

**SENATE EDUCATION COMMITTEE
SENATOR DONALD SCHAIBLE, CHAIR
MARCH 17, 2021**

**NORTH DAKOTA DEPARTMENT OF CORRECTIONS AND REHABILITATION
PRESENTING TESTIMONY IN SUPPORT OF HOUSE BILL 1494**

Chairman Schaible and members of the Education Committee, the North Dakota Department of Corrections and Rehabilitation (DOCR) submits this written testimony in support of House Bill 1494, which provides for a legislative management study of law enforcement and correctional officer recruitment, retention, turnover, and training.

The DOCR employs more than 500 peace officers and correctional officers in North Dakota. Corrections and law enforcement are time-honored professions that are inherently dangerous to the brave few who accept the call to duty in order to ensure public safety for all citizens of our great state. Turnover has long been a challenge in corrections. Correctional officer turnover rarely dips under 30 percent and has been as high as 60 percent. Over the past six years, correctional officer turnover has averaged approximately 35 percent across all DOCR adult facilities - North Dakota State Penitentiary (NDSP), James River Correctional Center (JRCC), and Missouri River Correctional Center (MRCC). Juvenile Institutional Residence Specialists (JIRS) and Security Officers are the equivalent of correctional officers but are under our Division of Juvenile Services and work with juveniles. JIRS and Security Officer turnover has averaged approximately 33 percent over the last six years and, at times, has been as high as 62.5 percent. See the tables on the following page for more detail.

ND Department of Corrections and Rehabilitation, Employee Turnover Rates

ND DOCR Turnover by Division 2011 - 2020										
Year	All DOCR	Youth Correction Center	DJS Community	Parole & Probation	Missouri River Correction Center	James River Correction Center	ND State Penitentiary	Central Office	Rough Rider Industries	Biennium Average
2011	14.3%	17.6%	13.9%	6.0%	4.8%	20.8%	14.2%	9.9%	23.2%	16.3%
2012	18.4%	21.8%	13.9%	8.0%	31.4%	16.2%	23.6%	10.6%	22.2%	
2013	17.4%	14.3%	35.2%	4.9%	21.0%	21.3%	21.5%	15.5%	3.1%	18.6%
2014	19.9%	23.6%	6.8%	4.7%	27.4%	26.6%	29.7%	10.5%	6.5%	
2015	20.9%	27.7%	23.7%	3.7%	27.4%	25.0%	26.8%	11.3%	10.1%	20.7%
2016	20.5%	28.9%	40.6%	8.9%	14.0%	27.0%	18.4%	23.3%	16.1%	
2017	16.5%	25.7%	25.0%	4.1%	18.4%	18.9%	22.3%	10.9%	6.5%	17.6%
2018	18.6%	24.5%	26.5%	9.0%	14.0%	20.0%	24.6%	9.4%	10.7%	
2019	18.9%	13.3%	16.7%	9.8%	17.6%	18.2%	23.8%	26.5%	10.3%	18.1%
2020	17.4%	23.7%	11.8%	11.7%	25.6%	13.2%	20.6%	21.8%	9.1%	
Overall Average	18.4%	22.1%	21.4%	7.1%	20.2%	20.7%	22.5%	15.0%	11.8%	

Correctional Officer (CO)	2015	2016	2017	2018	2019	2020	
Correctional Officer I and II Overall Average	35.8%	25.4%	49.7%	30.9%	32.4%	33.1%	34.6%
NDSP CO I and II	33.6%	24.0%	39.7%	39.3%	32.5%	32.3%	
JRCC CO I and II	30.1%	39.7%	49.3%	33.3%	28.4%	24.3%	
MRCC CO I and II	43.8%	12.5%	60.0%	20.0%	36.4%	42.9%	

includes temporary CO's

Juvenile Institutional Residence Specialist (JIRS)	2015	2016	2017	2018	2019	2020	
JIRS I and Temp JIRS	51.9%	63.0%	48.1%	46.4%	11.5%	26.9%	33.3%
JIRS II	12.5%	25.0%	25.0%	37.5%	20.0%	25.0%	
Security Officer	n/a	n/a	n/a	22.2%	22.2%	62.5%	

Why do DOCR employees leave employment? By far, *Other Employment* and *Resignation* are the two most common separation reasons (51.2 percent of all separations) for 2019-2020. See the table at right for more detail.

DOCR Separations - January 2019 through December 2020

Separation Reason	Number	Percentage
School	9	2.6%
Retirement	36	8.9%
Resignation	88	24.9%
Relocation	38	10.9%
Personal	16	4.3%
Other Employment	97	26.3%
End Temp Employ.	29	7.4%
Discharge	52	14.3%
Death	2	0.6%

Turnover of other DOCR team members is also very challenging. The DOCR employs teachers, medical professionals (physician, nurses, dentist, etc.), skilled labor and trades (plumber, electrician, systems mechanic, etc.), mental health and treatment professionals (psychologist, licensed addiction counselors, professional counselors, etc.), and administrative professionals (administrative assistants). Turnover for

administrative assistants has been as

high as 50 percent in recent years.

