Board of prison commissioners,

Thank you for providing the time for public comments, it is appreciated.

I would first like to thank the Department for commissioning the ASCA staffing study; I believe it will go a long way in assisting with the safety of both Officer and inmate.

Since coming to NNCC from the Nevada State Prison safety has been a concern of mine.

The design of many units at NNCC makes it impossible for a solo officer to safely run the unit. This issue is highlighted in section two of the ASCA report, Facility Findings conclusions and recommendations (pg. 40). It reads, "Units, Four, five, and six experience almost constant shutdown of the second floor officer, and a rover post is used instead between these units, leaving the remaining staffing resources to be used elsewhere. This leaves the A officer as the only officer to supervise the unit. It is impossible to meet the demands included in the post orders in those units with only one officer supervising all of those inmates." Pg. 40

The points made in the ASCA study are points that officers have made previously. Even when staffed alone officers are expected to conduct two tours an hour and complete other unit tasks. During one such tour approximately two months ago, an officer was assaulted in unit 5. Fortunately the officer was able to subdue the inmate and call for back up. The situation could have easily gone much worse had the inmate gained the upper hand. An officer cannot always reach a radio when fending off an inmate assault. We all know prison is not a safe environment but there is no need to compound safety issues with understaffing posts. I hope as the result of this study either a second officer will be staffed in these units or a roving officer can be created and a policy set in place stating; when working one of the mentioned units the officer will not leave the secure bubble without proper relief to conduct unit tours and operations.

Also on the agenda today is the discussion of proposed changes to,
AR 339, EMPLOYEE CODE OF ETHICS AND CONDUCT, CORRECTIVE OR DISCIPLINARY ACTION, AND PROHIBITIONS AND PENALTIES

Due to the combination of three A.R.'s the changes are extensive. My question pertains to the disciplinary portion of the A.R. It seems as though, almost

across the board, the class violations of an incident are increasing, or the possible range of discipline is being broadened. A general example is

"Unauthorized use, misuse, or waste of property belonging to the State or Department." Was a <u>CLASS 2</u> and is being changed to a broad range CLASS 2-5.
(Pg. 17 of changes to A.R 339)

Why is there a need to increase the penalties for most infractions across the board? Also why is there a need for such a broad range of discipline? If changed, a class 2 to 5 violation could result anywhere between a written reprimand up to dismissal.

I don't understand the need for such a new broad range of disciplinary action. In the six years I have worked for the state I have never had any disciplinary incidents, however under this A.R I could potentially damage a vehicle and face consequences up to termination.

My last point-

Between Warm Springs and NNCC there has been a rumor spreading that is causing a lot of discontent. It is not on the agenda but I hoped to bring it to light as it seems to be a substantiated rumor among officers and supervisors alike. At issue is the rewriting of A.R. 301 that would take away the right officers currently have to bid for their position. Since this is only a rumor I won't speculate concerning the reasoning behind the potential change. However, I would like to at minimum voice that if the loss of position bid comes to fruition it will cause quite a wave of aftermath including; grievances, impacts on intuitional operations and loss in senior staff. For anyone interested I will submit a list of reasons I have heard officers mention that this change would not be positive for the department.

This concludes my comment and again thank you for allowing me to speak with you today.

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Concerns associated with removing position bidding from A.R.301-

Discrimination- Will lead to discriminating between C/O's. All C/O's should receive the same training to work all positions that are not currently warden exempt positions. If any C/O cannot work one of those positions they should either receive progressive discipline, moving toward termination or if the department so desires some sort of remedial training. There is no reason to change from the current position bid procedure unless you are stating that some C/O's have more training or ability than others. If there are certain positions that require more training they then should be designated warden exempt; as the current A.R. 301 allows, or the training should be afforded to all C/O's equally. Any C/O is qualified to work any position not designated as warden exempt therefore there is no reason to pick and choose one C/O for one position over another. This will lead to C/O's being placed into positions simply because they get along with administration better than others, "the good old boy system". Some may remember that this very policy resulted in a lawsuit against former director Jackie Crawford that resulted in the current shift/position bid system that protects officer rights from the potential for discrimination. [Insert news article]

Removing the position bid will not accomplish its goal for increased training opportunity- As theorized the reasoning to take the position bid away is so you can rotate C/O's around so that C/O's will continue to get a more rounded set of skills by working different positions. However this will not be the case. It will be no different than the current status Quo. (Prior to the position bid an officer was still assigned to a position for a year at a time.) There are too many positions in the institution to accomplish this purpose. Even if a C/O were to work a new position each year that C/O would still not be able to work all the positions in the institution by the end of a 20 year career, hence never gaining the experience the administration would hope the C/O would gain from moving them to different positions each year. Each positions has a slightly unique skill set that is only learned over time, the result is the same whether a C/O chooses a position, or is appointed to a position. In addition the current A.R. 301 only allows for an officer to bid for the same position for two calendar years before they must bid for a new position. Again if a particular C/O cannot perform his required duties that C/O and that issue should be addressed separately.

