

*State of New Jersey
Department of Corrections*

Discussion Points

1. During FY 2006 the Assembly Prison Violence Gang Task Force conducted hearings on gang activity in the prisons. During those hearings, custody staff testified that they receive insufficient training to deal with gangs.

QUESTION

Please provide a summary of the annual training that is provided to custody staff. What components are included in this training (i.e. firearms training, gang training, personal interaction with inmates)? What is the cost of this annual training?

RESPONSE

All uniformed staff are required to attend two and a half days of training annually in the following areas:

Annual Firearms Qualification (Eight Hours)

New Jersey State Law requires sworn peace officers to regularly demonstrate proficiency (qualify) with duty weapons (firearms). Requisite annual training in Use of Force to include the continuum of force options is also mandated. As chemical agents are also utilized as a less-than lethal force option by the New Jersey Department of Corrections, annual training in their use is also required. Four blocks of instruction are provided at the department's regional ranges. They are: Firearms Safety, Use of Force refresher, Chemical Agents and Firearms Re-qualification.

Staff that does not qualify within the set standards, i.e., within one year for reasons such as leaves of absence for illness/injury, military leave, disciplinary action or involvement with domestic violence, must attend a Refamiliarization program which is a three day training program.

CPR/First Aid (Eight Hours Each)

In addition, all uniformed staff are required to attend CPR and First Aid training. Certifications in each of these areas must be renewed biennially. Therefore, CPR and First Aid classes are conducted in alternate years.

Other (Four Hours)

Lastly, all uniformed staff are required to receive annual training on: Blood Borne Pathogens, Light Suppression and Evacuation, and Suicide Awareness and Prevention.

The above mentioned annual training costs approximately \$5.6 million for post coverage on an overtime basis.

2. The Governor's Correction Transition Policy Group recommended that the Department of Corrections establish a Division of Gang Intelligence unit within the department and appoint an Assistant Commissioner of Gang Intelligence.

QUESTION

How pervasive is the problem of gang activity in the prisons? What steps have been taken by the department to minimize gang activity? What additional measures need to be taken?

RESPONSE

The impact of gang activity on the inmate population has been significant over the past ten years. Historically, gangs operating within state prisons were small groups, with little in the way of organization, typically comprised of inmates with significant prison terms who were housed at the department's most secure facilities. They were more readily managed due to the department's

ability to disassociate members from one another. The department relocated unmanageable cases out of state. Disruptive activity by gang members was primarily centered at the highest-level custody facilities. In the early 1990's, the department experienced a significant change in the size of gangs, their level of organization and disruption attributable to gang members. This new wave of gangs came to occupy all of the department's facilities, presenting special management problems for the department.

In 1994, the department established an Intelligence Section within its Special Investigations Division, charged with identifying gangs and gang members, and monitoring their activity. An identification and automated tracking process was established. An Investigator at each institution was designated as the Institutional Intelligence Officer, with Institutional Intelligence Committees established at each facility to ensure that custody staff could participate in the process and keep abreast of gang trends. Since 1994, over 10,000 gang members representing 275 gangs have been processed through the state prison population. Currently, more than 4,500 are incarcerated.

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

within STGMU due to increased numbers of Bloods and Crips requiring this level of supervision.

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

The Investigators assigned to the Intelligence Section have provided gang awareness training to thousands of law enforcement professionals both within the department and externally to many federal, state, county and local departments and agencies. Training is also provided to teachers, school resource officers and parents in conjunction with the Gang Awareness and Prevention Program (GAPP).

GAPP has been the department's response to the increasing gang violence in communities throughout New Jersey. It is a two pronged attack comprised of:

- Incarcerated ex-gang members escorted to schools, churches and community forums to speak with youth regarding the dangers of gang membership. Since the inception of GAPP in 2001 over 80,000 youths have been exposed to GAPP.

- Gang awareness training (described above) has been provided to over 10,000 people.

Investigators assigned to the Intelligence Section work closely with the New Jersey State Police Street Gang Bureau, the Federal Bureau of Investigation Joint Terrorism Task Force (JTTF), numerous County Correctional facilities, Prosecutor's Offices and municipal police departments on a daily basis in providing strategic intelligence information and even expert testimony in gang related prosecutions. Investigators are also involved in joint criminal investigations with these agencies. These investigations are directly related to gang activity within our prisons.

Currently, each facility (14) has an SID investigator assigned as that facility's gang investigator.

3. Among the disagreements between custody staff and the Department of Corrections is the department's elimination of shift overlap overtime. Custody staff argues that shift overlap overtime is necessary to facilitate effective communication among the guards during the change of shifts. The department states that the payment of overtime during overlap periods is unnecessary and communication can be conducted through alternate means. The Governor's Corrections Transition Policy Group recommends that shift overlap overtime be reinstated.

QUESTION

Please evaluate the role of shift overlap in the effective operation of the prison facilities. How would you recommend the department institute an effective communication system among the guards as they change shifts? What would be the cost of reinstating shift overlap overtime for custody staff?

RESPONSE

A well structured shift overlap program provides an opportunity for the incoming shift to be briefed on matters of security and supervision. This would take the form of group line up for most information dissemination by the outgoing custody supervisory staff, and some individual peer-to-peer interaction relative to specific posts being relieved.

