



State of Utah

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November 6, 2023

Kade R. Minchey CIA, CFE, Auditor General
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PO Box 145315
Salt Lake City, UT 84114-5315

Dear Mr. Minchey,

Thank you for the opportunity to respond to the Performance Audit of the Utah State Correctional Facility: An Examination of Staffing, Culture, Safety, and Security (Report #2023-17). The entire process was an engaging and valuable experience for our department. We appreciate the audit team's approach and express our gratitude for their willingness to collaborate and communicate with our department throughout the process. The recommendations in the audit are well reasoned and actionable. We believe, with support from and collaboration with our internal and external stakeholders, we can use these recommendations to improve our operations, culture and overall safety and security of Utah State Correctional Facility (USCF) and our correctional system.

There is no greater responsibility of the department than to ensure the safety of our correctional professionals, incarcerated men and women, and create secure environments that support their safe return to our communities. As such, we concur with the recommendations in this report and have outlined our actions and intent moving forward. Our department will work together to ensure compliance with the recommendations while improving the overall safety and security of our state's correctional system. We are committed to improvement and value the insight and assistance we've gained from this audit.

Sincerely,

Brian Redd (Nov 6, 2023 11:50 MST)

Brian Redd, Executive Director

Chapter 1

Finding 1.1 - UDC Failed to Prioritize, Plan, and Execute an Adequate Hiring and Retention Plan for USCF.

RECOMMENDATION 1.1 - The Utah Department of Corrections prioritize recruitment and retention of correctional officers and procure professional consulting to create a focused recruitment and retention plan.

DEPARTMENT RESPONSE:

The department concurs that prioritizing and planning for improved hiring and retention will stabilize the department's correctional officer ranks.

What:

The efforts around recruiting, throughout the department's history, have varied over time. We recognize the value of a strategic recruitment and retention plan, and will evaluate opportunities to improve. Recently, the department added additional positions to the recruitment team, increased the number of background investigators for onboarding officers, and moved the team under the Executive Office to elevate the oversight and provide additional guidance. The Department commits to developing a more strategic recruiting effort to include analysis of the complete officer hiring process.

The department also recognizes the critical role employee retention plays in an overarching recruitment strategy. In October 2023, the department initiated a Direct Overtime program to pay staff who are required to be held past their shifts or are called out. The department also recently added a hiring referral bonus program for employees. The department is currently reviewing other proposals and industry-specific approaches designed to improve morale and retention.

In August 2022, department leadership, in conjunction with the governor and legislative leadership, provided significant support to increase pay for correctional staff in order to remain competitive with law enforcement agencies. The increased entry-level wage significantly improved hiring and retention. We are grateful for the collaboration and support of that effort and the positive impact it had on our department. Additionally, with recent legislative changes to allow correctional agencies to hire 19-year-olds, the department can reach out to new, potential candidate pools at high schools and community colleges. A Reserve Officer program was established to allow retired officers or officers from other agencies to work part-time at USCF.

A snapshot of our current recruitment and retention efforts shows that from February 2022 through December 2022 we had a net *loss* of 38 officers. Since the compensation and improvements to recruiting and retention, since the fall of 2022, we have had a net *gain* of 163 officers (including academy cadets). We appreciate the

Legislature for the substantial increase in funding for officer compensation which made an indisputable impact on recruiting and retention.

When:

The department will establish a strategic plan for recruiting and retention and continue to work with the Governor's Office, the Legislature and other experts/consultants to find ways to incentivize and enhance the positive trajectory. This will include solutions to address pay compression (affecting tenured employees and those in supervisory positions) and ways to improve retention of newer officers.

Finding 1.2 - Current Staffing Numbers Fall Far Short of Full Staffing Needs for Safe and Secure Operations at USCF

RECOMMENDATION 1.2 - The Utah Department of Corrections procure professional consulting to assist in carrying out a staffing analysis for the prison at full capacity.

RECOMMENDATION 1.3 - The Utah Department of Corrections procure professional consulting to complete a pay, benefit, and culture analysis.

DEPARTMENT RESPONSE:

The department concurs staffing numbers fall short of staffing needs for safe and secure operations at USCF.

What:

Currently, safe and secure prison operations are deeply impacted by the shortfall in staff availability, negatively impacting USCF operations. To close the gap in staffing, each certified department member is working mandatory overtime to assist in this effort. It is also important to note USCF is operating on a "modified" staffing pattern. Meaning, housing operations largely operate with fewer staff than outlined in the facility's original design. In addition to mandatory overtime, the department relies on volunteer overtime hours to carry out its core functions at USCF.

