



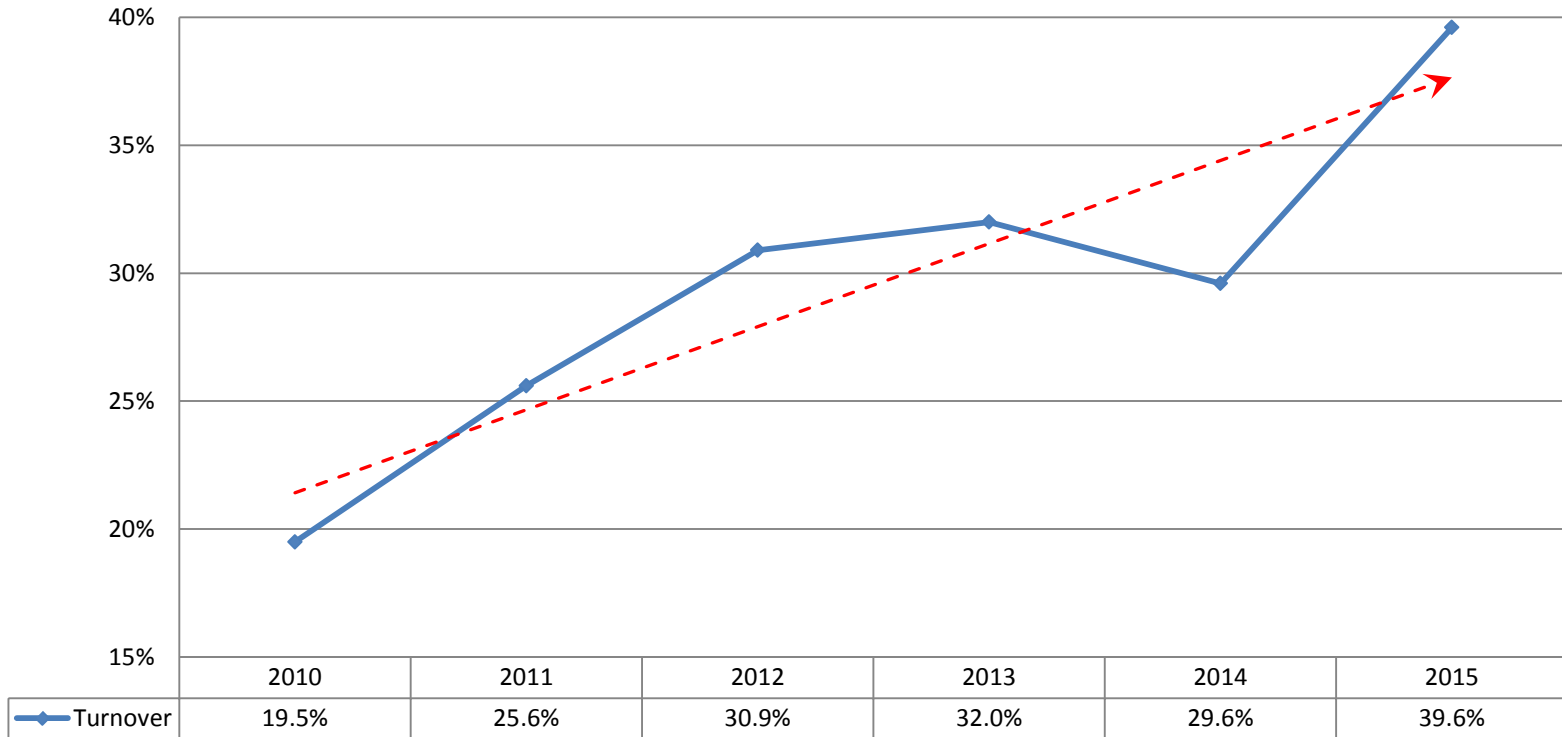
TSEA Presentation to
Corrections Subcommittee of
Senate State & Local Government Committee
Thursday, August 27, 2015

Why are we all here today?

