduced at Lanesboro; anticipate transferring females to Anson by late summer 2019.

Reducing Contraband in Prison Facilities

- Utilizing managed access radio frequency technology to detect, intercept, and block use of unauthorized cellphones. Twenty assessments using mobile managed access completed thus far; will conduct 30 total.
- Continuing development of database to track contraband intercepted.

Improving Training for New and Veteran Employees

- Moved to six weeks of Basic Correctional Officer Training, effective January 2019.
- Launched online Credible Leadership class
- Re-instituted training for new wardens to provide exposure to human resources, fiscal, legal and other responsibilities as facility heads

Enhancing Communication with Internal and External Stakeholders

- Developing key performance indicators to monitor and track progress of various initiatives. Engaging a multi-disciplinary team due process and plan to monitor via an IT tool.

Budget and Legislative Update

- ▶ Governor's Recommended Budget Highlights
 - Greater of 1.5% or \$500 salary increase for most state employees in both years of the biennium
 - An additional \$500 increase for certified law enforcement and staff who work in state facilities
 - \$8.2 million reserve for safety and security enhancements in prisons
 - \$2 million recurring, and \$500,000 non-recurring to Adult Corrections to enhance training, intelligence gathering and support for new staff.
 - \$835,000 recurring to provide for 11 positions to expand capacity for re-entry programming.
 - \$3.5 million recurring to provide 35 positions for the first phase of a new long-term care facility, located at Central Prison, for chronically ill inmates.
- ▶ House Budget Highlights
 - Greater of 1% or \$500 salary increase for most state employees, effective Jan. 1, 2020
 - 5% increase for certified correctional personnel
 - \$835,000 recurring to provide for positions to expand capacity for re-entry programming. Phased in over biennium.
 - \$3.5 million recurring in FY 2019-20 to provide 35 positions for the first phase of a new long-term care facility, located at Central Prison, for chronically ill inmates.
 - \$740,000 for five positions and 32 intermediate substance abuse treatment slots, effective Oct. 1, 2019.

Other Legislation

- ▶ House Bill 641
 - Department of Public Safety Omnibus Bill
 - Includes modification to offender malicious conduct statutes and requires consecutive active sentence for offender convicted of exposing him/herself to staff;
 - Includes modification to statutes to require active consecutive sentence for offender convicted of possessing tools to effect an escape, or aid in an assault or insurrection
 - Includes modification to tort claims statutes
 - Passed the House; in Senate for consideration

Mr. Killmer asked where the agency is on man-down technology and if non-certified staff were issued radios. Deputy Secretary Little stated that Prisons Assistant Director Loris Sutton would be covering the latest on the man-down technology during her presentation later in the meeting.

Director Lassiter confirmed that non-certified staff are issued radios. Ms. Sutton also clarified that depending on the position, for example a part-time position or someone who does not traditionally get assigned a radio, they are assigned a whistle so that they can call for assistance if needed.

Ms. Hollembaek asked if there was a base carryover policy for annual leave or sick leave. Ms. Little stated that at the end of the calendar year, staff can carry over only 240 hours of annual leave, and anything above that amount is converted to sick leave. At retirement, the employee can get paid out for annual leave and sick leave is applied to credible years of service.

Mr. Beeler stated that so far the Board has focused primarily on security enhancements and that he thought it would be a good time to form a group to discuss inmate programming. Ms. Little responded that staff will gladly provide more detailed and specific information regarding programming.

Deputy Secretary Little explained the framework and timeline for the remaining 2019 Prison Reform Advisory Board meetings, specifically a goal that the board present written recommendations to the Secretary at its October 2019 meeting. Further, Ms. Little indicated it may be necessary to add an additional meeting and staff will keep members informed if this is needed.

As part of the process to move toward written recommendations, the board will hear presentations regarding initiatives, timelines and performance measures from each of the five Prison Strategy workgroups. Two workgroup chairs presented at the May 2019 meeting.

Ms. Sutton, Prisons Assistant Director of the Security Accountability Section, provided a presentation on the Enhancing Security Policies and Practices workgroup.

Ms. Sutton shared initiatives that have been completed and those that are in progress.

Initiatives Completed:

Implemented Tasers for certified custody supervisors at four designated facilities.

Provided certified programs staff with a radio, baton and OC.

Provided non-certified staff with OC pepper spray (if requested) and a safety whistle.

Coordinates with internal & external partners to expand functionality of Prison intel unit.

Completed the consolidation of Prisons standard operating procedures and Correction Enterprises polices.

Created and deployed a centralized security audit team.

Provided critical incident management and situational awareness training.

Reviewed and revised policies regarding after action reviews.

Initiatives Pending Completion:

Provide stab resistant shirts to all certified staff.

Revalidation of the offender classification instrument.

Offender work assignments based on validated assessment instrument.

Develop & implement State Emergency Response Application System.

Implement camera surveillance system upgrades.

Procure electronic key lock boxes.
Implement personal body alarm technology.
Expand tool control scanning system.
Implement mobile security towers.

Dan Hill, DPS Human Resources Staffing and Recruitment Manager, shared a presentation outlining the work of the Increasing Hiring and Retention workgroup

Mr. Hill stated that there were three objectives to increasing hiring and retention. Those objectives are to:

- Improve Recruitment
 - Correctional officer recruitment previously managed by Prisons. This responsibility transferred to Human Resources in March 2018.
 - As of March 2019, eight full-time dedicated recruiter positions have been filled and assigned throughout the state.
 - Recruiters are assigned to and focus upon specific prison facilities within their zones.
- Improve Hiring Process
 - Reduce average time from receipt of application to hiring date. Goal is to reduce from an average of 90-120 days to an average of 60-90 days.
 - Reduce number of steps in the process (number of hands involved, etc.).
- Improve Retention
 - Developed and implemented a correctional officer exit survey to gather data to better ensure efforts are targeted appropriately.
 - Survey piloted in late 2017 at two prisons, implemented in July 2018 at all prisons. Identify career development opportunities – training for advancement of skills, financial incentives tied to skill development.
 - Compensation-related initiatives completed:
 - Addressed short-term, salary disparities for correctional officers performing duties associated with higher job classifications.
 - Implemented 4% salary increases for all staff whose work is predominantly performed inside a prison, effective July 1, 2018
 - Doubled the line-of-duty death benefits for prison workers.
 - Added pay incentive for participation on the Prison Emergency Response Team (\$1,500 salary increase for those who volunteer).
 - Compensation-related initiatives still under consideration:
 - Sign-on bonus, second half of bonus received after serving 18 months.
 - Address correctional officer salary compression through a salary step plan
 - Improve correctional officer retirement benefits
 - Consider site differential pay at certain locations with extremely high vacancy and/or turnover.
 - Implement programs to improve morale and employee involvement in decision-making.
 - New employee engagement questionnaire.

Secretary Hooks closed with comments that we must continue to promote the profession and capture the truth about corrections. He stated public service is a noble profession but it can also

be a dangerous profession. Further, Secretary Hooks noted that there should be respect for all corrections and law enforcement and compensation is part of that.

Chair Austin adjourned the meeting at 12:35 pm.