The cost to institute shift overlap is \$1 million per minute for the entire 6,500 person uniformed custody staff. Analysis is currently underway to determine the total minutes required to effectively operate overlap per shift as well as the posts and numbers of officers affected.

4. The FY 2007 Budget in Brief states that “recent audits of State benefit programs have uncovered numerous repeat claims, suggesting that the availability of dual programs for sick leave and work-related injuries encourages fraud and abuse”. The FY 2007 budget recommends the elimination of the Sick Leave Injury program for a potential savings of \$3 million. Sick Leave Injury is a salary continuation program that provides full pay to employees for one year after being injured on the job.

QUESTION

How many corrections officers are currently on Sick Leave Injury status? How many officers have made use of the sick leave injury program during the past three fiscal years? What is the salary cost? What impact would the elimination of this benefit have on the department’s staffing and overtime requirements and expenditures?

RESPONSE

During pay period 07 (March 18, 2006 – March 31, 2006) 118 Custody Staff were in Sick Leave Injury Status (SLI). Below are the numbers of Custody staff on SLI by fiscal year as well as the straight time salary costs associated with the leaves and the overtime costs required to maintain coverage:

<u>Fiscal Year</u>	<u># of Cust.</u>	<u>Staff on SLI</u>	<u>SLI Days</u>	<u>Salary Cost</u>	<u>Overtime Cost</u>
2004		686	32,042	\$7,712,228	\$12,115,534
2005		774	32,897	\$7,915,338	\$12,135,780
2006 (YTD)		506	20,322	\$4,848,449	\$7,438,909

Elimination of SLI would reduce department straight-time salary expenditures, since straight-time payments to employees in SLI status would be discontinued. Overtime costs after SLI elimination would remain, however, since the vacated posts due to extended sick leave would continue to require coverage.

Net savings to the State would depend upon a number of factors. If the employees were provided an alternative benefit for sick leave due to injury at less than full pay, as is the case with temporary disability, the department might experience less attributable total leave days, given the financial disincentive to the employee to remain off the job. Reduced leave days would, in turn, result in a department overtime savings, and a savings to the SLI alternative benefit program per leave day reduced. For the remaining leave days, the State savings would constitute the difference between the cost per day pay at straight-time and the lower cost per day pay of the alternative benefit program. As noted above, however, overtime would continue to be required to cover posts vacated for the remaining leave days.

5. The Department of Corrections has been receiving funding under Title IV-A of the Social Security Act through the Department of Human Services for the provision of needy families. According to a Memorandum of Understanding between the Department of Human Services and the Department of Corrections dated July 1, 2005, the department

received \$500,000 for the provision of a Responsible Parenting Program for individuals under supervision by the Department of Corrections.

QUESTION

Please provide a summary of the activities that are provided by this funding. Which institutions offer the program? How many inmates are served under the program? What procedures have the department instituted to evaluate the effectiveness of the program?

RESPONSE

The Responsible Parenting Program consists of the following elements:

- 16-week, two-hour, educational/support group, through Parents Anonymous “Parenting Our Successors in Society Effectively” (POSSE).
- The Department of Human Services contracts with Janus Solutions, to provide educational/informational seminars on child support issues.
- Office of Child Support and Paternity liaison assists with specific child support questions and concerns.
- Department of Labor liaison works to determine ways in which to provide needed training/education and assistance with obtaining viable employment.
- One-Stop Career Centers provide informational workshops that educate the participants about available services and how to access the services.
- Participants are involved in Family Night.
- Participants receive a certificate at the Graduation Ceremony.
- Participants are encouraged to continue attending POSSE groups in the community to provide continuity of care.
- Department of Corrections has contracted with the Center for Family Services in South Jersey and the Family Service Bureau of Newark, to provide case management

services, counseling, as well as assistance with housing, transportation, employment and related issues when participants return to the community.

The Responsible Parenting Program is provided within the Therapeutic Community at the Edna Mahan Correctional Facility for Women located in Clinton, NJ, Hunterdon County, as well as the following five departmental contracted Residential Community Release Programs:

- Center for Urban Education (CUE-Ogden), Newark, NJ, Essex County
- Hope Hall, Volunteers of America/Delaware Valley, Camden, NJ, Camden County
- The Kintock Group, Bridgeton, NJ, Cumberland County
- The Kintock Group, Newark, NJ, Essex County
- Port, Newark, NJ, Essex County

Each cycle consists of approximately 20 participants. Over 400 eligible candidates participate in the program annually. Pre- and post evaluations are given to participants to determine/monitor the effectiveness of the program. After the participant has obtained employment, this information is provided to the Department of Human Services, which begins the process for child support collection. The identification and data collection outcome measures are an ongoing process between the Department of Corrections and the Department of Human Services.

6. The Governor's Transition Policy Group recommended that the State "make a serious commitment to discharge planning and transitional support and eliminate unnecessary legal and other barriers for returning inmates."

QUESTION

What discharge planning and transitional support actions does the Department of Corrections currently conduct? How does the department coordinate these services with

the State Parole Board's services for parolees? What other actions could be taken to improve services to discharged inmates?

RESPONSE

The department developed a standardized curriculum of programming that subscribes to best practices and contains certain core characteristics designed to reduce recidivism. The curriculum includes: "Thinking for a Change" (cognitive behavior), "Cage your Rage" (anger management), "Parenting Skills" (family and relationships), "Focus on the Victim" (restorative justice) and "Successful Transition and Reentry Series" (release preparation).