- Turnover in TDOC is at **39.6%** - up 103% since 2010
- Officers do not feel safe working under current staffing ratios and historically high turnover, both which are trending higher;
- Officers are frustrated by the disruption and delay of their overtime pay;
- Officers are concerned about the current classification and reporting of incidents;
- The department denies and/or seems uninterested in many of the concerns of correctional officers;
- Correctional officers today can find better paying, less stressful jobs fairly easily.

Turnover is historically high and trending upward

Average Turnover Rates in TDOC

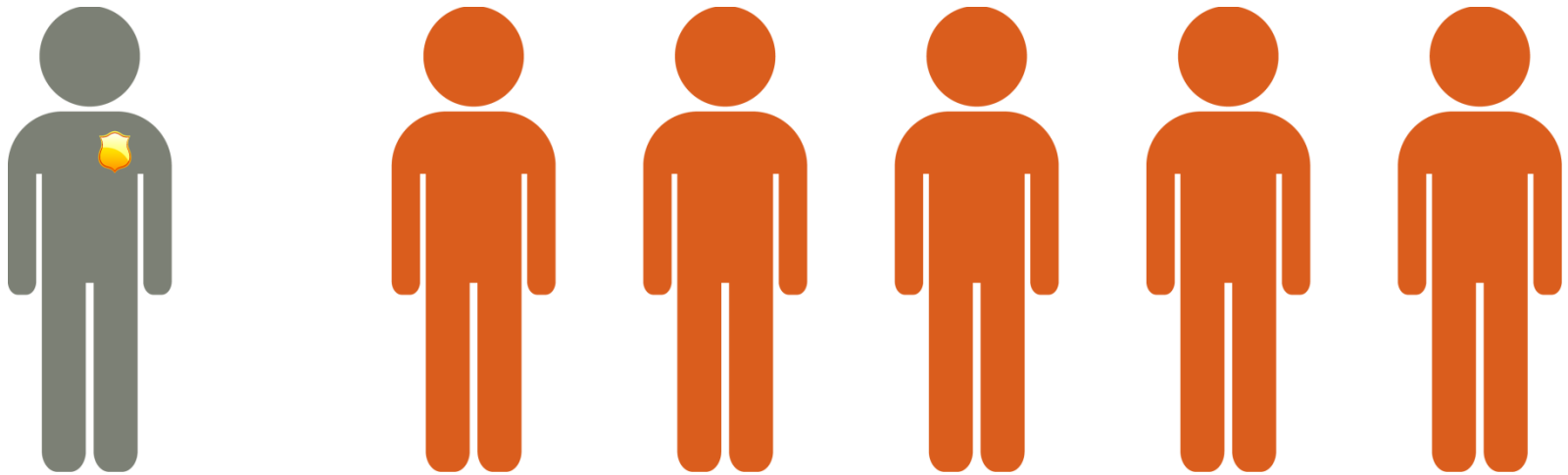


**Since 2010, turnover rates have increased 103%,
that's more than 20 percentage points.**

*2010-2014 Data pulled from Southern Legislative Conference comparative data reports on Adult Correctional Systems.
2015 data pulled from TDOC House State Government Committee presentation.*

Staffing Ratios

TDOC indicated during the House State Government hearing an officer to inmate ratio of 1:4.5



Staffing Ratios

TDOC's website lists inmate population in our state-run facilities at around 21,000. To maintain a 1:4.5 ratio of officers to inmates for 24 hours, the following must be true.

8:00 a.m. **21,000 inmates** 8:00 a.m. 4,600 officers on duty

4:00 p.m. **21,000 inmates** 4:00 p.m. 4,600 officers on duty

2:00 a.m. **21,000 inmates** 2:00 a.m. 4,600 officers on duty

To maintain a 1:4.5 ratio, there would need to be 4,600 officers on shift 24-hours-a-day. But, with three shifts to cover, about 13,800 officers would be required to meet that ratio.

