

**Joint Legislative Committee on Performance  
Evaluation and Expenditure Review (PEER)**

Report to  
the Mississippi Legislature



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## **A Management Review of Region IV of the Department of Corrections' Division of Community Services**

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The Mississippi Department of Corrections' Division of Community Services is responsible for supervising probationers, parolees, and other persons released under terms calling for supervision. The division's Region IV is responsible for supervision in the southern portion of the state.

Region IV lacks the necessary procedures to protect funds it collects from possible theft. The region does not maintain an accurate count of persons under current supervision nor does it have proper internal controls over the funds received. Further, Region IV cannot determine how much of the approximately \$175,000 it has assessed, but has not collected, is attributable to judicial waivers of supervision fees.

Region IV also lacks a case management method to ensure that cases are assigned to field officers based on difficulty and the time needed to manage cases appropriately. Further, the region uses its field officers for clerical functions, depriving them of time that could be spent providing supervision. Region IV's management has not insured that field officers have complied with internal training policy, has not made policy manuals available to these personnel, and has not devised remedial training programs for field officers who do not meet agency performance expectations.

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On December 1, 1999, the PEER Committee authorized release of the report entitled **A Management Review of Region IV of the Department of Corrections' Division of Community Services.**

A handwritten signature in cursive script, reading "Tommy Horne", written over a horizontal line.

Representative Tommy Horne, Chairman

**This report does not recommend increased funding or additional staff.**

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# A Management Review of Region IV of the Department of Corrections' Division of Community Services

## Executive Summary

When inmates are released from prison on earned release or parole, or when defendants receive probation from the courts, it is the responsibility of the Department of Corrections' Division of Community Services to supervise these persons. Supervision consists of meeting periodically with these individuals and monitoring their whereabouts and activities. The Division of Community Services' Region IV, located in southern Mississippi, provides these services through a network of nineteen local offices.

PEER's review assesses how well MDOC's Region IV:

- maintains custody and control of the supervision fees it collects from persons under its jurisdiction;
- allocates personnel resources to supervise individuals under post-release supervision; and,
- trains personnel.

MDOC's lack of accurate censuses of supervisees and inadequate controls over funds exposes the agency to loss of funds.

MDOC's Central Office does not maintain an accurate census of post-release supervisees and Region IV personnel do not sufficiently account for fees collected from these individuals. These conditions create an environment that exposes the department to increased risk of fraud and embezzlement.

These matters have been called to the attention of the department before in reports of the State Auditor. The Division of Community Services has suffered from embezzlement in the past and such a situation could occur again if the department does not strengthen its control over fees collected.

MDOC policy does not direct regional offices to use a standard method of workload management.

MDOC has not established a standard system of workload management for field officers. Consequently, when managers assign cases to field officers, they use any method they wish. This results in officers carrying varying workloads which do not reflect the degree of difficulty associated with overseeing different types of cases or the risk to society posed by particular types of supervisees.

Other states and professional organizations are developing workload management systems that would require that officers be given sufficient time and resources to manage their responsibilities.

Field officers spend nearly half of their time on clerical tasks such as maintaining case files, collecting fees, and preparing deposit slips.

Region IV does not insure that all officers complete their forty hours of mandatory training each year. Training policies also do not require officers who have been reprimanded to receive remedial training.

Field officers who do not supervise field offices have no access to agency policy manuals.

Field officers in Region IV currently spend approximately 45% of their time carrying out clerical duties such as maintaining files and collecting supervision fees. These are tasks that could be performed by paraprofessional staff, leaving field officers with more time to conduct supervision work.

While MDOC policy requires that field officers receive forty hours of mandatory annual training, many officers do not receive this training. This creates a risk that field officers will not have the knowledge necessary to provide supervision to persons under their supervision. In reviewing some recent cases involving field officer relations with the courts, PEER found two cases in which judges have become displeased with field officers' performance. Despite this problem, Region IV management has not provided remedial training for officers who have had performance-based disciplinary problems. This failure leaves the courts and the department with no assurance that the problems underlying poor performance have been addressed and remedied.

Despite the importance of policies and procedures in providing employees an understanding of how they are to perform their work, Region IV does not make policy manuals available to all of its field officers. This places a burden on senior officers who must serve as a source of knowledge as well as supervision for less experienced field officers.

## Recommendations

MDOC's Region IV should improve controls over fees collected.

1. The Legislature should require that circuit court clerks provide the MDOC Central Office with reports of persons who are to be placed on probation or under intensive supervision at the same time they notify the regional offices. Further, MDOC should require that at minimum, all supervisees reported to it from whatever source be entered into its computer files within fifteen days of the receipt of a record.
2. MDOC should review the procedures of each local office in Region IV and develop unified procedures for the handling of funds. Specifically, these procedures should maximize use of current personnel resources and should require the following:
  - a. When possible, payments should be collected by one person instead of by each officer. For small regional offices with limited staffing, the MDOC Central Office should assist by overseeing the collection of supervision fees in order to help preserve segregation of accounting duties.

- b. When the checks or money orders are received (cash should not be accepted), the persons receiving the money should complete a triplicate pre-numbered receipt. The person under supervision receives one copy, the bank receives one, and one should go with the supervision file. No receipts should be voided by persons collecting the fees.
- c. Someone other than the persons collecting the fees should reconcile the fees collected with the receipts.
- d. The persons collecting the fees should make daily deposits. They may use a bank bag specifically for that purpose and pick it up the following day with the certified bank deposit slips.
- e. A monthly report illustrating daily deposits for the month's deposits should go to the MDOC comptroller or his designee, in addition to the deposit slips and bank statement.

Each office should have a separate bank account. At the end of the month, all accounts should be transferred to a central account.

