

**DEPARTMENT OF CORRECTIONS
PRISON ISSUES BOARDS MEETING
Montana Department of Corrections
440 Colorado Blvd.
Glendive, MT
May 12, 2015
9:00 am to 1:00 p.m.**

Roll Call by Chairman Patrick Smith –Warden David Berkebile - CCC, Warden Tom Green – Dawson County Regional, Warden Leroy Kirkegard – MSP, Gayle Lambert – MCE (vision net), AW Alex Schroeckenstein – MWP, UM Travis Harris – Gt Falls Regional, Dep. Director Loraine Wodnik (vision net)

Others in attendance; Pat Schlauch MDOC Fiscal, Thomas Painter – MWP, Billie Reich – MSP, Kara Sperle – MDOC Fiscal, Connie Winner – MDOC Health Services, Steve Ray – Pine Hills Administrator, D.J. Godfrey – Cascade monitor, Dale Henrichs – Dawson monitor, Dawson Sheriff Ross Canan, Angela Macioroski – Dawson, AW Ron Nodland – Dawson, Jon Barthel - Dawson.

Via telephone conference–.None present

Via vision Net-Kara Sperle, Gayle Lambert, Deputy Director Wodnik

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 David Berkebile, Travis Harris
All approved

Welcome and introductions.

Legislative and Management Team – Deputy Director Lorraine Wodnik

The Deputy Director gave a quick overview of the legislative session and went over the budget and non-budget bills that concerned the MDOC. There were 5 bills that impacted the Board of Pardons and Parole. There was a Secure Facilities increase for the Crossroads Correctional Center. Pre-releases and treatment centers also got a 2 percent raise. Approved for one time only was the FTE for 5 correctional officers in Lewistown, these are the ones that are already working up there. Next session we will have to ask for those positions again. There was a last minute cap put on the county jail rates.

Approved was the \$1/hr. raise for correctional officers, also for all state employees for the next two years starting January 1, 2016 will get \$.50/hr.

Division Updates –Warden Kirkegard

Warden Kirkegard wanted to thank the contract facilities staff and facilities for all their hard work .Warden Kirkegard reported that MSP population is at 1465, with 9 sitting in the county jails waiting to come to MSP. Warden Kirkegard informed everyone that he had one of the Unit Managers run a report and there is 250 offenders waiting to parole out of prison, out of them 145 have been granted parole. 25 out of the 250 are sex offenders. MSP is still down 29 officers. The budget bill gave 2 million dollars across the state that may help fix things in our facility. Warden Kirkegard says we are getting more and more mental health cases at MSP.

Discussion on SB 101 Reentry savings –Gayle Lambert

Senate Bill 101, sponsored by Rob Driscoll, says the Department of Corrections shall adopt rules to set a percentage, not to exceed 25%, of an inmate's earnings in a savings subaccount. The rules must include that, upon release of an inmate from a state prison, the department will dispense money directly from the subaccount to the former inmate's landlord, or other approved recipients, including service providers as part of the reentry plan. This also includes rental, utility deposits, or chemical dependency, mental health or sex offender treatment fees. Gayle Lambert stated that right now MCE is depositing 10% of the MCE inmate workers net wage into the reentry savings plan. All funds not used for reentry purposes will be returned to the inmate upon release.

All agreed that 10% of their net wage would probably be a fair amount to move forward with for this rule. Pat asked if we had to go through the whole administrative rules process. Gayle informed everyone that yes we would and it is a fairly long process. There will be a period for public input. Gayle Lambert said she was going to work with Michelle Morgenroth to get the process moving. There was discussion about older inmates and ones who would not be getting out of prison. Discussion centered on if they are parole eligible after 65 they will put money into the savings account. If it looks like the inmate is not going to get out then the money will gradually be put back into their account.

Annual Property and Canteen review- Security Chiefs

Pat Smith stated for informational purposes that about ten years ago we started a committee to look at the annual property and canteen review. It was decided and put into policy that the property and canteen review would be looked at once a year. In order to keep property limits under control it was decided that changes would be a one for one exchange in order to keep the size limits manageable for our officers and staff.

Billie Reich said from all the surveys that we sent out on property and canteen only 230 were returned from the inmates. Some suggestions to the canteen were to be able to order other types of soups. The offenders would also like to order different soups, ramen candy, head phones etc. They asked if we could rotate the brands every so often. The security chiefs were in the support of rotating brands as long as the number of items did not increase. Fish oil was not supported, because they are allowed to obtain this by going through the infirmary.

