

THE EDDIE BURKE SHOW
KBYR 700AM TALK RADIO
APRIL 24, 2008

Burke:

We have Commissioner Joe Schmidt here who has come under fire. Daily News article here Union censors State corrections commissioner. The state correction officers this afternoon publicly censored their boss, correction commissioner, Joe Schmidt, with a vote of no confidence announced by their union. Official said the vote which passed 514 to 19 was the first of its kind as far as they know when Schmidt was named commissioner by Governor Sarah Palin in now 2006 he is supported by the union, and considered a popular choice, for the top job at the time he was Superintendent of Point McKenzie Correctional farm. Since then his supported by Correctional Officers and has eroded under allegations that he has covered up medical issues in the jail and cut staff to dangerous levels in the prison. Randy McLellan officer at Matsu Pre-Trial Jail called the situation a powerful keg with a fuse in it. What do you say Commish?

Schmidt:

What he said was, Powder Keg

Burke:

Powder Keg

Schmidt:

and I think that's a real dangerous thing to say to the public.

Burke:

Yeah.

Schmidt:

Because recruitment gets really badly affected by that and it's not true.

Burke:

Yeah. Commissioner, so they're saying that we've got an infectious disease in our corrections facility and that you're now taking care of. What's your response?

Schmidt:

Yeah, that, you know, they jumped on MRSA because it's a real hard one to answer. MRSA is on this desktop right now. Right. MRSA's everywhere. And if you have a weakened immune system, it can make you sick. You find it in hospitals, locker rooms, school buses and prisons. The question is, how are you managing it? I contend that we're managing it just fine. Sure, you cover wounds, you wash your hands, you know, you use rubber gloves when you're going through somebody's stuff and that's how you manage it and that's exactly what we are doing.

Burke:

So it's a disease that is kind-of contagious that spreads around a lot of kind of people, around things that. Is it, in your opinion, under control and should people that are in the prison facilities, be it a correctional officer or an inmate, feel safe?

Schmidt:

They should feel safe, okay. It's under control. It's there, like it's here, it's everywhere, Eddie, but it's under control now.

Burke:

Now is this a problem that is odd to the prison system or is this something that they're just using to bring up, you know...

Schmidt:

Yeah this new - this is new to the prisons and its new probably not a new bacteria--it's not a new infection, but it's new to our vocabulary, just like AIDS was, you know, the report this morning I think that state epidemiologist was real clear about...don't...we over-blew AIDS in the beginning about how infectious it was and all that, so it's new and it's a hard one to...I can't tell you Eddie it's not there right-I can't do that- everybody's know that and so see it...

Burke:

Sure and you can't see it...

Schmidt:

Right, you can't see it so and sometimes when people get sick when they're immune system gets weakened they get infected with it and then it gets listed on the documents and then have something to say ope! It's here, well yeah it's here. We know that, but how, but see - the thing is I don't want to be crying wolf, I don't want to be...if...it could turn into a problem. And if it does-if we lose control of it, I need to go quickly to the budget, I need to go quickly to the legislature and say look, I got a problem and I need X amount of dollars to fix it right now and if I'm out here, you know um um conforming with this union complaint and acknowledging it's more of a problem than it is right now...I'm gonna lose that and I want to be credible if I ever do have to attack this or any other medical problem I see will bleed over.

Burke:

Do you think they are taking something that is a uh and blowing it up so the bigger than what it is in order to find things to make you look like lesser of a corrections commissioner?

Schmidt:

Well sure, this morning this Randy McLellan said that he has officers that have gone days without fresh clothes. I talked to the superintendent this morning and it has never been reported that we didn't have enough clothes. His job is to make sure they have clothing exchange, so I have to make sure that the union members aren't out there spreading hate and spreading fear and making sure that they are in fact, you know we don't want them to not do a linen exchange and then go to the media and not their supervisors and say hey we're not doing linen exchange. Right?

Burke:

Right.

Schmidt:

And that's not fair to the inmate, that's not fair to the public, and it's not fair to me. Right to say an inmate...the first thing when I read that the first thing I did was check for the superintendent's...Do you have a clothing shortage? What's going on out there? Why is there a guy...

Burke:

Clothing shortage meaning for inmates not guards...