Turnover of registered nurses, licensed

practical nurses, direct care

associates, and nursing assistants was more than 40 percent for 2019 and 2020. See

the table at the right for more detail.

Medical Turnover

RN, LPN, and DCA All Levels	2017	2018	2019	2020
	18.2%	18.2%	43.5%	43.8%

Recruitment of correctional officers and other corrections staff can be challenging. In recent years the DOCR has had to implement a recruitment bonus for new correctional officers in Jamestown at JRCC, and various mental health treatment and medical positions. The DOCR hired 238 new employees in 2019 and 243 in 2020. The

DOCR Hiring

Year	# new hires
2015	229
2016	202
2017	187
2018	193
2019	238
2020	243

DOCR created 339 job postings from January 2019 through November 2020, which was a 4.6 percent increase from the previous two years. Of the 1,292 employees hired 2015 through 2020, 804 were correctional officers, JIRS, security officers, and parole and probation officers, which is 62 percent.

In 2019 and 2020, the process of filling the vacancies included assessing, screening, and ranking over 2,900 applicants; reviewing comprehensive criminal background checks and verifying references; scheduling job function tests, drug screenings, and any additional assessments; and onboarding all new hires. A significant amount of time and money is invested in new hires at the DOCR, including recruitment, onboarding, and training costs. In addition, turnover has significant costs when employees leave, such as administrative payroll time and equipment collection.

In addition to general hiring, onboarding, and new employee orientation, new employees at facilities and in the community also need significant and intensive specialized training. This specialized training is expensive and resource intensive.

The Division of Parole and Probation (P&P) has a Basic Academy for nearly all new hires. This is an 80-hour course of training/education provided by internal P&P staff resources. Approximately 50 percent of P&P Officer new hires must also go through the Peace Officer Basic Academy. This is a 13-week course of study with 487 instruction hours. While in the Peace Officer Basic Academy, the DOCR pays the full salary and, if the officer travels to Bismarck from an office in another part of the state, the DOCR also pays for travel time, mileage, and per-diem. P&P is currently working on a formalized Field Training program, but for now that remains in the hands of the supervisor to orientate/train new employees to the specific and practical application of their various duties. P&P provides all team members, including those who are not licensed peace officers, such as administrative assistants, corrections agents, and community corrections case managers, about 200-250 hours of instruction within their

first two years of employment. A licensed peace officer receives about 300-400 hours of instruction.

The DOCR Staff Development Section is working to review and refine the current curriculum. We have identified a need to provide additional training to current instructors and a need to add more instructors. All instructors are currently employed in other full-time positions across the DOCR. Instructors either come in on a day off or, if someone who is off shift is not available, they are taken from their primary duties to instruct, conduct research, and evaluate classes. The table below provides a summary of training efforts from 2017 through 2021.

DOCR Staff Development Section Efforts

Metric	2017-2019	2019-2021
Number of Course Enrollments	22,332	35,481
Number of Classroom Sessions	1,800	1,610
Operations Staff Instructor Hours	6,272	6,876
Staff Development Department Instructor Hours	935	1,783
Employee Attendee Hours	54,866	62,054
Number of New Employees Trained at JRCC	76	67
Number of New Employees Trained at NDSP	192	191
Hours of Online Training via PeopleSoft	14,044	17,919

In conclusion, recruiting and retaining quality DOCR employees is particularly important given the high cost of hiring, orienting, and training them; the danger and legal liability inherent in their work; and the critical public safety role they play. The two primary factors impacting the DOCR’s challenges in recruitment and retention are salary and benefits. Modest investment in these areas would pay off in reduced hiring, orientation, and training costs. Requested investments include salary funding, salary increases, and ongoing fully-paid benefits. The DOCR needs additional funding to

correct internal inequities created when the DOCR is forced by market forces to hire new employees at salary rates at or even higher than long-term employees. The salary increases must be able to account for cost of living increases and for performance; unfortunately, the 1.5 percent to 2 percent increases are less than half of what they need to be to adequately recruit and retain a top-quality public safety workforce. In addition, DOCR believes it critical to continue to fund employee health insurance at no monthly cost to employees and keep participation in the PERS retirement plan for all employees, including new hires. Lastly, the DOCR believes that correctional officers and law enforcement officers employed by the DOCR should be in the same or a similar retirement plan as all other law enforcement employees in North Dakota.

Chairman Schaible and members of the Education Committee, the DOCR asks that you support House Bill 1494 and provide a study to help law enforcement and corrections agencies improve recruitment and retention of key public safety team members.