Warden Berkebile said that the biggest problem items offenders order on the canteen is tomato soup, honey buns, juices with sugar in them and jolly ranchers, which they turn into pruno. Pat Smith asked Gayle Lambert if all the drinks were supposed to be sugar free? As he thought that had been the original agreement when they were put on the canteen. Gayle wasn't sure but said she would check into this. Gayle Lambert informed the group that they just took sugar from the high side last month. There was a lot of discussion about canteen and property issues and probably not enough communication between the facilities.

Warden Kirkegard motioned to hold off on the property and canteen vote until the next Prison Issues meeting. He stated with the lack of participation and concerns everyone had that they would have to reschedule some meetings with the security chiefs to get this straightened out.

All approved to hold off on the property and canteen review.

Review of annual grievance report – Billie Reich

Billie did a quick overview of the annual grievance report that was handed out. We have a decrease in grievances at Montana Women's Prison, Great Fall Regional Prison and Dawson County Correctional Facility. Grievances have increased at Montana State Prison and Crossroads Correctional Center.. Billie asked for the facilities to talk to their grievances coordinators to make sure they document things well. Billie wanted to thank Connie Winner and her medical staff for handling the medical grievances so well, and seeing them go down.

Discussion of pharmacy and Medicaid issues – Connie Winner

Connie Winner stated that we have been going through Diamond for our pharmacy supplies. Now we are changing to a new system that includes a new consortium, our current contract with Diamond expires the end of June. We will rewrite it to include this new consortium and Connie said there should be not changes except for the cost. She thinks we should see a reduction overall and that the county jails can be included if they want. Cathy Redfern is getting things set up for secure facilities and Sara Phipps is getting things set up for the contracted facilities. We will still be working with Diamond pharmacy but going through this new way will make cost of medications and everything cheaper.

The second thing Connie wanted to inform everyone is that SB 405 passed. Connie Winner stated with this new bill offenders will be able to make claims to Medicaid. The county jails should be able to take advantage of this Medicaid too.

There was also a bill to clarify a co pay for the inmates and would make them responsible for paying for a portion of their dental, medical etc. Pat Smith asked if there will be a committee set up, this will help us to not be all over the board on decisions. He said the co pay should clearly define what inmates are responsible for. We need to know what a reasonable amount is to charge them for these services. We want to set it up similar to the real world. It is a lot to think about. and Pat said setting up a committee would help as we had some real issues in the past when we tried to implement this.

Helping with the Medicaid issues prior to release will really help offenders to succeed. Connie says they are going to pilot it at the Montana Women's Prison and Probation and Parole.

Roundtable Discussion on Inmate/Facility Issues

Budget – Pat Schlauch

Pat Schlauch wanted to inform everyone that with House Bill 2 that the county jails will be capped at \$69.00/day to house DOC inmates on their county sides. 11 of the county jails are currently being paid more than that rate. Deputy Director Wodnik will be sending out a letter to the county jails. This cap will go into effect on July 1, 2015. The budget is set for 178 offenders in the county jails. Last summer we up to 300 offenders in the county jails. The county jail is at about 200 now.

Legislation was approved to give the \$1/hr. pay increase for MDOC Correctional officers.

MSP- Warden Leroy Kirkegard

Montana Development Center will be shutting down in the next two years. Some of these offenders will probably be coming to MSP. Senate Bill 316 was vetoed. This bill was going to allow any correctional officer to make the decision for an offender to go back to the Montana State Hospital. MSP has also been seeing an increase in fights and an increase in pruno being found.

DCCF – Dale Henrichs

Dale stated that he thinks the inmates are bartering/gambling more for their canteen. He sees offenders with more canteen than they should have. He reminded to have staff be aware of this

MWP – Alex Schroeckenstein

Montana Women's Prison is fully staffed. 12 officers will be working with case managers on the reentry program. They are trying to keep continuous quality with the same staff working together on the reentry program. Montana Women prison identified areas that need work from the grievances we have received. The areas that need work are PREA, ADA and inmate communication, this will help resolve the grievances. The use of force grievances has been low this year. The Montana Women's Prison purchased 3 elliptical for the gym and is still waiting on some computer equipment.

DCCF – Warden Tom Green

Warden Green stated the inmate to inmate assaults have increased. He agrees with Dale that the inmates are bartering for their canteen. The horse therapy program is going good. Dawson County Correctional Facility has hired a dentist. Sharon Sager from MCE came to look to see what programs that they might be able to start at the Dawson County Correctional Facility.