Staffing Ratios

So what is the actual officer to inmate ratio? According to data available to TSEA, there are about 2,500 total Correctional Officers. If no officers are out sick or on leave, then the following is true:

8:00 a.m. **21,000 inmates** 8:00 a.m. 833 officers on duty

4:00 p.m. **21,000 inmates** 4:00 p.m. 833 officers on duty

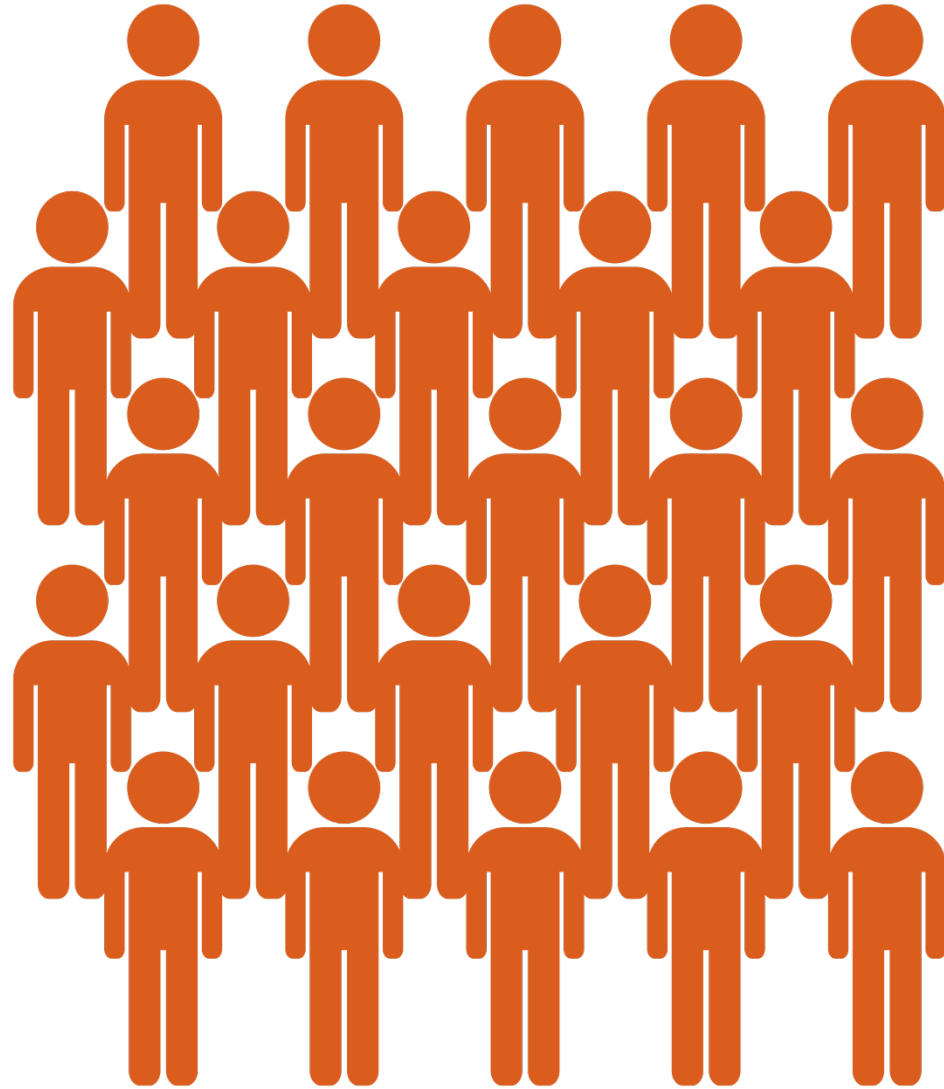
2:00 a.m. **21,000 inmates** 2:00 a.m. 833 officers on duty

This is a 1:25 ratio!