- 3. MDOC should require that each probation and parole officer report to the Region IV office the names of all persons who have received judicial waivers from fees and all persons who are in arrears even if they have received no waivers. This report should be made on a monthly basis.
- 4. MDOC should review other states' case assignment and workload management methods and use this information to develop a uniform system of workload management. Such a system should allocate supervisory resources based on the risk posed by different types of cases and should ensure that some officers are not unduly overloaded.
- 5. MDOC should conduct a detailed study of the tasks assigned to its field officers and determine how it could reduce the burden of clerical work placed on its field officers. MDOC should consider reallocating existing resources to make paraprofessional staff available to field officers to relieve them of their clerical case management burdens.

MDOC should address the lack of a workload management system for its field officers as well as the practice of assigning clerical functions to field officers.



MDOC should insure that its requirement for annual training is followed and that remediation is provided to employees who fail to perform as expected.

The department should make copies of policies and procedures available to all field officers.

6. MDOC should ensure that all of its field officers receive training in accordance with its policies and procedures and that they fulfill mandatory training requirements.

Because of recent difficulties with members of the judiciary, the department should insure that all field officers receive training in professionalism and relations with the courts. Also, any field officer who has received a reprimand should receive remedial training in a topic related to the deficiency that caused the reprimand.

Following such training, each field officer should receive a copy of the policy and procedure manual for use and reference throughout the year.

7. Using this report as a guide, MDOC's Division of Community Services should review the operations of other regional offices regarding collection of supervision fees, allocation of personnel resources, and training.

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# A Management Review of Region IV of the Department of Corrections' Division of Community Services

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## Introduction

### Authority

In response to a legislative request, the PEER Committee conducted a management review of the Mississippi Department of Corrections' Division of Community Services, Region IV. With nineteen offices in south Mississippi, this region of the division provides supervision of individuals under pre-sentencing or post-release jurisdiction of the Department of Corrections in that part of the state. PEER conducted the review pursuant to the authority granted in MISS. CODE ANN. Section 5-3-57.

### Scope and Purpose

This review was intended to determine how well Region IV of the Mississippi Department of Corrections (MDOC) has:

- maintained custody and control of the fees it collects from persons under its jurisdiction;
- allocated personnel resources to supervise individuals under post-release supervision; and,
- trained personnel.

This review did not address management issues at the community work centers or restitution centers operated within Region IV.

## Method

In conducting this review, PEER:

- conducted on-site inspections of MDOC's Region IV offices in Biloxi, Natchez, Hattiesburg, Gulfport, and Pascagoula;
- reviewed work files and financial records in these offices;
- interviewed MDOC personnel in Region IV and at the state MDOC office;
- conducted interviews with law enforcement and judicial personnel in Region IV;
- reviewed relevant files of the Corrections Auditor;
- reviewed relevant audit reports from the Department of Audit, 1988 to present; and,
- conducted on-site inspections at three Region IV offices, where PEER observed the process by which MDOC personnel collect fees from persons under their supervision.

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# Background

## Functions of the Division of Community Services

MDOC's Division of Community Services provides the courts with criminal history reports on convicted persons not yet sent to prison.

Operations of the state Department of Corrections extend beyond the incarceration of individuals. MDOC's Division of Community Services provides support to the state's courts during pre-sentencing of defendants by providing criminal history reports on persons who have been convicted but not yet sent to prison.

The division also provides post-sentencing monitoring of individuals on parole, probation, earned release, or intensive supervision.

After defendants have served prison time, the division monitors individuals on parole, probation, earned release, or intensive supervision (see Exhibit 1, page 4, for definitions of post-sentencing categories.) MISS. CODE ANN. Section 47-7-9 requires division personnel to investigate cases referred to the division by the courts. The division must furnish to each person under supervision a written statement of the conditions of supervision. The division's personnel are to "keep informed concerning the conduct and conditions" of persons under supervision and are to keep detailed records of such. Division personnel have police powers necessary to carry out their responsibilities. CODE Section 47-5-1003 also requires that MDOC administer the intensive supervision program.

## Regional Operations of the Division of Community Services

MDOC's Division of Community Services renders services through a system of four correctional regions. Region IV covers the southern third of the state, with nineteen local offices (see Exhibit 2, page 5, for a map of the state's regions and the locations of local offices within Region IV). Each of these offices contains from two to eleven officers who provide reports to the courts and supervision of persons not confined to MDOC prisons or centers. Field officers of the regional offices are responsible for meeting as scheduled with their supervisees to determine if they are meeting the terms of their release, conducting drug testing of these persons, and, when necessary, seeking and arresting any who violate terms of release.

A senior MDOC field officer (either level III or IV) manages each local office in Region IV. These field officers report to the director for Region IV in Hattiesburg. The regional director reports directly to the Deputy Commissioner for Community Services in Jackson, who in turn reports to the Commissioner of Corrections.

## **Exhibit 1**

### **Categories of Post-Release Supervision Provided by MDOC's Division of Community Services**

The following are the forms of post-release supervision provided by the Division of Corrections.

#### **Parole**

Parole is a form of discretionary release granted to inmates who, in the opinion of the State Parole Board, have, through good behavior, earned the privilege of early release from their sentences. Parolees must abide by the terms of their parole and must report on a monthly basis to an MDOC community service officer.

Parole is being phased out in the state of Mississippi. Mississippi passed a truth-in-sentencing law in 1995 (MISS. CODE ANN. Title 47, Chapter 5) that requires that inmates serve at least 85% of their sentence. Only persons convicted before the effective date of the truth-in-sentencing law are eligible for parole. The Mississippi Parole Board is scheduled to repeal on July 1, 2000.

#### **Probation**

Probation is a form of supervised release outside the confines of an MDOC facility. The court may grant probation in lieu of prison time. While on probation, an individual must report to an MDOC community service officer and be in compliance with the terms of probation.

#### **Earned Release**

An inmate convicted of a crime committed after the passage of the state's truth-in-sentencing law may earn early release time at a rate of four and one half days per thirty days of his sentence. This may not exceed 15% of the inmate's sentence. Inmates on earned release time are subject to supervision from MDOC community service officers.