The department has also implemented policies to ensure that all offenders are given an initial risk/needs assessment, are reviewed annually, and leave custody with a discharge plan. All newly admitted offenders are assessed using the Level of Services Inventory-Revised (LSI-R) risk/needs assessment within 21 days from their arrival at the housing correctional facility as part of the institutional intake process. The LSI-R is a risk /needs assessment identified by reentry authorities as a best practice approach to measure an offender's risk to reoffend. The LSI-R was adopted by the NJDOC to assist in the identification of an offender's risks and needs for programs and services during incarceration and post release.

The reentry needs of each offender are identified through the administration of a second LSI-R Risk/needs assessment. This assessment is administered to offenders at their maximum sentence expiration date.

Offenders are assisted in obtaining identification documents including birth certificates, driver's licenses and identification cards. In the case of Social Security Number cards, a memorandum of understanding has been developed between the NJDOC and the Social Security Administration (SSA) that allows offenders in the release process to apply for and obtain a duplicate Social Security Number card.

Social Services staff make community referrals for inmates. They assist with housing placement and instruct inmates on how to contact the NJ Employment Services, the Board of Social Services, etc. Family contacts are made where appropriate. Offenders are given the opportunity to purchase discount New Jersey Transit tickets for transportation from the correctional facility upon release.

Social workers, in conjunction with the medical/mental health provider, address the discharge needs of those inmates designated as special needs. Inmates are given a 2-week supply of medication and a scheduled appointment with a community health provider.

The department is developing a Memorandum of Understanding with Legal Services of New Jersey to (LSNJ) implement the Prisoner Re-entry Project (PREP). PREP is a pilot program designed by LSNJ to provide civil legal assistance statewide for incarcerated individuals and individuals living with the effects of incarceration PREP will provide legal advice on legal issues regarding family, consumer, employment, public benefits and housing issues. PREP will not offer advice on criminal matters.

The Coordinated Reentry System Initiative (CRSI) is a 130-bed pilot program at the Southern State Correctional Facility designed to provide offenders who are approximately one year from release who are not eligible for a Residential Community Release Program (RCRP) with intensive case management and release preparation programming.

The Edward Byrne Memorial Justice Assistance Grant Discharge Planning Unit that provides intensive aftercare planning to offenders at Northern State Prison and East Jersey State Prison who max out and are returning to Essex County. The Serious Violent Offenders Re-Entry Initiative (SVORI) a federally funded program that provides funding to the NJDOC and the New Jersey State Parole Board (NJSPB) to provide discharge planning to violent offenders returning to Essex and Camden Counties.

The department has created an Ex-Offender Voting Rights video for inmates in partnership with the American Civil Liberties Union of New Jersey. Voter registration kits are provided to every offender who leaves custody at their maximum expiration date. A resource guide for inmates, parolees and social services staff entitled the "Essex County Smart Book" was created in collaboration with the National Institute of Social Justice and Bloomfield College. Additional support for the project came from the State Parole Board. Twenty-five hundred guides were printed and distributed to each institutional social service department and to the SPB.

At release, the New Jersey State Parole Board (SPB) conducts a LSI-R assessment on offenders who are being paroled or who have a period of court mandated post-release community supervision.

A four-part assessment, called the Joint Comprehensive Assessment Plan (J-CAP), was created to aid in case management and discharge planning. The four parts of the J-CAP are: Intake Assessment, Progress Review, Pre-Release Interview and Discharge Plan. An electronic version of J-CAP is in development that will allow both the NJDOC and the SPB to enter, update, and review offender information for case management and discharge planning purposes.

The department signed a Memorandum of Agreement with the Social Security Administration and the State Parole Board that will guarantee financial assistance to qualified offenders who are returning to the community and ensure that Title XIX Medicaid benefits are established as quickly as possible. The agreement will also address Title II benefits and the re-instatement of suspended benefits.

The department plans to pursue the following:

- Establish a Coordinated Reentry System Initiative program and/or transitional housing units at all Department of Corrections facilities.
- Educate the business community as well as create effective linkages and develop an extensive job bank for job placement of offenders.
- Develop agreements with the State Parole Board to ensure that all parolees meet to discuss their discharge plan with their field officer pre-release.
- Continue to develop and expand collaborative efforts of the Department of Corrections and the Department of Labor.

7. The Capital Planning Commission recommended that the Department of Corrections receive \$8 million in FY 2007 to replace the high temperature hot water underground distribution system which was installed from 1995 to 1997, and which has experienced a complete and catastrophic system failure. The Budget (page D-65) indicates that \$8 million in capital funding "from other sources" is recommended.

QUESTION

What "other sources" are available to fund the cost of this capital project? What steps has the department taken to recoup the cost of the replacement system from the original vendor? What must be done in order to recoup this cost? What is the status of the proposed repair work? On what timetable does this project need to be undertaken in order to ensure the health and safety of corrections officers and inmates?

RESPONSE

A total of \$8 million in capital funding from other sources is recommended. Per the Treasury Office of Management and Budget "other sources" are defined as non-state fund sources. The department has been working with the Treasury Bureau of Risk Management since October 2003, which over the last eight months has been formalizing a claim for submission to the state's insurance carrier for the entire loss, including funds expended from department capital and operating accounts during the six leak events. The department's portion of that claim now exceeds \$3.0 million.