CCC- Warden David Berkebile

The ACA audit will be in July. The PREA audit will be in June. CCA is expecting to hear from the US Marshal for their audit soon. CCA is doing mock audits right now. Staffing is at about 100 percent, there is a new class starting June 1, 2015.

GFRP – Demetric Godfrey

Demetric stated that Great Falls Regional Prison are having problems with the property .Inmates property were coming in with not the right property, bad inventories, or too much property. This is becoming a big concern.

GFRP- Travis Harris

Travis stated that are having problems with inmates tattoos not being documented. The Hi set instructor was fired for bringing in contraband. The new camera systems are installed on the county side of the Great Falls Regional Prison. The installation of the state side cameras should be done in the next couple weeks. Pat Smith stated the camera system is very impressive and that they even have audio in some areas.

Pine Hills- Steve Ray

Steve Ray informed the facilities that they had an escape last week. The kid crawled over the fence. The youth offender was found walking on the side of the road. Pine Hills has had some issues with work released offenders bringing razor blades back in. There has been two youth that have been convicted as an adult, so far this year. Steve said their population has gone down since previous years. Steve asked if anyone has 80 to 90 feet of extra fencing that he could have.

MSP-Warden Leroy Kirkegard

We have had several offenders come in that were reading at a 3 grade level.

Dawson County – Ross Canan

Ross stated that he is the new Sheriff for Dawson County, he started in January. Everything is going well.

Health Services - Connie Winner

We will be having the annual healthcare meeting in September and we will make sure there is a lot of good information for the facilities. It will be September 17 and 18 and we will send out the details to everyone as it gets closer.

Review of annual IWF budgets review and approval –Kara Sperle

MWP is requesting \$111,820. Thomas Painter stated that he never got to review this with Bonnie before he left. Kara Sperle said it would be very hard to maintain this budget. IWF budget was not signed by inmates and needs to be signed by inmate reps.

\$63000 Amended proposal was offered up by Kara Sperle for MWP.

Warden Kirkegard said he was not in favor of the amended proposal and suggested we wait to have Joan review, adjust and then get the proper signatures etc.

Pat Smith stated that he will send out by email for final approval once all of the changes are made and reviewed by fiscal.

GFRP is requesting \$50, 175 for its IWF annual budget and it was presented and reviewed by all.

All Approved.

MSP is requesting \$186,849 for its IWF annual budget and it was presented and reviewed by all.

All Approved.

Dawson County Correction Facility is requesting \$ 36,100 for its IWF annual budget and it was presented and reviewed by all.

All approved.

CCA is requesting \$239, 000 for its IWF annual budget and it was presented and reviewed by all. It was not signed by the inmate reps.

Kara Sperle stated that she didn't think that they could maintain this budget. Gayle Lambert reminded everyone there has been an increase of inmates at the Crossroads Correctional Center.

Warden Berkebile would like to table this request until he can get the inmates to sign the request and review it more closely.

Pat Smith said that he could send the request through emails for final approval once all of the changes are made and reviewed by fiscal.

IWF accounts & global fund updates, quarterly requests, funding reviews, and new business – Kara Sperle

CCA requested \$5344.00 for a fusion lab. This is for 20 keyboards for inmates to learn key boarding to learn more job skills.

Warden Kirkegard asked if there were any security concerns with them being able to have internet access. Warden Berkebile indicated they have been reviewed, tested and were very secure and made for the correctional setting. Pat Smith said that he reviewed it personally and it is very secure.

Warden Kirkegard also asked if there was an award or certificate given to the offender to take with him into the community. Warden Berkebile said that they would be able to keep track of completions and certificates were a good idea and he set it up to provide them.

Move to approve -Warden Tom Green

Second the motion -Warden Kirkegard

All Approved.

CCA is asking for \$11,900 to expand their exercise yard. Warden Berkebile said that this would allow them to have a second softball field. This would also expand the recreation area to span towards the secure fence and allow for more space for recreation.

Move to approve –Warden Leroy Kirkegard

Second the motion -Warden Tom Green

All approved

Public Comment Period- None Present

Documents of public comment were received the day before the meeting. Due to the short timeframe and the travel time they were not ready to be read or discussed at the meeting. The documents will be attached here as public comment and the MDOC/Prison issues Board members reserve the right to respond on or before the next Prison Issues Meeting.

Other Security/Confidential issues if needed

The next meeting will be in Lewistown on September 15, 2015. The place and time will be determined and sent out in advance of the next meeting.