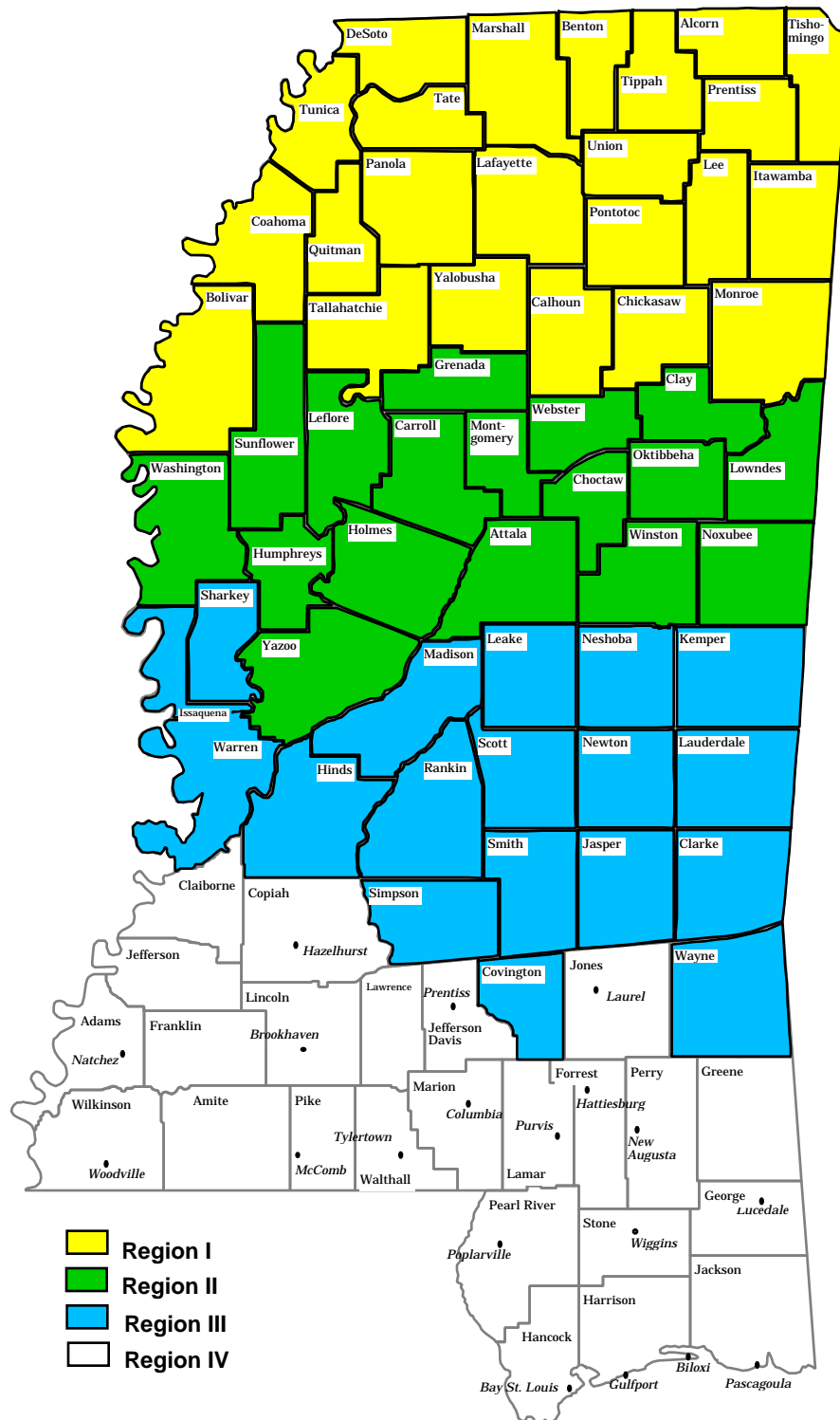
#### **Intensive Supervision**

Regional MDOC offices also provide oversight of persons who are court-committed or placed by the MDOC Placement Committee to the intensive supervision (house arrest) program. Persons under intensive supervision must confine their movements to their homes or be involved in work or educational programs that the department has approved.

SOURCE: PEER analysis of MDOC information.

## Exhibit 2

### MDOC Community Service Regions and Locations of Region IV Offices



**NOTE:** • Indicates MDOC Region IV field office location

**SOURCE:** Mississippi Department of Corrections.

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## Conclusions

Because oversight of persons on probation, house arrest, and parole is one essential function of the MDOC regional offices, PEER sought to determine how well MDOC's Region IV:

- maintains custody and control of the fees it collects from persons under its jurisdiction;
- allocates personnel resources to supervise individuals under post-release supervision; and,
- trains personnel.

### Custody and Control Over Fees Collected

MDOC's Central Office does not maintain an accurate census of probationers and intensive supervision supervisees and Region IV personnel do not sufficiently account for fees collected from these individuals. These conditions create an environment that exposes the department to fraud and embezzlement.

