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HEARING THREE  
COMMISSION ON SAFETY AND ABUSE  
IN AMERICA'S PRISONS

DATE: November 1, 2005  
TIME: 8:30 a.m. to 3:37 p.m.  
PLACE: Washington University School of Law  
Anheuser-Busch Hall, Room 310  
St. Louis, Missouri 63130

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of the Workforce and Profession  
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MS. ROBINSON: We're ready to start our second panel, and I'd like to welcome our witnesses to the second panel. If everyone could take their seats. Good morning. Our second panel is going to be addressing the issue of the work force and profession, and I'm very pleased to welcome our three witnesses, Theodis Beck, James Marquart, and Lance Corcoran, who are going to be providing an overview of corrections work force as well as issues relating to staffing generally of prisons and jails.

14

This panel is going to be providing what I think will be relevant and very useful information that can serve as backgrounds for a number of the panels that are going to follow over the next day and a half. We know that recent years have brought very dramatic changes in the corrections work force as prison populations have grown substantially.

21

And that in many instances that's created a situation where a work force with less training and less experience has been confronted with very great challenges, and in part the difficulties in recruiting, training, and retaining professional staff

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1 have also faced challenges such as budget constraints,  
2 the increasing use of incarceration, and a number of  
3 other factors. This panel is going to be discussing  
4 these issues, including looking at the differences  
5 between jails and state prisons.

6                   Theodis Beck has worked in corrections  
7 since 1975, and is currently secretary of the North  
8 Carolina Department of Corrections, a post he's held  
9 since 1999. Mr. Marquart is a professor of criminal  
10 justice at the University of Texas at Dallas and  
11 worked previously as a corrections officer early in  
12 his career. Mr. Corcoran is executive vice president  
13 of the California Correctional Peace Officers  
14 Association, and we're very pleased all of them are  
15 here today.

16                   For the introductory foundation which  
17 they'll build for us, we're very appreciative for  
18 their traveling here, and Secretary Beck, we'd like to  
19 start off with you.

20                   MR. BECK: Thank you, and good morning.  
21 Mr. Chairman, members of the commission, I've held my  
22 current position for six and a half years. I've  
23 worked for two governors. I have over thirty years of  
24 state employment, 28 of those years being with the  
25 Department of Corrections. What I will tell you is

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1 that I have never held a position of a correctional  
2 officer, but I have learned quite a bit about the role  
3 of that position serving as secretary and prior to  
4 this position as deputy secretary. So my comments are  
5 from the administrator's perspective, and I thank you  
6 for this opportunity.

7                   When all is said and done, the buck stops  
8 with the correctional officer. When we talk about  
9 prisons, it is the face of the correction officer that  
10 we see. Not only do we ask a lot of the people who  
11 perform this job, we demand it and the public expects  
12 nothing less. Within the criminal justice profession,  
13 the correctional officer position is that tireless,  
14 that endless, that often thankless job that has to be  
15 done.

16                   Again, the face of prisons is the  
17 correctional officer. As administrators we strive  
18 very hard to change negative perception and the  
19 stereotypes associated with that position. Today's  
20 correctional officer is more professional than ever  
21 before. I can think of no jurisdiction that does not  
22 have standards, require training requirements and high  
23 expectations of the men and women who fill the  
24 correctional officer position, and many of those  
25 jurisdictions have accredited staffs.

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1                   This position was once traditionally  
2 reserved for white males, but today these ranks are  
3 more diverse than ever before. In North Carolina we  
4 would be unable to man all of the required posts in  
5 our male facilities if it were not for female  
6 correctional officers. Not only do we think this  
7 diversity is good, it is also necessary.

8                   This has led to increased cross-gender  
9 issues that must be appropriately addressed with  
10 training, monitoring, and supervision. Diversity and  
11 cultural differences within the correctional officer  
12 ranks serves the profession and our system well.

13                   Cultural diversity training is essential to  
14 ensure that boundaries are well-defined, well known,  
15 and cultural differences are recognized, respected,  
16 and understood. A diverse correctional officer work  
17 force contributes to the safe and orderly operation of  
18 correctional facilities. This aspect of the job goes  
19 well beyond turning keys, conducting searches, and  
20 escorting inmates.

21                   Every correctional administrator is  
22 concerned about safety. Safety is a high priority in  
23 all that we do, and as a leader we must, to the extent  
24 possible, ensure staff and inmate safety. We have a  
25 duty to protect those assigned to our custody and

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1 control, and we take that duty seriously. We require  
2 correctional officers to show great restraint when  
3 those they are there to supervise, monitor, and  
4 protect would even wish them harm.

5           For all that we ask them to do, the  
6 correctional officer is underpaid, underrecognized,  
7 and often underappreciated. They are the final line  
8 of defense between dangerous chaos and safe  
9 communities. However, they are the front line of  
10 defense in our prisons when we hear there's a gun in  
11 the facility. There's a disturbance in the facility.  
12 There's a large sum of cash or drugs in the facility.  
13 Lock the unit down, shake the unit down, restrict all  
14 movement, these are the alerts that give  
15 administrators pause, and correctional officers are  
16 always there and always outnumbered.

17           Although most people don't think about it,  
18 our communities are safer because correctional  
19 officers are on the job 24 hours a day, seven days a  
20 week. Seemingly we take that for granted.  
21 Professionally we have come a long way, from prison  
22 guard to correctional officer. Our correctional  
23 officers are much better trained, more diverse, more  
24 professional, believe in their work, take their job  
25 seriously, come to work in spite of personal

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1 circumstance and natural disasters, and due good  
2 business for the taxpayer.

3           The vast majority of correctional officers  
4 are good, dependable, hard-working employees, but  
5 occasionally an employee may fall short of the mark.  
6 We don't try to sweep it under the rug, hide it, or  
7 deny it. If we know it, we deal with it, and deal  
8 with it appropriately. Correctional officers are,  
9 after all, human beings who work in often stressful  
10 and dangerous environments.

11           Recruitment and retention of correctional  
12 officers continues to be a challenge for every  
13 correctional administrator. As the inmate population  
14 continues to grow, it will require more bed capacity  
15 and that requires more staff. It is my belief that  
16 our prisons can be as safe as our citizens demand, and  
17 there is a direct correlation between safety in our  
18 nation's prisons and appropriate resources.

19           It appears that when it comes to the  
20 prisons, the loud voice of a constituency is silent.  
21 We must be vigilant because failure to recruit and  
22 retain good, qualified staff could be the making of  
23 the perfect storm where we see a meeting of the  
24 experienced inmate population versus an inexperienced  
25 correctional officer staff. Thank you.

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1                   MS. ROBINSON: Secretary Beck, thank you  
2 very much. I think we're going to hold all questions  
3 until we've heard from the entire panel. Professor  
4 Marquart?

5                   MR. MARQUART: Good morning. I do  
6 appreciate the opportunity to come and speak to the  
7 commission. When I look out at the landscape in terms  
8 of the American correctional officer, I think one word  
9 to me sums it up, and that's the word pressure. The  
10 environment to make diamonds or any other precious  
11 substance require tons of grinding pressure on an  
12 hourly, daily, and a monthly basis for years on end.  
13 And there can be no respite from that kind of pressure  
14 if you want to produce a precious commodity. I think  
15 that's a good metaphor to what goes on in American  
16 prisons today.

17                   I've worked as a correctional officer.  
18 It's good to come back to Missouri. I worked at Jeff  
19 City for four months while I was working on my  
20 master's degree, and I worked in the Texas prison  
21 system for two years. I visited many prisons  
22 throughout the United States, and the working  
23 environment for the average American prison officer  
24 today is just laden with pressure.

25                   They're constantly working under strain and



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1 I think the strain is growing, and I think that's what  
2 Theodis talked about is that it is growing in degree  
3 and in complexity. I think that's an issue that we  
4 might want to talk about later.

5           Staff are pressured to admit new prisoners,  
6 find them appropriate housing, find them a job, find  
7 them clothes, find them programming when it was  
8 available, provide them food, showers, recreation  
9 activities, medication, and human interaction. As the  
10 correctional officers talked about in the previous  
11 panel, on a daily or an hourly basis.

12           The prison officers are also under pressure  
13 to accomplish these daily tasks within a clean and  
14 safe living environment. Providing a secure living  
15 environment means that fortunately to some,  
16 unfortunately to others that malcontents must be  
17 removed and managed. And these offenders must also be  
18 cared for adding to the strain of the workday. More  
19 food, more housing, more things.