Schmidt:

Yeah not officer, yeah right. Reported to me today there is no clothing shortage, there was a couple of months he had to go get some more, but you know its not an issue. The officer that reported is the one who is responsible for making sure that they change their clothes when they

are supposed to. And they complained about soap; well give them soap. You know, I can't come to the facility and give them soap. I can't change their underwear.

Burke:

No, right.

Schmidt:

We depend on our correctional officers to do that but when they go to the media and not their supervisor, that puts me in a real bad way. Cause here I am out in public which I wouldn't have been, by the way, this was not my choice, coming out here with all this.

Burke:

You knew this was all coming, that, you didn't go out to head it off, you know

Schmidt:

No, no.

Burke:

And create a your own fire storm, so to speak, about it, you, didn't just say," hey listen you know, you knew they were going to make their vote, you knew kind of what was coming up if they decided to make it public, and then now you're almost forced, its your obligation...

Schmidt:

Oh sure, it is absolutely.

Burke:

It's your obligations to come out and talk to the public about it.

Schmidt:

And I don't mind this a bit. This is a public, this is who I work for. I don't work for the union. I work for the public. The union is part of the public, but it's only one part of the public.

Burke:

Sure. New question is, is what about over-crowding? What is going on?

Schmidt:

Yeah, I would like to have less prisoners too, our state is running between 99-101% statewide, now the Anchorage complex is higher than that. But these are pre-trial people going to court, I can't go to Arizona with them, I can't go to Seward with them. You know, it just that just that is what it is and we're not gonna find a crafty bunch of ways to let people out of jail that try to you know, you have a job to do. We're going to protect the public and we're going to stand up and do that.

Burke:

Of course, you're also building a new prison, couple hundred beds...

Schmidt:

1530 beds.

Burke:

That is right, yea, yea, I forgot about 1500

Schmidt:

Yeah, right now we are using prisoners out of Pt. Mac in an apprenticeship program, uh uh, Palmer Camp, in an apprenticeship program to build 60 beds and we got a bus that we, that we rebuilt from the air force, turned it into a prison bus, with the prison work crew and we're going to use that to shuttle prisoners out of the Anchorage Complex.

Burke:

What defines overcrowding in a prison, I mean, let's say you're down at I know that each facility is different their structure. You got minimum and you got medium, and max and I mean but I guess it is a count of how many beds are in a room or...

Schmidt:

Yeah. What we did, Eddie, when we counted our beds, we counted every hard bed in the state. There's 2 kinds of beds we didn't count. We didn't count the plastic temporary ones we call boats and we didn't count half of our segregation units. Now there's, let's say in Seward, there is 64 seg beds, so when Craig down there is at 100% he's actually got 32 empty beds in his facility.

Burke:

And you gotta have that because the segregation unit is with your hot heads and whatever.

Schmidt:

Exactly, and somebody gets in a fight you got to quickly move them.

Burke:

Right, right, right.

Schmidt:

You gotta be able to do that quickly and if you fill all your beds you lose that ability.

Burke:

Right, right, right.

Schmidt:

You know so that the Anchorage Complex can be over-can be over that and we try to keep it as close as we can, but the, you know just the people going to court, there's nothing we can do. I don't arrest the people.

Burke:

That's true. One thing that surprises me, uh Commissioner, is that you are an individual who grew up within the ranks, your father was a...

Schmidt:

Yep

Burke:

Commissioner...

Schmidt:

Yep, sure was.

Burke:

Of corrections. You have been, as the article even says, you were their guy. You're the union and that happens in a lot of different fields; in politics. Hey. You wanna be the top cop here in Anchorage, you know it's hard to be one without union support. It happens so it surprises me

that these guys, they're all behind you, now it seems like, they're trying to throw you under the bus.

Schmidt:

Yeah, I was careful I didn't make any promises coming into this job and I'm the 3rd one in a row that this has happened to. This is the first vote of no confidence but when Margret Pugh was out commissioner, during the campaign it was it was it was more ugly than this. The attacks, the political attacks on her personally, um and then when Mark Antrim became commissioner it lasted about this long--a couple years. And you member to send my daddy home campaign that ran against him, okay, much, much uglier than this and I expect this could get ugly. I don't know what these guys wanna do. But I, you know, I knew coming in I'm going to be the 3rd one in a row now and when they come to me and say if you terminate this guy we're at war, right, well you know, there's a right thing to do and a wrong thing to do