In order to recover the cost of the leak repairs and system replacement, the cause of the failure must first be determined. The Treasury Division of Property Management and Construction, which managed this project, contracted with an engineering firm in November 2005 to investigate the cause of the failure and to design the replacement system. The replacement project is in the schematic design phase. Design of the replacement system and forensic analysis as to the causes of the system failure are scheduled to be completed in August 2006, with

construction scheduled to begin in October 2006. The construction phase is anticipated to last 9 to 12 months to complete.

8. The Department of Corrections received \$5 million in capital funding in FY 2006 to fund locking system upgrades and to replace 9 modular housing units with brick and mortar construction.

QUESTION

What is the status of these projects? Has the department retired the modular units, or are they still in use?

RESPONSE

The funding appropriated specifically provided \$4 million for trailer unit replacement. The D Cottage Replacement, Edna Mahan project (\$4.0 million) is in the consultant selection phase. Cottage D at Edna Mahan was depopulated, in July 2005, due to water and mold damage. The remainder of the units are still in use, since trailer replacement costs total \$4 million for conventionally constructed 100 – 110 bed replacement units.

A \$1 million appropriation was made for locking system replacement. The Emergency Locking System Replacement, Wing 7 New Jersey State Prison project (\$100,000) is completed. The Replace Locking System, Wing 3 East Jersey State Prison project (\$900,000) is in the scope of work preparation phase.

9. The FY 2007 budget recommends no funding for critical repairs and renovations at Department of Corrections' institutions. Due to the lack of funding in the past and the age of the various institutions, numerous facilities have deteriorated to the point of requiring repair.

QUESTION

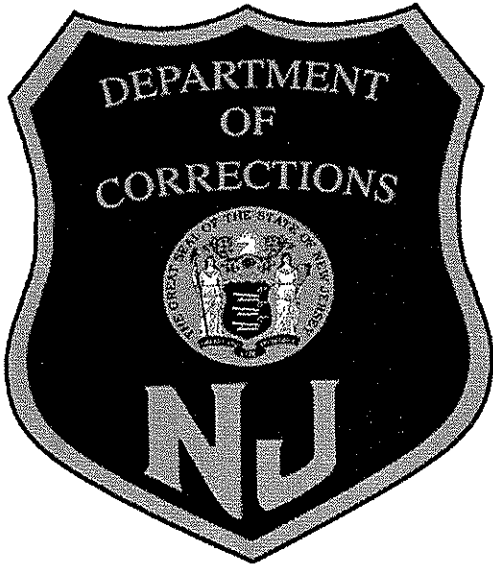
How does the department plan to address the needs of the facilities requiring immediate repair? What impact has deferred maintenance had on the availability of inmate bed spaces throughout the department? What safety and security issues, if any, have emerged as a result of building repair needs?

RESPONSE

The Department of Corrections will rely, as it has in the past, on the maintenance staff at each facility to perform temporary repairs and renovations necessary to sustain critical security and life safety systems by use of its Maintenance of Buildings and Grounds accounts. Due to the elimination of deferred maintenance funding, smaller repair and renovation projects that would have been completed with this funding have become major capital projects. In addition, facility maintenance staff time is used performing projects (sometimes on an emergency basis) to ensure that deteriorated facility infrastructures remain operational. This takes valuable maintenance time away from systems that are presently operating efficiently, but require the performance of scheduled maintenance to ensure they do not deteriorate.

In cases where facility maintenance staffs do not have the expertise, private contractors must be utilized to perform the required repairs. This use of private contractors affects the maintenance budget at each facility. Due to the lack of deferred maintenance or critical repair funds, facility maintenance funding must be diverted to fund these contracts.

The department has not lost a significant number of conventionally constructed buildings. Due to the efforts of facility maintenance, vocational and custody staff, the loss of bed spaces due to locking system failures, leaking roofs or crucial system failures has been limited.