20           And oftentimes the basic institutional  
21 tasks must be accomplished in the face of massive  
22 organizational change as a result of lawsuits, and I'm  
23 not going to say whether that's good or bad. It's  
24 reality. It's like my mother used to say, "Face it,  
25 that's just the way it is."

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1                   Security officers in California, for  
2     example, are faced with accomplishing racial  
3     integration within the reception centers and on the  
4     main line institutions. They have to accomplish all  
5     of those daily things, and at the same time bring on  
6     these other mandates, and that's a tremendous amount  
7     of pressure that they have to do. And I might add  
8     they're doing so in a confident and professional  
9     manner within a specified timetable.

10                  In football there's a penalty called piling  
11    on. In the department of corrections, the officer has  
12    been piled on. And as a result of a massive surge  
13    recently in prison admissions, everything in prison  
14    must be accomplished faster, faster. Like the typical  
15    American school day, our typical American lifestyle,  
16    every year more is squeezed into that 24-hour period.

17                  I guess the other knowledge would be what's  
18    going on in public education. More must be squeezed  
19    into an eight-hour day. There's only so many minutes  
20    of the day you can accomplish things. These issues  
21    have severely strained the American prison  
22    organization's ability to recruit competent officers,  
23    train them properly, keep them on track and out of  
24    trouble, avoiding boundary relations and develop a  
25    loyal work force.

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1                   And the issue is to retain them over a  
2 lengthy career because the veterans are the ones that  
3 are going to be able to train the next generation and  
4 bring them forward. Indeed, the best officers are  
5 veteran officers, and rather than pass on the kernels  
6 of wisdom that they have acquired over the years to  
7 help the newer generation of employees -- and I think  
8 somebody in the previous panel, the director from  
9 Missouri pointed out that veterans often seek to move  
10 on as fast as they can. We're losing that critical  
11 information about how to manage these institutions.

12                   Like most things in American society today,  
13 bigger and faster does not always translate into  
14 better. The expectations for the American  
15 correctional officer I think are at an all-time high,  
16 especially when the issue of public safety is there.  
17 Officers feel pressure from below or from the inmates  
18 to go easy or to be a good Jane or to be a good Joe.

19                   And they're also pressured from above, from  
20 the administrators to be firm, aloof, and  
21 professional, and also to watch out and to keep your  
22 distance. You know, you're expected to do many  
23 things. Something has to give. But the constant  
24 pressure associated with the ordinary workday will not  
25 go away.



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1 dorm, 224 men in total for my responsibility. These  
2 dorms were designed to hold twelve inmates. They had  
3 two commodes, two urinals, three sinks, and two shower  
4 heads. Dormitory with bunk beds and then a day room  
5 that had a television. I recognized very quickly that  
6 I was outnumbered 224 to one and that force or size or  
7 being intimidating was not an option. I had to  
8 communicate.

9                    Luckily in my background I came from the  
10 food service industry. I was a waiter. I was a  
11 bartender. I also worked in theater. And when I came  
12 in at 23 years old I had this chip on my shoulder that  
13 I thought that I had to be the baddest guy in the  
14 valley. And I recognized really quickly that that  
15 only made things more difficult as a correctional  
16 officer, that the most important tool we have is the  
17 ability to communicate.

18                    Throughout my career I was able to work  
19 with as a use of force instructor -- instructor,  
20 bridge safety officer. I got involved in negotiations  
21 management team, which was our hostage negotiation  
22 team, and eventually became the primarily negotiator  
23 for the team.

24                    The institution I went to was built in  
25 1963. It was in a small community of 6,800 people.

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1     Pretty much everyone knew each other or was related in  
2     some way. I was part of an activation of 1,000-bed  
3     unit there, and so I was an outsider. It took about  
4     three years to even get people to say good morning. I  
5     find now in my travels throughout California in the  
6     newer facilities that culture no longer exists.

7                     There's been such great turnover and growth  
8     that oftentimes in newer facilities newer staff are  
9     welcomed much more quickly than in the past. And I  
10    think that leads to this notion that there is, you  
11    know, of course the code of silence or this need to  
12    belong to a clique, and certainly that is an element  
13    correctional facilities and management must be aware  
14    of and I know that they are aware of and must realize  
15    as quickly as possible because it can lead to  
16    inappropriate activities. I've seen it in my  
17    representation of correctional officers.

18                    Specific to recruitment, if we are going to  
19    recruit the best quality candidate, the folks that may  
20    go to the deputy sheriff's department, the highway  
21    patrol, or the troopers, we must allow corrections to  
22    be competitive in both pay and benefits, and that is  
23    something that is sometimes not talked about.

24                    However, I can tell you I attend every  
25    academy in California. I talk to the cadets within

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1 their first week and I ask them all the same question  
2 on career day: Was it your lifelong dream to be a  
3 correctional officer? And I get one or two hands out  
4 of 600 candidates. I ask them if they're there for  
5 the pay and benefits, and I get 598 hands. The  
6 reality is that's why I came, but at the same time  
7 later on I found opportunities within corrections that  
8 gave me some job satisfaction because there's not just  
9 the recruitment. There is the retaining of qualified  
10 correctional officers, and you have to have  
11 opportunities for personal growth in the correctional  
12 system for both staff and inmates.

13           That leads me to my third R of recruitment,  
14 retention, and retirement. After a lifetime, 35 years  
15 working, you look back on your life's work and it's  
16 very difficult to take pride in what you've done.  
17 Society or the newspapers or whatever has told you  
18 that this is an awful profession and that you're a  
19 prison guard, and it can be very difficult to take any  
20 measure of pride.

21           I think that the one product that we have  
22 as correctional officers is safety. If we provide a  
23 safe living environment for inmates, if we provide a  
24 safe working environment for our peers, then we've  
25 done a very good job. I have got lots more to say,

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1 but my time is up. Thank you.

2 MS. ROBINSON: Let me start the questioning  
3 by zeroing in and asking each of you starting with  
4 Secretary Beck, if you were writing the  
5 recommendations in our final report, what would be the  
6 top two recommendations that you would urge us to  
7 include relating to this subject?

8 MR. BECK: Yes. From my perspective, I  
9 believe the recommendation would be that have  
10 compensating the line staff appropriately for the job  
11 we expect them to do. You know, you've heard earlier  
12 this morning how a day in the life of a correctional  
13 officer goes.

14 That is the only profession I know of where  
15 when you go to work and you report for your tour of  
16 duty, you have to raise to a level of intensity, and  
17 you have to remain there for the duration. It's not  
18 as easy as saying I'm going to go and take a break.  
19 You have to be relieved to go to the rest room. You  
20 can't leave post because one failure, a small failure  
21 can be very detrimental.

22 And we are asking more and more of these  
23 correctional officers. I think you heard what's been  
24 said thus far. It's something coming at you all the  
25 time. Direct supervision is one of those areas where



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1    correctional officers are often just bombarded because  
2    they are there right in the middle of all of those  
3    inmates, and the vast majority of our beds in the  
4    prison systems across this nation are dormitory style.  
5    Dormitory style. So we have correctional officers  
6    sitting in the eye of the storm all of the time, and  
7    it requires recognition of the sacrifices that they  
8    make.

9                    MS. ROBINSON: So you want to just stick  
10   with the pay and benefits?

11                   MR. BECK: I'm going to stick with pay and  
12   benefits, and I want the recognition.

13                   MS. ROBINSON: And recognition.

14                   MR. BECK: And the recognition that should  
15   go with that station.

16                   MS. ROBINSON: Great. Professor Marquart?

17                   MR. MARQUART: Well, I too echo the  
18   recognition and the creature comforts and all of those  
19   things to make a worthy occupation in our society, but  
20   another critical issue that I look for is that the  
21   correctional officers are like teachers. Those are  
22   the front line people, and who know more about people  
23   than teachers. It's not the administrators. Sorry.

24                   It's the front line people, and I think the  
25   correctional officers, to me, are the stakeholders,

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1 and those are the people that need to be brought to  
2 the table and listened to and heeded and understood  
3 and to hear what they have to say about training,  
4 recruitment, and all those other things. Get them to  
5 have a buy into this as to what's going to happen.

