

Garland County
Public Health, Welfare & Safety Committee Meeting

Minutes

May 20, 2019

Members Present: Chairman Larry Raney, Vice Chairman Jimmy Young, Justices Thomas Anderson, Esther Dixon, Jason Braziel, Jimmy Sorrells, and Matt McKee

Members Absent: None

Also present: Citizens, Elected Officials, Staff, and Media

A special meeting of the Garland County Public Health, Welfare & Safety Committee was held May 20, 2019, at 5:30 P.M. in room 201 of the Garland County Courthouse.

Chairman Raney called the meeting to order. Raney stated that he invited several former Justices of the Peace that were involved with the opening of the Detention Center to join the committee discussion. He noted this would help the newly appointed quorum court members comprehend the complexity of the detention center issues that the Jail Assessment Summary pointed out.

Chairman Raney opened the floor to Sheriff Mike McCormick and Chief Steven Elrod to discuss the letter from the Sheriff addressing the issues listed in the Detention Center assessment. Sheriff McCormick started the discussion by stating that he represented the city on the initial Jail Advisory Committee. He said that he is extremely proud of the Detention Center and noted that it operates at an extremely high level. McCormick said that he knows improvements need to be made and that changes are being made on a regular basis.

Sheriff McCormick then introduced Chief Elrod to discuss the newly implemented improvements discussed in the Sheriff's response to the Jail Assessment Report. Elrod noted that staff retention is always on the forefront and discussed the items listed below:

- Working to improve salaries and achieve pay parity between detention deputies and patrol deputies.
 - Elrod explained why there is a pay parity difference between a detention and patrol deputy's salaries. When a deputy graduates from the Arkansas Law Enforcement Academy (ALETA), he/she receives a \$1,000 increase in their salary. In addition, employees receive a yearly cost of living (COLA) raise, which also adds to their salary, thus widening the gap. McCormick also stated that the Quorum Court did not approve the pay parity recommendation for the detention center deputies when the jail became operational. McCormick said that when the Detention Center was built, several Sheriff's Office and Detention Center deputies received raises based on longevity, but no pay parity was ever approved. Justice Owen stated that in the past, new deputies started in the jail and then moved to the patrol division. Owen noted that when the new detention center was built, the idea was that there would be two paths for deputies, one for a career as a detention officer and one as a patrol officer. McCormick stated pay parity would solve the problem of deputies leaving the detention center for a better paying job. McKee said that the step increases that were given to deputies should have

solved the problem. Owen stated that the pay difference could be due to the longevity of a patrol officer versus that of a new detention officer. McKee noted that if pay parity were achieved, the problem would be exacerbated when deputies are pulled from the detention center and transferred to a patrol position. McCormick stated that longevity had nothing to do with the pay parity problem. Sheriff's Office Administrator, Ronetta Burroughs, said that in 2015, when the Sheriff's Office was hiring for the new detention center, the starting salary for a detention deputy was \$29,800 a year and a patrol deputy was \$32,800 a year. Burroughs stated that the step increase was based on tenure and not by position and equal pay never happened. McKee stated that if deputies were continually pulled from the detention center for patrol division vacancies, a detention deputy would not have the ability to accumulate the longevity as a patrol deputy would. Owen stated that selecting detention deputies for patrol division vacancies was adding to the problem, and would like to see pay parity achieved to encourage deputies to stay at the detention center. McCormick stated that patrol officers are given a vehicle to take home, which is a huge incentive and is valued at about \$2,000 to \$7,000 a year. Raney stated that when detention deputies are transferred to the patrol division, the experienced deputies are not available to train and help the newer deputies understand the job. Raney also pointed out that the assessment report noted that the training is different for a detention deputy and a patrol deputy, and more training is required when they are transferred to a patrol position. McKee reminded all involved in the discussion that the Sheriff has a constitutional responsibility for the operation of the jail, and the Quorum Court cannot mandate how he operates it. The Quorum Courts responsibility is to appropriate funds and create or delete employee positions. Owen stated that this topic might need to be revisited later.

