

**DEPARTMENT OF CORRECTIONS  
PRISON ISSUES BOARDS MEETING  
Dawson County Correctional Facility  
Glendive, MT  
September 24, 2019  
10:00 a.m. to 3:00 p.m.  
Minutes**

Roll Call – Director Michaels, Warden Lynn Guyer/MSP, Pat Smith/CPB, Robert Wilson/GFRP, Warden Jennie Hansen/MWP, Warden Tom Green/DCCF, Warden Steve Ray/Pine Hills, Warden Pat McTighe/CCC

Others via telephone & vision net/skype –Deputy Director Cynthia Wolken, Colleen Ambrose

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 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.”

In addition to the above people, the following were present:

Sheriff Ross Canen, Billie Reich, Chris Briscoe, Kari Alstad, Pat Schlauch, Noah Hatton, Nicole Tierney, Laurie Mills, Kiela Harris, DJ Godfrey, Chris Conell, Kurt Aughney, Michelle Hauer, and Cindy McGillis-Hiner

Approval of minutes from the last meeting,  
Moved to approve the minutes – Warden Green  
Second the motion – Warden McTighe  
All in favor- Motion approved

Welcome and introductions. We have one official guest today-Rick Kirn, Executive Board Member of the Fort Peck Assiniboine and Sioux Tribes who also serves as a board member of Crime Control for 18 years. Would like to extend his invitation to all of us to visit or ask questions any time. We thank you for being here at PIB today.

### **Legislative and Management Team Updates- Director Michael**

Met with the Law and Justice Interim Committee recently. Primary concerns were about the Board of Crime Control and transitions from DOJ to DOC. Director Michael has been traveling to all the reservations to meet with Tribal Counsel and leadership within the reservations as an introduction and to answer questions in hopes of better understanding their needs and the challenges they face. Due to the large numbers of Native Americans within the justice system we have been traveling to many of the reservations to try and get ahead of some of the cultural issues within the dynamics of these populations. The Native American population is about 6% in Montana. The Native population in men's facilities is about +20% and +30% in women. The process of new evidence-based programming is still progressing. The 2017 Legislature gave us a Justice Reinvestment Initiative and we have not done as well as we could have so they have challenged us to do more/better with our locked housing units. Using more tools, trying to focus on less prison time and more supervision. Our goal is to have the prison population decrease in the next 10 years. We applied for a technical assistance grant for Locked Housing and how we manage that population - we did not get that grant. The Legislature demanded we do more than we are currently doing. We are working towards getting them out of the locked cells and giving them a pathway to work towards General Population if their behavior allows. This really needs to be a positive team effort. We did have a grant come through with DOJ sponsoring it, called "CAMPP" Connecting Adults and Minors through Positive Parenting. This is a \$700,000 grant to help incarcerated parents reconnect and build meaningful relationships with their children. There are still several questions in the air regarding this grant such as: Will this new grant be part of an evidence-based program? Who is going to be in charge? Is this only for adults? We are currently seeking those answers.

### **Secure Care Updates – Warden Lynn Guver**

Legislation mandated shut down of MSCTC unit. We have moved SOP offenders to what is now Unit F. Compliance Manager interviews are happening to help with the locked housing initiatives. Construction in Locked Housing and associated yards are still in progress. We have started planning programming instead of just locking offenders up. We will be moving away from automatic lock ups due to verbal issues and will try to redirect. Twenty-two inmates have volunteered for a new pilot program and it appears to be working well so far. Locking people up is not working so we need to address the issues as they come up not jump straight to lock up as first response.

Cindy Hiner announced that the previous Lewistown offenders, twenty-one, have moved to Riverside. She is very happy with the direction of this new facility. There are great opportunities for the older population.

Warden Hanson is piloting some changes in her locked unit. They have initiated more programming and serious violations have decreased. They are using gender specific programming. MWP went through the federal PREA audit and passed with NO violations in this audit.

Warden Steve Ray uses a performance-based practice. They are taking statistics and sending them in to compare to other states. This is a very difficult to transition for the officers. They found the more you lock people up the more violence there is. The only reason someone should be put in confinement is if there is immediate danger to security of the facility. After training for officers and building up programming they have cut incidents down from weekly to every 6 months. There is some difference between adult and children, but all movement should be the same end game.

Warden Guyer said MSP is still in emergency staffing and over population. They are now at 21 days of over emergency compacity. Have been doing recruiting events for last few weeks, sending a team out, but can't seem to get the bodies to come in. There is a lot of wage competition that keeps people from wanting to apply. DCCF is 7 short which is almost one full shift. The unemployment rate is at 1.4 %. Staffing is an issue everywhere. Pay rate is the biggest issue.

