

DEPARTMENT OF CORRECTIONS
PRISON ISSUES BOARD
MDOC Central Office
Helena, MT

January 15, 2009

Director Mike Ferriter, Warden Mike Mahoney, Warden Jo Acton, Patrick Smith, Wayne Bye, Tim Meloy, Marti Swarens, Kara Sperle, Len Havron, Donci Bardash, Sally Hilander, Mary Greene, Warden Sam Law, Undersheriff Blue Corneliusen, and Warden Steve Ray

Via Conference Call – Colleen Ambrose

Welcome and Introductions – Patrick Smith

Colleen Ambrose – Legal Issues

Colleen Ambrose conferenced into the meeting by phone and asked if they could present first. Val and Colleen are at a conference for Correctional Legal Issues. As of 12/31/8, the Contract for Lexus has expired and we did not renew it. We have entered into a contract with another company. The disks arrived last Friday. In error, they only sent one set – we need eight. We should get the new ones this week. The disks will need to be installed in the same manner as the Lexus disks. This program is much more user friendly for the inmate legal assistance program. We will continue to explore other options. The new program is about half the price of Lexus for a year of service. When they have a user manual, they will send to the facilities for staff and inmates. The new program also provides better technical assistance. Let Colleen Ambrose know if there are any problems with the system.

Candice Neubauer and Chris Studeny of MS went to Glendive and met with officers and did an in-service training program on the grievance system. It was good training. They also went to MWP and plan to go to the Cascade Co. and Shelby facilities to do this training. There will also be follow up training at MSP in the next couple months.

There were some problems at the MSP Library. They were discovered on the low side and high side. Staff were not adequately supervising inmates and violated the DOC Policy regarding computer usage. There was an email program installed on the computer in the low side library. There were a number of policy violations and corrective action was taken to address this matter. Most of the computers were taken out of both libraries as they were deemed to be security problems. Please contact DOC Information Technology Bureau if you are having problems like these and they will assist you.

Warden Mahoney added that this is not an issue about Lexus/Nexus, but a staff issue. We need to hold both staff and offenders accountable when such issues arise..

Pat Smith said John Daugherty's plan is to work on the computers prior to installation so there are fewer ways for inmates to use the computers inappropriately.

Director Ferriter – Legislative and Management Team updates

Director Ferriter thanked Blue Corneliusen for giving tours on Saturday. They were well received by Legislators and staff. Advisory Council also had a tour. The tours were very well orchestrated. They also toured the pre-release and juvenile centers.

For the Legislative Session, we only have four bills – nothing that really pertains to this group. HB 216 is the DUI Bill. The bill would increase the maximum penalty for felony DUI from 13 months in custody to three years.

The budget reductions in the proposed budgets for corrections and other agencies are a result of declining revenue forecasts related to the challenged national and state economy. This will leave us without an increase in prison beds, a shortage of money to maintain all existing prison beds, and no increase in probation and parole staff to handle an expected growth of nearly 600 offenders on community supervision. We still have requested money for expansion in Glendive. We have asked for a 4% increase for regional prisons. Two percent one year, then two the next. There

may be a 7% vacancy savings imposed on all state government agencies. It may be likely that this will be reduced to 4% for direct care facilities. As a result of today's hearings, there will be no increase for pre-release centers. Secure care is up tomorrow at nine a.m. Public testimony will be at 11:00 a.m.

HB49 looks at restricting utilization of cell phones. This may impact our transports, so we may want to look at it.

Kara Sperle was not sure if anyone looked at SB220. The bill is being changed to add detention staff. It is a fairness thing. This bill provides for payment of the partial salary of a detention center staff member who is injured in the performance of duty.

Warden Mahoney – Division updates

Cory Purves is the new auditing person for the Department. He gave a presentation at the last Management Team Meeting. We are looking at building and developing more standards for the auditing piece. He will get us back on schedule for audits of the secure care facilities. His first goal is to update the auditing tool for each facility to help it run smoother.

