

Arizona Department of Corrections Rehabilitation & Reentry



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RYAN THORNELL
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June 30, 2023

Lindsey Perry, CPA, CFE
Auditor General
2910 N. 44th Street, Suite 410
Phoenix, Arizona 85018-7571

Re: Auditor General Report – Annual Report

Dear Ms. Perry,

Attached is the Arizona Department of Corrections, Rehabilitation and Reentry's response to the performance audit report, focusing on ASR41-1610.02 Annual Report.

We appreciate being given the opportunity to respond.

If you have any questions, please do not hesitate to contact my office.

Thank you,

A handwritten signature in blue ink, appearing to read "Ryan Thornell".

Ryan Thornell, PH.D.
Director

Chapter 1: Department released eligible inmates we reviewed consistent with statute with 1 exception and has not complied with statutory reporting requirements

Recommendation 1: The Department should develop and implement periodic training for Department staff related to earned release credit program provisions and requirements to help ensure eligible inmates are released according to earned release credit requirements and time frames.

Department response: The finding of the Auditor General is agreed to and the audit recommendation will be implemented.

Response explanation: The Department's Time Comp Unit (TCU) will develop training materials to distribute to stakeholders. The TCU will also develop a training module for TCU staff that can be reviewed annually or as directed by supervisors. The eligibility for Drug Possession Release (DPR) criteria was reviewed with the Education Staff reminding them of statutory changes. As a means of addressing any future education related matters, those inmates that have been deemed approved for DPR but have not yet completed the mandatory literacy, an email will be sent to Education Staff advising them to apply the newly created DPR exemption. The department order 910 Inmate Education will be updated to reflect the statutory literacy exemption under the DPR criteria.

Recommendation 2: The Department should review the reporting requirements outlined in A.R.S. §41-1604.07(P), determine the feasibility of the reporting requirements, and develop a process to compile and report the required information.

Department response: The finding of the Auditor General is agreed to and the audit recommendation will be implemented.

Response explanation: The Department will compile and complete the report as required. The Department will also work with the legislature to address section (P)(2)(a) and (P)(2)(b)(iii) in order to address the fluid changes that impact the validity of this data and possible adjustments to reporting requirements.

Recommendation 3: The Department should, if the Department deems some requirements are not feasible, work with the Legislature to develop reporting requirements that are feasible and determine to whom the information should be reported.

Department response: The finding of the Auditor General is agreed to and the audit recommendation will be implemented.

Response explanation: [Click to enter explanation.](#)

Chapter 2: Department did not release to transition program 1 of 41 inmates we reviewed, did not release 8 of 41 inmates as required 3 months early due to factors in and out of its control, and did not comply with some reporting requirements

Recommendation 4: The Department should continue its efforts to implement recommendation 1b from our Arizona Department of Corrections, Rehabilitation and

Reentry—Sunset Review (Report 21-119), to help ensure eligible inmates are timely released 3 months early to the transition program, as statutorily required.¹

Department response: The finding of the Auditor General is agreed to and the audit recommendation will be implemented.

Response explanation: The department will continue its efforts to ensure eligible inmates are released timely to the transition program. The department has begun looking into cases that have not met the expectations and adjustments are underway. In coordination with Community Corrections, Department Order 1001 and 1002 were amended on 01/22/2023 to allow inmates released to the Transition home plan to be released with a homeless home plan. This change has enabled the home plan to be processed quicker for inmates who are within 14 days of their projected transition release date or who meet the criteria and are already past their projected transition release date. A review of the inmates identified reflects that 4 of the identified would have possibly benefited from the policy changes noted above, Home Plan and Misdemeanor eligibility, which went into effect after their releases. Three of the other four inmates identified by the Audit Team are what we term as 'Fast-Trackers', meaning the day they arrive at the ADCRR their dates may already be 'past'. The ADCRR staff prioritize these individuals for an expedited release, but may not have the full 90 days to serve to receive a full transition program release. As recognized and noted by the Audit Team, these are instances that are outside of the ADCRR control. The remaining inmate identified, of the 8 mentioned as not receiving the full 90 day Transition release, this individual had his Transition Release Date adjusted to 10/01/2021, the effective date of the Transition Program criteria changes pursuant to Senate Bill 1067. His Transition Date would have been 09/04/2021, however prior to the passing of SB1067 he was not eligible for the program.

Recommendation 5: The Department should comply with all reporting requirements for the transition program including timely distribution to required parties, annually reporting on the number of inmates who were on a waiting list to receive transition program services, and the number of participants who did not receive an early release under the transition program.