6 MS. ROBINSON: Right. Mr. Corcoran?

7 MR. CORCORAN: I think only eight  
8 jurisdictions currently I believe have, quote, peace  
9 officer status for their corrections officers. I  
10 think if you're going to elevate the profession, if  
11 you're going to elevate the expectation of the  
12 profession, I think it needs peace officer status.

13 I think that it comes with a different  
14 standard of behavior of expectation. As a peace  
15 officer, if you're convicted of domestic violence, you  
16 can no longer carry a firearm. You can no longer be a  
17 peace officer. It's a different standard. If you're  
18 going to raise the bar, I think you have to start  
19 there.

20 Secondly, I think there needs to be  
21 honesty in recruitment. I see far too many times  
22 recruitment teams out -- for instance, in one  
23 particular incident they were talking about  
24 transportation jobs. Well, there's 31,000  
25 correctional officers in California with respect to

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1 all classifications. There are about 150  
2 transportation officers. They talked about K-9  
3 patrol. There are only two K-9 officers in the entire  
4 state of California.

5                   So if you're going to put that carrot out  
6 there, those things have to be available to them.  
7 Otherwise, you're lying to individuals, and as I tell  
8 the guys at the academy and the females there as well,  
9 I can't negotiate a pay and benefit package great  
10 enough to compensate you if you hate your job. And if  
11 individuals hate their jobs, that manifests themselves  
12 in negative behavior as well.

13                   MS. ROBINSON: Thank you.

14                   MR. LUTTRELL: The last two panels we've  
15 talked about the stresses of correction work, the  
16 various ways to address that. We talked about in the  
17 profession increased pay and benefits enhancing the  
18 profession. We talked about better leadership, better  
19 supervision. I'd like you to shift the focus just a  
20 little bit and let's look at the correctional officer.

21                   What can a correctional officer do to  
22 better manage his or her life so that they feel better  
23 about their work, they feel more professional? What  
24 can the individual officer do to contribute to this  
25 sense of professionalism and fighting this stress? I

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1 ask it to all of you.

2 MR. CORCORAN: I'll speak to that. In my  
3 written remarks I talked about the term low morale.  
4 In my entire career every year I hear this constantly:  
5 Morale has never been lower. Now, I don't know how  
6 low morale can go, but when low morale becomes a  
7 rallying point, that's problematic.

8 The other thing is I think that -- and I  
9 stated this in my remarks. I think we're looking to  
10 the wrong source. We keep looking to management to  
11 increase morale. I don't think management has sole  
12 responsibility for my individual morale. I think that  
13 you bring a zeal or a zest to the workplace, and you  
14 have to like your job, if you will. And I think you  
15 can find those opportunities.

16 As an individual correctional officer, I  
17 recognize that out of 224 men I didn't have great guys  
18 in every aspect, but there were individuals there that  
19 were trying to change their lives and, you know, as an  
20 individual correctional officer I was able to feed  
21 sometimes on their success to feel better about what I  
22 was doing. I don't know that everyone does that, and  
23 I don't know that the department reinforces that.

24 Additionally, some managers will look you  
25 in your eye and say your morale is in your paycheck.

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1 It's not. Your morale is not in your paycheck. Your  
2 morale comes from some type of job satisfaction. We  
3 have to reinforce and even sell back to officers that  
4 they're providing a service, that they're doing  
5 something that is good, that is providing a service to  
6 the taxpayers.

7 MR. MARQUART: I would agree with that. I  
8 talked about providing an avenue for correctional  
9 officers to be stakeholders, and they are. I think  
10 it's just absolutely essential that they become that,  
11 and I agree with what he says is that morale comes  
12 from inside. I think that was shared by a  
13 correctional officer that was talking earlier today.

14 MR. LUTTRELL: Can you elaborate on that?

15 MR. MARQUART: We can train them all day  
16 long, but in the end it's the passion and zeal that  
17 the person brings to the job. And we can pay them,  
18 you know, hundreds of thousands of dollars and they're  
19 still going to quit. But it's having an interest in  
20 what you do. It's having a passion in what you do.  
21 It's hard for me to preach about what they ought to  
22 do. That's what they're going to have to bring to the  
23 table and do that.

24 MR. BECK: One of the things is that this  
25 work is not for everybody, and only the individual can

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1 sort that out for themselves. Some remain in denial  
2 much longer than others, and that is tough. And I  
3 think all of the data suggests that pay is probably  
4 not the leading reason for turnover. It is certainly  
5 a large contributing factor.

6 But at the end of the day I think it comes  
7 from within, and the belief that you have made a  
8 significant contribution to society, that your work is  
9 meaningful, that it's valued, and that you are doing  
10 your part to keep the community safe.

11 MR. MARQUART: I'd like to add something  
12 about the external environment and its impact on  
13 correctional officers. I come from the state of  
14 Texas. There's 27,000 correctional officers, and  
15 Lance said there's 31,000. That's 50,000 employees.  
16 To give a pay raise to correctional officers in the  
17 state of Texas, how -- that's a political issue. You  
18 know, so how are you going to do that?

19 I don't know because you're talking about  
20 tens of millions of dollars that it's going to cost  
21 the state to give those people a pay raise. It's just  
22 not going to happen. Maybe once in a while, but in  
23 terms of compensating what -- police officers or  
24 troopers, that's just not going to happen. So it's  
25 going to have to come from within that they're doing

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1 the job that they feel is a valued public service.

2 MS. ROBINSON: Dr. Dudley?

3 DR. DUDLEY: You're all alluding to  
4 something that I would like to address more  
5 explicitly, and that is you appear to be saying that  
6 there's something about the role of responsibility or  
7 something that's a part of the definition of what is a  
8 good corrections officer or what the job is about,  
9 something about the concept of the profession of being  
10 a corrections officer that would make the job more  
11 meaningful and allow corrections officers to engage in  
12 a different sort of way. I'm wondering if any of you  
13 want to comment on what you think that should be.

14 MR. CORCORAN: I think that unfortunately  
15 correction officers -- when I was in the academy they  
16 used to shave our heads, and so it looked like you  
17 were in the military, and I got liberty one Saturday  
18 and I went to a video store and a friend of mine that  
19 I had known from high school was working there, and he  
20 asked me if I was in the military. And I said, "No,  
21 I'm becoming a correctional officer."

22 He said, "No, you mean a prison guard."

23 I said, "No." That was taboo. You never  
24 said PG, I'm telling you.

25 So I said, "No, it's correctional officer."

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1                   He said, "What is that like, the difference  
2 between a garbage man and sanitation engineer?"

3                   And unfortunately we have not been able as  
4 a profession to change the terminology, and it may be  
5 semantical, but you never hear the term stewardess  
6 anymore. You never see it in an editorial. They're  
7 flight attendants. They're safety personnel. Now,  
8 they're still serving cocktails just as they were when  
9 they were stewardesses, but they no longer -- that  
10 term is no longer used.

11                  How can I get folks to change just the  
12 vernacular of what we do from prison guard and all of  
13 the negative connotations that come with that to  
14 correctional officer, and we've got polling data to  
15 show that "prison guard" is viewed negatively.  
16 Correctional officer used in the same poll, numbers go  
17 up. If we can change the way we think about people  
18 and hold people to that expectation, then I think that  
19 you'll get correctional officers as opposed to prison  
20 guards.

21                  MR. BECK: Let me speak just a minute to  
22 this issue of the external environment and the impact  
23 on the correctional officer. I think we at best send  
24 a mixed message to correctional officers. You know,  
25 most platforms in recent memory have been related to



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1 get tough on crime. Punishment, punitive, lock them  
2 up, throw the key away.

3                   And then we flip the switch and we say now  
4 we want you to rehabilitate. We want you to help  
5 prepare them for transition. We send mixed messages  
6 as a society to the people we ask to do these  
7 dangerous jobs. And it's not like stopping on a dime  
8 and turning and going in a different direction. We  
9 have molded a generation or generations of  
10 correctional officers into a mind set of what  
11 prisoners ought to be.

12                   There's oftentimes these comments about get  
13 the weights out of prisons, shouldn't be TV, no  
14 recreation, hard time. So it's like turning a big  
15 steamship, you know. You can't just do a ninety  
16 degree turn. You got to swing out and it takes time  
17 to turn. But what you're asking is for a cultural  
18 change, but that cultural change can only be brought  
19 about by the expectations of the external environment  
20 being clearly articulated to the correctional officer  
21 ranks as to what we as a public expect them to do with  
22 the people we send who have by and large and in many  
23 cases been everybody else's failures.