The Work and Re-entry Center (WRC), formerly the Work Dorm, is now open at MSP. Hopefully this will pull down the jail hold. Deputy Warden Ross Swanson is projecting the prison to be at capacity within a few weeks. Warden Mahoney said the prison would be at 80% by tomorrow. The new WRC has added 100 beds to the Work Reentry Center. There will be a little shuffling around of inmates in the facility before we see an impact on the county jail hold numbers.

Project Offender Work and Education Ready (POWER) – Donci Bardash

Donci is managing all federal grants. We have about twelve now, and will apply for six more this year. We also have an education grant.

The Montana DOC receives a formula grant from the US Department of Education for incarcerated youth offenders. The objective of the grant is to assist and encourage incarcerated youths to acquire educational and job skills through the pursuit of post-secondary education certificates, associate of arts degrees and bachelor degrees through an accredited program. Up to \$1500 is available annually per offender for tuition and supplies. An additional \$300 is available annually for related services such as life skills, parenting or career counseling.

Effective July 2009, the grant will expand to cover offenders 35 years of age and under, however an exclusion will be added for sexual and violent offenders. This will increase the number of eligible offenders to approximately 1,300.

Warden Ray is excited about this project. He is currently using a program out of Ohio and would like to spend the money in state.

Roundtable Discussion

Warden Steve Ray - DCCF

The Glendive facility continues to fight with the young STG members. They are changing gangs and alliances daily creating problems such as inmates trying to charge other inmates rent to live in the facility. The STG thing is an issue we are seeing all over the place. We need to use the people we have trained to document STG activities. We have to treat them all as STG and discipline them accordingly. The group we originally put into RAS will start to go into general population, and we will probably see an increase in activity again. There are lots of separation needs between the RAS inmates. Our current population is about 25% gang members. It is getting harder to separate them. We need to look at tools to deal with inmate gang activity.

Warden Ray is excited about the educational piece. His facility has a good working relationship with the college and other education staff in Glendive.

Undersheriff Blue Corneliusen - GFRP

Our relationship with the state has been going well. A question was asked during the tour about education programs. If it (education program) is funded, then there is no problem. At this point, there is no funding for an education program. We are three years behind on per diem negotiations. There are some physical plant issues that

Dan O'Fallon will discuss with us. His officers got a three dollar an hour increase in pay and that should help with retention and recruitment.

Warden Sam Law - CCC

Running good, as far as STG operations go. About 18% of population is STG, and 24% of those are in high custody. There has been no increase in issues or incidents. Incentive program is going a long way towards keeping things rolling along.

Shelby will be adding a CAD program in Vo-Tech program. They are also getting a couple new courses. His facility has a newspaper and they are getting creative with the dog program. They are trying to see about expanding the program to more than just 20 inmates. They want to shuffle 5-10 dogs from the program to A or D Pod. They are looking at higher tension areas and working towards six months good conduct to participate in the program. This will give the inmates an incentive to work towards.

Warden Acton said that if you have someone who has been trained in dog handling then you can send them over to mentor all the new people. It is good for the inmates to understand that someone can teach you something new, even if the teacher is younger. It sends the message that if they do well and have good conduct they can get to work with dogs.

Pat Smith inquired about the Native American issues.

Warden Sam Law said we will always have problem inmates. Most of the inmates are happy. They have given responses to the ACLU. The teepee is starting to become an issue.

Director Ferriter asked for information about CCC's recruitment project.

CCC brought about 15 new families into the state of Montana. They have already hired five new employees for their next class. They have hired Kelly services to help recruit nationally. CCC pays for a lot of advertising. They also have a Wednesday radio show. A lot of people have relocated within the state of Montana. CCC has a relocation package. This package includes a moving truck with car trailer – it is a one year employment contract. There is also a \$500 incentive. CCC is now working on retention efforts.

Warden Mike Mahoney - MSP

This is the threshold for phasing out of the 7 inch televisions. There has not been much complaining about the televisions lately. There have been a few minor difficulties and have had to put them out for bid again, but believe we have one that works for everyone.

