Legislative Budget and Finance Committee

A Study in Response to House Resolution 2022-174

Report Presentation by Anne Witkonis, Project Manager
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Good Morning Madam Chair and members of the Committee. I am pleased to be here to discuss the results of our study in response to House Resolution 174, which directed the Legislative Budget and Finance Committee to determine the cost of implementing a safety plan for staffing state correctional institutions (SCIs) on Level 3 and Level 4 housing units.

There are 23 SCIs throughout Pennsylvania, primarily housing adult males. SCIs have different configurations, depending on when they were built. Ten of the 23 SCIs are prototypical designs, a style of housing that emerged primarily in the 1990s after the SCI Camp Hill riot. Prototypical generally refers to a construction style where the housing units are of a similar, modern design, with cells facing toward an open area so staff can observe each cell from the floor.

Housing units for Level 3 and Level 4 inmates, usually on two floors, are divided into two "pods" that can house up to 120 inmates. In Custody Level 3 housing units, the correctional officer assigned to a pod generally has a clear line of site to all cells. In a Custody Level 4 housing unit, there is also a locked control bubble, typically a glassed-in, office-like room from which the assigned corrections officer also has a line of site to both pods on either side of the housing unit.

Prototypical facilities employ similar staffing models for Level 3 and Level 4 housing units. Two Corrections Officer 1s (CO1s) and one Corrections Officer 2 (CO2) typically staff Level 3 housing units on the first and second shifts. The CO1s are stationed on each pod of the housing unit, while the CO2 rotates between the pods and provides relief for meals, breaks, and other support when necessary.

Three CO1s and one CO2 staff Level 4 housing units. In these units, two CO1s are stationed in each pod, while the remaining CO1 and CO2 float between the pods, providing relief and support as needed. According to DOC, it is at the discretion of the SCI to determine the rank of the CO stationed in the secure bubble on Level 4 housing units.

Because non-prototypical facilities vary in their configurations, staffing often differs from the standard staffing practices discussed above. Furthermore, across prototypical and non-prototypical facilities, specialized units (such as for inmates with special needs) may require additional COs on a particular housing unit.

HR 174 directs the LBFC to determine the cost of implementing a staffing safety plan on Level 3 and Level 4 housing units staffed by at least two correctional officers per pod where inmates are permitted freedom of movement from their cells. However, after discussing the issue with the two primary stakeholders – the Department of Corrections (DOC) and the Pennsylvania State Corrections Officers Association (PSCOA) – we learned there are differing interpretations of how to accomplish this plan. PSCOA's interpretation would add one CO1 per housing unit per shift, while DOC's interpretation

would add two CO1s per housing unit per shift, excluding the third shift because inmates are locked in their cells during this time.

Various factors left us with 12 SCIs with Level 3 housing units in determining the cost for additional COs. First, we excluded all SCIs that house only Level 2 inmates. These facilities were Cambridge Springs, Laurel Highlands, Mercer, and Waymart. Because both PSCOA and the DOC agreed that Level 4 housing units were adequately staffed, we excluded all facilities operating only those units. These included Camp Hill, Fayette, Forest, Frackville, Greene, and Smithfield. Finally, we excluded Rockview from our analysis, as both PSCOA and DOC agreed that the facility's unique design already requires the levels of staffing proposed in HR 174. We also considered a relief factor when we calculated the number of staff required in the PSCOA and DOC models. The relief factor calculation ensures that all shifts are covered when COs are off work for vacation, sick, military leave, etc.

Under PSCOA's model, the 12 facilities would have to staff between 10 and 24 additional shifts per day to adhere to a new staffing safety plan. That equates to approximately 17 to 41 COs per facility needed to fill those shifts once we consider the relief factor. Conversely, SCIs would need to staff between 20 and 48 more shifts per day as part of DOC's interpretation of the proposal in HR 174. Considering the relief factor, this results in an additional 34 to 83 COs that would be required to fill those new shifts.

Under PSCOA's proposed model, average annual spending per SCI would be expected to increase to $37.4 million, approximately seven percent, per facility. With DOC's model,

average yearly expenditures for each SCI would be expected to grow to $40.3 million, or by about 16 percent per facility.

Overall, average spending for the 12 facilities is $420 million annually. Considering the cost projections under PSCOA's model, total spending would increase by seven percent to an average of $448.2 million annually. With cost projections under DOC's model, the total average annual spending would increase to $484.1 million, a change of 15 percent. The DOC model's projected cost is an average of eight percent more than PSCOA's model.

In our report, we noted there are existing staffing challenges, in that, as of June 2022, there were 95 CO1 vacancies, an average vacancy rate of three percent, at the 12 facilities that would be impacted. While these staffing shortages are a concern, the underlying issues that have led to the shortages, and potential solutions are outside this report's scope.

We also reviewed violent incidents that occur in SCIs. All violent incidents within an SCI are documented as "misconducts," first manually and then electronically; the misconduct system is paper-based, and the one-page form may be written by any classification of staff who witnessed an infraction. A hearing examiner reviews misconducts to determine if an inmate is guilty. If more than one inmate is involved, a violent incident could result in multiple misconducts. A decision of guilt results in a guilty misconduct.

The total number of violent incidents decreased 37 percent from FY 2017-18 to FY 2021-22. However, DOC's inmate population decreased by 23 percent, over 10,000 inmates, during the same period. When we reviewed only inmate-on-staff assaults, there was a 34 percent decrease in incidents.

Because DOC was unable to provide us with incident data specific to Level 3 and Level 4 housing units, we could not perform a correlation analysis between the number of staff and the number of assaults on those units. However, we performed this analysis using the average number of violent incidents and the average number of CO1s and CO2s reported by DOC. Our analysis found a statistically significant correlation between violent incidents and CO staffing levels during the five-year scope of our study. However, this analysis did not find a strong predictive correlation between the two variables.

Because we could not perform a more granular analysis on those two levels of housing units, we recommend that the DOC should begin collecting and tracking more specific violent incident data. Increased knowledge of specific violent incident locations would enhance SCIs' staffing decision-making. Additionally, DOC should invest in an updated Misconduct Tracking System to allow for better analysis of violent incident data.

For this report, we also reviewed the training that corrections officers receive when initially hired and the in-service training they participate in after being on the job. Each new corrections officer trainee must complete four phases of training to develop the

skills and techniques required of a CO. Successful completion of this one-year probationary period results in promotion to Corrections Officer 1.

In conclusion, we thank the department for its assistance in completing this report. Finally, I would also like to thank several staff members who worked on this project, including Amy Hockenberry, Shanika Mitchell-Saint Jean, and Matt Thomas. At this time, I would be happy to answer any questions you may have.