It is clear the current staffing at USCF isn't sustainable. Recruitment and retention, as noted in the previous recommendation response, is the department's key focus. The entire department is collaborating and participating in the efforts to improve in this area..

In early 2023, the agency partnered with the National Institute of Corrections (NIC) to conduct a staffing analysis training and review for both of our prisons. While this exercise and training was very beneficial for our team, we need to do more and welcome the recommendation to use a consultant to review our staffing model and pattern.

Notable areas where the department is focusing on security enhancements, in addition to hiring, include; training, security cameras, and control point operators. Improved and ongoing training is essential to creating

a culture where safety and security are prioritized. We have embedded a training division staff member at USCF to monitor and assist with training needs and enhance accessibility and responsiveness to situations that need urgent attention with regard to training. The need for security cameras is constantly being evaluated. We have installed new cameras and camera monitoring stations. We continue to add civilian control point operators and examine funding to add control point operators to the Antelope and Bear facilities. These positions increase the personnel monitoring and supporting security functions inside the housing units, which reduces the probability of errors, and increases efficiency during peak staff and inmate movement times.

In addition, the department is evaluating staffing patterns and the use of certified officer positions that could be converted to civilian positions and will make appropriate adjustments. We will evaluate the use of incentives (e.g. training, financial incentives, etc.) to attract experienced officers to work in areas of critical need. We welcome the opportunity to partner with expert consultants to review our staffing models, pay, benefits and culture.. Enhancing these areas are top priorities for the department.

When:

The department met with the Governor's Office of Planning and Budget (GOPB), the Department of Human Resource Management (DHRM) in preparation for the legislative session to discuss challenges and opportunities. We will work with GOPB and DHRM and other experts/consultants as needed to address current staffing challenges, identify ways to improve culture, and plan for future needs.

Finding 1.3 - Opportunities Exist to Increase and Maintain Staffing Levels Needed for Safe and Secure Prison Operations

RECOMMENDATION 1.4 - The Utah Department of Corrections evaluate prison operations in conjunction with a correctional expert at the Utah State Correctional Facility and identify ways to reduce the demand for staff.

DEPARTMENT RESPONSE:

The department concurs there are opportunities to increase and maintain staffing levels. We concur there may be additional ways to reduce the demand for staff.

What:

As outlined in the response to recommendation 1.2 and 1.3, we will review the use of civilian positions where appropriate and the use of incentives to retain experienced officers in critical areas of the operation. We welcome the opportunity to partner with a consultant and other experts in the field to identify ways to review and improve our staffing patterns, and determine possibilities for reducing the demand for staff.

When:

Within the next six months, the department will seek input from experts in the field of prison staffing and scheduling, through the RFI and/or RFP process. We will work to make adjustments based on the recommendations from experts and will inform the governor's office and legislature of the results.

Chapter 2

Finding 2.1 - Status Quo Mindset Leads to Entrenched Negative Culture and UDC

No Recommendation

DEPARTMENT RESPONSE:

We concur with the finding and are committed to overcoming a status quo mindset and negative culture associated with it. In its first few months, new executive leadership fully reviewed department operations, leadership and effectiveness. Leaders set the culture of a team, and ultimately an organization. Executive leadership is committed to making changes in leadership that will allow the organization to move forward in deliberate and transformative ways. Clear expectations of leadership will break up attitudes, beliefs and actions that create status quo mindsets and cultivate new and innovative ways of thinking.

Executive leadership will enhance leadership training and mentorship in the organization. We commit to ensuring leaders within the department adopt a servant-leader mentality with focus on modeling department values and supporting staff growth and well-being through engagement, mentorship, and involvement.

Additionally, executive leadership commits to increasing communication and involvement with staff to identify ways to express ideas, ask questions, improve operations and enhance the employee experience. Executive leadership is also committed to improving working conditions for our employees by streamlining processes and simplifying workloads through the use of technology.

FINDING 2.2 - Negative Organizational Culture Has Been Developed Over Many Years at UDC

RECOMMENDATION 2.1 - The Utah Department of Corrections senior leadership foster a positive culture by working with industry experts and consultants to review the organization and address actions and mindsets that do not align with new organizational values.

DEPARTMENT RESPONSE:

The department concurs that culture can be improved.

What:

The department has recently created a People Development Committee to help improve culture by seeking recommendations from staff to improve the department and engage staff members in personal development, wellness, and mentorship. As the audit indicates, the staff engagement will positively impact retention and improve culture. The department is looking forward to engaging other stakeholders to improve and increase our ability to keep staff members in several different essential areas. The department recognizes the importance of emphasizing the following areas to enhance agency culture within the strategic plan:

- 1) Emphasize active, involved, and supportive leadership
- 2) Promote enhanced communication with an emphasis on listening to our employees and other stakeholders
- 3) Increase focus on mental and physical health and overall well being
- 4) Create environments that support transparency and learning over punitive action
- 5) Enhance opportunities for professional growth and development opportunities

When:

The department is currently taking steps to address staff engagement and communication and will work with industry experts and consultants as appropriate. The department will improve leadership training and enhance staff involvement in the decision making process. The department will also take steps over the next year to improve our strategic plan and communicate our objectives across the department.