Burke:

Okay I know you can't speak specifically, about terminations because there's a personnel issue, privacy issues things like that but um now it was relayed to me that some of the people that you have terminated were rehired. How many people do you, I tell you what, look, I'll get that question and answer from you when we come back from break, sure, we'll talk about that a lot of other things we'll have you here for quarter till so we got a lot of time with the commissioner if you have any questions, concerns, it's your jails folks, you own them. He works for you as he said, so Joe Schmidt, we'll be right back. 274-5297

Burke:

4:23 in the afternoon. We have the corrections commissioners here sometimes the people say the Commish ugh-What Commissioner of Corrections. I guess you can say it both ways. But Joe Schmidt is in the studio with us here folks. 274-5297. We're discussing a issue surrounding the unions vote 519 to 19 ugh say that they have no confidence in their commissioner, they're prison officers. Um, but there was another with a story didn't say what that there was another approximately 200 that didn't vote. And it's interesting to see what kind of pressure may be on people to vote and that what decisions made other people not vote, and a because you know if you're caught if you're found to be not supportive of the brotherhood in the union, which you were a member of the union, you grew up in the ranks, as a correctional officer, and now commissioner of course, so you wonder how that's all playing in this, in this, in this issue.

Schmidt:

I've had email on that very issue, on one of the officers were talking about the union's holding meetings and people talking about didn't vote yet, how many people voted and that kind of thing and that's going to happen I don't know how hard you want to chase after that, but I knew a lot of that was going on, but you know at the end of the day Eddie, it wasn't my vote, I didn't see the vote, I didn't count the vote. I didn't have anything to do with it. I found it from the media that it was getting counted and it was, what the numbers were.

Burke:

So I know the governor counted her votes and her votes went with you.

Schmidt:

See that? Yeah, um.

Burke:

The governor has come out and I've had some even closer conversations that says that the governor is very supportive of you; she understands what is going on, and she is, you know, I don't think she threw any mud one way or the other. She just says hey, Joe Schmidt, the commissioner, has my vote.

Schmidt:

And any other human being can only be the second boss, second best boss after that. Yeah, I mean, and that's as good as it gets, and I did want to ask I'd like to keep these issues away from her if I could, and frankly I don't think this stuff should even touch the Governor's office, and the best I can keep it managed and away from her the better, but she was very supportive and I was real appreciative for that.

Burke:

Let's go to the phone 274-5297, and we have Joe, Commissioner Joe Schmidt here. Jerry Ward...

Producer:

We'll have him, but Eva call back, I hung up on you.

Burke:

Oh that's right, sorry, we hung up on Eva, Eva give us a call back.

Producer:

You didn't, I did. Well my bad.

Burke:

We, you know she thinks Eddie...we're just a team here. You're white guy and I'm a white guy...

Jerry Ward:

Hello?

Burke:

Kill, kill, kill, the white man. Hey Jerry Ward, how are you doing?

Jerry Ward:

I am fine today.

Burke:

How's the natives doing?

Jerry Ward:

Hey they're doing great. Commissioner, I'd just like to tell you something, ugh you know I've worked in corrections under your dad when he was commissioner but uh, I've also been involved Alaska Native Justice Commission report, ugh the White Bison Program and I'm currently on the Alaska Native Veterans um-Commission. I want you to know I appreciate what you're trying to do. You know the guards hate our, correctional officers they like to be called, hey they're doing great jobs. They're protecting the public, and you're doing a good job, but you apparently clearly understand another part of that and that is that for every 20 people that are locked up for years costing us a million dollars, and so recidivism is a whole key to this and I know public safety, you got to protect the public and they're doing a good job. There's another side of that and that's rehabilitating people to where they don't come back anymore. And I can tell from your article that you are looking at that and you're working towards that and I'm not part of the 519 that...I'll tell you, I applaud what you're doing and...

Schmidt:

Well, thank you

Jerry Ward:

You just keep doing it and yeah, the union, hey, of course they want to get their high three and spend their last 3 years in Bethel so they can retire with big money and take care of all the things that they need and you know God Bless them.

Burke:

There's no selfishness in any of this, Jerry Ward, you know that! Why are you spewing hate? You just hate unions, that's all.