24                   MS. ROBINSON: Gary Maynard?

25                   MR. MAYNARD: You've all alluded to the

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1 fact that the majority, the vast majority of  
2 correctional officers do a good job under difficult  
3 situations, but we all know there's one out of 100 or  
4 one out of 200 that abuses people and takes advantage  
5 of the authority they have. How do we -- what do we  
6 do to identify and get those people out of the system?  
7 Anybody?

8 MR. MARQUART: Good question. I did some  
9 work with the Texas prison system on inappropriate  
10 relationships. It's a big problem. It's probably the  
11 number one issue, management issue in corrections  
12 today, inappropriate relationships. I was asked to  
13 take a look at that and study it and then provide  
14 recommendations back to the prison system.

15 You take the data and then you turn that  
16 into training, and I think that's the key. It's  
17 training, it's training, it's training, and you keep  
18 doing it. You know, I need to go back and see whether  
19 or not it's working, but the idea of blending the two,  
20 of taking the research and evaluation and the  
21 recognition that, hey, there is a problem, we need to  
22 do something about it, and bring training.

23 I believe in providing that kind of  
24 training to stop that, you're never going to eliminate  
25 it. It's just -- it's in policing. It's in every

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1 occupation, doctors, priests. It's everywhere. But  
2 in terms of correctional officers, I'm a firm believer  
3 in constant training.

4 MR. CORCORAN: I think consistent  
5 application of discipline at all levels. As a  
6 correction officer I should know that if I bring a  
7 complaint against a supervisor, that I will not later  
8 be targeted by individuals, and if I am targeted, I  
9 will be protected. We have a system now wherein I  
10 know at the rank and file level we have a great  
11 distrust of some of our management teams with respect  
12 to bringing forward issues for fear of retaliation.

13 I work for an organization that has been  
14 accused of fostering the code of silence. Nothing  
15 could be further from the truth. Our individuals are  
16 out there calling individuals to task over things that  
17 we don't agree with on a daily basis, and sometimes  
18 they are retaliated against.

19 I've got two individuals right now who  
20 serve as chapter presidents who have been terminated  
21 because of their bringing forward issues that were  
22 unpopular. Until we get a -- to a point where you  
23 can -- you trust the enforcement and the investigation  
24 of complaints, I think we're going to continue to have  
25 problems in corrections, particularly in terms of

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1 bringing forward allegations of abuse or cronyism or  
2 even fiscal manners.

3 MR. BECK: I believe that we have to work  
4 on that issue internally as well, and we have to have  
5 the correctional officers understand that safety is  
6 number one priority. Every time you have one of these  
7 failures so to speak, some degree of security is  
8 compromised. And whenever security is compromised by  
9 crossing the boundaries or bringing in contraband or  
10 anything along those lines, you compromise your safety  
11 and everybody else's safety that works in that  
12 institution. And I think that we have to hold a light  
13 of security high as it relates to those who would do  
14 things that are inappropriate.

15 MR. CORCORAN: I talked a great deal about  
16 the testimony of the former deputy this morning, and  
17 it showed great courage in coming forward. I thought  
18 as a young correction officer how I would have handled  
19 that situation. I know as -- in the position I am  
20 now -- you know, I swore an oath. I swore an oath to  
21 protect people from bullies, to protect individual's  
22 rights.

23 If I saw a situation that I didn't agree  
24 with, it's a bright line for me and I have an  
25 obligation as a peace officer to stop it. Not just

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1 report it, but to stop it from evening happening. But  
2 I can see as a young correctional officer wanting to  
3 go fit in, where without good leadership, without  
4 veterans who can say, "No, you're not going to do  
5 that."

6 Quick story. We were swerving chili and  
7 there was an inmate that raw jawed me every time I  
8 went by the cell. I didn't like him and he didn't  
9 like me. I was about 24 years old and I knew where he  
10 was at all times. They were serving chili and we were  
11 self-served. And I had ice cream. And I took the ice  
12 cream and I put it in his chili. There was a senior  
13 officer there and he said, "Oh, no, no, no. You're  
14 not going to do that because you know who he is and  
15 where he's at and he doesn't like you and you don't  
16 like him. But you know who's going to wear this  
17 chili, it's going to be some innocent officer."

18 If it wasn't for that intervention by a  
19 senior officer, I would have made a dumb rookie cop  
20 mistake because I was angry. That's the type of  
21 leadership that's necessary. You have to intervene.  
22 You can't just stop and report.

23 MS. ROBINSON: Gary, did you want to follow  
24 up at all? Okay. Margo Schlanger.

25 MS. SCHLANGER: I'm interested in something

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1 that Mr. Corcoran said in your initial testimony. You  
2 said you went in and you wanted to be the biggest,  
3 baddest guy there.

4 MR. CORCORAN: Well, yes, okay.

5 MS. SCHLANGER: I gather from what I've  
6 seen and what I've heard on this commission that  
7 that's not an uncommon initial approach to the job of  
8 correctional officer. And you talked about a  
9 transformation that happened in your relationship with  
10 your job, and you attributed that to some of your  
11 background.

12 So what I'm interested in is what do we do  
13 for the folks that don't have that background? How do  
14 we help them to make the transformation you talked  
15 about? How do we train people into -- how do we train  
16 people out of what is a very natural approach to what  
17 that job is and into something that maybe is a little  
18 more productive? What does that training look like?

19 MR. CORCORAN: I think it starts in the  
20 academy. One component in correctional academies I  
21 think is sort of lacking is a historical perspective  
22 on penitentiaries, on what models have been used, from  
23 the Auburn model to Pennsylvania model and the  
24 brutality never worked, and that the purpose of a  
25 correctional facility is to house an individual in a

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1 safe environment, but provide them opportunities so  
2 that less victims are created, and that cannot be done  
3 in a system where you have individuals who are solely  
4 there because they want power over other people's  
5 lives, and I think that needs to be hammered in from  
6 day one.

7 MR. MARQUART: That's an interesting  
8 question because it gets at a cultural change where  
9 there has to be -- a cultural shift has to take place.  
10 I know that in Texas years ago prior to intervention,  
11 that physical force, physical dominance was the way in  
12 which these institutions -- or that's the way they  
13 were led and that's the way the inmates were managed.

14 But as a result of intervention from the  
15 outside, there has been a generational change. Those  
16 people who were the carriers of that kind of a mindset  
17 were moved out and replaced with other -- with  
18 other -- with another tradition. Yeah, you hear about  
19 it, but it's not to the same extent that it used to  
20 be.

21 I think it's going to take time before the  
22 biggest baddest wolf on the block, that kind of  
23 mentality -- I think it's been reduced. I know it's  
24 been reduced in Texas because of a generational shift  
25 and change within that subculture. It's going to have

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1 to take a change within the subculture to make that  
2 kind of thing happen, but it can be done.

3 MR. BECK: As we continue to --

4 MR. MARQUART: It cannot be rewarded.  
5 There you go.

6 MS. SCHLANGER: The other kind of behavior?

7 MR. MARQUART: The staff cannot be  
8 rewarded, the biggest, baddest on the block.

9 MR. BECK: As I mentioned earlier, you  
10 know, most jurisdictions have mandatory training  
11 requirements. As part of that training we continue to  
12 see more and more emphasis put on interpersonal  
13 communication skills. We are teaching staff how to  
14 communicate more effectively and better. And that it  
15 will serve you better in the long run because those  
16 big bodies, even the big bodies will wear down over  
17 time if you think you have to be physical with every  
18 situation.

19 MS. ROBINSON: Fred Schwartz.

20 MR. SCHWARTZ: I'm going to try to tie the  
21 last question and your answers to the earlier ones  
22 about job satisfaction at the correction officers.  
23 Now, most people in prison get out eventually, and  
24 society is clearly interested in how they do when they  
25 get out, whether they do well or badly. Atmosphere



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1 within the prison can affect what happens when they  
2 get out. Within the prison.

3 So if prisons were concentrated more on  
4 helping to make -- as part of their job, helping to  
5 make prisoners who get out do better as opposed to  
6 doing worse, would that change or that increase in  
7 emphasis affect the job satisfaction of correction  
8 officers?