FINDING 2.3 UDC's Current Strategic Plan Lacks Focus on Safety and Security and Needs Revision and Improvement

RECOMMENDATION 2.2

The Utah Department of Corrections revise its strategic plan and implement the Management Cycle, as outlined in the Best Practice Handbook: A Practical Guide to Excellence for Utah Government.

DEPARTMENT RESPONSE:

Executive leadership commits to reviewing and adjusting the Department's strategic plan and adopting the principles outlined in the Management Cycle.

What:

With recent changes in leadership at the department, executive leadership has plans to review and adjust the department's strategic plan to include principles of safety for staff, community, and those supervised by our department. The plan and objectives will be measured, reviewed regularly, and adjusted in accordance with the Management Cycle as outlined in the Best Practices Handbook. A key focus of our effort will be to emphasize safety and security with involvement and input from staff. The department will ensure the strategic plan is clear and effectively communicated to employees with feedback channels to inform adjustments.

When:

The new administration will begin updating the strategic plan before year's end and continue to develop and communicate the plan over the next year. The recently formed Safety and Security Council will evaluate issues that are raised by staff and create action plans for implementing changes that stem from these concerns. Their efforts will inform our strategic objectives to improve culture, safety and employee well being.

RECOMMENDATION 2.3

The Utah Department of Corrections include safety and security as core values and incorporate them within its mission and purpose statements.

DEPARTMENT RESPONSE:

The department concurs with the recommendation.

What:

The current department mission statement is to “improve the lives of staff and offenders.” Adjusting the mission statement and emphasizing core values related to safety and security will focus the department on keeping staff, the community, and those within our supervision safe.. With a safe and secure facility, staff can focus on other important efforts including risk reduction and rehabilitation of offenders.

When:

The new administration will begin updating the strategic plan, mission statement and core values before year’s end. The department will continue to develop and communicate updates over the next year. The recently formed Safety and Security Council will help inform efforts and guide the implementation of staff-driven safety recommendations.

RECOMMENDATION 2.4

The Utah Department of Corrections consider appointing a safety and security professional to implement and propel the mission of safety for the department.

DEPARTMENT RESPONSE:

The department concurs that appointing a safety and security professional will bring a deliberate focus to this important aspect of prison operations.

What:

The department will create a new position for a safety and security professional. The individual will review safety incidents, evaluate risk, and ensure compliance to policy and best practices. The individual will work with the recently formed Safety and Security Council and staff to reduce risk and improve safety.

When:

We anticipate the safety and security professional will be employed within the next 90 days, subject to funding availability.

Chapter 3:

FINDING 3.1 - Current Prison Design Was Driven by Multiple Factors that Resulted in a Need for More Staff

RECOMMENDATION 3.1 - The Utah Department of Corrections take steps to better implement direct supervision in Utah State Correctional Facility sections.

DEPARTMENT RESPONSE:

The department concurs steps need to be taken to better implement direct supervision.

What:

To improve implementation of direct supervision the department must hire additional correctional officers. While continuing to focus on recruitment and retention, we also need to study and analyze how direct supervision is currently used across the department. Our study will inform areas for improvement or adjustment based on risk and need. The Department will strive to implement best practices and provide training to staff and the incarcerated population to enhance safety and increase consistency and predictability.

When:

By the end of Q2 2024, the department will evaluate current direct supervision practices and provide recommendations for modifications or adjustments at USCF as appropriate. The department will work with experts familiar with direct supervision and the Legislature for any statutory modifications necessary.

RECOMMENDATION 3.2 - The Utah Department of Corrections work with the Legislature to consider if other supervision models should also be allowed in statute.

DEPARTMENT RESPONSE:

The department concurs that working with the Legislature to consider other supervision models will enhance the security and safety within USCF.

What:

Utah Annotated Code 64-13-14 governs the use of direct supervision in state correctional facilities. It was last updated during the 2021 general legislative session. The statutory language requires direct supervision to be implemented under certain conditions.

When:

The department is in discussion with legislators to determine if adjustments are needed to the current statutory framework to allow for variation of supervision methods based on facility, risk and need. The department is

evaluating various supervision models to increase safety and security while meeting objectives outlined in 64-13-14. This work will continue through the upcoming legislative session and any adjustments will be implemented through 2024.