We have a new Corrections TV system at MSP. Overall, we are pretty pleased with the new system. The Contractor is trying to get a local subcontractor to do maintenance work on the system.

We (MSP) are starting to see a marked deterioration in the conduct of the inmates. There are more violent inmates in the system and these inmates are less likely to follow the rules and regulations. We now have 287 validated gang members. This number came from Lt. Dan Hess STG Program Coordinator. Everyone is doing a good job in monitoring gang activity. We are also seeing an increasing number of young Native American offenders joining gangs. There is one in RAS that was out for six days and managed to orchestrate an assault in the yard. He did this through the Wicken group. He went to the RAC for a Wicken meeting and that is where the plan was put together.

MSP has converted Close 3 to an Ad Seg Unit. The Mental Health inmates have been moved to Close II, so we now have more Ad Seg Beds.

We still have to re-organize the blocks in Close 1. This unit has become a problematic unit and we will be focusing on conducting extra shake-downs to counter these challenges. The facility schedule has really changed and we now have more control of inmate movement and smaller numbers at chow.

Blue Corneliussen said he had an incident where they had to use SERT teams. We need to look at pulling together information on how to deal with emergencies. Our facilities need to run drills so people know what to do. Patrick said he will see if we can get Garrett Fawaz, the new Emergency Preparedness Coordinator, to our next meeting.

Warden Mahoney said it would be good idea to, once every other year, to pick a facility and run a tactical training exercise operation in that facility. This will help to see what the team looks like and assist in coordination of training of the teams.. It will also do a show of force and let the inmates see what a tactical team can do.

Warden Joe Acton - MWP

Warden Acton is seeing an increase in physical violence with the women. This is a real change as the women never used to be physical. A lot of it is the younger Native American women. Seem to go up and down as far as PREA goes. MWP had one PREA case that was a very elaborate set-up. Jail hold numbers are increasing. Recidivision is going down. MWP lost a Native American staff member. The staff member took a position with Fish and Game at Fort Belknap. It is very good to have a Native American officer on board and we welcome more applications for employment at MWP.

MWP visited the men's dog program at Shelby. The men wanted to have an exchange program with the dogs. MWP trained 175 dogs in basic obedience in the last year. They have placed 8 service dogs that started from scratch. Have 14 of the puppies from a recent confiscation of dogs. All of the other puppies have been placed, except for the new (14) puppies. They are English Shepherds. The skills taught in a dog program are the same as a parenting program. There is a bill being introduced about dog kennels.

MWP is replacing an administrative assistant and they got 42 applicants. This is just an indication of the change in economic times.

MWP has radios now and they are getting repeaters to work in all areas of the building. They are looking at installing cameras in February.

IWF Account Updates, requests, funding reviews and new business – Lena Havron

Policy changes – see handout

We are changing some procedures for the \$2500 threshold requests. The IWF expenditures in question are the normal every year, regular expenditures that cumulatively add up to an amount over \$2500. This would be items such as cable TV and food handouts or any items that add up to over \$2500 for the year. We are implementing a process for requesting this type of IWF money. A form is now required to be filled out and turned in. Offenders do not get to approve or deny this type of request it only has to be reviewed with them. This needs to be very clear to the inmates. Mary Greene can change the policy to make this minor change. Lena and Mary will get this fixed. Lena would like the requests sent to her ahead of time. This way, she can discuss where the budgets are and how much is available. The form would be filled out by the facility requesting the IWF money. Send these requests to Lena Havron prior to the PIB meetings. These items and this process will be reviewed at the spring meeting. The PIB would vote on these items once a year at the spring meetings so the budgets for IWF can be set. This is being done at the request of the auditors. The biggest change is that a budget analyst from the Department must sign the \$2500 expenditures. This shows the auditors that we consult with the inmates and approve all expenditures over \$2500.

Lena was not sure where the dog program is being paid out of for CCC. Warden Law will look at this and get back to Lena.

Kara Sperle said when facilities send in bills that have already been budgeted in somewhere, please make a note of that in the request.