Staffing Ratios



1:25



Staffing Ratios

1 Correctional Officer (making little more than \$13 per hour) is guarding:

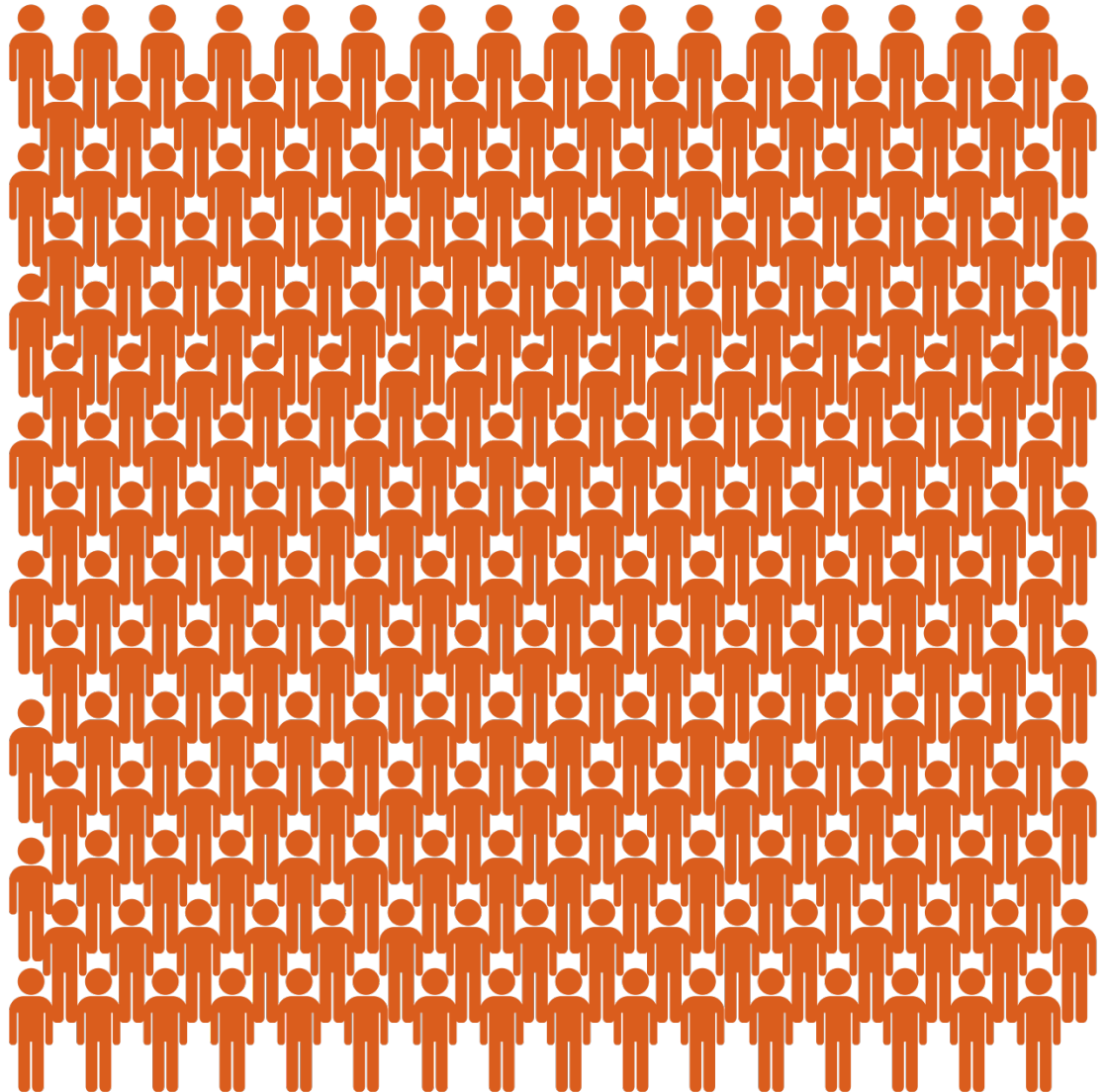
- 5 Murderers
- 3 Sex offenders
- 7 Thieves
- 4 Drug dealers
- 3 Charged with assault
- 1 kidnapper, and;
- 2 imprisoned on other charges

1:25

Numbers based on TDOC's June 2015 Felon Population Report

Staffing Ratios

1:240?