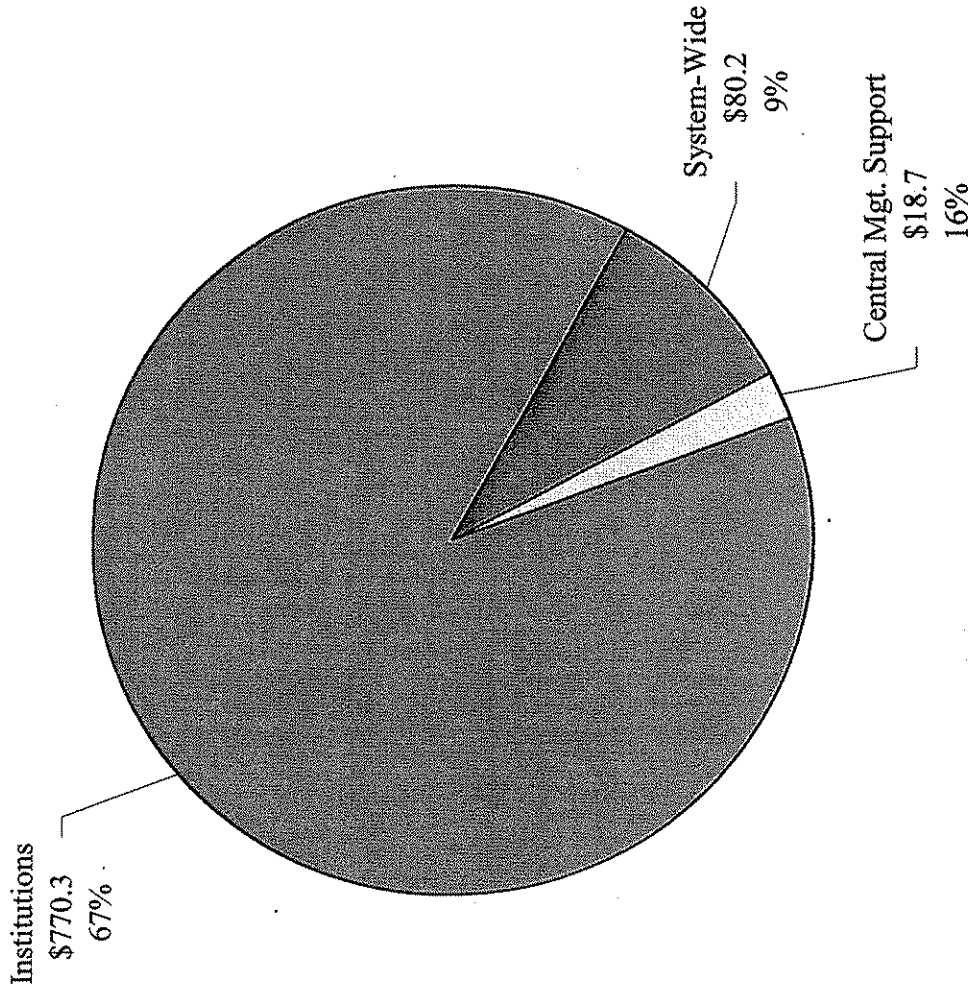
*State of New Jersey
Department of Corrections*

Appendices

DEPARTMENT OF CORRECTIONS

FY 2007 GOV. REC.
(\$ in 000)