#### Inaccurate Records of Post-Release Supervisees

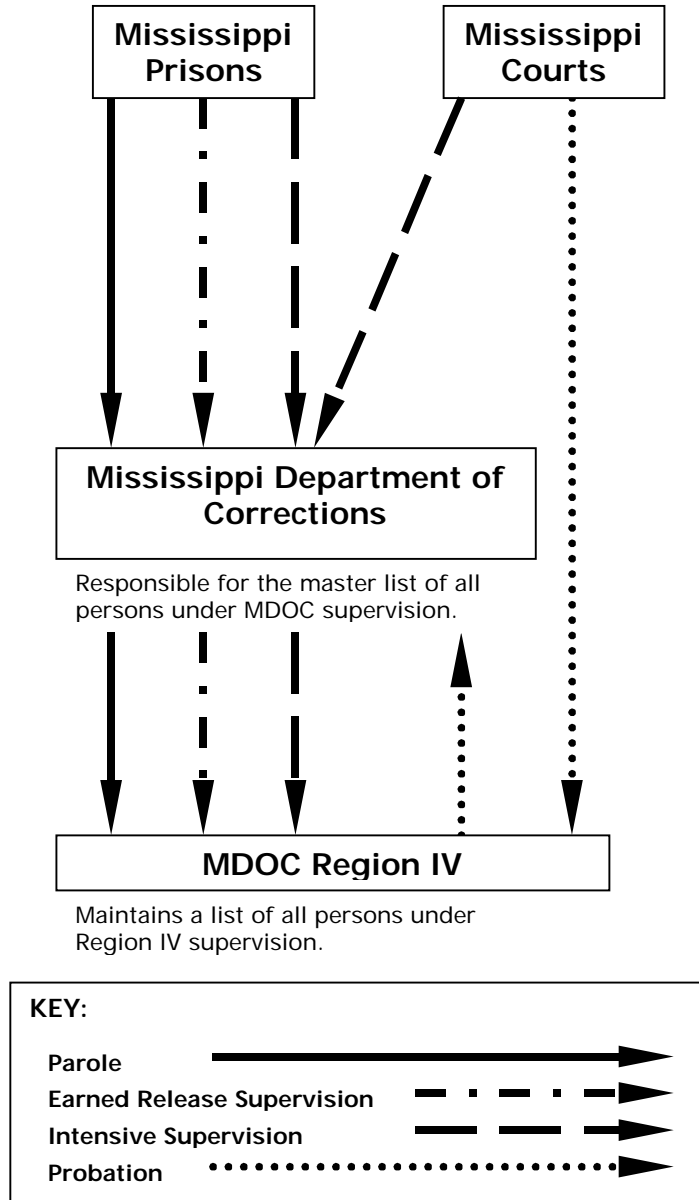
MDOC sends to the regional offices lists of names of individuals who are to be supervised for parole, earned release, or intensive supervision. These records show how many persons are under the supervision of field officers. The circuit courts notify MDOC's regional offices of persons on probation and intensive supervision and the Parole Board notifies regional offices regarding parolees. These notifications occur on a case-by-case basis. (See Exhibit 3, page 7.)

MDOC's records of cases assigned to the regions contain the names of some persons no longer under supervision and lack the names of some persons under supervision.

PEER reviewed printouts listing supervised individuals at two of the offices and found these records to be inaccurate. They contained the names of some persons no longer under supervision and lacked the names of several persons who were under supervision at the time. The printout sent to the Hattiesburg office contained names of thirty supervisees who were actually no longer under supervision and ninety-two names had to be manually added to the printout. In the printout sent to the Natchez office, one of the individuals listed was no longer under supervision and sixteen names had to be added.

### Exhibit 3

#### Flow of Documentation for Persons Under MDOC Supervision in Region IV



SOURCE: PEER analysis of MDOC's parole, earned release supervision, intensive supervision and probation documentation flow.



In addition to representing an official record of the names of persons under MDOC supervision, these printouts serve as a basis for determining the supervision fees community service officers should collect. Because the MDOC Central Office does not know how many persons are supervised at any given time, field officers have the potential to embezzle funds without detection. In recent years, MDOC has investigated a case in which an MDOC field officer allegedly embezzled supervision fee funds. This case was investigated only because persons under supervision told MDOC that their field officers might have been taking funds.

The lack of an accurate census of supervisees at the MDOC Central Office makes it difficult to detect the misappropriation of funds. Such misappropriations have occurred in the past and could occur again because of the agency's poor controls.

The lack of an accurate census of supervisees also makes it difficult to detect any misappropriation of funds that might occur when supervision fees are collected (see page 10). This condition is not a product of recent expansion of Mississippi's prison population, but has been a recurring problem within MDOC for at least the past ten years. As long ago as 1988, the State Auditor admonished the Department of Corrections for lacking sufficient controls to make audits of supervision fees possible. In a 1988 audit report on the Department of Corrections, the auditor stated:

***Our review of the Mississippi Department of Corrections procedures for handling the collection of parolees' fees by case officers revealed several weaknesses. The Mississippi Department of Corrections generates a computer listing of each case officer's parolees from court probation orders. However, our review revealed that probation orders issued by the sentencing courts for those offenders placed on probation are given to the correctional officer responsible for the supervision of the offender. This procedure allows for the potential of a probation order going unreported to the system which could allow a case officer to collect fees that would go unreported. . . .***

More recent audit reports (1994, 1995, 1996, and 1997) on the Department of Corrections have suggested the need for timely receipt of orders on probationers and other persons committed directly to the MDOC Division of Community Services by the courts.

MDOC has consistently responded that it does not have complete control over the process by which it receives probation and intensive supervision orders. In response to several of the above-cited audit reports, the department noted that it is a court practice to send orders of probation to the supervising officers without first sending them to the MDOC central office. As depicted in Exhibit 3, page 7, the central

office only receives records of probation indirectly from its own officers in the field.

While MDOC correctly states that the courts are a primary contributor to the problem, MDOC is not blameless. While local offices inform MDOC that they have increased their workloads, the Central Office is slow to add names to its database. Of the ninety-two names written in on the July 1999 printout for the Hattiesburg office, twenty-nine had not been added to the MDOC printout by October 1999 even though they are still under supervision of the Hattiesburg office. MDOC's delays compound the risk of loss of state assets by not processing information on a timely basis.

## Collection of Funds

Persons under MDOC's post-release supervision are assessed supervision fees to help defray the costs of such supervision. MDOC collects these fees in monthly increments of \$25 and \$50. The fees must be paid by money order or certified check to MDOC regional office personnel. Because regional office personnel supervise numerous individuals at any give time (Region IV supervised 5,000 persons per month in FY 1999), they are responsible for collecting a large amount of fees in money orders or certified checks.

Organizations whose personnel handle money are responsible for developing adequate internal controls to protect against embezzlement. A fundamental form of internal control is segregation of duties. Segregation of duties keeps any single person from having control over the receipt, recording, and depositing of funds. Under an acceptable system of internal controls, a receiving clerk would take in the funds, give out a receipt to the payor, but would not reconcile receipts; this would be done by another person who would prepare a bank deposit slip.