Jerry Ward:

What the commissioner is doing and what Governor Palin has been trying to do since she was elected is to actually reduce the amount of people that come back to jail and when I read that in the article that you said hey, people are here because they are drinking and drugging and you know what, we all know that, and if we need to address it because you know let somebody spend a life on the installment plan in jail when we can just literally give them a little bit of self respect, put them on the right path, and they'll never come back, and commissioner, I applaud you. Good job, keep it up, keep your union dues paid, but a you gotta remember you work for us, not them.

Burke:

Hey thanks, Senator Ward, appreciate that. Let's go to the line 2. Let's go to Eva, right, well go Eva first, cause we hung up on her accidentally. Eva, how are you doing?

Eva:

I'm great thanks.

Burke:

Go ahead.

Eva:

My last question then I'll hang up so I can go back to driving. If you could clarify the over-crowding, I guess I don't understand if the bed count is just a marker because it seems like if it was only beds you could go to shift sleeping and breakup the beds sleeping for 3 shifts and let the lives rotate around that. Maybe you could explain the over-crowding situation to me.

Schmidt:

Yeah, shifting would require some more day-room space of course, but you also have to feed all those people and you need kitchen infrastructure and laundry and medical infrastructure.

Eva:

You'd be hiring more people, right, pulling more people out at the same token.

Schmidt:

Yeah, I mean when you have more prisoners, you're going to have more staff, I think, like doubling the amount of prisoners in a facility and sharing a bed would be a tough thing to do because of the other thing, you need more than just the bed, you've got to occupy them all day you got to feed them, you got to do the laundry and all the kind of stuff.

Eva:

Okay, so the bed is just a marking.

Schmidt:

It's marker. Exactly, and you know we don't have like I said before, I don't go out and arrest people, so our job is to protect the public and we don't say no to police officers when they come in, and if they have a busy night, then we have a busy night.

Burke:

You can commit to the public that you're doing, that the Department of Corrections is doing the best that can do to house everybody they can with the tools and amenities that they do have.

Schmidt:

Absolutely.

Burke:

And I can, that is the question, see, I don't need to know all the other stuff if you look me in the eye and you tell the public, hey, listen, I'm doing the best job I can do with all the materials and infrastructure that I have...

Schmidt:

Yep.

Burke:

We're trying to make it work, that's all I need.

Schmidt:

We're going to be efficient, we're going to be...

Burke:

Thanks Eve, I appreciate the call, let's go to Greg. Greg, before the break. Go ahead, Greg.

Greg:

Hey thanks, Eddie. As a person who was falsely arrested and placed in your fine system down there at Cook Inlet one time, I know first-hand it's over, I think over-crowding is the whole issue here, and you guys are under stress because it's beyond, I had to sleep on the, you know they bring you the mattress with this little like a canoe thing and you sleep on the floor.

Burke:

It's called a boat.

Greg:

Is that what...

Schmidt:

Yeah, it's a boat.

Greg:

No, it's no safety item, I'll put it, you know. I was glad when the one guy got transferred so I could fight the other guy for the other bed.

Burke:

Did you win?

Greg:

Oh yeah, well you know what Eddie, in that whole thing, you know me from before, you got about 50 grand out of the whole deal, but it was still the one night in jail. That got back, but still.

Burke:

That was a pretty cozy boat for you to get 50 grand.

Schmidt:

You got 50 grand from us?

Greg:

Yeah, cause they robbed from you guys, not from you...

Burke:

I got to go, if you want to hang on you can, we got to go to a break, and back to Commissioner Schmidt. Right after the break.

Burke:

4:37 in the afternoon and Commissioner Joe Schmidt is in our studio with us here. We're talking about is the union censors state corrections commissioner. The commissioner has come under fire for several different things. The union took a vote 514 to 19. One thing the article doesn't say is there's 200, approximately 200 officers who abstained and I tell you what, let's go to line 2. Lieutenant Governor Sean Parnell is on the line with us. Governor, how are you today?

Sean Parnell:

I'm well, thank you. I appreciate you taking my call. Hello, Commissioner.

Schmidt:

Hello, Mr. Parnell, how are you doing, sir?

Sean Parnell:

Great, thank you.

Burke: How are doing, Lt. Governor? What news do you bring to us today?

