



IDAHO DEPARTMENT OF CORRECTION OFFICE OF PROFESSIONAL STANDARDS

Annual Statistical Report

FY13

OVERVIEW

The Office of Professional Standards (OPS) is a unit within the Director's Office primarily responsible for conducting investigations into allegations of employee misconduct and providing general investigative services for the Department. OPS is charged with recording complaints and departmental investigations, conducting serious staff misconduct investigations and monitoring less-serious staff misconduct investigations. In FY13, OPS had a complement of two full-time investigators, one temporary investigator and one full-time administrative assistant.

INTRODUCTION

Ensuring that employees conduct themselves appropriately is an essential function of an employer. The most important administrative tool in achieving that goal is a prompt and equitable internal investigation and employee discipline process that sanctions those found guilty of misconduct and clears those wrongfully accused.

OPS receives complaints and requests for investigation from a variety of sources including internally (those that come from an IDOC employee) or externally (those that come from people not employed by IDOC). An individual who wishes to file a complaint has several options. The complainant may contact OPS by calling an established hotline (800-361-6286), sending a letter to IDOC/OPS, 1299 N. Orchard St., Suite 110, Boise, ID 83706, or an email to ops@idoc.idaho.gov. When a complaint is received it is reviewed and may be assigned to an investigator or referred to an employee's supervisor for an inquiry or disposition. In addition to contacting OPS directly, individuals can also file complaints with any supervisor in the Department.

THE INVESTIGATION PROCESS

There are four phases of an investigation titled Complaint, Investigation, Review and Sanctions. In the Complaint Phase, a complaint is received or suspected staff misconduct is alleged and a preliminary inquiry is encouraged to determine whether the concern warrants further investigation. The Investigation Phase is self-explanatory. In the Review and Sanctions Phases, Human Resources representatives, the Management Authority and the Division Chiefs jointly determine the Findings after reviewing the completed investigation report. If necessary, the Review group then weighs sanctions, either corrective or disciplinary in nature, and makes recommendations.

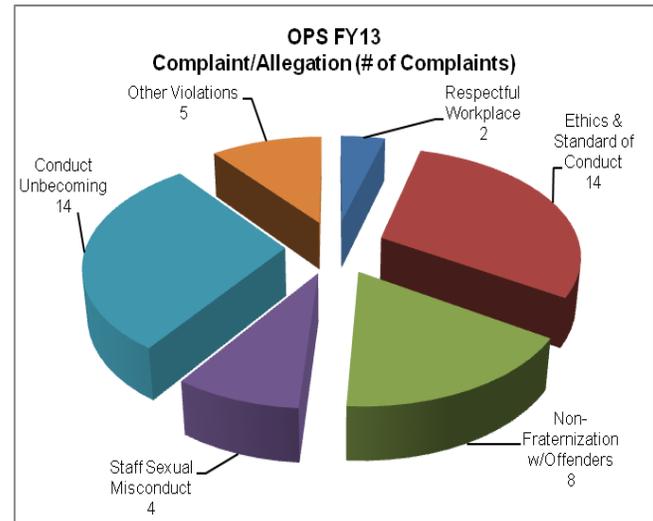
Serious misconduct cases defined as those involving allegations of criminal actions, behavior jeopardizing safety and security, or negatively impacting the Department's operation or reputation — are generally assigned to an OPS investigator. Less-serious misconduct cases, behavior related to job performance, actions within the normal scope of supervisory functions and behavior that does not pose a threat to safety and security can be assigned to a supervisor or investigator at the unit level.

ALLEGATION TYPES, CASE DISPOSITIONS & SANCTIONS

The Office of Professional Standards compiles annual statistical reports of administrative investigations. OPS conducted 26 investigations resulting in 45 allegations of misconduct during the past fiscal year. Most involved employees of the Department, but OPS investigated three allegations of impropriety on the part of Department contractors or other administrative matters.

A single complaint may result in multiple allegations of misconduct. In FY13, the 26 investigations resulted in 45 allegations of misconduct. Since the types of allegations may be vastly different, it is difficult to categorize investigations. However, it is possible to gain some insight into the concerns of complainants and the Department by looking at the most serious allegation from each investigation. The Complaint / Allegation Chart illustrates information regarding last year's administrative investigations.

Note: other violations include Policy 114 Purchasing and Contracting, Policy 141 Computer Usage, Policy 315 Suicide Risk Management, and other violations that do not occur as frequently.



Findings

The Findings Chart illustrates the result upon review of each investigation.