MASC was officially shifted to community corrections, so we do not have to vote on their IWF requests.

FY 2009 Estimated Expenditures of the Threshold Amount of \$2500 – Vote to approve

We will go facility by facility and officially vote on the requests as listed on the sheets provided by Lena Havron. If there is anything accumulative that we do not have on Lena's handouts, we need to know right away.

MSP

Warden Mahoney moved for the approval of MSP/IWF expenditures

Blue Corneliusen seconded the motion

All voted in favor – no opposed – passed unanimously

MWP

Warden Acton moved for the approval of MWP/IWF expenditures

Warden Law seconded the motion

All voted in favor – no opposed – passed unanimously

CCC

Warden Law moved for the approval of CCC/IWF expenditures

Blue Corneliusen seconded the motion

All voted in favor – no opposed – passed unanimously

GFRP

Blue Corneliusen moved for the approval of GFRP/IWF expenditures

Warden Law seconded the motion

All voted in favor – no opposed – passed unanimously

DCCF

Inmate pay was not listed on the DCCF/IWF bill

This is only inmate pay from IWF, so someone will look into this for the next meeting

Warden Ray moved for the approval of DCCF/IWF expenditures

Warden Mahoney seconded the motion

All voted in favor – no opposed – passed unanimously

We are pushing the budgeting of all these issues to the IWF council.

Sally Hilander had a request \$1000 of IWF money for part of a Vista position. This is for a resource kit for people who parent children whose parents go to prison. She received the approval and \$200 from Glendive and Great Falls. Sally asked for approval from the other three facilities. Warden Acton is in support of the expenditure for MWP. Warden Law said he had to talk to Cecily about getting the money from his facility. Warden Mahoney will take care of it for MSP. Everyone agreed to email Lena Havron from each facility and she will send the funds.

The last IWF item is the handout passed out listing where the facilities are sitting in terms of IWF funds available. The full 2009 fiscal year is listed, although the sheet says 2008. Lena will make the correction and email it out.

Gail Lambert asked what CCC does to get so much revenue in their IWF account. Warden Law replied their phone revenues are calculated the same as MSP. His facility does not approve a lot of unnecessary IWF requests.

Lena Havron asked if CCC generates any revenue from Hobby and Warden Law said no. Lena asked if they generate money from inmate photos. Warden Law replied no, that he allows them to have three photos taken four times a year at no cost. MSP does this through visiting. It is a self sustaining program.

Warden Ray said the DCCF inmates had brought to him a request to have a small musical program. Inmates have drafted the request several times. Must have clear conduct and be approved by a committee. This is an incentive based program. The total cost of the program would be \$3500. Warden Ray has all the paperwork and it is signed. However, he forgot the paperwork.

Warden Mahoney moved to add the music program request to the DCCF/IWF budget and to pass the amended IWF budget

Blue Corneliusen seconded the motion

All voted in favor – no opposed – passed unanimously

Lena Havron amended his budget without the form.

Pat – received an email through the Directors Office that someone from the public wanted to attend our meetings. It was determined by our legal staff it is a public meeting and we can have people attend.

We will post meeting times and minutes on the MDOC web-site. We will also have to post something on the web as to what the PIB is. There will be proper protocols for requests to the PIB. We will not allow the public to participate in these meetings unless asked by the Board to do so. These are working meetings so the public may come to observe and will be allowed to comment at the set time. We will also have a time set aside for security issues that are sensitive and may do so at the end of the meetings without any members of the public present as security issues and individual privacy rights exceed the public's right to know..

Pat Smith asked for public comment at this time and no one spoke. Pat set the next meeting date and time. The meeting needs to be after the legislative session, but before the end of the fiscal year.

Warden Acton said we could **meet at MWP. The group decided on Wednesday, May 5th or 6th**. Pat Smith will set the meeting up to coordinate with the Advisory Council meeting, so if you want to attend both you only have to travel once. Pat will let everyone know the details and send the agenda out. If anyone has agenda items please get them to Pat before the next meeting. The meeting was adjourned at this time.