#### **Review of Annual Grievance Report – Billie Reich**

Big changes are coming in locked housing. At MSP, we are looking at procedures and policies and figuring out how we will accomplish at least 2 hours out of cell time per day. Working on tracking system with IT to capture all the required data. We are updating our level systems and will have to do more training for CO's and Sgts. We also hope to change LH2 to a transition unit to help reintegrate inmates back into general population. MSP will have more availability to programming. Will try to take the locked housing population down to 40%. Staff have been looking at several other state's plans to include new door tracking sheets, for easy access for statistics. A secured yard is in process of getting completed. We also created two locked housing yards and a new yard for mentally ill offenders in High Side. Still keeping a level system. The only changes will be out of cell time.

PHC is carved out in the new statute. We are drafting the new policies and procedures. It's moving forward and once finalized with legal, it will go to the Director. The procedure needs to be reviewed by the regional facilities, so they are aware and in agreement of how to move forward.

#### **Approval of Security Chief's Property and Canteen Annual Reviews- AW Godfrey**

We have a finalized matrix so all of canteen numbers are the same. There are some gender specific items. Undershirts are only allowed in cells. Headbands are allowed for men and they are only allowed in the recreation yard. Women can order black tanks, but men can't. Sports bras are available for the men. The differences are the on-person amounts at MSP. There were some changes for beards lengths – they can now be grown up to five inches. The hair restrictions have also loosened up, unless caught with contraband in the beards or hair. This change was taken out of the RAC rules and place into personal hygiene procedure. DJ will get with Angie and get that out to all regionals. Angie will take on an updated inventory sheet/property matrix.

#### **Roundtable Discussion on Inmate/Facility Issues- Feedback by All**

DCCF/Warden Green – they are having staffing issues – the facility is currently 7 officers short. Trying to have PT/Temp staff in control centers. This is the first year the facility hasn't been able to complete the horse program in 20 years. This was due to the staff shortage. The garden program was successful this year. The facility continues to work with DOC on the grant for maintenance updates. They are hoping to use some of those funds for roofing repairs.

Laurie Mills – DCCF Contract Monitor – We are getting parenting classes, T4C and anger management going again.

MWP/Warden Hansen – the tablets have not worked for 2 weeks. Warden Hansen asked if Helena could help with Century Link and getting equipment working. The Director asked when the contract is up with Century Link. There are several issues with all facilities. A repairman must come out weekly to DCCF.

CSD-New Mental Health Bureau Chief Stephanie Turner started last week. The next project is staffing and learning about medical assisted treatment to help with addiction.

Budget – For Dawson’s funding for capital improvements, there is a MOU that will involve three entities - MDOC, A&E and DCCF. They are all working on how we want to pay those invoices. Per diem rates going into FY 2020 & 2021 will have changes that will affect DCCF and GFRP. Anything costing over \$5,000 the facilities will want to meet with DOC before anything happens so everyone is aware of it. Any long-range capital costs make sure it gets to Pat Smith to take into the next session.

Pine Hills/Warden Ray - when the kids leave, they used to go to P&P and now they go back in front of the judge. The adult jail side continues to be full. Currently it’s at forty-four. They are adopting three more mustangs. They are also working with Gayle on setting up a ranch/cow program that will be coming forward in the next year.

Kurt Aughney - Michelle Hauer is back as compliance manager. They will have new policy manager in October. There is a statewide PREA training/conference in Helena in November. Also, PREA investigative training will be in Helena in October. All facilities were compliant for federal auditors. Montana was one of the only states that was fully compliant in the first 3 years. They are gearing up for full MSP mock audit in May 2020. Federal PREA audit training is opening and we currently only have 1 in Montana. The second round of the treatment audits is coming up. Any new evidence-based programs must be submitted to DOC for review by the committee.

CCC/Warden McTighe – they have partnered with Great Falls Habitat for Humanity to help build walls. Wood has been purchased and inmate workers will be trained and certified through this program. A welding instructor will be starting soon and developing a welding program.

GFRP/Robert Wilson – Great Falls is getting the GED program back and T4C up and running. These are two previously approved programs that are slowly getting back. They just need to finish training. They are also reevaluating the way they do things. They are seeking a culture change at the facility as well. They are very open to communication and learning. They are also advocating for new inmate jobs.

Chris-Wanting to hit the facilities as much as he can to learn what he can about each position. Welcome Chris.

MSP/AW Godfrey – Visitations have gone to scheduled only. People can call if there are issues with the online set up. It’s not just online visiting at MSP. Last month there were 666 visitors. There were some issues with the computers being down, but since the lists were all sent out, it went ok. The programs on the high side at MSP are going well.

Pat Smith - RAC committee meeting notes made available to the administrators. He passed a handout of what was approved. Motion to approve Warden Hansen, 2<sup>nd</sup> Lt. Wilson seconded the motion. It was approved as presented.