9 MR. CORCORAN: There's a study out of UC  
10 San Diego by a professor by the name of Emil Kostenoff  
11 [phonetic]. And he did an analysis of staff who works  
12 in what's known as a 270 level three housing unit.  
13 Open dorms and the access to the officers, and it's  
14 cacophony all the time and it's pretty stressful. He  
15 did -- and he did basically surveys, focus groups  
16 between that working environment and officers at the  
17 same prison who were working in a drug treatment  
18 facility that -- where there was a carpet.

19 The housing units were more pods, you know,  
20 smaller units. There was a little bit of separation  
21 between the living area and the recreational area, and  
22 what he found was that the officers working in the  
23 drug treatment facility had a better mental  
24 self-image. They had less sick leave usage. They had  
25 less disciplinary problems, less discipline problems

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1 with the inmates, less assaults.

2                   And so certainly there is a correlation  
3 between prison design and job satisfaction because  
4 working in a unit where 250 men have access to you at  
5 all times, as has been testified to by a number of  
6 witnesses, is extremely stressful. You're responsible  
7 for their wants, needs, desires, and making sure that  
8 those don't interfere with other people's wants,  
9 needs, and desires. So it can be an extremely  
10 stressful situation. I think that the -- for my next  
11 magic trick. There is definitely a correlation  
12 between prison design and job satisfaction.

13                   MS. ROBINSON: Steve Bright.

14                   MR. BRIGHT: I want to make a quick comment  
15 about the discussion a moment ago about correctional  
16 officers and guards. I wonder if you wouldn't think  
17 that if you had with what the secretary talked about  
18 this tough on crime, one state here that changed the  
19 names of all the correctional facilities to prisons.  
20 Went around to every single one of them, tore  
21 correctional facility down, put prisons up. It seems  
22 to me much harder -- it's much easier I guess to call  
23 people correctional officers when they work at a  
24 correctional facility than when they work in a prison.

25                   MR. CORCORAN: It's prison officers and

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1 it's departments of prisons. We did an interesting  
2 thing in California in our youth correctional  
3 facilities. They used to be called schools. There  
4 was tough on crime late eighties, nineties. Changed  
5 them to youth correctional facilities and they're no  
6 longer called schools. The problem is -- and it's  
7 well documented, and you see what's happening in  
8 California youth authority. Jurisdictions lost faith.  
9 We had allegations and documented cases of abuse. The  
10 communities no longer have faith in the mission of the  
11 department.

12 So a name change can mean a great deal. I  
13 think that it may be semantical, but I think it's  
14 important.

15 MR. BRIGHT: Here's the question I had.  
16 That was just sort of a comment. You talked about one  
17 person for 224 inmates, Mr. Corcoran, and we haven't  
18 really talked about it to what extent. The problems  
19 and the pressure we talked about as a result of  
20 understaffing, that there are not enough correctional  
21 officers to staff a facility and therefore there's  
22 more pressure put on ones that are there.

23 And the second related question, when you  
24 have a correctional system that does not have adequate  
25 staff and then require those officers that are working

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1 to work overtime, to what extent should that ever be  
2 allowed or what extent it is a problem? Someone  
3 suggested in the earlier panel that people that have  
4 particularly high stress jobs might ought to get more  
5 time off because they're dealing with the stress and  
6 they're sort of like in battle, and therefore they  
7 might get an extra day off or something like that.

8 What's your reaction to that?

9 MR. CORCORAN: Well, in California we  
10 actually have about 21,000 rank and file correctional  
11 officers working tiers. The night staff ratio is  
12 about eight inmates to every officer. That's just  
13 taking the total number and dividing it. It doesn't  
14 take into account shift work.

15 In New York they have about 72,000 inmates  
16 that have about 22,000 correctional officers. Their  
17 staff ratio is about 3.7 inmates to every officer. If  
18 you look at their assault rates from inmate to  
19 officers, they're one-third what we have in  
20 California. We had 6,000 inmate-on-inmate assaults  
21 last year. I think they had about around 1,500. We  
22 had 3,000 staff assaults. I think they had like 600  
23 documented staff assaults.

24 In California in particular all we're doing  
25 is reacting. We're not correcting anything. We don't

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1 have enough people when you've got numbers of 200 to  
2 one. You're reacting, you're responding, but you're  
3 certainly not correcting.

4           And then when you mentioned overtime, we  
5 have a new phrase in California called evidence-based  
6 recidivism reduction programs. That's wonderful and I  
7 love it. It sounds great, but when you've got an  
8 officer who is working sixteen hours a day up to three  
9 shifts a week on an involuntary situation, they don't  
10 care anything about evidence-based recidivism  
11 reduction programs. They just want to go home.

12           They know that, you know what, if they go  
13 to work and it's their kid's birthday, they're going  
14 to miss it. If it's a holiday they're damn sure going  
15 to miss it. And so if you've got a disgruntled staff  
16 that's overstressed, overcharged, if you will, the  
17 programs are doomed on their face because if the staff  
18 don't buy in, they don't translate it to the inmates  
19 and the inmates know that.

20           MS. ROBINSON: Can I follow up on that,  
21 Mr. Corcoran, and just ask you are there solutions  
22 that are there by better management, or is this simply  
23 a question of dollars and cents? Is it that the state  
24 simply is struggling to do the best it can with the  
25 resources it has?

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1                   MR. CORCORAN: Mr. Beck nailed it. It is a  
2 dollars and cents argument in many cases. You've got  
3 an electorate and a citizenry that on one hand put  
4 people one away, but don't want them mollycoddled.  
5 Well, that's a matter of perspective.

6                   You've got John Q. Taxpayer who's paying to  
7 send his kid to a trade school, but you've also got a  
8 convict who is getting an opportunity to go to a trade  
9 school, and they don't like their tax dollars to be  
10 spent that way. We have to educate the taxpayers.  
11 Wait, for an investment of three thousand dollars into  
12 this individual that may provide him an opportunity to  
13 not recidivate you're spending thirty thousand dollars  
14 to house them currently.

15                   That's just bad economics. And so until  
16 people have the political will to step forward and say  
17 if you want a better person at the end, you've got to  
18 invest in that person, we're spinning our wheels.

19                   MS. ROBINSON: Right. You're also telling  
20 us the impact it has on the individual officer, and  
21 it --

22                   MR. CORCORAN: Absolutely.

23                   MS. ROBINSON: And on him or her and their  
24 family?

25                   MR. CORCORAN: Uh-huh.

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1                   MR. MARQUART: Similar situation pertains  
2 in my own state. We have over 150,000 people that are  
3 incarcerated, twenty some thousand correctional  
4 officers. And then we argue we have exhausted the  
5 space, prison space.

6                   We're at that critical juncture in our  
7 state. Are we going to build more? We're one to two  
8 thousand correctional officers short. I believe we've  
9 exhausted the labor pool for competent staff. We're  
10 in competition with Wal-Mart and these other big  
11 retailers. That's where they're finding many of their  
12 staff because the labor pool -- I mean, we're at the  
13 point now of what are we going to do.

14                   Are we going to build more the way we did  
15 in the 1980s because if you build another institution  
16 that houses 2,000, 3,000 people, you're going to have  
17 to find 1,000 staff to work in that place. There we  
18 go again into that vicious cycle. So I'd like to  
19 leave it that the wolf is at the door once again.

20                   MS. ROBINSON: Right. Saul Green.

21                   MR. GREEN: To a certain extent the last  
22 two comments really went toward the question I wanted  
23 to ask. I mean, we've talked about a situation that  
24 isn't working well at times. It's irrational.

25                   Secretary Beck, you talk about in your

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1 comments public expectations and the stereotypes that  
2 we have to fight. I think this commission sees as a  
3 major challenge how we communicate afterwards to the  
4 public in a way that we get some kind of reaction that  
5 addresses all these issues.

6 I'm trying to figure out how we communicate  
7 these concerns in a way to make the public understand  
8 that this matters. And I don't know if within the  
9 system you work in there's ways that you try to reach  
10 out to the public where we ought to try to reach out  
11 to the public within the corrections system to say  
12 take a look or to have them experience or understand  
13 what is going on?

14 MR. BECK: Well, it is my hope that that is  
15 one of the outcomes of the work of this commission.  
16 You know, as administrators and those of us who work  
17 in corrections, it is difficult oftentimes to get the  
18 kind of exposure that would serve all of us well.  
19 Generally the stories that come out on corrections are  
20 when there are failures or when things go wrong.  
21 Oftentimes you don't hear about all of the good things  
22 that we do and the value that Lance spoke to. If we  
23 can cut down on recidivism, but our work -- it ends  
24 when the inmate walks out.