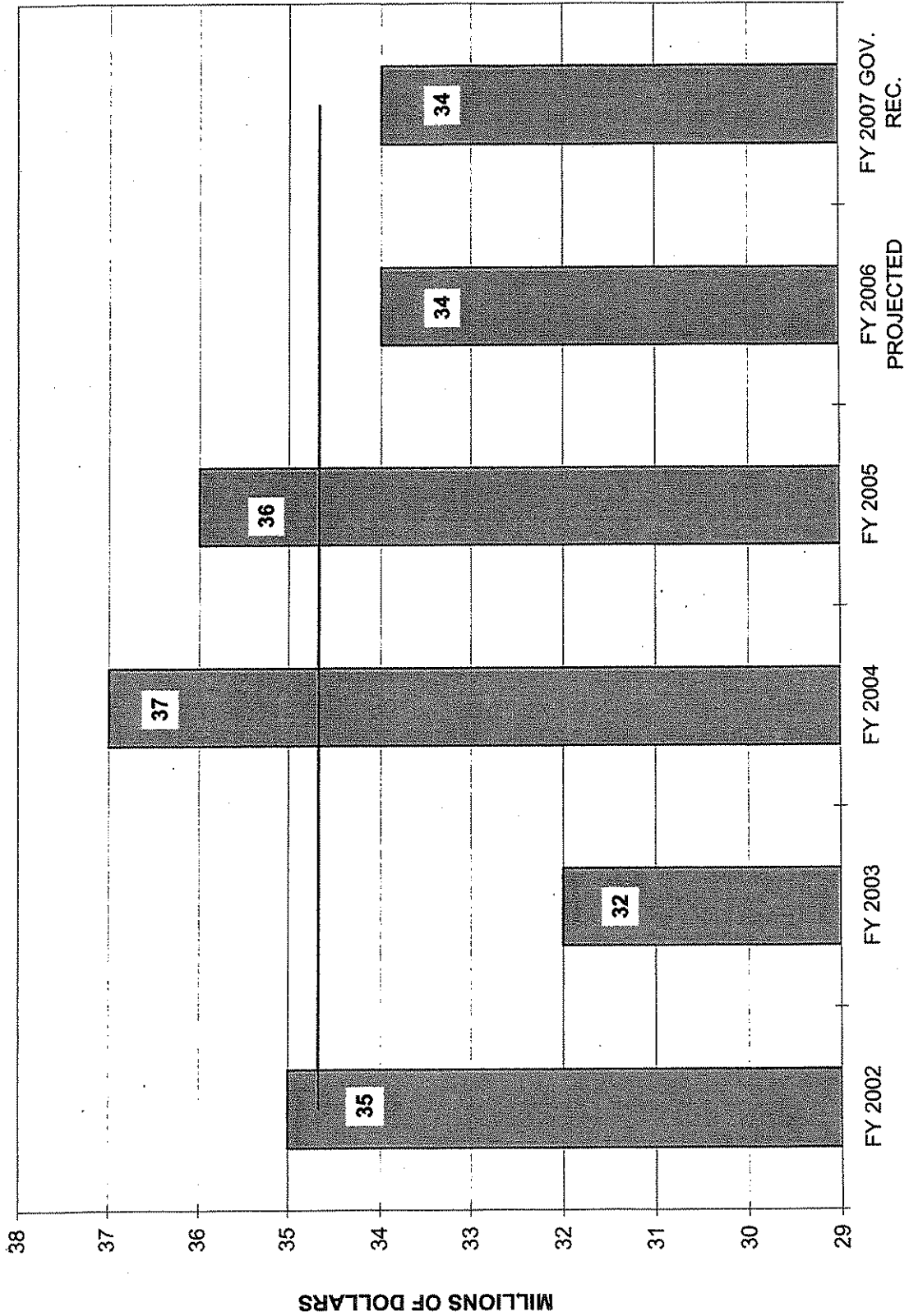
DISTRIBUTION OF DSS FUNDS BY ORGANIZATION



TOTAL = \$869.2 MILLION

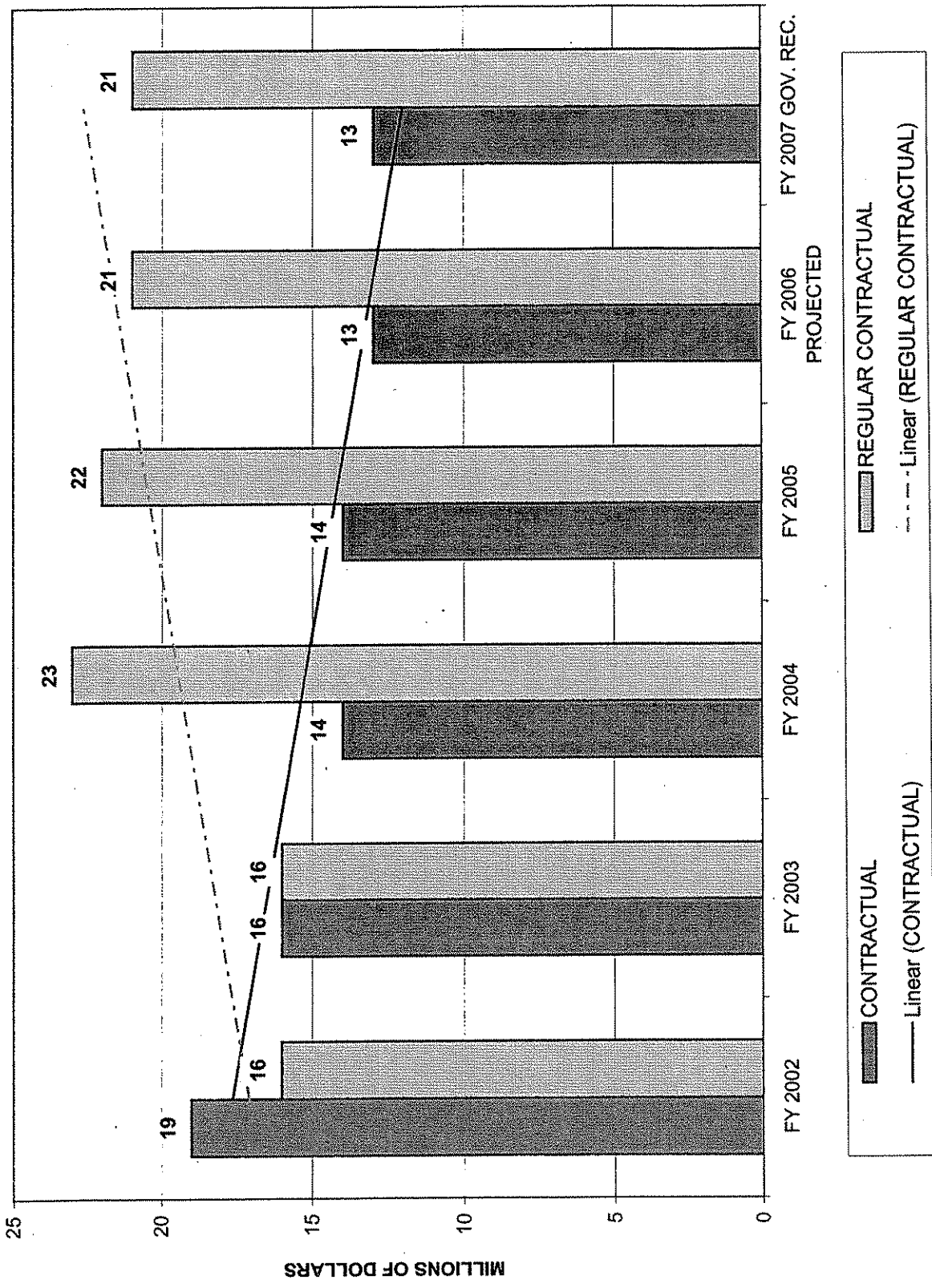
NEW JERSEY DEPARTMENT OF CORRECTIONS

UNIFORM CUSTODY NET OVERTIME DOLLARS IN MILLIONS
FISCAL YEARS 2002 THROUGH 2007



NOTE: FY 2002 excludes Attack on America costs of \$8.7 million

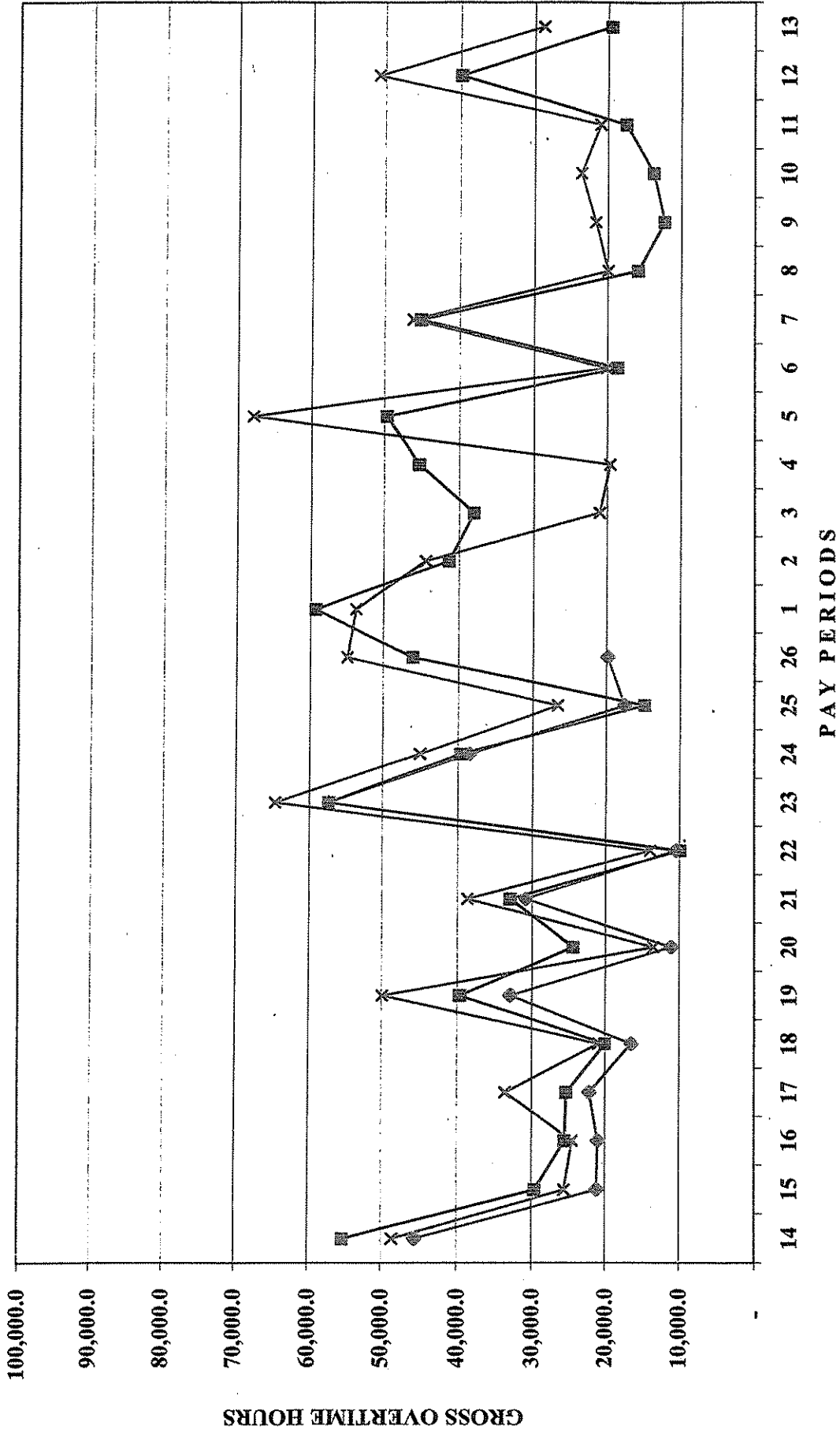