Sean Parnell:

Well, I guess just the good news that we've officially launched a congressional campaign out there, we're on Minnesota Drive. We're cleaning up the trash and inviting the rest of Anchorage to join in the annual Spring Clean Up next week and I got, I don't know 40 to 50 people on Minnesota right now and a similar number up around the Seward Highway working on an area there, just wanted to report that in and let everyone know we're working to make a difference.

Burke:

We're a big fan behind you're congressional campaign here. I guess I talked to myself in the 3rd party or something here, but, yeah we really appreciate what you're doing and I did get that little press release that you guys did today and Sean, how is the campaign going? What's happening out there in about a minute?

Sean Parnell:

I just think some positive momentum. We've got lots of Alaskans who just want to make a difference in our state and they want to bring that change too, to the U.S House, so I'm just excited to be a part of that.

Burke:

I would like to get a quick comment from you as to your impressions of this and I don't know you kind of want to distance yourself, but you know it has been pretty compelling evidence that Congressman Don Young did have direct connections with Abram Hoff and now that investigation is going forward. Any comments about that?

Sean Parnell:

No, really, we're looking forward, I mean we're looking forward to Alaska's future, I'm running a positive campaign and doing that I do want to say, since you've got the commissioner there with you, now the governor and I really do support the commissioner, I know him, I know he listens to people and I know when he invites people to come to a meeting to talk, that he'll listen and I just appreciate him doing that and know that he'll keep doing that in the future.

Burke:

Well, we really do appreciate you giving us a call today. Commissioner, do you have anything for the Governor?

Schmidt:

Thank You Lieutenant Governor. I appreciate your call. I mean this is way more than I would ask of you and way more than you have to do, and I certainly appreciate that, Sir.

Sean Parnell:

Well it's my honor to serve with you and I just continue to work with you and look forward to the future together. Thanks a lot!

Schmidt:

Thank you sir!

Burke:

Hey, once again Lieutenant Governor, Sean Parnell, thank you so much for giving us a call today. Appreciate that and a good luck on your campaign; anytime you need to call in, come in the studio, you're always welcome.

Sean Parnell:

Thank you for letting me. We'll talk to you again.

Burke:

Alright, Lieutenant Governor Sean Parnell. Let's go to line 3, to Barbara. Barbara, thanks for holding.

Barbara:

Oh, my pleasure and you know what, I totally support Lt. Governor Sean Parnell. He is a wonderful gentleman and he'll make a terrific representative of all Alaskans, not just those who voted for him, but I'm also just so supportive of Commissioner Schmidt. I mean I think he is doing a fabulous job. I know that I used to work at Lemon Creek Corrections Facility and there were all kinds of mean and nasties going on that nobody would address. And I think he's cleaning house and I think that is a good thing. And another point I want to make is overcrowding. Basically, I really think that we do have large numbers, too large numbers actually, in the prison facilities here and I want to assert that some of those people are in for drug and alcohol abuse, some, you know matters, and not harness crimes like rape or murder, just substance abuse matters and I think they should be actually not lodged in the penal institutional, but rather in a therapeutic community. We would reduce our numbers.

Burke:

Wait a minute. Therapeutic community? What the hell does that mean?

Barbara:

It's where people go if it's not maximum security and it's where people can address rehabilitation, which really imparts...

Burke:

What are they going to do, take saunas there and get ice and salt scrubs and stuff?

Barbara:

No, no. They experience empirically based therapeutic practices. And they live happily.

Burke:

Experienced – I'm sorry, I love what you're saying Barbara, but I just can't get over this, this sounds like some sort of a spa.

Barbara:

No, it's not spa what-so-ever, but it is empirically based in the research, it's proven and it works, so that we don't just send these people on their way when their time is up, with a bus token and a fond farewell. You know?

Burke:

Commissioner you want to jump in here, I'm sorry.

Schmidt:

Let me soften it, first off the callers that call in, if you guys could not stir him up that would be great, he was kind of peaceful and serene, we're doing well and now I've got this to try to deal with. If you take a mentally ill person – 18% of our population is chronic schizophrenia, bi-polar, we've got psychopaths, we've got everything, and you get - psychopath is a behavior disorder, but anyways you give them their medications and/or whatever counseling treatment they need they can function, they can pay taxes, work a job and they can be safe. You get them off their meds, they can be the most dangerous human being you've ever met. So, what happens is you know the mental health community, out in the community, the services just aren't there, and so they end up in jail. So, I think what Barbara is saying, Barbara if I can, I don't mean to speak for you, but I don't know if I would say therapeutic community as much as a secure facility that offers mental health, containment, you know. A people who know how to – what's that?