25 But we are held responsible for what



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1 doesn't happen once they are out. It's like we can  
2 put them through all kinds of educational programs,  
3 all kinds of vocational programs. But if there is no  
4 one to offer them a job or no one to provide  
5 affordable housing or provide the substance abuse  
6 treatment they may need to continue with, that's a  
7 failure on us as a profession because that person  
8 ultimately returns to prison.

9                   This is not a corrections problem. This is  
10 a community problem, and we've got to get folks  
11 involved and active on resolution. The biggest  
12 challenge I think that we face is how to articulate  
13 that message, how to get folks' attention, and how to  
14 enlist their support of the work that we're trying to  
15 do. I don't have an answer for you. I'm sorry,  
16 commissioner.

17                   MS. ROBINSON: Did either one of you want  
18 to address that?

19                   MR. CORCORAN: I think we can focus more on  
20 our positives. It's very difficult. I've taken  
21 numerous media tours, legislative tours through  
22 California prisons, and they -- we have a wonderful  
23 program in Folsom State Prison called Folsom State  
24 Project for the Vision Impaired. It is run by lifers  
25 and it is a 501(c)(3) nonprofit operating within the

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1 walls of Folsom State Prison. They do closed  
2 captioning for the hearing impaired for the Department  
3 of Rehabilitation.

4           They feel invested in the program because  
5 they feel it's a disenfranchised element of society  
6 that they're helping another disenfranchised part of  
7 society. They have the best computers in the state of  
8 California. They have two inmates that do nothing but  
9 write grants, not only for their own program, but for  
10 the Lions Club International. They write for  
11 nonprofits in Sacramento area. Not one column yet has  
12 been written on this program. Not one program has  
13 ever been done on this program, and unfortunately, no  
14 one seems to care.

15           One thing, I've been meeting with a group  
16 called Books Not Bars there in California. They're an  
17 anti-youth authority, but as we were dialoguing, I got  
18 a blinding flash of the obvious. We produce as an  
19 organization a million tapes that we send out to our  
20 members. It's marketing, talking about our  
21 profession, but we only seize on the incidents because  
22 that's what people want to know about generally.

23           It's my mother-in-law, what was the worst  
24 thing that happened to you? And in doing that we are  
25 demonizing, if you will, the inmate population. So in

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1 response what are the folks on the other side to do?  
2 Seize on the anomalies that are bad actors within the  
3 correctional profession and help to demonize the  
4 correctional peace officers.

5 As an organization we need to stop that.  
6 We need to recognize you know what, there are bad  
7 people in prison. They're painfully obvious. Their  
8 cases, they speak for themselves. We don't need to  
9 focus only on those. We need to focus not only on the  
10 successes of pro correctional programs, but the  
11 successes of individuals who have gone through the  
12 system as well.

13 MS. ROBINSON: Very interesting. Pat  
14 Nolan.

15 MR. NOLAN: Hi, Mr. Corcoran. On Thursday  
16 I will be testifying in Congress on the Second Chance  
17 Act aimed at trying to assist the states and the  
18 federal government prepare inmates for release. And  
19 Mr. Beck, you said that you need the cooperation of  
20 the community, and one of the points I'm going to make  
21 is that the community needs to own reentry. A judge  
22 once said to me, "I can pitch all the souls I want at  
23 the community, but if there's nobody there to catch  
24 them, they'll fall through the cracks."

25 We really need to gauge the community. One

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1 of the ways what Mr. Corcoran just said, we need to  
2 humanize inmates. These are people that we need to  
3 care about. One of the difficulties I'd like your  
4 comment on, one of the difficulties is relationships  
5 are what inmates need even better than programs.  
6 Somebody that cares about them, help them change  
7 through the system.

8                   Most prison systems have nonfraternization  
9 rules, so a religious person that comes into the  
10 prison to help them is prohibited from being in  
11 contact with them after they leave. The Federal  
12 Bureau of Prisons has that and most states do. And  
13 that really runs contrary to common sense, that -- and  
14 it's based on the idea that no relationship made in  
15 prison could ever be good, and anyway, I'd like your  
16 reactions to that because inherent in -- because if  
17 the relationship with a mentor only starts at the  
18 prison gate, most of the inmates are going to breeze  
19 right past this person.

20                   I can't tell you the number of instances,  
21 but if they hadn't known their mentor ahead of time  
22 and a few systems allow that, they would have seen  
23 this person standing there that they figure, "What  
24 angle are they trying to get up on me? They're  
25 standing between me and freedom" and blow right past



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1 prohibits a mentor that say continue that relationship  
2 on the outside?

3 MR. BECK: No, sir.

4 MR. NOLAN: That's it. That's great.

5 MR. CORCORAN: California does have such a  
6 policy. We're prohibited as officers from having such  
7 a relationship with an inmate, inmate families,  
8 business transaction, those type of things. And also  
9 parolees, parole is generally three years in  
10 California, and I know I sponsored as a staff sponsor  
11 the Alcoholics Anonymous and NA program, and there  
12 were individuals who I had a genuine care -- I cared  
13 about them, and I would have loved to have been able  
14 to follow up with them, but there certainly is risk  
15 there.

16 If there was a fraternization policy  
17 obviously it would have to be policed like anything  
18 else. I don't know that there is necessarily a  
19 negative, but certainly there's risks to both offender  
20 and to the staff member of manipulation because there  
21 are those that are not pure of heart.

22 MR. NOLAN: Isn't there a risk of cutting  
23 off those relationships?

24 MR. CORCORAN: Certainly. Like I said, I  
25 would have loved to have been able to follow up with

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1 some of the guys that were very successful in the  
2 program. But three years down the road I may have  
3 been able to do that, but I didn't know where they  
4 were at that point. Once they're off parole, there's  
5 nothing that precludes former offenders from --

6 MR. NOLAN: And if they they've made it  
7 that long, it would be nice to see them successful,  
8 but they've already made it.

9 MR. CORCORAN: Yeah.

10 MS. ROBINSON: Pat, would it make sense to  
11 explore this in some pilot programs or something, or  
12 is that being done somewhere?

13 MR. NOLAN: Or look at the states that do  
14 because there are several states that do, and from  
15 what I know, what I've never heard anybody in  
16 corrections explain is what is the risk of the  
17 fraternization. Yes, there's somebody that could take  
18 advantage of them, but frankly they can take advantage  
19 through correspondence, they can take advantage once  
20 they're out of other people. What are the risks that  
21 you fear?

22 MR. CORCORAN: I suppose you'd have to talk  
23 to the management of the Department of Corrections in  
24 California, but I mean you try, you know, and I've  
25 read about the culture change and all these things,

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1 but you're not supposed to get close. You're supposed  
2 to have empathy, but not sympathy. And that's  
3 trained. Unfortunately, I don't know that that's  
4 always appropriate.

5 MR. NOLAN: You're talking about staff, and  
6 you're right. There's a difference. A staff has to  
7 be an authority. But a mentor that comes in -- but  
8 most states, including California, prohibit that  
9 volunteer that comes in from continuing the  
10 relationship. They may work on a life plan, and when  
11 they walk through the gate that's cut off.

12 MR. CORCORAN: Actually, California does  
13 have a thing called match two, and what that is is  
14 where business individuals or mentors in the community  
15 can come in and actually visit an inmate, correspond  
16 and have a relationship along those lines. It's just  
17 we have very few volunteers. Your staff are readily  
18 available and often mentor through their actions, but  
19 we as staff are precluded from continuing that  
20 activity.

21 MR. NOLAN: Yeah. I was talking about  
22 volunteers -- volunteers, because some states do a  
23 tremendous job. In fact, some institutions have a  
24 number of volunteers coming in and others don't. I  
25 think it would be good to look at which ones are



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1 transparent and allow the volunteers in and which ones  
2 are more restrictive.

3 MR. CORCORAN: If I can speak to that just  
4 briefly, that really comes down to also where you're  
5 siting prisons. Obviously you have a great deal of  
6 volunteerism in San Quentin versus Susanville. Not  
7 going to get a lot of volunteers in Susanville.