**NEW JERSEY DEPARTMENT OF CORRECTIONS
UNIFORM CUSTODY OVERTIME DOLLARS IN MILLIONS
FISCAL YEARS 2002 THROUGH 2007**



NOTE: FY 2002 excludes Attack on America costs of \$8.7 million

FISCAL AND ADMINISTRATIVE SUPPORT

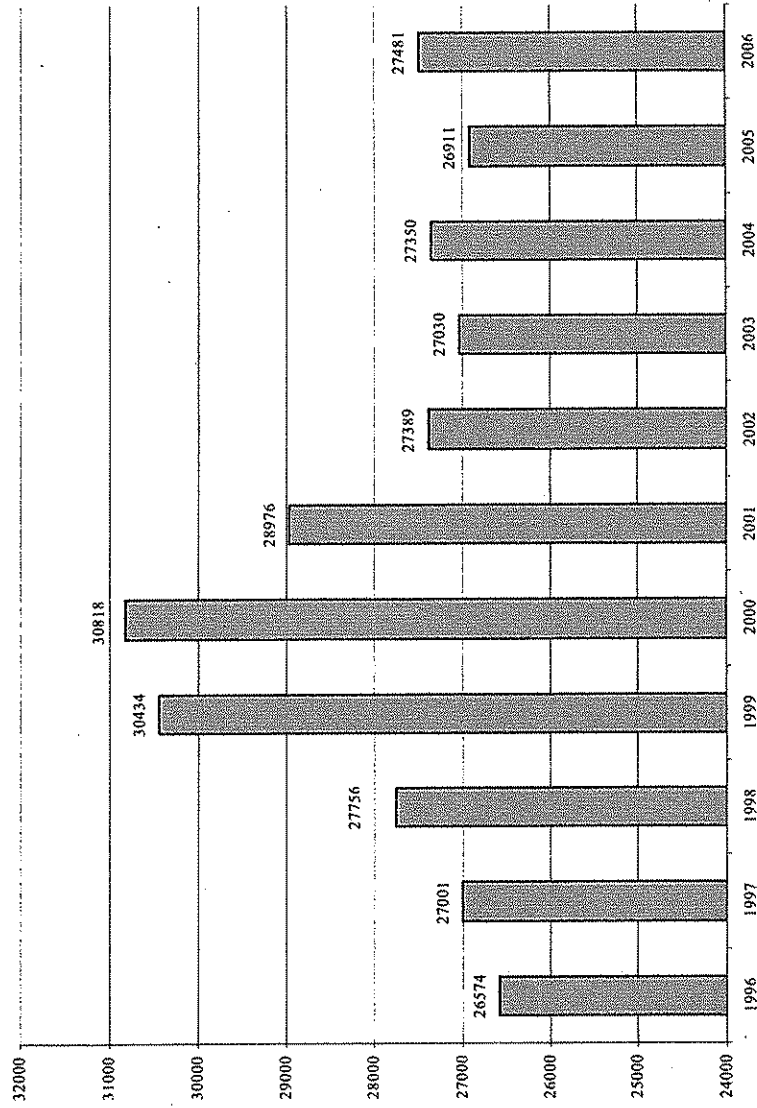
**DEPARTMENT-WIDE SUMMARY
UNIFORM CUSTODY GROSS OVERTIME HOURS
FISCAL YEARS 04, 05 AND 06 TO DATE**