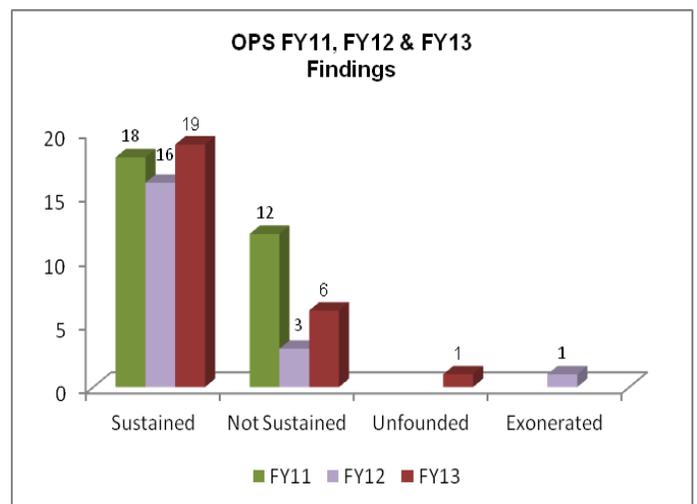
The Findings are defined as follows:

Sustained: A finding that there was sufficient, credible evidence to determine an allegation had merit following an investigation.

Not Sustained: A finding that an investigation failed to produce sufficient evidence to either prove or disprove an allegation.

Unfounded: A finding following an investigation, that there was sufficient evidence to determine an allegation contained no credible evidence of misconduct.

Exonerated: A finding that justifies excuses or clears an accused individual.



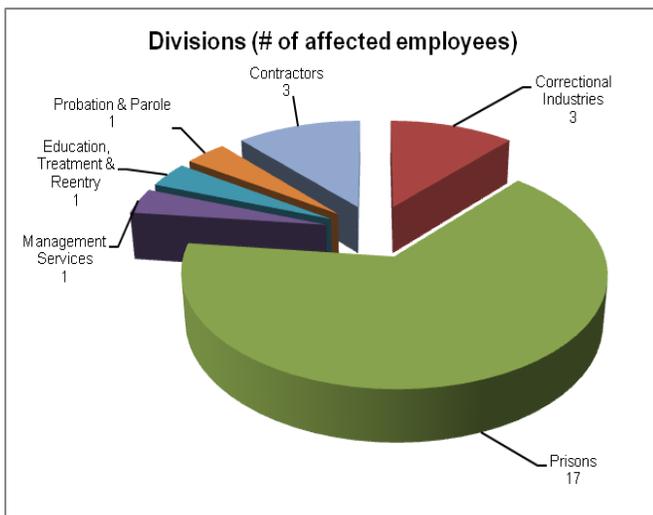
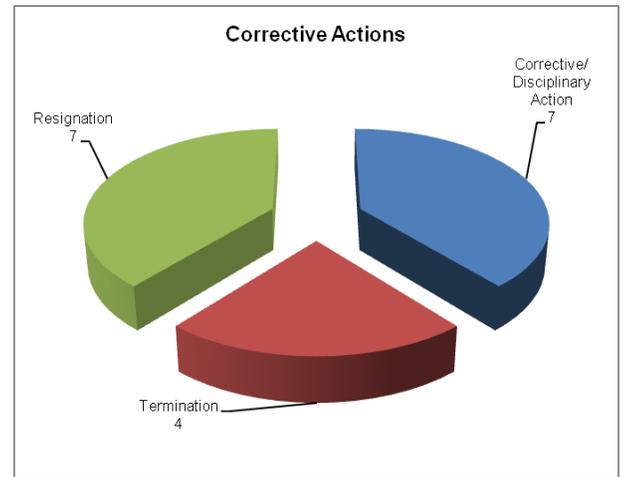
It should be noted that in FY09, OPS began utilizing preliminary inquiries on less serious allegations before launching a formal OPS investigation. Wardens can also choose to conduct a preliminary inquiry at the facility level. Often a preliminary inquiry will resolve the issue without a formal OPS investigation. Preliminary inquiry results are not reported here.

Typical Corrective Actions

The Typical Corrective Actions Chart illustrates the actions taken upon review of each investigation.

The sanctions are defined as follows:

- Resigned: The accused employee was separated from the Department by resignation.
- Terminated: The accused employee was separated from the Department by termination.
- Corrective action includes anything up to a Letter of Reprimand; disciplinary action includes suspensions and demotions.