8 MR. LUTTRELL: Secretary Beck, you  
9 mentioned something a while ago. You talked about  
10 tension. And Mr. Corcoran, you alluded to it as well.  
11 It's really something that this commission has  
12 struggled with I think from the very first meeting is  
13 how do we take these concerns and these issues we  
14 discuss and how do we sell this to the public in a way  
15 that we can gain support or gain interest or something  
16 to stimulate some dialogue on some of these issues we  
17 talked about. Now, you have a lot experience sitting  
18 at this table here, and this is something we talked  
19 about last night. And quite frankly, we're looking  
20 for some good advice. We got some real intellects  
21 here, so help us.

22 MR. BECK: I think every opportunity this  
23 commission with the standing that it has, the  
24 credibility that it brings forward, I think that your  
25 work will add value to what we are trying to do. I



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1 what my colleague is saying. And I look what  
2 happened. This is not new, you know, these  
3 commissions and committees looking at abuse or  
4 violence. It's not new. It's cyclical. You look at  
5 what happened in my own state, and I studied it right  
6 after World War II in Texas.

7                   The Texas prison system was known as the  
8 black hole of Calcutta. It was a violent, dangerous  
9 world. It was corrupt. Everything possible that went  
10 wrong did go wrong. The public was excluded from any  
11 kind of input, but that changed, and it changed as a  
12 result of leadership within the wider community.

13                   Prominent bankers, politicians, school  
14 teachers, university types came in and shone light on  
15 what was going on within that environment. That led  
16 to massive and I think good changes within the prison  
17 system in the 1950s and through the 1960s. I think  
18 there has to be some kind of a buy-in.

19                   We can talk all day long about what's good  
20 and what's bad and how to market the prison system or  
21 how to market a particular program, but we've got to  
22 get people, I think prominent people in our state or  
23 in any particular state to buy in that change is  
24 needed or what direction are we going. It takes that  
25 kind of a buy-in that I think is going to make

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1 something happen. We're at that moment right now  
2 where I think that leadership void is needing somebody  
3 to step in and take --

4 MR. BRIGHT: Why did that happen in Texas?  
5 Was it just so bad nobody could go on anymore?

6 MR. MARQUART: That's right. It was so bad  
7 that people finally recognized that it had bottomed  
8 out, and so instead of going left we needed to go  
9 right, and you had some prominent people that stepped  
10 up to the plate, bought into it and said by golly,  
11 this is a hell hole, and we need to do something about  
12 it. That was back then.

13 Today it's the same issue. We have 160,000  
14 people that are locked up. We bottomed out, you know.  
15 We can't build our way out of this. We need people  
16 that are going to come out and say enough is enough  
17 because it has to change in Austin. It has to change  
18 in Sacramento. Whoops, Raleigh. It has to change in  
19 Raleigh. That's where the change is going to take  
20 place.

21 MR. BRIGHT: Was there anybody that took  
22 some leadership in putting that group together in  
23 Texas?

24 MR. MARQUART: Yeah, it was the governor.

25 MR. BRIGHT: And is it not there today?

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1                   MR. MARQUART: It was the governor. At  
2 that point in time we needed to go in a different  
3 direction and brought in prominent people to make that  
4 happen. I think it was the neatest plan that ever  
5 happened. You know, you don't hear a heck of a lot  
6 about it, but that led to a deep change in the way in  
7 which people were going to be treated when they were  
8 in prison. And I look back and I look at that, and I  
9 think that's a model I think for what ought to be  
10 done.

11                   MR. CORCORAN: In terms of changing the  
12 public perspective, at every fair in California,  
13 whether it be county or state or a children's fair,  
14 they've got a CHP cruiser and they've got a car with a  
15 dummy in it that rolls over because they don't have  
16 their seat belt on. And the kids see this and they  
17 get to touch stuff and they feel good about it. They  
18 feel good about the highway patrol.

19                   I don't know what we would do as a prison  
20 system. Sign up for strip search. I don't know. I  
21 mean, yeah, I don't know what we can do at that level.  
22 I think since we can't take necessarily the prison  
23 into the community, I think we have to open the  
24 prisons to the community and allow them access. I  
25 think we need a much more transparent system.



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1 through how well those facilities function and the  
2 safety and security, the low assaults, the low  
3 infraction rates, those are the things that we really  
4 measure to determine how successful programs are  
5 operating. But you know, we also see that in every  
6 convening of the general assembly. There are  
7 sometimes hundreds of bills that are introduced, all  
8 of which have bed capacity implication, increased  
9 criminal penalties. So at some point we do bottom  
10 out.

11                   You know, in North Carolina we operate with  
12 about anywhere from 700 to 1,000 vacancies in the  
13 department all the time. And so, you know, unless  
14 there is a -- something has got to change to make this  
15 work a little more attractive, more meaningful, and  
16 get the public involved I would say because there is  
17 no constituency.

18                   MS. ROBINSON: Ray -- Ray Krone.

19                   MR. KRONE: Yeah, a lot of this has been  
20 covered in the last hour, this more and more money.  
21 For years and years the Department of Corrections have  
22 been asking we need more money for this, we need to  
23 build more prisons. After 20, 25 years you'd think  
24 the money would have caught up to it. Obviously it  
25 keeps outgrowing that problem.

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1                   As we were talking earlier, I mean about --  
2 is it the time for public scrutiny? Is it time for a  
3 different entity other than DOCs within that state to  
4 try to correct the problems? It's time for a new look  
5 at it, a fresh outlook at it for somebody to come in  
6 and say here's where we can -- if we can't get some  
7 money, here's where we can save money. And now open  
8 it up to more of a public or more as in our case a  
9 commission. And will that be receptive do you think  
10 in your co-workers in the department of corrections?  
11 Can those doors be open? The good as well as the bad  
12 be shown and exposed and be willing to change that?

13                   MR. BECK: Well, I think we are very  
14 accountable and very open in terms of how we run these  
15 departments. Most of the states have gone through  
16 extreme budget situations. In 2001, the first act of  
17 our current government was declared a budget crisis.  
18 The department of corrections was one of the places  
19 that budgets were reduced.

20                   In my six years there has not been many  
21 years that our budget has not been reduced. I think  
22 what we have learned is that we -- we have learned how  
23 to be more efficient, and I think we've done a good  
24 job in managing the overtime and holding down the meal  
25 costs, but here are the drivers. The drivers come



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1 from increased medical costs, where we have an  
2 obligation to provide a community level of care. More  
3 inmates have mental health issues. There are more  
4 inmates with disease. These inmates are coming to us  
5 sick because of unhappy lifestyles or whatever the  
6 case may be.

7                   What I have seen most recently is an  
8 increase in our younger population of inmates who are  
9 borderline diabetics. These costs won't go away, and  
10 as inmates stay longer, they get older and the costs  
11 continues to drive. The things that we can control  
12 is what I'm saying is I think we've done a good job in  
13 getting down the average daily cost for meals.

14                   We are looking at staff ratios. We're  
15 reducing the number of officers to inmates, work  
16 programs are being eliminated, but the costs that are  
17 really driving this train are things that are beyond  
18 our control, but we look for opportunities to partner  
19 with the private sector. Most jurisdictions have some  
20 type of relationship, be it food service, maintenance,  
21 or even providing beds. So I think that we are doing  
22 a pretty good job, and I think we are in the eye of a  
23 lot of folks all the time.

24                   MR. MARQUART: I like his reference to the  
25 train. It is a train that is going downhill without

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1 an engineer in the front. You're alluding to the  
2 costs, and it is very expensive, and a lot of this is  
3 it far exceeds the costs of sending somebody to  
4 school. We've heard that before. It's the political  
5 will to change it and is that going to change. I have  
6 never heard a legislature say I'm going to vote  
7 against X law or Y law. Until that changes, this  
8 train is going to continue to go downhill faster and  
9 faster and faster.

10 MR. CORCORAN: I think corrections need to  
11 stop being the catch-all for those that society  
12 doesn't want to do it. In 1995 Pete Wilson, during  
13 the budget crisis, eliminated outpatient mental health  
14 clinics. It was a six million dollar decision in a  
15 billion, multi-billion dollar budget. We're talking  
16 about an accounting error.

