

**DEPARTMENT OF CORRECTIONS  
PRISON ISSUES BOARDS MEETING  
Montana Women's Prison  
Billings, MT  
September 13, 2016  
9:00 am to 2:00 p.m.  
AGENDA**

Roll Call – MWP - Associate Warden Bob Paul, CCC - Warden Douglas Fender, DCCF - Warden Tom Green, MSP - Warden Leroy Kirkegard, GFRP - UM Travis Harris, MCE - Andrew Olcott, Directors Office – Pat Schlauch

Via telephone conference– None

Via vision Net- None

There is a quorum present.

“In accordance with Montana Code Annotated Section 2-3-103(1), the Board will hold a public comment period. Please note that this open forum period for comment is the public’s opportunity to address the Board on any topic that is within the purview of the Board. While the Board may or may not take action on the issues presented, the Board will listen to comments, may respond to questions, may ask that particular questions or comments be submitted in writing, and may ask that the issue be placed on a subsequent agenda for possible discussion by the Board. The Chairman of the Board will determine the amount of time allotted for public comment.”

“Pursuant to Montana Law, the Chairman may decide to hold a meeting or part of a meeting in executive session due to interests of individual privacy, or individual or public safety or security of public facilities, including jails, correctional facilities, private correctional facilities, and prisons, if disclosure of the information may jeopardize the safety of facility personnel, the public, or inmates of a facility.”

Approval of minutes from the last meeting,  
Moved to approve the minutes - Warden Leroy Kirkegard  
Seconded the motion – Warden Tom Green and Warden Douglas Fender  
All approved the minutes from the last meeting.

Welcome and introductions.

In addition to the above people, the following were present – Ira Eakin, Chris Briscoe, Demetric (DJ) Godfrey, Mark Hartman, Kari Kinyon, Laurie Mills, Ron Nodland, Steve Ray, Alex Schroeckenstein, Connie Winner.

**Legislative and Management Team Updates– Warden Kirkegard**

Warden Kirkegard stated the Director wanted to thank Alex for taking care of things at MWP while the Warden was away with the death of her husband. The last core management meeting had about 150 people in attendance. Director Mike Batista has decided to retire at the end of the year. Gregg Budd is serving as the interim head of the Board of Pardons, but is out on medical leave right now. Montana Board of Crime Control will present Director Batista with a lifetime achievement award on Oct 5.

Budgets submitted will be tight, each division will be fighting for what they can get. Our capacity continues to increase.

**Division Updates –Warden Kirkegard**

MSP has added 8 beds at the Work Release Center to help with our capacity. Currently we are looking at reducing the two MDIU indoor recreational yards and adding 10 stash beds for youth offenders in order to keep them separated from the regular population. MSP is down 42 officers. The regionals and CCC have helped with movement of offenders. We are working with Lewistown developing a new MOU. MSP continues to work on stopping the contraband from coming into the facility.

## **Discussion of Grievances - Mark Hartman**

The Montana Women's Prison is hosting the annual disciplinary & grievance conference September 28 and 29. The majority of grievances at MWP are medical, canteen and hobby. Out of the all the 91 informal grievances filed, 50% of these grievances at MWP were done by one inmate. This same offender had 20 informal grievances returned to her at once.

## **Discussion of the RIC religious issues – Patrick Smith/Warden Kirkegard**

Approved RIC religious items below

1. Wiccans requested that the Wicca study be changed to the equivalency of the Native American Circle. This was partially approved. They will be allowed to do the "Talking Circle" during their regular scheduled time.
2. Wiccans requested a small Anubis statue or a picture of an Anubis for their personal property. Members approved for either a 4 x 6 or 5 x 7 picture will be allowed. No statue. The picture will not count towards their personal picture count and will only be allowed to come through canteen.
3. Native Americans requested a prayer blanket be allowed for personal property. It is approved, must be similar in size to prayer rug or shawl. The blanket must be stored except for prayer time. The approved blanket is a turquoise color, is 30" X 40" in size. Cost is @12.50 through the canteen and cannot be personalized.
4. Jewish inmate requesting to view videos ordered from Aleph whenever he wants at the RAC or in his cell. It was approved, but only during prayer time and only at the RAC.

The rest of the recommendations sent up from the Religious Issues Committee were reviewed and were denied as presented and recommended.

