



# ALASKA CORRECTIONAL OFFICERS ASSOCIATION

*"Walking Alaska's Toughest Beat"*

January 5, 2010

Correctional Officers,

Correctional Officers in Alaska have a tradition of backing each other up and being there for each other when needed. This has always been true regardless of whether it was a radio call of "Officer needs assistance", a plea for donations to help an Officer whose house was destroyed by fire; or the tragic plea for assistance when one of our fellow Officers was killed in the line of duty or when Officers have been seriously injured. When Management abused, unjustly disciplined, attacked or in any way "went after" your fellow Officers, Association Board members, and shift representatives in retaliation for their actions to support the membership, you have always supported and encouraged them. This is especially appreciated since very little information, other than word of mouth, has been disseminated about Management's actions against specific individuals.

That brings us to the purpose of this letter: to inform you about a current attack on some of your fellow Officers, and also give you an update on the contact funding. Beginning with this letter, we are going to start informing you of past, present and, if it continues, future attacks against your fellow Officers. Management's actions put all members at risk, especially in those situations where Management attempts to transfer responsibility from their shoulders to the shoulders of Correctional Officers, as has occurred on several occasions. You need to be aware of management actions so you can protect yourself, as well as look out for your fellow Officers.

## A Little History

We will begin with a little history to bring our newer members up to date; history that is probably worth reviewing for our older members as well. Then we will share some more recent information that may shock many of you. I know, I know, you're thinking nothing this DOC Management does could shock you anymore, but I think you will be surprised.

DOC's current Management Team started out their term of leadership in December of 2006 by cutting shift minimums and increasing inmate counts by bringing large numbers of prisoners back from Arizona and crowding them into our already overcrowded facilities. Simultaneously, Management increased the frequency and severity of disciplinary actions against Correctional Officers, in many cases attempting to settle old scores. Your Board and many others spoke out against the dangerous overcrowding and understaffing, and the unparalleled increase in disciplinary actions. DOC Management then proceeded to go after outspoken Correctional Officers and ultimately Commissioner Schmidt severed all direct communications with the

Association and its Board. The Board responded to Commissioner Schmidt's actions by voting unanimously to send a no-confidence vote to the membership. An unprecedented ninety-six percent of C.O.s responded that they had no-confidence in the Commissioner. Correctional Officers were well aware of the part he played in understaffing and overcrowding and simply voted their hearts based on what they saw taking place in their institutions and on their shifts.

Immediately following the no-confidence vote, Commissioner Schmidt conducted a public relations media blitz, holding a press conference and going on numerous radio talk shows impugning the reputation and character of all Alaska Correctional Officers. He claimed staffing was fine and that the increases in disciplinary actions and their severity resulted from him cleaning up of corruption within the ranks.

There was no widespread corruption that needed cleaning up! Alaska has as professional and dedicated group of Correctional Officers as can be found anywhere in the world. The Commissioner simply tried to shift blame from himself by portraying himself to the public, through the media, as a savior for cleaning up a corrupt Department and as a martyr who was coming under attack by Correctional Officers for doing so. ACOA did not respond to these personal attacks, instead we continued to focus on the issues surrounding staffing and overcrowding and continued to deal with the disciplinary issues through the grievance process.

Since the no-confidence vote, the Commissioner has continued to misrepresent the facts about Correctional Officers and has continued to go after those that speak up in defense of their fellow Officers, specifically Association representatives. Your Board members have done what was necessary and thus put the DOC Management team on notice that they will not lay down, back off, or be intimidated when it comes to defending individual Officers or the membership as a whole.

Many Board members have since been singled out by Management. Several that spoke to the press have received "special attention" from the Commissioner and his Management team. However, no one has been subjected to as much continuous harassment as Sergeant Randy McLellan, harassment that included attacks on his friends and fellow institution Officers as a way to get at him. He has been the target of one outrageous investigation after another and had the distinction of being called a liar by name, on the radio by the Commissioner. In doing so the Commissioner himself violated the Code of Conduct and Policy and Procedure 202.15. **Randy did not lie!** But the Commissioner certainly did when he went on the air to defend himself by calling Randy a liar.

The enclosed information packet details Management's latest attempt to punish Randy and yet another member of his shift. The information included consists of memos, disciplinary letters and a letter to the Governor on Randy's behalf. The packet has a cover letter. **PLEASE** take a moment to read the information. It is important for everyone to see how ridiculous and petty Management has become in their actions against Officers. When Management can get away with targeting one Officer, it allows them to feel free to try against others.

**Please note** – In telling you about the Management's abuse against members, we had to start somewhere, with someone. Randy (and Donnette) are just the most recent. **We do not mean**

to leave anyone out. There are many others, some with more severe punishment, including termination. For example, in the documentation enclosed you will see a grievance arbitration award on another member that until now was not made public. We are very cognizant that DOCs current Management has taken unwarranted and unusually severe disciplinary actions against many Correctional Officers. **Though we start with Randy, we know that many others have been hurt as well.**

Each time Randy is directed to attend an investigative/disciplinary meeting, Management's track record leaves him no option but to believe that he might be terminated. Every time he and his family have to wait for the decision not knowing if this time he will lose his career and his livelihood. In this latest situation, Randy should have been given a "commendation" for protecting the Department from liability, but instead it was one more investigation and one more time that his family was put through hell.