MDOC lacks formal, written procedures to insure that fees collected from inmates are protected against possible theft.

MDOC's Region IV has not implemented procedures to safeguard fee collections from possible theft. At the Region IV offices in Gulfport, Hattiesburg, Biloxi, Pascagoula, and Natchez, PEER observed that:

- Field officers collect fees, log in the receipt of fees, and complete deposit slips for bank deposit.
- Field officers keep both money orders and certified checks in their desks until bank deposits are made.
- These desks do not always have locks, and in cases in which they do, the field officers do not always lock their desks.

- In most cases, the field officers make bank deposits.

Under these conditions, it would be possible for officers to keep funds collected from supervisees and never report the payments or to embezzle funds prior to deposit by completing a deposit slip with less than the amount received. Further, because field officers do not store funds in a secure place before depositing, theft by persons other than field officers is a distinct possibility.

Environments in which large amounts of cash are collected are ripe for theft if agencies do not implement the proper controls to insure that funds are properly collected and secured before deposit. The controls in place in Region IV do not provide protection against the loss of property and MDOC funds have been lost in the past to individuals who have absconded with funds in the face of insufficient internal control procedures.

As in the case of the lack of accurate censuses of supervised persons, this condition is not a recent development. In the 1988 Department of Audit report cited above, the State Auditor cited the Department of Corrections for allowing officers to accept payments, fill out deposit tickets, and make bank deposits. Recent contracts audits performed for the Department of Audit by the Jackson accounting firm of Smith, Turner, and Reeves have cited the Department of Corrections for its poor internal controls, particularly its lack of segregation of duties in the handling of fees.

## Uncollected Funds

MDOC staff know of approximately \$175,000 in uncollected supervision fees from Region IV for FY 1999. These fees are from persons under supervision who have received waivers or who are in arrears in their payments without a court waiver.

Throughout FY 1999, Region IV was responsible for supervising approximately 5,000 persons per month released under varying forms of supervision. These persons had assessed against them approximately \$1.35 million in supervision fees. Of these assessed fees, approximately \$175,000 has not been collected. These uncollected assessments are from supervisees who have not made monthly payments to the department.

In some cases, failure to collect supervision fees is attributable to court-granted waivers from payments. A court may grant a waiver or exemption to the payment of fees when payment might prove a hardship to the supervisee. Examples of such hardship would be low-wage employment or unemployment. In some cases, courts are reluctant to revoke the probation or parole of persons simply because they fail to pay their supervision fees. In these cases, the officer makes note in the files on how far behind the supervisee is in making payments. In the event that the person is picked up on a violation of probation, the judge may then order him to pay the fees in arrears.

MDOC cannot identify which supervisees have failed to pay for legitimate, court-ordered reasons and those that have no legitimate reasons for non-payment. This creates the situation in which fees are collected from persons but are not reported to MDOC as collected, an environment in which embezzlement could easily occur.

Region IV management could not provide information to PEER on how much of the uncollected \$175,000 is attributable to court-granted waivers and how much of it is attributable to other causes. Although courts provide a document which provides evidence of a judicial waiver for each supervisee who has had his or her fee waived, these documents are filed in individual case files and Region IV has no central file showing the names or total number of individuals who have received waivers. As a result of this inability to identify fees in arrears for legitimate reasons, MDOC's accounting reports cannot identify possible instances of embezzlement which may be occurring in cases in which fees are assessed, but not reported as collected.

## Workload Management

Field officers are the key to providing services to the supervisees and the courts. PEER reviewed the work assignments to field officers to determine methods by which managers monitor the workload assigned to field officers and the appropriateness of the assignments. In Region IV's system of workload assignment, field officers have a large amount of administrative responsibility that reduces the amount of time they have for supervision and court support work. Thus field officers have a reduced amount of time in which to render quality support to their supervisees and to the courts.

### Case Assignment to Field Officers

MDOC policy does not direct regional offices to use a standard method of workload management.

MDOC has no formal policy specifying a standard method for field officer workload management.

MDOC has no formal policy for determining what the workload for a field officer should be in terms of number and types of cases a field officer should be responsible for managing. In reviewing the records of five of the offices within Region IV (Gulfport, Pascagoula, Biloxi, Hattiesburg, and Natchez), PEER determined that the number of cases actually assigned to an officer varies from 100 to 150.

Methods vary between offices in Region IV as to how case work is assigned to field officers for management. In the Gulfport office, field officers are assigned a block of letters in the alphabet and are assigned cases of parolees and probationers whose last names begin with the letters assigned to the officers. In Hattiesburg, the method of assignment is geographic, with officers being responsible for a certain territory within the Hattiesburg office's jurisdiction. In the

Pascagoula, Biloxi, and Natchez offices, cases are assigned on the basis of who is in the office at the time the case is assigned. Such methods do not ensure that case assignments are made commensurate with the skills and time available of officers and the difficulty of cases.

The lack of a workload management system can have a serious impact on the amount of time field officers have available to conduct supervision activities. PEER conducted a job analysis of field officers in Natchez and Hattiesburg offices and determined that field officers have approximately 30% of their time available for providing supervision to offenders. Also, workload disparities are considerable. Based on July 1999 information, workloads in the Hattiesburg office for four officers ranged from 104 to 142.

Assuming that these officers have 30% of their time available for supervision, supervision time available for cases varies from twenty-eight minutes per case for an officer managing 104 cases to only twenty minutes per case for a person managing 142 cases per month. The amount of time given per case to the officer with the lower case load (forty percent more) cannot be rationally justified under the present system, which takes no account of risk of case offender or time needed to provide counseling to particular types of supervisees.

The American Probation and Parole Association has recommended that states use a workload management system that allocates supervision time on a priority basis. High-priority cases pose more risk and should receive more supervision time.