RECOMMENDATION 3.3 - The Utah Department of Corrections work with consultants to conduct a review of the design of the Utah State Correctional Facility's maximum-security unit and evaluate how direct supervision should be used in these sections.

DEPARTMENT RESPONSE:

The department concurs that a review of the current design and operational procedures should be conducted in the maximum-security unit (Antelope facility) at USCF.

What:

Direct supervision in a maximum security facility presents challenges and requires additional resources, training and oversight. Design decisions for the Antelope facility were made several years ago, and don't appear to have taken into account the possibility of future staffing shortages. Given the current staffing shortages and the increased risk to correctional officers, the Antelope facility cannot be supervised under traditional direct supervision methods. USCF leadership continues to modify and enhance security procedures and evaluate potential improvements to the building layout. At least two staff members are now required when entering inmate housing areas. The department is committed to working with experts to identify best practices in the management of Antelope

When:

The department is currently in discussion with legislators to determine if adjustments are needed to the current statutory framework to allow for variation of supervision methods based on facility, risk and need. The department is evaluating various supervision models to increase safety and security while meeting objectives outlined in 64-13-14. This work will continue through the upcoming legislative session and any adjustments will be implemented through 2024. The department commits to utilization of consultants/experts based on current and future staffing and legislatively mandated supervision models.

FINDING 3.2 - Without Full Staffing, Design Changes Reduce Safety and Security of USCF

RECOMMENDATION 3.4 - Unit managers at the Utah State Correctional Facility provide resources for correctional officers to allow for better interactions with inmates.

DEPARTMENT RESPONSE:

The department concurs with the recommendation.

What:

The department agrees with the need to provide more consistent policy, structure, and resources for officers to better interact and communicate with inmates. When the prison relocated, direct supervision was mandated by policy, legislation, and building design. Staff received training on direct supervision principles prior to opening USCF. The department should enhance efforts to provide on-going training and elicit staff feedback. The direct supervision approach requires better communication and engagement by officers assigned to a section. This is in contrast to non-direct supervision sections where interactions between inmates and staff are less frequent and staff remain in a control point.

Direct supervision requires unit leadership to engage with staff and model best practices, particularly given the tenure of our correctional officers (approximately 40 percent have under two years experience). Support from unit leadership will ensure quality officer interactions and consistent enforcement of unit rules and incentives.

The department is working toward improved processes and systems, enhanced training opportunities for unit leadership and staff, and improved prosocial interaction between staff and inmates. Administration must ensure housing unit supervisors assume a strong leadership role to ensure section safety/security, and consistency, while allowing the incarcerated population to be supported and successful.

When:

Processes and systems are currently under review and enhancements will be implemented and documented over the next year.

RECOMMENDATION 3.5 - The Utah Department of Corrections take steps to improve officer line of sight in sections at the Utah State Correctional Facility.

DEPARTMENT RESPONSE:

The department concurs with the recommendation.

What:

The department is installing additional cameras throughout the institution to enhance visibility. We will implement improved risk management practices, provide enhanced training for walkthrough security checks, and ensure officers have the proper safety equipment. Where possible, physical improvements will also be implemented.

When:

Additional camera installation is in progress with an anticipated completion date of July 2024. Enhanced training is under development and will be implemented in the second quarter of 2024.

RECOMMENDATION 3.6 - The Utah Department of Corrections work with USCF staff to prioritize officer consistency and presence in Utah State Correctional Facility sections when scheduling.

DEPARTMENT RESPONSE:

The department concurs with the recommendation.

What:

Direct supervision is best implemented when officers are consistently assigned to a specific housing section where they can build rapport, model prosocial behavior and apply rules and incentives consistently. Direct supervision encourages prosocial interactions and discourages antisocial behavior. The department is unable to optimally implement direct supervision due to staffing shortages, which lead to frequent changes in staff who are working mandatory overtime at the facility. While unit leadership is able to provide stability in unit operations, direct supervision relies on the section officer to provide this experience. As the number of staff increases, the ability to provide consistency in the housing units will increase. Consistency will remain a challenge as long as the high volume of mandatory overtime continues. The department will evaluate staffing assignments, explore adding incentives, and make adjustments to create more consistency, particularly in high risk housing sections.

When:

The department will use quarterly staffing pattern reviews to evaluate improvements to staffing consistency, particularly in high risk areas. The department is committed to seeking consistency in scheduling. Each quarter, as the mandatory overtime shift coordination is reviewed, we will also look for opportunities to create consistent staffing for those shifts. We will also utilize the consultant as recommended in other sections of this report to assist with this recommendation.