- Considering adopting physical fitness requirements and re-implementing Ergometrics testing for prospective employees.
 - Elrod stated that the physical fitness requirements for detention deputies would be similar to the Hot Springs Police Department's requirements and the Ergometrics testing would be discussed during the 2020 budget preparations since no funds were budgeted in 2019. When asked about the Ergometrics testing, Elrod explained that the test assesses new detention center applicants on judgment, if they are susceptible to inmate manipulation, and if they are prone to violence. McKee emphasized that the physical fitness and Ergometrics testing would help identify people more suited for a position in the detention center, and the testing should be done all year to build a pool of acceptable applicants. In response to McKee's comment, Elrod stated that the National Institute of Corrections provides training to jails across the nation, and they suggest employing retired teachers. Elrod said that while physical fitness is an important factor, having a retired teacher that can coach and effectively communicate with another person is more in line with the position than the physical fitness requirements. McCormick stated that he has mixed feelings about the Ergometrics testing and stated that he is not against it, but does not know how effective it is.
- Reviewing and updating policies on internal transfers and vacancies.
 - Elrod stated that the policies and procedures have been updated in the last couple of months, and the transfers and vacancies topic was discussed earlier in the meeting and are still under review. Elrod also noted that minimum staffing levels, promotions, and

exit interviews are being reviewed as well. McCormick stated that the Sheriff's Office is not going to transfer a detention employee to another position until there is one to replace the current position, with the only exception coming directly from the Sheriff. McCormick stated he would not give up the authority to transfer employees, but would not do it at the expense of the detention center. McCormick stated that if pay parity were achieved, the employees leaving a detention position would diminish. Elrod stated that compensating detention deputies \$1,000 for completing the American Jail Association (AJA) certification and employees accumulating longevity would help with pay parity difference.

- Using selective advertising and recruitment tools to attract high-quality candidates.
 - Elrod stated that the detention center has implemented a few advertising and recruitment tools in the last few weeks, such as job fairs and posting positions on the AJA website, Henderson State College website, and the National Park College website. Elrod stated that the effectiveness of these recruitment tools is still under review.
- Tracking turnover data for trends and using exit interviews.
 - Elrod stated that tracking data and completing exit interviews are currently being done at the Detention Center.
- Standardizing shift assignments and considering changing length of shifts for consistency.
 - Elrod stated that the 12-hour shift versus the 8-hour shift would be discussed later in the meeting. Elrod also noted that an orientation week, which covers the Prison Rape Elimination Act (PREA), Direct Supervision, a basic level of defensive tactics, and training information provided by the National Institute of Corrections, was implemented last year to help new employees understand the jail operations. A supervisors training program was also implemented for corporals last year, which covers risk management, problem solving, and talking to difficult people.
- Increasing training hours and programs, including supervisor training through the National Institute of Corrections; establishing employee incentives and programs; and increasing employee morale by programs such as Employee of the Month
 - Elrod stated that the Detention Center currently has the Employee of the Month Program and an Employee Incentive Program, which allows employees to train in other departments for a day to experience the daily operations associated with those departments.
- Reviewing the use of inmate labor, particularly concerning Act 309 inmates versus county inmates. Inmate labor could be used in areas such as maintenance, housekeeping, kitchen work, seamstress work, and grounds keeping.
 - Elrod stated that 309 inmates are currently utilized in the housekeeping, kitchen, and grounds departments. A county citizen, Renee Westfall, inquired about a conflict between the Trinity Food contract and the state 309 contract. Westfall was concerned about the Sheriff using 309 inmates to help a private contractor. McCormick stated that this is a valid point but asked the committee to schedule the 309 inmate conversation for a later meeting due to time constraints. Justice Owen stated that this is a very large report and suggested that it should be taken in sections to prevent lengthy meetings.