- 48 Murderers*
- 29 Sex offenders*
- 67 Thieves*
- 38 Drug dealers*
- 29 Charged with assault*
- 10 Kidnappers, and;*
- 19 Imprisoned on other charges*

During a recent visit to WTSP, TSEA witnessed the above ratio.

Officers are frustrated by the disruption and delay of their overtime pay

28-Day schedule

- According to TDOC's 2012 top to bottom review, the 28-day schedule is intended to reduce overtime costs and reduce the number of officers needed for each shift without compromising safety.
- Overtime is earned after 160 hours within a consecutive 28-day work period.
- Time-and-a-half isn't required until after 171 hours within a consecutive 28-day work period.
- Overtime hours worked between 160-171 are paid at the regular hourly rate, not time-and-a-half.

Officers are frustrated by the disruption and delay of their overtime pay

28-Day schedule

- Schedule doesn't align with the state employee pay period (which is twice a month).
- Schedule doesn't align with a correctional officer's 6/3 work schedule.
- There is a lag in how and when overtime is paid to workers.
- Employees are confused by all of this and do not know how to calculate their own overtime.
- Many employees depend on overtime to survive financially.

Officers are concerned about the current classification & reporting of incidents

TDOC claims a 37% reduction in “violent offenses” from FY10 to FY15

Inconsistent terminology

- The terms “violent offenses” & “violent incidents” are not found in any policy or procedure guidelines in TDOC
- These terms were used interchangeably in the recent presentation to the HSG committee
- It is uncertain that a consistent definition or classification of “violent incidents” or “violent offenses” are used in FY10, FY14 and FY15.

Officers are concerned about the current classification & reporting of incidents

TDOC claims a 37% reduction in “violent offenses” from FY10 to FY15

Definitions

- TDOC’s “Definitions of Disciplinary Offenses” contains over 76 definitions of wrongful acts that could be committed by inmates.
- A dozen of those offenses could fit under the category of “violent incidents” or “violent offenses.”
- We do not know how the numbers of “violent acts” were determined.

Officers are concerned about the current classification & reporting of incidents

TDOC claims a 37% reduction in “violent offenses” from FY10 to FY15

- The number of “violent incidents” at Riverbend Maximum Security Institution shows a dramatic reduction in the number of violent offenses from 201 in FY14 to 31 in FY15.
- No other institution reflects such a dramatic decrease.
- This could indicate the inconsistency in measuring “violent incidents” or “violent offenses”.

Officers are concerned about the current classification & reporting of incidents

TDOC claims a 37% reduction in “violent offenses” from FY10 to FY15

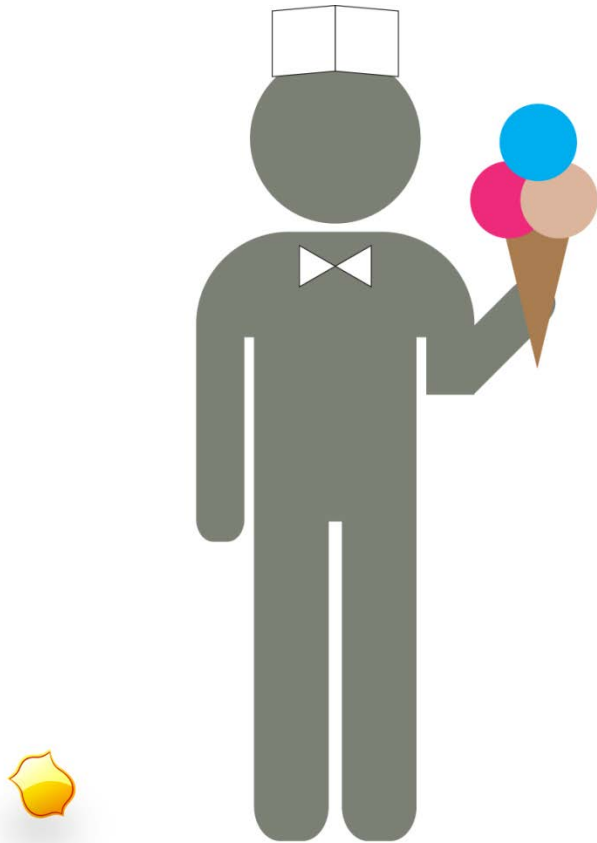
- There are many concerns with how incidents are classified on incident reports throughout the state.
- Throwing water on a trooper will be punished differently than missing the face area of a Correctional Officer with body fluids.