Revolving door assignments- If there were no long term assignments the institution would exist in a state of controlled chaos. There are certain procedures and protocols a C/O is expected to enforce and accomplish, such as inmates not entering housing units or wings of units that they do not belong. If you are not a permanently assigned officer you have no way of getting to know the inmates in each unit to stop this behavior. Also when you are permanently assigned to a unit you get to know the inmates and better relate to them resulting in smooth unit operation. Also each unit has certain tasks that are unit specific, needing to be accomplished. If there is a revolving door of C/O's it is unlikely someone will take ownership and make sure everything is being completed as it needs to be. While it may be possible to run an institution in this manner temporarily, each unit needs a permanently assigned officer.

Punishment- Certain positions tend to be less popular then others and no doubt will be used as a form of punishment. If you make a mistake, call in sick too often, or anger the wrong supervisor you may be banished to a tower for a year to make amends. This subject is along the same lines of discrimination and favoritism; it is an inadequate means of managing employees and will open the NDOC to the possibilities of grievances and future lawsuits such as the lawsuit having to do with SNEA and former Director Jacki Crawford.

Loss of senior staff- One officer stated, "If they take away position bidding, that is the nail in the coffin with more senior staff, they will retire. It is one of the only "perks" left." Meaning, as officers come into the institution they are usually put in the least desirable positions, as a new officer you do your time and look forward to gaining some seniority. Senior staff has seen item after item removed from the benefits of continuing with the state, even losing longevity this year, and are fed up. It is hard enough to retain employees already, why push away those we have?

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"Brain drain"- With the loss of more senior officers we will also lose the knowledge and experience they have to offer. New officers benefit greatly from the mentorship offered by the officers that have gained experience. The safety and security of institutions is compromised when the majority of staff has less than 5 years.

Personality conflicts- At the NDOC we employ many people with many different types of personalities. While during a short term assignment each employee should be able to work with another employee, over the course of a full year, in confined office bubbles the potential for personality conflicts will raise greatly. The current shift bid procedure allows C/O's to bid into positions knowing who they will work with. The officers know better than the administration whether they will work effectively together.

Personal Preferences- As mentioned before there are a large variety of positions within the NDOC. Some C/O's prefer to work certain positions while disliking others. Other C/O's like to have an assigned position while others prefer the constant change of an annual or sick relief position. Some C/O's prefer to work in the medical facility while others would rather quit before having to spend an entire year in a mental health unit. The current shift bid system allows for C/O's to have a voice in where they work. It does not make sense to force one C/O to work in a unit or position he or she hates when another C/O of equal value prefers to work in the same position. This will lead to disgruntled employees and less productivity, not to mention an increase in sick leave resulting in increased over time.

Training new officers- There are alternative means to train new officers in positions currently held by seasoned staff without the repeal of the position bid. A subsection to A.R. 301 could be added to define the training procedure. The subsection may allow an officer to be pulled from their unit for the temporary training purpose of new officers. I.E. –Any officer may be pulled from their position for the institutional needs of training new officers in said position for a limited amount of shifts to accomplish the training of new officers in all positions. A training log of positions held by new officers should be kept to insure this procedure is being followed adequately. - OR perhaps certain positions should be designated during the bid as possible "pull for the purpose of training" positions. In any case there are many options that could be presented to accomplish the purpose of training without taking the ability for C/O's to bid for their position.

Further training alternatives- If you review archived Prison Board Meetings the need for additional training is a reoccurring theme. Under a previous NDOC administration there was even a plan to create Field Training officers at each institution to assist with the training and development of newly hired officers. In addition if each institution had an FTO officer they could implement on the job training to keep all officers up to date with the needs of different positons and current procedures in each unit.

In conclusion the removal of the position bid portion of A.R. 301 will not have a positive effect on the department. If the administration is transparent with their desired goals I'm sure an adequate compromise could be reached.

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