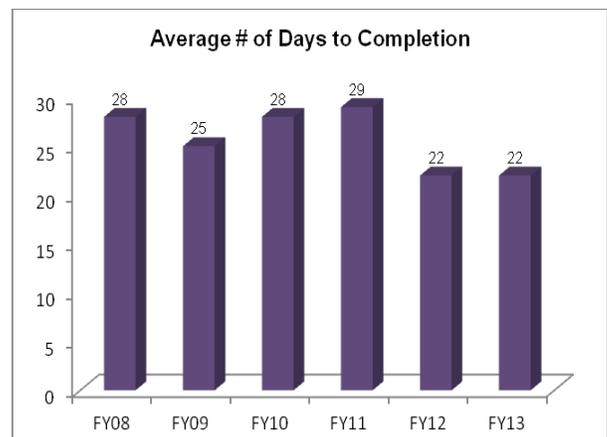
BREAKDOWN BY DIVISION

The Department is comprised of the Director's Office & Human Resources, and five Divisions; Prisons, Probation and Parole, Education, Treatment and Reentry, Management Services and Correctional Industries. FY13 investigations also included 3 investigations involving staff working for one of the Department's contractors. This graph reflects the number of employees or contractors investigated by the Division to which they were assigned.

INVESTIGATION DURATION

The average amount of time for FY13 from when the OPS case was approved to the end of the investigation took 22 calendar days. There are several factors that affect the length of time necessary to complete an investigation. OPS has a goal of 30 days to completion for every investigation.

Note: In FY10 there were two cases that required significant time to complete that were removed from the calculation so as not to skew the data. The average duration of investigations including those cases was 37 days.

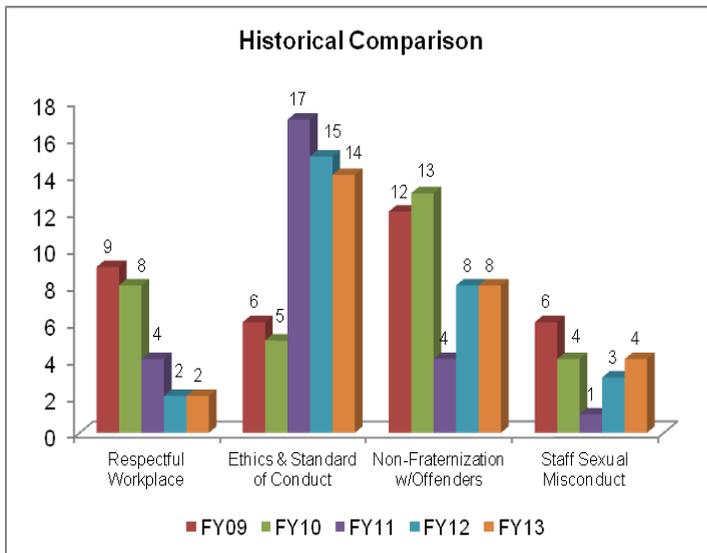
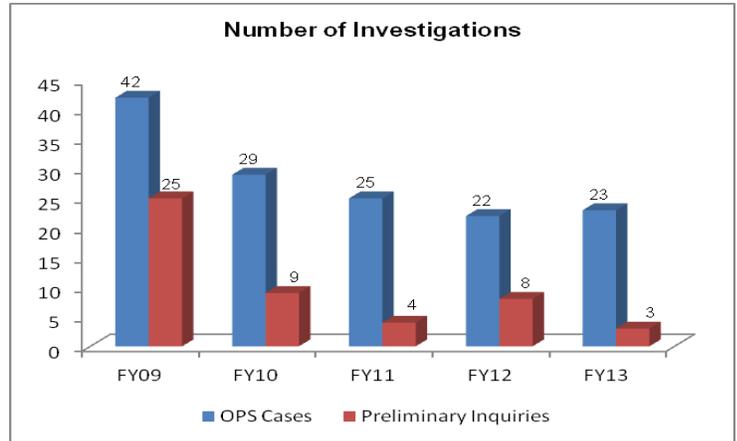


CONCLUSION

Regarding personnel investigations, tracking the frequency and severity of complaints and department-initiated investigations involving department employees can lead to the discovery of deficiencies in hiring practices, training or supervision and permit a public service agency to correct employee behavior before it destroys a career or the agency's reputation.

In FY13, IDOC had 1,570 employees.

Citizen complaints and department-initiated inquiries of employee conduct rising to the level of Office of Professional Standards investigations involved 23 accused employees, which represents 1.4% of all employees.



This chart compares six years of data and shows that the most common allegation over the last 3 years has been violations of Policy 217 Ethics and Standards of Conduct.

In FY13 the Office of Professional Standards has been given new areas of responsibility. In September 2012 OPS took over the operation and supervision of the Background Investigation Unit (BIU). OPS has been working on the creation of a Special Investigations Unit (SIU) which would promote safety, information sharing and the pooling of resources of the various IDOC investigation units. The SIU consists of OPS, BIU, Gang Intelligence and Investigations and the Fugitive Recovery Unit. OPS has also been tasked with the development of a quality assurance element and a review of the Serious Incident Review process. The FY 14 Annual Report will contain information about these new features and enhancements to IDOC's investigative resources.