Travis Harris asked for discussion about the beaded medicine bags coming into the regionals from MSP and other facilities. Warden Fender stated CCA considers it finished hobby. Travis said that they also have made bags for the MP3 players. His next question was if it is not allowed, are they allowed to send out or destroyed. Warden Fender asked if they are being taken away? Travis said yes if they are wearing them they are taken away. It was agreed by all that these items were finish hobby and should be sent out. The group also agreed that we should give the inmates 30 days to come back into compliance with the policy. Travis said he would develop a memo to the inmates for his facility and then would share it with all facilities so they could use it as a template to stay consistent.

Proper handling of eagle feathers was discussed as Demetric had an offender alter by adding items to them. Travis said if you need to take away an eagle feather you need to get a hold of a Federal Game Warden. According to the RAC you can fan the feathers but not have them out on display. Travis stated that he was sure that policy stated that you can't display them and they have no space on the walls to do this. Warden Kirkegard asked if it was leather holding the feathers together. The permit says you can only have 4 feathers unless you are the piper carrier and that changes where you are allowed to keep some of these items. There was some confusion related to all of this. Warden Kirkegard was going to research and get a concrete answer and send out an email to all on the eagle feathers.

## **Roundtable Discussion on Inmate/Facility Issues**

### **Budget- Pat Schlauch**

Budget staff had a financial compliance audit and one thing that was affected was the internal control for deposits. Now that we have a separation of duties for processing of checks and who takes them to the bank, it is all good. Pat Schlauch also stated that the County Jail Hold (CJH) is not going down, hitting the 400's. All our regional facilities are full. Last year this time there was about 14 waiting to get into secure care, now there is about 90.

### **GFRP – Travis Harris**

The dental clinic project is going good. They just installed the tiles in the clinic. The dental clinic should be up and running fairly soon. Pat informed us that when he was there they had a list of things that need to be completed. Due to the construction we were unable to house an offender who was in detention, but CCA gladly took him for them.

### **GFRP- Demetric Godfrey**

DJ says until they clinic is done there has been a list of offenders that he has been sending back to be seen by the dental department. DJ asked if anyone else was seeing an increase in color photo copies being brought in?

### **Legal – Ira Eakin**

Ira stated with MSP being down 42 officers and CJH staying high he doesn't foresee things slowing down in legal anytime soon.

### **CCC- Warden Douglas Fender**

CCA had a recent suicide. There has been a lot of introduction of contraband and they have found some homemade syringes. Warden Fender stated that staffing is currently full and that they were able to recruit some from other closing facilities. The local Sherriff called Warden Fender and asked if they were going to close CCA and put the offenders back in the jails. This was related to a newspaper article about the Federal Bureau of Prisons trying to get out of their private contracts. Warden Fender let him know this not going to happen as they do not have a BOP contract, only US Marshalls.

Warden Fender informed us that they just finished their corporate audit.

CCC recently had a salmonella incident. Warden Fender stated they went through all the proper steps to resolves this case. Pat said that they also worked with the appropriate external agencies to get this addressed and resolved.

### **DCCF- Laurie Mills**

Laurie introduced herself as the new contract monitor for the Dawson County Correctional Facility. She stated that they have not yet found a CD counselor for the facility but are still recruiting. They are transporting offenders back to MSP for treatment and for the Work Release Center. The horse therapy program is up and going well again.

### **MCE- Andrew Olcott**

Andrew wanted to discuss the continuation issue from the last meeting of the AM/FM radios. MCE has found a reasonable quality one for about \$7.49. He brought one for everyone to look at. Is there interest in the inmates having both MP3 players and the AM/FM radios. Warden Fender stated that the offenders use them to listen to the TV's in the pods. Pat Smith said that all the facilities except MSP use the quiet sound boxes for TV's in the dayrooms. Having the radios would help the facilities by making the dayrooms quieter. CCA was interested in still using both the AM/FM radios and the MP3 players. This would make the dayrooms quieter and would help. The radios would have the exact same procedures as the MP3 players. The MP3 players are about \$60. Warden Kirkegard asked if they are not offered at MSP and MWP are the other facilities okay with that. Pat said we might run into a problem not keeping property consistent when inmates are transferred around. Warden Kirkegard said there has been numerous complaints that MP3 players are expensive.

Warden Kirkegard said he was ok with them to have one or the other or have both. Pat asked what would work for MWP, Bob Paul stated that he would rather the offenders use one or the other. Warden Green said that DCCF would like to use one or the other on the radios. Travis Harris at Great Falls said using one or the other is what their facility would like to do. Pat asked the group if they all agreed that we use one or the other. Everyone agreed to allow one or the other (not both) and said to add to the canteen list the small clear AM/FM radio for \$7.49. Andrew wanted to know if it would be the different departments keeping track of what device the offenders has? He stated that they currently only keep track of the ones at MSP. Pat suggested that the canteen keep track for everyone. Andrew said that he would work with the canteen on tracking this item.