Yes, this mailing does have a lot of information, but please take the time to read through it. Every day we deal with Management. As you read through this issue about Randy it will also give you some insight into those dealings that you never see or hear about. **Sergeants should pay particular attention to Randy's three disciplinary hearing letters as well as the grievance arbitration decision on Sergeant Ellis.**

ACOA President Danny Colang and all members of the Board put themselves on the line almost daily for all of their fellow Officers. Each Board member appreciates the support you all have shown and your willingness to stand up and fight when asked. Someone once made the statement that, **"You only have the rights you are willing to fight for"**. This membership and its Board, have not backed down, even when it was a popular Governor.

### **Arbitration funding under attack yet again**

Once the Administration conceded that the arbitration award was "alive" and not "void", it was incumbent on them, as per Alaska Statute 23.40.215 and Article 33 to support its funding. This support, **by law**, must include the submittal of the Arbitration award terms to the Legislature and a supplemental for the first year of the three-year contract. As per the enclosed letter, Management has chosen not to meet its obligation and, should they continue in this action, it will constitute yet another blatant Unfair Labor Practice (ULP). Commissioner Kreitzer's offer to "help" legislators understand the arbitration award is double talk for her willingness to "help" legislators realize how expensive it is. Although this is what they spun last year, the fact is, the award is balanced and fair and in line with most other contracts.

Starting the first day of session, and later, as Correction subcommittees meet in early February, and as the House and Senate Finance Committees meet further down the road, we will be working to ensure that Commissioner Schmidt and the Administration do as they are obligated to do... support the funding of the Arbitration award.

### Important Raffle

Every year we have raffle for the annual meeting. This year it has taken on more significance. All the funds raised by this year will be dedicated to getting the arbitrated award funded and going on the offense against Commissioner Schmidt on behalf of Randy and other Officers who have come under harassing attacks from Management. Due to the importance of the issues involved, we have taken two unusual steps aimed at having a successful fundraising raffle. One, we have put a lot of time and money into getting special prizes; a four wheeler and an Alaska Airlines trip, being just two of them. Two, we are sending 3 tickets to each of you. This will ensure that everyone has the opportunity to purchase tickets and participate. However, as I am sure you can imagine, it could also turn into a logistical nightmare for Deb in the office. As you may or may not know, Jen moved to Florida this past summer, so please help Deb out.

### Please help Deb out

It would be great if everyone purchased or sold the 3 tickets and mailed the stubs and a check back to us in time for the drawing on February 6th. If you do not intend to buy or sell the enclosed tickets, please return them to Deb in the pre-addressed, pre-stamped envelope in the packet so that they will be available for others to buy. But remember. everything. the tickets and the money **have to be back to the Office by February 1<sup>st</sup>**. We have tried to make this process as easy as possible and your help in this matter would be greatly appreciated. Please get involved. Please help out.

Thank you again. Stay safe.

# STATE OF ALASKA

## DEPARTMENT OF ADMINISTRATION

**ANNETTE KREITZER, COMMISSIONER**

**SEAN PARNELL, GOVERNOR**

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December 31, 2009

The Honorable Lyman Hoffman  
Co-Chair, Senate Finance Committee  
Alaska State Legislature  
State Capitol Rm 518  
Juneau, Alaska 99801-1182

The Honorable Bert Stedman  
Co-Chair, Senate Finance Committee  
Alaska State Legislature  
State Capitol Rm 516  
Juneau, Alaska 99801-1182

Dear Senators Hoffman and Stedman:

You likely remember that the Legislature last session did not appropriate funding for an interest arbitration involving the Alaska Correctional Officers Association. I submitted the monetary terms of the arbitration to the President of the Senate and to the Speaker of the House on March 29, 2009.

Funding for the award is not included in the Governor's FY 11 budget proposal as the Legislature's intent with regard to the award is unknown at this time. You may recall that the arbitrator's award consists of 143 pages. If you would like a briefing for the Senate Finance Committee on the contents of the award, I would hope to work with you to accomplish that briefing early in this next session.

Please let me know if you are interested in scheduling such a briefing to review the facts of the arbitration award for the Legislature's consideration.

Sincerely,



Annette Kreitzer  
Commissioner

CC: David Teal, Fiscal Analyst, Legislative Finance Division  
Karen Rehfeld, Director, Office of Management and Budget  
Kevin Brooks, Deputy Commissioner, Department of Administration  
Kate Sheehan, Deputy Director, Division of Personnel & Labor Relations  
Danny Colang, President, Alaska Correctional Officers Association  
Brad Wilson, Business Manager, Alaska Correctional Officers Association