



North Carolina Department of Public Safety

Adult Correction and Juvenile Justice

Pat McCrory, Governor
Frank L. Perry, Secretary

W. David Guice, Commissioner

MEMORANDUM

TO: John Poteat, Fiscal Research Division
NC General Assembly

FROM: Frank L. Perry, Secretary
W. David Guice, Commissioner

RE: Session Law 2015- 241,
Section 6.20 (d), Final Report (Revised)

DATE: April 26, 2016

Pursuant to Session Law 2015-241, Section 6.20(d).

State departments and agencies identified in subsection (b) of this section shall submit a report of the preliminary findings of the continuation review to the Fiscal Research Division no later than December 1, 2015, and shall submit a final report to the Fiscal Research Division no later than April 1, 2016.

The Continuation Review Report on Inmate Road Squads and Litter Crews has been revised and follows for your review.

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Inmate Road Squads and Litter Crews
Final Report of the Continuation Review
Prepared by: NC DPS / Prisons
March 18, 2016

The North Carolina General Statute, Section 148-26(b) as amended by Chapter 802 of the 1977 Session Laws, provides in part, as follows: “As many minimum custody prisoners as are available and fit for road work, who cannot appropriately be placed on work release, study release, or other full-time programs, and as many medium custody prisoners as are available, fit for road work and can be adequately guarded during such work without reducing security levels at prison units, shall be employed in the maintenance and construction of public roads of the State.” As a result of the aforementioned legislation, the Medium Custody Road Squads were added to the program in the years following 1977. The Minimum Custody Litter Crews were added in the early to mid-2000s. For at least thirty-eight (38) years the State of North Carolina has employed inmate labor crews for various road work assignments and litter pick up.

To date, there are currently (66) Medium Custody Road Squads assigned throughout the state and (50) Minimum Custody Litter Crews. Medium Custody Road Squads require two armed officers with (8) Medium Custody inmates, while Minimum Custody Litter Crews require one unarmed officer with (8-10) Minimum Custody Inmates. Approximately 700 inmates were assigned to participate on the Road Squads and Litter Crews from adult facilities in 2014; in 2015 approximately 750 inmates participated. The Squads and Crews cover 80 of the 100 counties in North Carolina (**TABLE 3**), providing some degree of labor related assistance to NC Department of Transportation (NCDOT).

Inmate Work Crews, Medium and Minimum Custody alike assist with litter removal on right of ways throughout the state. During the Fiscal Year 2014-2015 approximately 88.75% of inmate labor from the Minimum Highway Work Crews was dedicated to litter pickup, while during the same year approximately 71% of Inmate Labor from the Medium Custody Road Squads was dedicated. However, litter removal is only part of their responsibility. Crews also complete other various assignments to include, clearing & grubbing, erosion control, snow and ice control, manual clearing of state right of ways, removal of hazards, debris removal, shoulder maintenance, ditches, roadway fences, maintenance of pipe culverts, maintenance of outfall ditches, weed control under guardrails, maintenance of facilities/buildings, construction, general labor, grounds maintenance, landscaping, moving/relocating, painting, sidewalk/curbing, and vehicle maintenance. All job tasks and area assignments are determined by NCDOT.

During the year of 2014, 707,700 pounds (47,180 bags) of debris was collected as a result of the spring and fall Litter Sweep events (Roadside Litter Removal), covering 4,178 miles of North Carolina's roads and highways. During the year of 2015, 583,560 pounds (38,904 bags) of debris/litter collected as a result of the spring and fall Litter Sweep Events covering 3,183 miles of North Carolina's roads and highways. The numbers represent the four weeks each year that the work crews dedicate time solely to litter removal, two weeks in the spring of each year and two weeks in the fall. These numbers are specific to the Litter Sweep Event only and do not represent litter removal efforts during the rest of the year outside of the four weeks spent for the Litter Sweep event.