The department denies and/or seems uninterested in many of the concerns of correctional officers

Some recent statements in the press:

- The Tennessean 8-18-15: *Schofield has also denied reports that prison officials are changing reports on inmate attacks so that they are not reflected as assaults.*
- The Tennessean 8-15-15: *Department of Correction Commissioner Derrick Schofield recently told lawmakers that violence is down at state prisons.*
- Associated Press 8-11-15: *Tennessee Department of Corrections spokeswoman Neysa Taylor says the department isn't required to declare an emergency based on current data.*
- The Tennessean 8-10-15: *Citing data he and other department officials say show violence is down and a recent change in scheduling isn't necessarily correlated with the 302 vacant positions across the state, Schofield argued any issues recently reported are more perception than reality.*
- Times Free Press 7-31-15: *"Attempts to connect separations and the 28-day schedule are flawed. As with any law enforcement field, turnover is a normal occurrence," said TDOC's Taylor.*
- Associated press 7-28-15: *Spokeswoman Alison Randgaard said the changes reflect best practices in the industry.*

Correctional officers today can find better paying, less stressful jobs fairly easily



- According to TDOC, the starting pay for a correctional officer in Tennessee is **\$27,060**;
- Wal-Mart pays its retail associates on average \$13 per hour or **\$27,084** a year;
- There is an ice cream facility in Covington, TN paying workers on average \$19 per hour or **\$39,500** a year;
- A one-income family of four is eligible for food stamps on a correctional officer's starting salary.

Correctional officers today can find better paying, less stressful jobs fairly easily

- In 2005, the general assembly passed TCA 4-6-106:

“The commissioner of correction shall formulate and implement a compensation plan for correctional officers by which such officers are paid at least the average compensation of correctional officers in the southeastern United States with similar qualifications and years of service. Such plan shall be revised annually to reflect changes in the southeast average compensation. The commissioner shall report annually to the general assembly on the components and ranges in such plan. Such compensation plan shall only be implemented in years in which funds are appropriated to pay the average compensation as determined by such survey.”

▶ **Tennessee hasn't once met this objective.**

Correctional officers today can find better paying, less stressful jobs fairly easily

In 2013 Tennessee's correctional officer pay for the first time reached 2007's southern state average.

FY (As of July 1)	Avg. Southern States	Tennessee
2006	\$ 24,394	\$ 23,748
2007	\$ 25,554	\$ 24,456
2008	\$ 25,829	\$ 24,456
2009	\$ 25,781	\$ 24,456
2010	\$ 25,744	\$ 24,456
2011	\$ 26,216	\$ 24,852
2012	\$ 26,064	\$ 25,476
2013	\$ 26,438	\$ 25,776
2014	\$ 26,839	\$ 25,776

Data pulled from Southern Legislative Conference comparative data reports on Adult Correctional Systems.

Correctional officers today can find better paying, less stressful jobs fairly easily

- The average turnover rate for the southern states is **22.6%**.
- Tennessee set its salary goals based on a pay range that averages high turnover.
- We must set our own standard.
- After losing the longevity benefit, losing retiree health insurance, weakening the pension plan and reducing civil service protections, benefits are no longer a strong selling point for state jobs.

TDOC has several areas in need of correction

- Turnover
- Officer to Inmate Ratios
- Overtime
- Assaults
- Officer pay

TSEA stands ready to work with the Department, the Tennessee General Assembly, and the Haslam administration to meet the serious challenges that lie ahead. We must act prudently yet swiftly to protect the safety of the public and the men and women on the front lines in TDOC.