**IWF Accounts, Global Fund Updates, Requests and Funding Reviews - Chris Briscoe & Kiela Harris**

The amount in the global fund is \$1,226,747.49. This is a prorated amount. Chris doesn't foresee any changes. For now, this fund is statutorily protected. That could change. It might be a good time to reevaluate the IWF funds policy and what gets paid out of the fund. It's also a good time to look at limits and what can be approved and the time limits of incarceration. It's been about six years since the last evaluation. Pat will put it on the next agenda for review.

Purchasing said this morning, if the requested amount is over \$5000 and under \$50000, instead of doing bids, we can get approved at the Prison Issues Board. Once approved, they would be sent to Val and she will send the requests out to vendors and contact appropriate individuals through E-Max.

Pine Hills – in the spring, we tentatively approved equipment for Pine Hills. There is now a list presented by Superintendent Ray asking for a total of \$17,564.48 worth of equipment to be taken from the global fund. Warden Guyer made the motion to approve the request and Warden Green seconded the motion. All were in favor, and the motion was approved. There was also \$5000 from MSP and CCC IWF funds to go to the Pine Hills account to get them started.

MSP – requesting a replacement ice machine for high kitchen. It cannot be fixed and just need to be replaced. IWF bought the original ice machine many years ago. Just needs to be replaced, IWF bought the original one many years ago. The total requested is \$14,000.00. Warden Green made the motion to approve the request and Warden Ray seconded the motion. All were in favor and the motion was approved.

MSP - requesting exercise equipment for locked housing, Unit F, the high side and Riverside. The request is for roughly \$94,000.00. There will be an extra expense for a concrete pad to be placed at Riverside for the equipment. All equipment is ADA compliant and there are no free weights – it's all cables. Warden McTighe made the motion to approve the request and Warden Hanson seconded the motion. All were in favor and the motion was approved.

CCC – no IWF requests at this time but will have some coming.

MWP – requesting to update some gym equipment. Asking for three sets of 25lbs free weights, a weight bench and five treadmills for a total of \$16,554.40. Warden Guyer made the motion to approve the request and Warden Green seconded the motion. All were in favor and the motion was approved.

DCCF – no IWF requests.

**Public Comment Period-Began 1335-1400**

Rick Kirn-On the reservation we are also having hard time with staffing. He introduced Ron Jackson who is the Director for Natives. He is from Poplar, MT with 26 years of law enforcement. He oversees an 88 up to 110 bed jail. The jail is meant only for holding. He offered an open invitation to come tour the jail. All staff must take Cultural Sensitivity training and Jurisdiction training. He spoke about the botanicals used and said it is not always tobacco in the pipes. It's called tobacco, but its roots and flowers from everywhere. If you sit with the Assiniboine, you are considered a member. They have many rules they must comply with as well. They also lose workers due to drug tests and issues with drugs. We share a common ground and goal is to correct it. They average 77 offenders with 14 staff members.

Laurie Littledog- Changes in weather and MSP had a heating crisis. Please look into so inmates don't suffer. Locked housing is cold, Locked housing can't have the same shoes that they have paid for. Slippers are not warm enough. In locked housing inmates can't use legal and send out legal or make copies. Husband has been denied legal mailings. Gave a C/O legal letter on Sep 10<sup>th</sup> and lawyer has not received it. Mental health is deteriorating. Used to take her son for 5 hours for visiting and now can only be seen behind glass. Has to home school son now because of visiting issues. Can only call from 7-8 in the am. The Directors are not available, DOC has gotten rid of policy for public. Now feels they must go to Senators. Claims there are 14 staff answered kites in his cell, but spoke to Nicole and reported that there is only 1 grievance filed in our system. Retaliation is real and is happening to him daily. Has asked to smudge individually or communally. Was told by the RAC that he can't smudge due to security level through RAC staff. Why is Sweet Grass not allowed and would like to have a copy of the RAC meeting notes? Would like to have a Native liaison from different tribes to represent all Natives at the DOC. The new hair policy is unclear, and DOC has no rights to cut Native American hair if found guilty of contraband. Cutting hair is seen as an assault. Natives will kill themselves if their hair is cut.

Little Dog's relative – She came from California to see her Grandson, she is told he can't smudge and may have to cut his hair. Natives haven't had their religious freedom for 100s of years. What is wrong with burning a little Sweet Grass in prison? Been to many prisons and have never heard of not being able to practice their religion. If we don't respect one another's religion, we will never get along.

There were other public comments that were sent in by mail or e-mail and will be separate attachments to the minutes.

#### **Other Security/Confidential issues if Needed**

The meeting was closed for a short session due to the Chairman decided to hold part of the 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, because disclosure of the information may jeopardize the safety of facility personnel, the public, or inmates of a facility.

Next meeting will be held in Great Falls at the Cascade County Detention Facility, tentatively on the 28<sup>th</sup> of January 2020.

Meeting adjourned 2:25pm