The expected efficiency of Litter Crews and Road Squads is 70%; however, from January 1, 2015 through December 31, 2015 the average efficiency of crews reporting from all facilities statewide was 54%. The reasons cited for not reporting for assignment include inclement weather, management decisions, and facility staff shortage. **TABLE 1 (attached)** illustrates the inmate hours dedicated by Minimum Custody Litter Crews/Highway Work Squads and Medium Custody Road Squads. Each chart also shows the road miles covered by each custody squad for each month, to include a total for the year. **TABLE 2 (attached)** shows the Minimum and Medium Custody Crews' summary of tasks and assignments covered during the year. The chart reports the number of days and inmate hours that were dedicated to each task while working. The chart further shows the percentage of time spent on each task throughout the year. **TABLE 3 (attached)** outlines the counties covered by each facility's assigned Road Squads/Litter Crews. Area and road assignments are distributed to inmate work crews by NCDOT Supervisors. The assignments are based on the need for litter pick up, maintenance, as well as requests by the general public regarding litter and/or debris removal.

In an effort to provide a more efficient inmate labor work force from NCDPS Prisons, a recommendation will be made to convert many of the Medium Custody Road Squads to Minimum Custody Work Crews. Currently a Medium Custody Road Squad requires two armed Correctional Officers, one of which is required to be a Lead Correctional Officer, to supervise (8) Medium Custody Inmates. By converting the Medium Road Squads to Minimum Custody Litter/Work Crews, the Correctional Officer requirement would be reduced from two to one per squad/work crew. Also, with a Minimum Custody Work Crew, up to (10) inmates could be utilized per crew as opposed to (8) with each Medium Custody Squad. There is also more flexibility with Minimum Custody Litter/Work Crews as to the roads, highways, and interstate areas that can be covered. This would increase productivity for NCDOT assignments and reduce costs of the program. The Minimum Custody Facilities that could be utilized for this purpose include Sanford CC, New Hanover CC, Johnston CC, Davidson CC, and Caldwell CC. (This list is not inclusive and is subject to change.)

Many counties within the state of North Carolina rely heavily on inmate labor for regular litter removal and would immediately require an identical service at a potentially higher cost to maintain services. The inmate crews provide an organized and efficient clean-up effort. Inmate crews also provide a financially responsible, streamlined and dependable workforce. This program undoubtedly offers structure and meaningful work for approximately 700 inmates, who will hopefully return to our communities with a solid work ethic and marketable skills. With an overall prison population of 37,000, 700 inmates assigned to work crews also assists prison facilities with combating idleness and mischief.

Litter is not only unsightly, but also poses real dangers to motorists and pedestrians if not regularly removed. Accumulated litter has harmful effects over time on the highway infrastructure itself, affecting drainage systems and proper runoff, which can lead to flooding of roadways in the short term and serious corrosion in the long term. A structured litter program has an immeasurable environmental benefit. Littering affects the well-being of wildlife and the natural environment. The consequences of eliminating funding for the Prisons litter removal program would be detrimental to the state's ability to attract new residents, potential economic business growth, and tourism. It is for these reasons, an effective litter removal strategy is an important part of maintaining the roadway system, which makes the functions of the litter removal program closely related to transportation.

As an agency we stand firmly behind our mission to “protect the public, by providing a safe, secure and humane environment, and offering services that prepare offenders for transition into society.”

TABLE 1:**MINIMUM CUSTODY HIGHWAY WORK SQUAD**

<u>MONTH</u>	<u>INMATE HOURS</u>	<u>ROAD MILES</u>
July, 2014	29,624.25	2,501.55
August, 2014	27,927.75	2,520.43
September, 2014	27,246.75	2,408.05
October, 2014	30,484.00	2,813.89
November, 2014	20,716.50	1,766.90
December, 2014	23,041.00	2,093.86
January, 2015	21,843.50	1,837.15
February, 2015	14,476.50	1,280.50
March, 2015	30,086.00	2,603.01
April, 2015	32,805.00	2,733.10
May, 2015	29,221.00	2,581.75
June, 2015	30,339.25	2,738.41
TOTALS	317,811.50	27,878.60

MEDIUM CUSTODY ROAD SQUAD

<u>MONTH</u>	<u>INMATE HOURS</u>	<u>ROAD MILES</u>
July, 2014	32,550.75	1,068.45
August, 2014	27,014.75	873.36
September, 2014	26,479.00	955.00
October, 2014	32,033.50	1,164.82
November, 2014	16,565.75	560.51
December, 2014	20,327.75	702.62
January, 2015	15,655.75	631.81
February, 2015	9,031.00	356.03
March, 2015	20,940.75	862.22
April, 2015	24,052.75	973.50
May, 2015	21,952.75	773.67
June, 2015	17,339.50	603.00
TOTALS	263,944.00	9,524.99