Department response: The finding of the Auditor General is agreed to and the audit recommendation will be implemented.

Response explanation: The Department will continue its efforts to comply with all reporting requirements. There is no longer a waiting list, and this will be noted in future reports. Additionally, we have made changes to Department Orders that will help increase the number of participants to receive the full 90 days.

Recommendation 6: The Department should continue its efforts to update the transition program pamphlet and distribute the updated pamphlet with all transition program eligibility requirements and eliminate requirements that no longer apply.

Department response: The finding of the Auditor General is agreed to and the audit recommendation will be implemented.

¹ This recommendation requires the Department to develop and implement a written procedure for monitoring, identifying, and addressing delays in transition program processes that are within the Department's control (see Auditor General Report 21-119, and our followup, for additional information related to the Department's efforts to implement this recommendation).

Response explanation: This recommendation has already been implemented. On 05/15/2023 the English version of the new Transition pamphlet was distributed to each complex. On 05/19/2023 a Spanish version was distributed to each complex. This updated pamphlet covers all the Transition program criteria to include the recent senate bill changes to the eligibility. A copy of each version was sent to the auditors. Direction has been provided to the complexes that each inmate is to receive a copy of this pamphlet upon arrival to ADCRR custody. It was also mentioned to the complexes that the COIII's can use it as reference material when meeting with their inmates.

Chapter 3: Between 31 and 51 percent of inmate enrollments in Department-offered programs ended in noncompletion in fiscal year 2022, potentially resulting in inmates not receiving intended benefits

Recommendation 7: The Department should develop and implement a process to review enrollment, participation, and completion data for all self-improvement, education, and treatment programs for unexpected values in time frames and dates, and identify duplications, and then make corrections accordingly.

Department response: The finding of the Auditor General is agreed to and the audit recommendation will be implemented.

Response explanation: ADCRR Programs and Reentry in coordination with ADCRR Office of Planning, Information and Research will develop and implement a process to review enrollment, participation, and completion data for all self-improvement, education, and treatment programs. This will include a review for unexpected values in time frames and dates, and identify duplicates, and corrections will be made accordingly.

Recommendation 8: The Department should, in conjunction with its efforts to implement Recommendation 8 from our September 2021 performance audit, research the causes for unexpected values and use this information to make changes, as needed, to its enrollment, participation, and completion policies, guidance, and/or trainings or identify and implement system updates that are needed to prevent errors.²

Department response: The finding of the Auditor General is agreed to and the audit recommendation will be implemented.

Response explanation: ADCRR Programs and Reentry in coordination with ADCRR Office of Planning, Information and Research will research the causes for unexpected values and use this information to make changes, as needed, to its enrollment, participation, and completion policies, guidance, and/or trainings or identify and implement system updates that are needed to prevent errors.

Chapter 4: Department has no Department Orders regarding industry-recommended reporting guidelines but said it sees potential value in developing them

² Recommendation 8 from our September 2021 performance audit states that the Department should develop and implement documented processes to use enrollment data to monitor program-completion time frames for unexpected values; research the causes for unexpected values in program-completion time frames; and use this information to make changes, as needed, to its enrollment policies, guidance, and/or trainings (see Auditor General Report 21-118, and our followup, for additional information related to the Department's efforts to implement this recommendation).

Recommendation 9: The Department should continue its efforts to develop and then implement Department Orders related to reporting guidelines. The Department Orders should address the reporting issues we included in this report.

Department response: The finding of the Auditor General is agreed to and the audit recommendation will be implemented.

Response explanation: The Department has built a report catalog for oversight of all agency required reports, and continues to work towards building reporting guidelines into necessary department orders.

Chapter 5: Department's drug and alcohol treatment programs report did not comply with some statutory requirements and included incorrect information, potentially impacting stakeholders' ability to make informed decisions

Recommendation 10: The Department should ensure that its annual drug and alcohol treatment program report complies with statutory requirements and includes correct information by developing a process to review the report for statutory compliance and that the correct information is included. This process could be developed in conjunction with the Department Orders related to reporting guidelines it develops and implements for Recommendation 9.

Department response: The finding of the Auditor General is agreed to and the audit recommendation will be implemented.

Response explanation: ADCRR Programs and Reentry in coordination with ADCRR Community Corrections will ensure that the annual drug and alcohol treatment program report complies with the statutory requirements. The review process that will be developed in conjunction with the Department Order related to reporting guidelines for Recommendation 9 will be followed to verify the report is complete and accurate.