Burke:

Thank you. That is exactly what I mean to say.

Schmidt:

Yeah, the ability to handle mentally ill people affectively and safely, because they can be wild and dangerous, and they can also be tax-paying working people.

Burke:

Sure, and I agree with that. Well put Commissioner.

Schmidt:

Alright.

Burke:

I just couldn't get over this therapeutic stuff. I was thinking, man!

Schmidt:

Stirred him up.

Burke:

I was going to get a salt glow, a facial, pedicure, you know, rub down, man I was like thinking I was going downtown to Chez Ritz or something. You know, chillin.

Barbara:

But you are relaxed now and I never would forgive myself if you were hard to handle now for the rest of the interview. You're calm, you're okay. Great. Breath in – deep breath out.

Burke:

I'm having a good time now. I'm in serenity. Thank you. Commissioner, I want to ask you a question, through your clean up of the prison and I truly believe, I don't know you well, but my instincts, I just know you are a good guy and I know that you're doing the right thing, that's just what I believe, that's just me. I believe you are trying to clean up things. I believe when you try to clean up things, you know, you mess with the bees and the nest and the next thing you know, sometimes you get stung, but you don't mind if getting stung is what has to happen in order for this prison system to move forward and get cleaned up, then you know the public is all behind you. You did, though, fire some people who have been re-hired: explain that.

Schmidt:

Sure, it's like a court case, and you know, you win some and you lose some. I think what is important is that you do it for the right reason and then you abide by the process. Something this union is not doing right now. We agreed through a grievance process ending in arbitration and we agreed if an arbitrator disagrees, by the sanction or whatever and they put him back to work, we're adults about that, we don't complain, we make whatever arrangements we have to. We pay him if we owe him whatever it might be, and we live with it and we don't scream out to the public, and start throwing a big temper tantrum over it. And that happens a couple of times, and you know my take on that and what I tell my folks, it's easy to get frustrated when you lose. I tell them, look, we're gonna fill that position with somebody. It's either gonna be a rookie who's doing right or it's going to be a veteran person that we now have the attention of, and that's fine. And when they come back you know, they've got experience as long as you're behaving and doing what they're supposed to do, we're good.

Burke:

Through all this mess, and I'm going to go to a break here pretty quick but, through this mess, I guess, I don't know how else to describe it but, how many people have been terminated, under this so-called clean-up?

Schmidt:

We had, we had forty-nine internal investigations okay, brought to us mostly by correctional officers.

Burke:

Okay. And, and the investigations could include smuggling dope.

Schmidt:

Oh, a range from um, falsifying log books to sexual assault. Ok, we've had, we've had a whole gambit of things and I don't want to talk about a whole lot of detail, and I don't want to embarrass my department. There are two hundred people that didn't vote. There are nineteen that voted favorable, and I don't want to insult any, even the ones that voted against me, I don't want to insult them.

Burke:

Is it your imagination, there are a lot of things that could happen?

Schmidt:

Yes.

Burke:

And they were, and they were correctional officers who, what brought this to your attention.

Schmidt:

That's correct.

Burke:

Or at least your staff.

Schmidt:

That's correct. People come to you and say boss, there's something happened here. I heard or saw, we don't dream this up from central office. We hear it from the field. Ok? Now the first thing we do is we sequester that officer, we don't want him attacked like I'm being attacked.

Burke:

Sure.

Schmidt:

Right? And we stand next to our site managers. We don't let them do this stuff alone cause, it's ugly and it's hard and they have to work with these folks everyday. So, we get the heat for this, right? And we do it fair and we record the process. We do it like the book says, to the best of our ability, we're all human. And if there's a bump in the road, there's a bump in the road, but we owe it to those staff that trust me. They came to me, they trust me, and I don't know that they trusted before. I don't know that, maybe they did. But if, you know, the volume of disciplinarys is going up, I can tell you that means people trust me and I'm never gonna betray that.

Burke:

Right, right, right.

Schmidt:

I'm gonna do what's right for these people, and I owe it to them, and that's the way that is.

Burke:

Absolutely. So, out of all the people that have been canned, you said forty-four?