Successful workload management systems for probation and parole stress the concept of allocating supervisory resources based on the risk posed by different types of cases. The American Probation and Parole Association recommends that managers establish priorities for cases. The higher the priority case, the more supervision time that case should be given. An example of a high-priority case might be that of a sexual offender who should be monitored more frequently than a person on probation for a DUI offense. The association suggests giving high-priority cases as much as four hours of supervision time per month, with lower priority cases having as little as one hour of supervision time per month. The association also suggests that at least 75% of an officer's time be allotted to case supervision. Louisiana is considering putting similar standards in place that would establish different levels of supervision for different types of cases.

A method such as this helps to ensure that a field officer is not overloaded and can provide proper service to cases and to the court to which the officer must make regular reports. Under Mississippi's system, there is no assurance that an officer's workload will reflect actual risks that offenders present to the community, and that there will be sufficient time provided each officer to supervise the types of cases he or she must handle.

## Administrative Responsibilities of Field Officers

MDOC requires field officers to spend approximately 45% of their time performing clerical support activities associated with their duties. This reduces the amount of time they have for providing supervision.

Region IV field officers spend time performing clerical tasks such as maintaining case files, collecting fees, and preparing deposit slips.

According to PEER's job analysis conducted in the Hattiesburg and Natchez offices, field officers spend about 45% of their time on clerical tasks that do not directly concern the supervision of persons. These tasks include maintaining case files, collecting fees from supervisees, and preparing deposit slips. These responsibilities do not entail the application of professional judgement or skill that a trained field officer would be required to apply. File maintenance consists of typing up reports, making sure that the proper documents are appended to the file, and making sure that forms are entered in a timely fashion.

One contiguous state, Louisiana, plans to use paraprofessional personnel to provide support to probation and parole officers, thereby leaving them with more time for case supervision and preparing reports for the courts.

States that have studied the responsibilities of field officers, such as Louisiana, have concluded that specialized resources should be provided to probation and parole officers to assist them in carrying out their duties. In Louisiana, probation and parole officers work on case supervision and prepare reports for the courts. In the future, assistant probation and parole officers will provide clerical and paraprofessional support, such as file maintenance and conducting criminal records checks, to probation and parole officers.

MDOC's assignment of clerical and paraprofessional responsibility to probation and parole officers may result in reduced time available for these officers to carry out supervisory functions essential to community service work.

## Training of Region IV Personnel

Through training, the Department of Corrections keeps its staff current on the practices and methods necessary to provide services to supervisees, the courts, and law enforcement. Failures in staff development and training result in ignorance of policies and procedures, as well as unprofessional conduct which can damage agency relations with the courts and law enforcement. PEER analyzed Region IV staff development and training to determine how effectively the region prepares its staff to deliver supervisory and court support functions.

MDOC's training for field officers consists of initial training and the forty-hour mandatory annual training required of field officers. The initial training for field officers is identical to that given to new correctional officers who serve in the prisons. This training does not place any emphasis on

supervision or psychology, which is a component of the field officer's work. This condition necessitates receiving regular on-the-job training for field officers and adherence to internal agency standards for mandatory training.

On-the-job training consists of training on agency policies and procedures, psychological problems of former inmates (e.g., adjustment to the free world, domestic violence), and training specifically pertinent to serving in law enforcement (e.g., pressure point control techniques, firearms training). All are appropriate subjects for field officers to study.

Region IV does not insure that field officers receive the preparation needed to provide professional services to their clients and the courts.

### **Failure to Ensure that Field Officers Fulfill Training Requirements**

MDOC Policy 4.02 requires that field officers receive forty hours of in-service training annually. After reviewing files of the MDOC training office for the last complete year, PEER determined that in FY 1998, twenty-five of sixty-one field officers in Region IV had not fulfilled their forty-hour requirement in training. In FY 1999, twenty-seven of sixty field officers had not fulfilled the minimum requirement of forty hours.

Training policies are devised for the purpose of insuring that staff are kept current on policy and procedures and on new developments in technical fields related to their work.

Because Region IV managers have not required field officers to fulfill the minimum forty-hour training requirement, field officers may not have the skills they need.

MDOC's failure to insure that its training requirements are followed creates a serious risk that field officers, especially new field officers with no previous background in job-specific training, will not have the skills they need to perform their work. This creates an additional burden on veteran field officers who, along with carrying out their own job responsibilities, must also provide on-the-job guidance to officers who, in some cases, have not had training in fundamental subjects.

### **Failure to Provide Remedial Training**

In many professions and occupations, practitioners who fail to meet a critical standard of the profession must receive remedial training to continue in their profession. In law, for example, persons who commit ethical violations are often required to pass an examination in ethics before they can return to the profession. Such remediation gives evidence to the public and other professionals that the malefactor has corrected his deficiencies and is ready to rejoin a profession in which trust is critical to success. In reviewing the training

policies of MDOC, PEER determined that the agency has no program for remediation training of persons whose conduct falls below minimum accepted standards for field officers.

MDOC gives no remedial training to officers whose conduct falls below minimum standards of performance. In at least two cases, trial judges have lost trust in officers who have not been truthful with them. MDOC has not given corrective remedial training to these officers.

PEER had found at least two cases in which field officers have lost the trust of circuit judges because of their unwillingness to be truthful in dealing with the courts. In neither case was the officer in question given any remedial training in professionalism or ethics to impress upon the officer the need for truthfulness in dealing with the courts. This failure in training has meant, in at least these two cases, that MDOC has not been able to give trial judges any assurance that the problem of the two officers has been corrected and that the officers are now fit to appear in court and make presentations upon which the courts of this state can rely.

### **Failure to Provide Copies of Policies and Procedures**

In reviewing Region IV, PEER determined that individuals who hold Field Officer I and Field Officer II positions, as well as those in Field Officer III positions who do not manage field offices, do not have access to agency policy and procedure manuals. These individuals must rely on what their supervisors tell them is policy.

Further, according to an MDOC audit of the sixteen field officers who manage offices, eight (50%) corrections field officers who had policy manuals were missing some current policies. Ten (62%) of the field officers had outdated policies in their policy manuals.