—x— FY 2004 HOURS —■— FY 2005 HOURS —◆— FY 2006 HOURS

NEW JERSEY DEPARTMENT OF CORRECTIONS

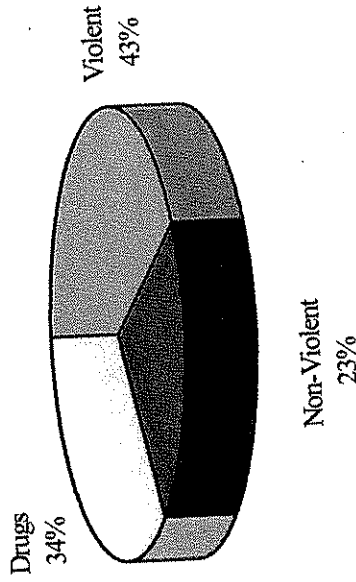
January 1 Adult Inmate Population



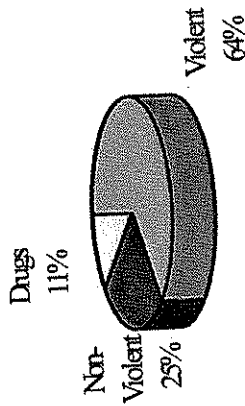
Since January 1, 1996 the Department's adult inmate population has increased by 907 (3.4%), from 26,574 to 27,481. The inmate population peaked in July 1999 at 31,300.

ADULT INMATES BY OFFENSE TYPES

January 1, 2006
(27,481 Inmates)



January 1, 1987
(14,300 Inmates)

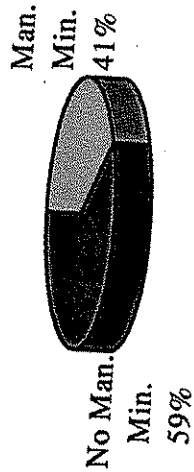


- From 1987 to 2006, DOC jurisdictional population almost doubled, from 14,300 to 27,481 inmates.
- At that time, only 11% (approximately 1,600) of 14,300 state inmates were incarcerated for drug offenses.
- Currently, 34% (approximately 9,350) of 27,481 state inmates are incarcerated for drug offenses.
- Since 1987, DOC population has increased by 13,200 inmates. Fifty-nine percent of that increase is attributable to increased incarceration and length-of-stay for drug offenders.

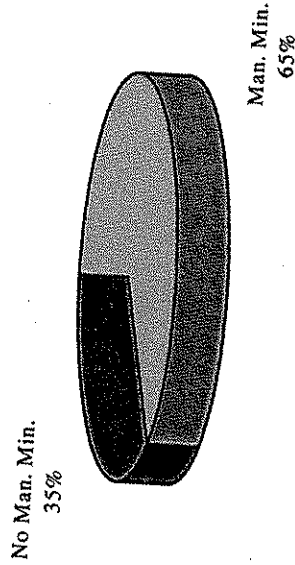
APPENDIX F

ADULT INMATES BY MANDATORY MINIMUMS

January 1, 1987
(14,300 Inmates)



January 1, 2006
(27,481 Inmates)



- Prior to enactment of the Comprehensive Drug Reform Act of 1987 (CDRA), drug offenses were not part of 2C and sanctions precluded imposition of mandatory minimum terms.
- As depicted in our previous chart, during the period of 1987 to 2006 DOC jurisdictional population nearly doubled, from 14,300 inmates to 27,481.
- In 1987, 41% (approximately 5,900) of 14,300 inmates had mandatory minimum terms.
- Today, 65% (approximately 17,900 of 27,481, inmates have mandatory minimum terms.
- In 1987, there were no drug offenders with mandatory minimum terms.
- Today, of 17,900 inmates with mandatory minimum terms, 6,600 or 37% are drug offenders.
- Since 1987, inmates with mandatory minimum terms have increased by 12,000. Of that increase, 55% is attributable to drug offenders with mandatory minimums.