Schmidt:

I'm sorry I didn't get there. Forty-nine internal investigations, twenty-six resulted in disciplinary.

Burke:

I was going to let you get there, I'm sorry, I interrupted you.

Schmidt:

Twenty-six resulted in disciplinary. That could be suspensions whatever, letters of warning or whatever it might be and four were terminated, and an additional four quit during the process. So, we don't know how it would have ended.

Burke:

Exactly.

Schmidt:

They thought that at least they were headed for termination, so they quit.

Burke:

But it's through all those twenty-nine people, or something, twenty-six or whatever it is. You fired four, now there were four and they got their jobs back?

Schmidt:

No, no, only two have gotten their jobs back. Three have been arbitrated. Two got their jobs back.

Burke:

Alright, alright, we want to cover that. Can you stay with me another second?

Schmidt:

Certainly.

Burke:

I think we're going to try to get a call from Paul Honeman. Patrick, I know you just called in 274-5297. If you'll stick with this, Commissioner Joe Schmidt, Department of a Corrections. We'll be right back folks. Give us a call; we want to know your concerns.

Burke:

4:52 in the afternoon. We're back with Joe Schmidt, Commissioner of Corrections. Joe, we have covered quite a bit and I want to go to the phones 274-5297. Let's go to Patrick on Line 1. Are you there Pat?

Patrick: I am.

Burke:

Hey go ahead.

Patrick:

Well, thank you folks and, and, and Mr. Schmidt, I gotta believe you got one of the toughest jobs in the history of jobs. I'm telling you, but I had a specific question, and I just, I just turned this radio station on, so I don't know for sure what was talked about, but a while back on the news, it came to light that there was a mentally, I don't know if you, if it's mentally retarded or challenged.

Burke:

We're not politically correct.

Patrick:

Yeah, good okay, anyway, this, this fellow was put in a, in a cell with a bad boy, and I mean a bad boy, and he was a sexually abused for, I don't know, three or four days. His life was threatened and all that. Then the lady that was running the, running the show was interviewed on television and she said something to the effect that, just because somebody commits a crime of a certain sort outside the prison, doesn't mean that they're gonna commit the same crime inside the prisons, or something. Do you know what I'm talking about?

Schmidt:

Oh sure, I remember the case, yeah.

Patrick:

I want to know, is that person is still in that position?

Schmidt:

Well yeah, um, yeah, Patrick she is. And, and we, you know, I got to be honest, I thought, I thought Debbie did a pretty good job. She's, she's gotta be careful committing to the public, that she'll never move two of a certain types of prisoners together. They book over 20,000 people a year in that facility. Hundreds and hundreds of room moves take place everyday. If we had to do a file review of everybody that, you know, we'd have to have so much resource, it would be unbelievable!

Burke:

Somebody that slipped through, that mentally challenged individual?

Schmidt:

Well, yeah, if, if the guy would have said, hey, I don't want to live with him. We would have looked at that. We do that all the time. All the time prisoners say, for whatever reason, we don't usually ask too much about life. They don't get along, we don't want to put them in there and make them fight with each other. We'll move them somewhere else. It's, it's you know, but a, nobody said anything and the indictment was twenty-eight counts over five days. And you know we've got a good solid...I, I, I went and commended the officer personally that was working the mod that night. Those series of nights, because his log book was right up to snuff. His checks were done just like they were supposed to be and you know, the court is going to get to the bottom of what happened and what didn't. I'm careful not to, not to try to say whether I believe it happened or not, of course, but we have to be very careful not to commit to, you know oh, this is a bad guy and this one isn't, because they can all be bad guys. You can have a drunk driver that is really a murderer. You see what I'm saying? So, we have to be really careful with that. So, I, I, I thought Debbie did well and I especially thought that the COs working that mod did well, because if the state ends up settling or if it ends up being found not guilty, however the state processes it we're in much better shape, because of the work that the CO did in the modules.

Burke:

Patrick, thank you so much for the call, appreciate that. We're here with Commissioner Joe Schmidt, Department of Corrections. Commissioner, let's see, what about, I think this is a question I wanted to get to was, are you being too hard on these officers? I mean, you're, you're, you're looking at everything, and you're snooping around everything. Are you just being an ass or are you know, trying to do what is right for the public?