Field officers who do not supervise field offices do not have access to agency policy manuals.

Because policy manuals are the source of all departmentally sanctioned guidance on the proper way to perform the work of the agency, such information should be available to officers for their review whenever an officer needs to consult policy. None of the officers found without manuals were given training on policy in FY1998, thus making the need for training manual access even more urgent.



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## Recommendations

### Custody and Control Over Fees Collected

1. The Legislature should require that circuit court clerks provide the MDOC Central Office with reports of persons who are to be placed on probation or under intensive supervision at the same time they notify the regional offices. Further, MDOC should require that at minimum, all supervisees reported to it from whatever source be entered into its computer files within fifteen days of the receipt of a record.
2. MDOC should review the procedures of each local office in Region IV and develop unified procedures for the handling of funds. Specifically, these procedures should maximize use of current personnel resources and should require the following:
  - a. When possible, payments should be collected by one person instead of by each officer. For small regional offices with limited staffing, the MDOC Central Office should assist by overseeing the collection of supervision fees in order to help preserve segregation of accounting duties.
  - b. When checks or money orders are received (cash should not be accepted), the persons receiving the money should complete a triplicate pre-numbered receipt. The person under supervision receives one copy, the bank receives one, and one should go with the supervision file. No receipts should be voided by persons collecting the fees.
  - c. Someone other than the persons collecting the fees should reconcile the fees collected with the receipts.
  - d. The persons collecting the fees should make daily deposits. They may use a bank bag specifically for that purpose and pick it up the following day with the certified bank deposit slips.
  - e. A monthly report illustrating daily deposits for the month's deposits should go to the MDOC comptroller or his designee, in addition to the deposit slips and bank statement.

Each office should have a separate bank account. At the end of the month, all accounts should be transferred to a central account.

3. MDOC should require that each probation and parole officer report to the Region IV office the names of all persons who have received judicial waivers from fees and all persons who are in arrears even if they have received no waivers. This report should be made on a monthly basis.

## Workload Management

4. MDOC should review other states' case assignment and workload management methods and use this information to develop a uniform system of workload management. Such a system should allocate supervisory resources based on the risk posed by different types of cases and should ensure that some officers are not unduly overloaded.
5. MDOC should conduct a detailed study of the tasks assigned to its field officers and determine how it could reduce the burden of clerical work placed on its field officers. MDOC should consider reallocating existing resources to make paraprofessional staff available to field officers to relieve them of their clerical case management burdens.

## Training of Region IV Personnel

6. MDOC should ensure that all of its field officers receive training in accordance with its policies and procedures and that they fulfill mandatory training requirements.

Because of recent difficulties with members of the judiciary, the department should insure that all field officers receive training in professionalism and relations with the courts. Also, any field officer who has received a reprimand should receive remedial training in a topic related to the deficiency that caused the reprimand.

Following such training, each field officer should receive a copy of the policy and procedure manual for use and reference throughout the year.

## Management of Regional Offices

7. Using this report as a guide, MDOC's Division of Community Services should review the operations of other regional offices regarding collection of supervision fees, allocation of personnel resources, and training.

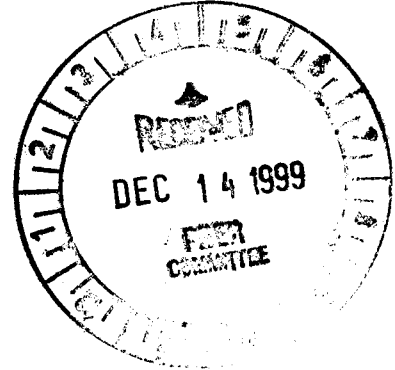
# Agency Response



STATE OF MISSISSIPPI  
DEPARTMENT OF CORRECTIONS  
JAMES V. ANDERSON  
COMMISSIONER

December 14, 1999

Mr. Max K. Arinder, Ph.D.  
Executive Director, PEER  
Post Office Box 1204  
Jackson, Mississippi 39215-1204




Dear Dr. Arinder:

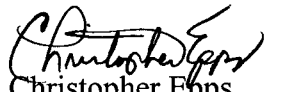
Enclosed are the Mississippi Department of Corrections' amended responses to Peer Report Number 397.

Please contact me, should you require further information.

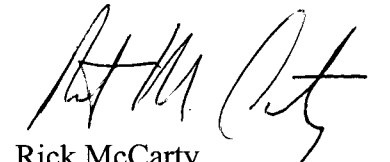
Sincerely yours,

  
James V. Anderson  
Commissioner

Sincerely yours,

  
Christopher Epps  
Deputy Commissioner  
Community Services

Sincerely yours,

  
Rick McCarty  
Deputy Commissioner  
Administration and Finance

JVA:klb

Enclosures

**PEER Report - Mississippi Department of Corrections, Division of Community Services, Region IV**

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<b>CUSTODY AND CONTROL OVER FEES COLLECTED</b>	
<b>Findings</b>	<b>Responses</b>
<p>1. The Mississippi Department of Corrections Central Office does not maintain an accurate census of probationer supervisees and Region IV personnel do not sufficiently account for fees collected from these individuals. These conditions create an environment which exposes the department to fraud and embezzlement.</p> <p>2. MDOC records of cases assigned to the regions contain the names of some persons no longer under supervision and lack the names of some persons under supervision.</p> <p>3. The lack of an accurate census of supervisees at the MDOC Central Office makes it difficult to detect the misappropriation of funds. Such misappropriations have occurred in the past and could occur again because of the agency's poor controls.</p> <p>4. MDOC lacks formal, written procedures to insure that fees collected from inmates are protected against possible theft.</p> <p>5. MDOC staff knows of approximately \$175,000 in uncollected fees from Region IV for FY 1999. These fees are from persons under supervision who have received waivers or who are in arrears in their payments without a court waiver.</p>	<p>1. The Mississippi Department of Corrections cannot dictate a statute mandating Circuit Clerks provide MDOC Records Office with a certified copy of the indictment, sentencing order and criminal disposition of persons committed to MDOC within 15 days of their receipt of said documents.</p> <p>2. MDOC is in the process of issuing a second Request for Purchase for an offender information system that will facilitate document maintenance.</p> <p>3. Supplemental staff has been added in the Records Office. Effective June 1, 1999, MDOC implemented a Log-In system to account for incoming mail.</p> <p>4. MDOC will review its management of collected supervision fees policy and standard operating procedure.</p> <p>5. The approximate \$175,000 uncollectible sited from monthly reports would be under perfect conditions. Variables that distort these numbers are violators, discharges, waiver, unable to pay (hardships), and revocations. These variable includes 601 probationers, 76 parolees, and 134 ISP revoked offenders. The Agency simply takes the potential to be collected minus the amount collected to show the uncollectible regardless of the reason. Hopefully the RFP for a new classification software program can resolve this current reporting system. In the meantime, MDOC will strengthen reporting systems of collectibles.</p>