### **MWP- Associate Warden Bob Paul**

Bob stated that Warden Daly-Shinners wanted to thank everyone for the thoughts and prayers with the passing of her husband. The city college is going to have some eligible programs that they will be able to use at MWP. The MDOC security audit will be at the end of September for the women's prison. MWP also just finished their PREA certification. The gardening program with the sage is still going well. Bob said that there is still staffing shortages. The shortages on staff is making it hard for searches and tool control to be done well.

### **DCCF – Warden Tom Green**

Warden Green stated that there is still staffing issues and internal affairs issues ongoing at their facility.

### **Pine Hills – Steve Ray**

Steve stated that youthful offenders have went down about 18% in the last couple years. Pine Hills has started an adult program that is more like a pre- release than a prison. Pine Hills also has about 10 to 12 kids that will turn 18 in the next 6 months. The facility has also started a welding program and a master garden class. Pine Hills is also hosting a communication fair at the end of September.

### **Medical – Connie Winner**

Connie wanted to announce that Cindy Hiner has taken the position of Bureau Chief of Medical in Helena. Pat asked if Cindy would be answering the medical appeal grievances and Connie stated that yes, that she would be answering them. Cindy Hiner's last position will be posted again. Medical has been down a physician for quite a while. The annual clinical services meeting will be the 17<sup>th</sup> and 18<sup>th</sup> of September in Boulder and facility medical staff are invited to attend. There have been some misconceptions about being treated for Hep-C and the medical review panel will discuss some of these cases on September 26. Their area has a few projects medical has been working on, with dental for GFRP being one.

### **MSP – Warden Leroy Kirkegard**

Megan Coy has shared reports of an illegal drug making its way into the facilities such as START and the inmates are being very creative on sending contraband into the offenders. The mail room has had to start taking the stamps off the letters coming in. The forensic review panel is looking for a new way to conduct their reviews. MSP are getting more offenders back from interstate compact that have been causing problems.

### **IWF accounts & global fund updates, quarterly requests, funding reviews, and new business – Chris Briscoe**

Chris said that the 2017 projections were not a whole lot different than the 2016 projections.

Associate Warden Bob Paul stated that they have a new contract with cable company. He stated that they had to replace and reinstall the cable. Chris said that once the contract is done that there should be no problem with that adjustment. Warden Fender said there has been rate increases and that they might want to get it done sooner than later. Warden Fender stated that CCC had 3 bids for vendors when they switched cable.

#### **CCC IWF Requests**

Dust Collector in Woodshop

Requesting \$6357.95

CCA originally needed to provide their own dust collector. The original dust collector is not big enough. Additional vocational area is for non-profit use of IWF projects such as toys for tots, local projects, etc.

Pat Smith stated, it is a shared area and IWF has bought some additional equipment for the Woodshop. MCE is supposed to only use it for the first sixth months. Warden Kirkegard asked if IWF is appropriate for purchasing the dust collector. Warden Kirkegard was not sure if we would be able to get the collector if it was to be used for MCE future projects. Pat Schlauch asked if we keep MCE will one still need to purchased? The answer was yes; the area still needs a bigger collector. Andrew Olcott announced that only part of it is for the pilot program that MCE is doing. Warden Fender clarified that the original dust collector is still too small for current use and another one will still need to be purchased if MCE goes full time after this pilot project.

Warden Tom Green, and Travis Harris said they are okay with them purchasing a new one.

Motion to approve- Warden Leroy Kirkegard

Second the motion – Warden Tom Green

All Approved

CCC IWF second request is for the Braille product for IT and braille computers for \$ 2555.85 and the replicator for \$499.97

This would include Microsoft word programming itself and key boards. This would also be a standalone keyboard that once the Braille was typed up that you would be capable of printing it on the actual paper. It was stated that it would need to go through the IT department first. Some of this programs materials were approved at a previous meeting too.

The blind institute have been using Braille books that were from the 1980's. The books that are made will stay in Montana with the Blind Institute.

The question was asked, do the offenders fall under the education programs if the program is approved? This program could become a big program and the pay may need to be addressed later, for now it will go under the regular pay plan.

Motion to approve – Warden Leroy Kirkegard

Second to the motion- Travis Harris

Depending on IT approval,

All Approved

No other facilities had IWF requests for this meeting.

**Public Comment Period- None Present**

**Other Security/Confidential issues-None**

**The next PIB meeting will tentatively be the second or third week in January 2017, in Helena at the MDOC Central Office. The exact time and location will be determined by legislative meetings and will be forthcoming.**