- Creating strategies to address frequently recurring charges such as failure to appear and probation violations.
 - Elrod stated that the Detention Center has implemented a case manager/expediter person. This individual coordinates with the prosecuting and defense attorneys to determine if all inmates with non-violent misdemeanor charges can be released before their court date with an ankle monitor or an alternative sentence.

- McKee asked if they could revisit the previous 309 inmate question.
 - County Attorney, John Howard, explained that the Trinity and 309 contracts could be interpreted in different ways. Howard stated that he could not give his opinion on the interpretation of the contracts without knowing what tasks the 309 inmates are doing. Elrod stated that the state 309 coordinator has reviewed the jail operations concerning the 309 inmate program and has approved their work schedule.

- Hiring a contract/finance compliance manager to continuously review contract services such as food preparation, telephone, and video visitation to ensure that vendors are following contract requirements and the detention center is receiving all the revenue and services it is entitled to. The creation of this position has been requested. This position requires analytical capabilities and formal experience, which is essential to assist the Chief Deputy of Corrections with enforcing accountability for county contracts within the jail.
 - Elrod stated that this position has been submitted to the Human Resources committee and noted that contracts make up a large portion of the Detention Center budget. Elrod also stated that the position was in place in 2015, and currently does not have that position budgeted.

- Creating a Criminal Justice Oversight Committee to periodically review issues related to the criminal justice and detention system and make recommendations for improvement as needed.
 - Elrod stated that the Sheriff is going to create a Criminal Justice Review Committee, possibly made up of Judges, the Prosecuting Attorney, the Chief of Detention, a Quorum Court member and a citizen. McKee stated along with the committee, quarterly reports on the jail operations would be very important and informative to the Quorum Court members.

- Reviewing the need for an additional housing unit. The Sheriff and staff have concluded that opening a new housing unit at this time is not likely to resolve the population issue at the detention center. The consultant came to the same conclusion.
 - Elrod stated this topic was discussed last year due to the rising inmate population. It was concluded that opening up another pod would not solve the population problem, and the case manager/expediter and ankle monitors were discussed to help reduce the inmate population.

- Considering staffing changes to work week schedules. Currently Adult Detention, Juvenile Detention, and Patrol operate on 12-hour shifts.
 - Elrod stated the pros and cons of the 12-hour shift versus the 8-hour shift. On a 12-hour shift, employees could get fatigued later in the shift, but employees have more days off. McCormick stated that the 12-hour shifts help the morale of the employees, but noted that the shift work schedules are under review.

- Reviewing revenue streams which are currently available and which could be available in the future to help support opening a new housing unit if the county chooses to do so in the future.
 - Elrod stated that if the county decides to open another pod, revenue streams would be discussed at that time to see what options are available.

Former Justice of the Peace, Denise Marion, stated that she was concerned about a statement in the assessment summary that said, "Programs appear not to have been enhanced or put in place that were initially recommended." Marion stated that the national recidivism rate is in the 70-percentile range, but feels that the county's 52% recidivism rate is still failing and was wondering why that remark was in the review. McCormick stated that while the vast majority of information in the report was accurate and had great ideas, he did not know why that remark was included. McCormick stated that a significant number of items in the report were incorrect and noted that programs have increased at the detention center.

Justice McKee made a motion that the County Judge, in cooperation with the Sheriff, appoint a Criminal Justice Coordinating Committee. Judge Mahoney stated that he would meet with the Sheriff and the County Attorney to see if the committee needs to be set up like an improvement district. Justice Anderson seconded the motion. With no further discussion, the motion was approved without opposition.

Justice Owen suggested that the Sheriff submit a report along with Chief Elrod's report to update the Quorum Court on the jail operations. Chief Elrod noted that he has added a jail assessment section in his quarterly report that he submits to the Quorum Court.

A motion to adjourn was made by Justice McKee: the motion carried.

Respectfully Submitted,



Lanie Martin
Garland County Finance Director