TABLE 2:

**MINIMUM HIGHWAY WORK CREW
&
MEDIUM ROAD SQUAD
(JULY 2014 - JUNE 2015)**

Work Function	Description	Days	Percent (%) By Function	Hours
3605	CLEARING AND GRUBBING	3,848	4.43%	26,185.75
3621	EROSION CONTROL	203	0.26%	1,565.50
3745	SNOW AND ICE CONTROL	454	0.49%	2,914.00
3755	MANUAL CLEARING OF R-O-W	4,002	4.75%	28,132.50
3761	REMOVAL OF HAZARDS	111	0.15%	876.50
3762	DEBRIS REMOVAL	233	0.25%	1,492.00
3763	REMOVE DEBRIS FROM R-O-W	540	0.67%	3,957.75
3765	LITTER PICKUP	67,705	80.45%	475,977.50
3773	SHOULDER MAINTENANCE	183	0.25%	1,480.50
3774	DITCHES	391	0.49%	2,918.00
3825	ROADWAY FENCES	67	0.07%	430.00
3861	MNTC OF PIPE CULVERTS	699	0.90%	5,347.00
3862	MNTC OF OUTFALL DITCHES	86	0.12%	690.00
4311	WEED CTRL UNDER GUARDRAIL	1,377	1.95%	11,540.75
6040	CONSTR/MAINT OF FACILITY	75	0.11%	621.50
9010	BUILDING MAINTENANCE	349	0.46%	2,727.50
9030	CONSTRUCTION	5	0.01%	35.00
9040	GENERAL LABOR	1,837	1.94%	11,502.75
9050	GROUPS MAINTENANCE	596	0.71%	4,223.00
9060	LANDSCAPING	35	0.05%	269.50
9070	MOVING/RELOCATING	73	0.09%	525.25
9090	PAINTING	15	0.01%	88.50
9100	SIDEWALK/CURBING	24	0.01%	86.00
9110	VEHICLE MAINTENANCE	447	0.54%	3,196.25
9999	UNKNOWN	738	0.82%	4,862.75
Totals:		84,093		591,645.75

TABLE 3:

<u>Facility</u>	<u>Counties Covered</u>
Albemarle CI	Cabarrus, Stanly, Rowan
Alexander CI	Alexander
Avery Mitchell CI	Avery, Mitchell, Yancey, Watauga
Brown Creek CI	Anson, Richmond, Union
Caldwell CC	Caldwell, Alexander
Carteret CC	Carteret, Craven, Pamlico, Jones, Onslow
Caswell CC	Caswell, Guilford, Person, Orange, Rockingham, Alamance
Catawba CC	Catawba, Iredell
Columbus CI	Columbus, Brunswick
Craggy CC	Buncombe, Haywood, Madison, Henderson
Dan River PWF	Alamance, Guilford, Randolph
Davidson CC	Davidson, Davie
Eastern CI	Pitt
Foothills CI	Burke
Forsyth CC	Forsyth
Franklin CC	Franklin, Nash, Wake
Gaston CC	Gaston
Greene CI	Greene, Pitt
Harnett CI	Harnett, Lee, Chatham
Hoke CI	Hoke
Hyde CI	Hyde, Beaufort, Washington
Johnston CI	Johnston
Lincoln CC	Lincoln, Cleveland, Gaston, Catawba
Lumberton CI	Robeson, Cumberland, Scotland, Bladen
Marion CI	McDowell
Morrison CI	Rockingham
NCCIW	Wake
New Hanover CC	New Hanover, Brunswick, Pender
Odom CI	Northampton, Halifax
Orange CC	Orange
Pasquotank CI	Pasquotank, Camden, Gates, Currituck
Pender CI	Pender, Duplin, Onslow
Piedmont CI	Rowan
Rutherford CC	Rutherford
Sampson CI	Sampson
Sanford CC	Lee
Scotland	Scotland
Tabor	Columbus
Tyrrell PWF	Martin, Chowan, Perquimans
Wake CC	Wake
Warren CI	Granville, Franklin, Halifax, Warren, Vance
Wilkes CC	Wilkes, Yadkin, Alexander, Ashe

Daily County Coverage/Assignments for Inmate Work Crews