Schmidt:

Now we are doing what's right man. When a, there's been several issues, the union won't talk about where people weren't terminated. They weren't disciplined, they were talked to. They were counseled, you know. We've had some alcohol issues, we're not in the business of, of believing that people never change and they just have to be gotten rid of right away. We do that when it's egregious, and we think that somebody is going to get hurt, when a behavior isn't going to change. When we just can't, we don't think that anything is going to fix it.

Burke:

I don't understand, why the union is, the union is just worried about numbers? I mean, aren't they worried about a disciplinary issues?

Schmidt:

You know, if, if, if yeah.

Burke:

I know the unions are kind of; you were a member of the union too.

Schmidt:

Yeah, I know, I know.

Burke:

You're a guy that grew up in the ranks.

Schmidt:

Yep, yep, if obviously, I'm not the guy to run a union, but if I was, I would want to provide a work force to be proud of. I don't know that I would, you know, there is a duty to defend its membership. I understand that, but to make threats of war with me, like if you terminate this guy, we're at war.

Burke:

Powder keg!

Schmidt:

Powder keg. All you do is kill your own recruitment with that stuff, we're going to have to spend fifty grand more this year running more ads, trying to entice more people to come to work for us now.

Burke:

Right.

Schmidt:

And if we don't, they'll be back on the news with a "send my daddy home" campaign again.

Burke:

Right, right, right.

Schmidt:

See what I mean and so, that's why I decided early on, I watched this happen, two commissioners in a row, and I said we're going to be fair and we're going to abide by the process guys, but I'm not going to give you a whole bunch of free disciplines and free get out of jail free cards, just so we can get along, because you, this is going to happen. This is what you guys seem to do. Two people in a row and I'm not going to change all of our standards and, and, and run a system that is thought of by people as corrupt just because I want to get along with you guys.

Burke:

You're often put in a position where you can't respond.

Schmidt:

Yes, yes, yes.

Burke:

Or, or, you know. You know be quiet through this whole thing.

Schmidt:

Yep! I haven't said a word.

Burke:

Right.

Schmidt:

And they dragged it out into the public. They did that. I asked them not to. I said this, you

know, we've got a process we should abide by. And we're going public, it's a nuclear media bomb, Brad called it, and we're going to drop it on you, and here we are. So, I said, well then I work for the public and if that is where you people...

Burke:

I want people to know, you didn't call me to come on this show, I called you.

Schmidt:

Thank you. No, I told Richard early on, let's not call anybody. I don't have a message I'm trying to get out. I'm going to respond to whatever the public wants to know, because that's who I work for, and when the public is done asking questions, I'm going to go back and hope I can keep all of this contained back in the department and we're done.

Burke:

For the last, just a few minutes here, we have here, there is a lot of good correction officers.

Schmidt:

Oh, yeah, oh, yeah.

Burke:

And the union does play a positive roll at times.

Schmidt:

Sure.

Burke:

And, so how are you now going to weather through this, I guess, and then kind of create a kum ba ya at the end?

Schmidt:

I haven't moved, my position has been the same, you know, the union has moved back and forth a couple of times. Now we're out in the public, and we're going to try this for a while. I never responded in a hostile manner, like they treated me. I never responded that way, and the reason I did that, is that my whole team can sit at a table with these guys now and whenever they decide to stop throwing a fit, they can come in and we can move this department ahead together, and that's the goal. That's what we want to do, but they've said publicly, "we'll never deal with him again", blah, blah, blah. That's not me. That's not my premise.

Burke:

That's a pretty tough line to draw on the sand.

Schmidt:

It really is. It really is, so, my, my, you know my door is open, it always has been, they have to stop throwing a fit, ask me to meet, tell me what they want to meet about and we're there, and that's how that goes.

Burke:

That's how you get things done, you gotta sit down.

Schmidt:

That's it, talk! Stop throwing a fit.

Burke:

Yeah, the party is over, the fan fare, the news media. They had their splash.

Schmidt:

Let's go now.

Burke:

Now let's go back and sit at the table and get things done. Commissioner, it's been with you the whole hour. It's been a great opportunity. I think you've done well.

Schmidt:

Thank you.

Burke:

You've expressed yourself well and I wish you the best. I know the Governor is proud of you and that's a big deal.

Schmidt:

Thank you.

Burke:

Folks, see you tomorrow. Hug your kids, tell them you're proud of them. Bye.