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**PEER Report - Mississippi Department of Corrections, Division of Community Services, Region IV**

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<b>CUSTODY AND CONTROL OVER FEES COLLECTED (Cont'd)</b>	
<p>6. MDOC cannot identify which supervisees have failed to pay for legitimate, court ordered reasons and those which have no legitimate reasons for non-payment. This creates the situation in which fees are collected from persons but are not reported to MDOC as collected, an environment in which embezzlement could easily occur.</p>	<p>6. MDOC will review its policy and standard operating procedure regarding management of collected supervision fees. MDOC has a procedure in place permitting verification of collections with deposits by an individual other than the person collecting of depositing the fees. MDOC realizes this management audit is restricted to Area IV; however, on a statewide basis, MDOC concurs that it would be favorable for one person in each of the 59 probation and parole offices across the state to collect supervision fees requiring an additional 59 positions. MDOC disagrees that it is necessary to have separate bank accounts. MDOC will make adjustments, if necessary, to strengthen audit trails.</p>

**PEER Report - Mississippi Department of Corrections, Division of Community Services, Region IV**

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<b>WORKLOAD MANAGEMENT</b>	
<b>Findings</b>	<b>Responses</b>
<p>1. MDOC policy does not direct regional offices to use a standard method of workload management.</p> <p>2. MDOC has no formal policy specifying a standard method for Field Officer workload management.</p> <p>3. The American Probation and Parole Association has recommended that States use a workload management system that allocates supervision time on a priority basis. High-priority cases pose more risk and should receive more supervision time.</p> <p>4. MDOC requires Field Officers to spend approximately 45% of their time performing clerical support activities associated with their duties. This reduces the amount of time they have for providing supervision to the persons under their supervision.</p> <p>5. Region IV Field Officers spend time performing clerical tasks such as maintaining case files, collecting fees, and preparing deposit slips.</p> <p>6. One contiguous State, Louisiana, plans to use paraprofessional personnel to provide support to the Probation and Parole officers, thereby leaving them with more time for case supervision and preparing reports for the courts.</p>	<p>1. The National Institute of Corrections (NIC) has conducted a workload management study.</p> <p>2. MDOC is following the recommendations set forth by NIC. MDOC is currently supervising 14,891 offenders on probation and parole with 126 funded Correctional Field Officers. This is one funded Field Officer to 118 offenders.</p> <p>3. MDOC is following the recommendations set forth by NIC, as applicable.</p> <p>4. MDOC is currently reorganizing structure by authority of the State Personnel Board. All issues referenced in items 4, 5, and 6 are currently being or will be addressed . Funds are not available for additional positions.</p>

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**PEER Report - Mississippi Department of Corrections, Division of Community Services, Region IV**

PEER Report #402

<b>TRAINING OF REGION IV PERSONNEL</b>	
<b>Findings</b>	<b>Responses</b>
<p>1. Region IV does not insure that Field Officers receive the preparation needed to provide professional services to their clients and the courts.</p> <p>2. Failure to insure that Field Officers fulfill training requirements</p> <p>3. Because Region IV managers have not required Field Officers to fulfill the minimum forty (40) hour training requirement, Field Officers may not have the skills they need.</p> <p>4. Failure to provide remedial training.</p> <p>5. Mississippi Department of Corrections gives no remedial training to officers whose conduct falls below minimum standards of performance. In at least two cases, trial judges have lost trust in</p>	<p>1. MDOC does not concur. It is the intent of MDOC that each employee who has daily contact with offenders shall receive 40 hours of training in addition to 40 hours orientation training during the first year of employment. This is supplemental training and not a condition for state employment.</p> <p>2. MDOC does not concur. It is the intent of MDOC that each employee who has daily contact with offenders shall receive 40 hours of training in addition to 40 hours orientation training during the first year of employment. This is supplemental training and not a condition for state employment.</p> <p>3. Since initial response MDOC Personnel and Training have audited each field officers' training record to accurately evaluate hours of supplemental training received. MDOC used the entry date and the FY date because Policy reflects FY date while SOP reflects year of employment as a training year. The findings resulted in the FY being 50% completion rate or 30 employees while the PIN date resulted in 55% completion rate or 33 employees. MDOC will continue aggressively to emphasize training as indicated by the FY 2001 budget request for 16 additional trainers. Also total workload dictates time left available for training.</p> <p>4. MDOC will take under consideration.</p> <p>5. MDOC does not concur. <i>The cases cited are over two years old and have been resolved.</i></p>



**PEER Report - Mississippi Department of Corrections, Division of Community Services, Region IV**

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<b>TRAINING OF REGION IV PERSONNEL (Cont'd)</b>	
<b>Findings</b>	<b>Responses</b>
<p>officers who have not been truthful with them. Mississippi Department of Corrections has not given corrective remedial training to these officers.</p> <p>6. Failure to Provide Copies of Policies and Procedures. Field Officers who do not supervise field offices do not have access to agency policy manuals.</p>	<p>6. Policy and procedure manuals are available to all Field Officers and are located in each probation and parole office.</p>

PEER Report #402

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