17 Those were guys that were maybe living  
18 under a bridge, but they had a clinic where they could  
19 go and get their meds. They closed those. So where  
20 do they go? The prison system. So instead of  
21 spending an investment to provide services to them on  
22 the streets, we're now housing them at 30,000 dollars  
23 a year. I think we can do far more in a mental health  
24 for all society, and it doesn't have to come directly  
25 to the prison system, but that's a decision for those

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1 above me.

2 MS. ROBINSON: Jim Gilligan.

3 MR. GILLIGAN: Yes. I wanted to follow up  
4 on something that you alluded to earlier,  
5 Mr. Corcoran. In the European Union and in the United  
6 Kingdom there are inspectorates of prisons. In the  
7 European Union there's a system where task forces can  
8 come into and inspect any prison without any advance  
9 notice at any time of day or night. A staff of people  
10 from countries other than the nation in which the  
11 prison exists.

12 So these are really independent commissions  
13 kind of operating on the notion, I think, that  
14 sunshine is the best disinfectant and that  
15 transparency and openness are in general one of the  
16 best ways to assure that the standards that people  
17 think should exist in fact do exist.

18 Can -- is that the kind of thing that you  
19 would think could work in this country or be any  
20 reason we should not have such a system, and if it  
21 would be a good idea, is it something say the three of  
22 you or we as a commission should be advocating for?

23 MR. CORCORAN: I think as long as we took  
24 out cultural differences and looked at operations,  
25 cleanliness of facilities, staffing levels, those

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1 types of things, it can definitely be positive. But  
2 the reason I bring up culture, which obviously Europe  
3 has no death penalty. Different jurisdictions here  
4 do. As long as those types of judgments weren't made  
5 and spoke to operations, I think it can be incredibly  
6 positive.

7 MS. ROBINSON: Tim Ryan.

8 MR. RYAN: Gentlemen, one of the things I  
9 want to focus on is what we now do. I'll give you a  
10 model of some of the things we now do for officers to  
11 try to do the best we can to get the best officers we  
12 can. It's a long list that I've been making while  
13 we're sitting here.

14 But in recruiting, my agency recruits one  
15 out of every 43 -- one out of over 43 applicants for  
16 the job. They have a psychiatric test. They have a  
17 polygraph test. They have a test, an oral board. One  
18 out of 43.

19 On their first week, first day they see a  
20 video which says if you commit six sins in our  
21 operation, lying, cheating, taking drugs, use  
22 discrimination in any fashion, racial terms, you're  
23 going to be fired. They see a videotape and have to  
24 sign for that.

25 They go to an academy. The academy is

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1 sixteen weeks. The first hour of that academy, the  
2 first four hours of that academy is on what the  
3 expectation is, to tell the truth, be part of what  
4 life is all about in the prison system, and so we have  
5 sixteen weeks of that.

6           At the end of that they have to graduate.  
7 At that time they take a test, a certification test  
8 for licensing. They have to pass that test in order  
9 to become a licensed correctional officer. During  
10 that first week after they have passed that test  
11 they're required to go into an orientation program.  
12 Part of that orientation program is to go to the  
13 Holocaust museum and show what the issues are between  
14 officers and citizens as to what is important in their  
15 recognition of what it means to wear a uniform.

16           They have an FTO program. The FTO program  
17 is twelve weeks. The twelfth week they have an  
18 officer who trains and gets you through that first  
19 twelve weeks to tell you what it's like to be an  
20 officer in this department. We have a probationary  
21 period of sixteen months in which they work through  
22 that and they deal with that.

23           We have annual training of forty hours in  
24 which we deal with the issues of prominent issues and  
25 also the ongoing issues and use-of-force issues. We

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1 have supervision training for their supervisors and  
2 sergeants as to what it is to be a leader and what to  
3 work in them. We have senior officers that if you  
4 have a problem they can go and talk to them.

5                   We have an examination of officers to give  
6 them -- if they've had more than one or two  
7 use-of-force events and we want to just talk about  
8 that. Was it appropriate, what did you do, what was  
9 right on that.

10                   We have quarterly reports where we come out  
11 and we show discipline for officers. One of the  
12 things that you mentioned was fairness and  
13 reasonableness and that and some -- we tell officers  
14 what you get in trouble for. We try to have  
15 consistent discipline. We have employment assistance  
16 programs. If you don't want to talk to us, you can go  
17 to somebody else and talk to them.

18                   We have award ceremonies for not only the  
19 individuals that do well for us in this review, but  
20 also for their families. We have a promotion  
21 ceremony. We have a fitness center, wellness program  
22 in order to be able to get off some of the stress that  
23 you have.

24                   And we videotape every use-of-force event  
25 unless it's one that happens in which it can't be

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1 videotaped. What's missing in the list? What should  
2 we be doing that we're not doing today?

3 MR. CORCORAN: Do you want -- I would love  
4 to have you come to California. The vast majority of  
5 that list we do the same thing, we have a 16-week  
6 academy, we have an annual requirement of 52 weeks of  
7 training. Ethics is an enormous portion of their  
8 training. We do not have a wellness program,  
9 unfortunately. That's called a snack bar. Too many  
10 members of take advantage of that.

11 I mean, that's an incredible list. I can  
12 think of only thing. If you had an oversight  
13 commission that examined training standards to ensure  
14 that they're the most current, that type thing, but  
15 other than that, that's a very good list.

16 MR. RYAN: Thank you.

17 MR. MARQUART: It sounds very unusual. I  
18 mean, I tried to make note of it, but you spoke too  
19 fast. I couldn't get everything down. It sounds  
20 incredibly intensive to me. What state is this from?

21 MR. RYAN: It's in Florida right now. I  
22 used it in California, but I think what I'm asking of  
23 the commission here is we're looking for  
24 recommendations as to what should we be doing. What  
25 sort of model should be out there? What

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1 recommendations should we be doing if we were to do  
2 anything? What should that be? What do we need to  
3 do?

4 MR. CORCORAN: Everything on your list is  
5 wonderful, particularly the wellness program.  
6 Oftentimes it's overlooked and poo-pooed by people,  
7 but it's an important component because the stress --  
8 as a corrections officer you're supposed to have a  
9 facade and never crack, not only in front of your  
10 family but in front of your peers, and especially not  
11 in front of the inmates. That's not reality. We're  
12 all human beings and we all have emotions and that can  
13 be problematic.

14 When we were negotiating use of force in  
15 California and we were negotiating the implications of  
16 the policy, not the policy itself, but I wanted a  
17 requirement by the department that in any deadly force  
18 incident the officer mandatorily attend the employee  
19 assistance program. At least three sessions even if  
20 they sat there twiddling their thumbs mandatorily.

21 I had to fight my own side and ultimately I  
22 got shot down. Well, I didn't understand that. One  
23 of the guys that was there with me said, "I shot and I  
24 didn't need it." I looked at him and I thought,  
25 "Chuck, you sure did. You still do."



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1                   But the reality is unless -- if there's  
2 always going to be an onus of weakness, and you know  
3 in the jails and prison that term can kill you if  
4 you're weak. Well, the reality is, you know, when  
5 sometimes you don't even recognize that you need help,  
6 and I think that there's nothing wrong with forcing  
7 folks to go to an outsider on occasion.

8                   MR. MARQUART: I like the component of the  
9 FTO, field training officer. I would advocate that  
10 because that senior officer is available and that's  
11 experience that can pass on the important information  
12 to the -- to that next generation. I think that's  
13 really where the rubber meets the road where you take  
14 somebody that's been there for many, many years and  
15 training somebody and bringing them along.

16                   I think that's what's going to make that  
17 whole program successful or not is that officer going  
18 to stick with the agency, the organization, because  
19 that's what you want is retention. You know, I would  
20 say and advocate clearly that it's getting those  
21 veterans in touch with new people to bring them along  
22 to show them the ups, the downs, what to do and what  
23 not to do, use of force, boundary violations, all  
24 those kind of things. I mean, I'm a strong believer  
25 of that FTO program. I think it's great.

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1                   MS. ROBINSON: Secretary Beck, I don't know  
2 if Tim Ryan's list scared you off or if you wanted to  
3 comment on that.

4                   MR. BECK: Thank you.

5                   MS. ROBINSON: Well, I think the time for  
6 our panel has ended. This has just been a terrific  
7 panel. I want to thank each one of you on behalf of  
8 the commission. You've been terrific. I think we  
9 could keep going for another hour or two if we had the  
10 time. On behalf of all of us our deep thanks for your  
11 being here and for the information that you provided  
12 us this morning.