

**DEPARTMENT OF CORRECTIONS
PRISON ISSUES BOARDS MEETING**

Montana Women's Prison

Billings, MT

June 05, 2019

10:00 a.m. to 3:00 p.m.

Minutes

Roll Call – Director Michael, Gayle Butler/MCE, Warden Lynn Guyer/MSP, Pat Smith/CPB, Captain Kaululaau/GFRP, Warden Jennie Hansen/MWP, Warden Tom Green/DCCF, Steve Ray/Pine Hills and Warden McTighe/CCC.

Others via telephone & vision net/skype – Warden Pat McTighe, 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:

Ross Canen, Billie Reich, Chris Briscoe, Kari Alstad, Pat Schlauch, Noah Hatton, Connie Winner, Jeff Lee, Terri Young, Laura Harper, Patrick Kruse, Nicole Tierney, Ben Fry, Laurie Mills, and Alex Schreckenstein

Approval of minutes from the last meeting,
Moved to approve the minutes – Gayle Butler
Second the motion – Warden Guyer

All approved

Welcome and introductions.

Legislative and Management Team Updates- Director's Office

Director – Legislation session has ended. We are still engaged in efforts to develop a long-term strategic plan for the DOC. We are continuing to define goals and head in the right direction for the next 3-5 years. Will continue to define milestones and outcomes. We have fared fairly well this session. Despite the loss of 10 FTE and a 3 million dollar cut. Slight increases for institutions. Happy with gains we did achieve. Our focus is still achieving evidence-based practices and quality control. We will continue working with University of Cincinnati for forward direction of risk needs assessment, working smarter with legislation cuts. Evidence based programming is a key goal now, using a committee to evaluate all evidence-based programming to aid in quality assurance across the state. We have divided staff into teams that conduct audits with a “Correctional Programs Checklist”, so we are in line with what legislature has set. If anyone wants to participate in training or the process, please reach out. Our main intent is to get a better structure to rely on for programming and provide better custodial programming. Will see a lot more of this in future.

Moving on to the next steps, there is a strong need to assess and evaluate all facilities and community-based programming.

The Legislature and the community are demanding better treatment of Locked Housing offenders. DOC has acknowledged that past standards are no longer acceptable today. The first step to change is evaluating where we are with compliance standards. Acknowledge that correctional evolution and growth needs to happen, and we are striving to be closer to the ACA and federal standards for our locked housing population.

Deputy Director Wolken- Our biggest policy bill for DOC HB111 to transfer parole supervision of certain youth to youth court has passed and the transition is going well. SB62 is a bill to revise inmate welfare fund laws to include Pine Hills passed. SB37 to revise laws related to recording of parole board hearings passed. SB36 to provide exceptions to inmate mandatory savings passed the Senate unanimously. These were gains to the DOC but there were some losses. Now need to determine where the 10 FTE position cuts will have to come from. Jails and Regionals received an increase in per diem. Locking housing bill will affect MSP primarily. Pretty restrictive bills that did not pass the last two sessions, the DOC was asked to revisit restrictions. Need to be ready to comply with the bill as it rolls out. Locked housing issue is a challenge for everyone.

Pat Schlauch – He discussed the County Jail hold numbers averaging 200 to 210. He also discussed the regional rates and how they are calculated was adjusted in the last legislative session. He said there was a cap on indirect costs, limits on purchases over \$5000 must be agreed upon by counties and MDOC and any wage rate increases must be agreed upon by both parties. County jail hold rates were increased to \$69.31/day for FY2020 and \$69.63 for FY 2012. CCC also may get a small increase as well, which amounted to the same percentages as the pre-releases and other providers.

Secure Care Updates – Warden Lynn Guver

MSP will be closing MSCTC and will be changed it to Unit-F. MSP is beginning locked housing project starting with 4 cells that will be called “Programming Cells”. Offenders will get 2 hours in these cells but will have to earn the out of cell time. Plans are in the works to cut the biggest yard in half so two units may go out without conflicts. Visitation will change in near future using IC Solutions through Century Link. This will extend visiting from Thurs through Sunday. Visitors call in and make appointments or go online to schedule. Plan to start “pilot” in July and kick in fully on August first. Special visitations will try to be accommodated on a case by case basis with factors including distance and visitation frequency. There will be limits set up for how many people can visit an inmate at one time.

I am working with HR for Project Manager position to oversee the new visiting protocol and locked housing changes. Let MSP pilot it for now, but the visiting scheduling could be available to other facilities. IC Solutions will also send out alerts to public if there are issues or cancellations. There will also be somebody in the visiting that can answer phones and help people. Visitors will already be verified and visiting scheduling will shut down as soon as it is full. Visitors will be allowed to park in their own lot, checkpoint will have an approved list and we will also remove the staging area.

Director- How do the other facilities address visiting? Shelby does visits on Sat/Sun from 8am-5pm and houses 591 offenders. Their visiting can hold up to 250 people.

Review of Annual Grievance Report – Billie Reich

Fiscal year 2018: MSP had a decrease in informal and increase in formal grievances, MWP had a decrease in both, CCC had an increase in both, DCCF had an increase in both, and GFRP saw a decrease in both. Overall for the DOC secure care facilities there were 5,497 informal grievances, 1,715 formals, 336 Warden appeals, and 265 Director appeals (DOC level). Corrections continues to see medical issues grieved a lot across the board but there is not one specific issue to focus on. There have been several staff changes. MSP will be doing the annual conference for training of employees due to all the changes around September or October. Good idea to break down numbers further to see who exactly is answering appeals. Will also include Pine Hills. Billie will put these changes on agendas for the conference.

Pat Smith-acknowledge the good work that the grievance department does.

Approval of Security Chief's Property and Canteen Annual Reviews- AW Schroeckenstein

There have been numerous requests for canteen changes. Mostly hygiene items. Inmates interested in less expensive headphones, most requests came from MWP. AW Godfrey and Pat Smith worked with Canteen and Medical to approve items on list. See attached. Looking at adding powdered milk and have found Breathe Right strips that will work. Black tank tops were approved. Gayle Butler concerned that if black tank top was approved for one facility it had to be approved for all. Needs to be specific on canteen list that BLACK is for MWP and WHITE is MSP/contracted facilities. There was an agreement that it had to be fair between facilities. It was brought to attention that some items need to be gender specific for facilities. These will be listed on the order forms. There were some hobby adjustments made but only packing sizes changes. Stamps have also changed to allow for both males and females. It will be important that if staff is seeing abuse with canteen items that they DOCUMENT so it can be addressed. See attached proposed canteen changes.

Some questions that were brought up:

What are thoughts on dehydrated fruit? Trying to move towards healthier options. What items need to be added to indigent lists? Medical will have to notify who needs denture supplies and over counter medications for indigent kits. The kits can be adjusted on case by case. Would like to have more consistency as to what funds they come out of. Medical or IWF and that it is the same at each facility. All agree to changes and indigent items will be charged to IWF. Motion to approve new list is set and approved. Will keep annual policy reviews per policy and procedure.

Roundtable Discussion on Inmate/Facility Issues- Feedback by All

Warden Tom Green- DCCF

Short staffed but moving forward the best they can. Started up garden program again. Due to union rules you don't need to be post certified to work in certain posts, so we have been trying part-time positions. Some of the part time staff like the control rooms and have decided to come on full time. Job service currently has over 220 positions open in Glendive.

Pat Schlauch-Budget

There were over 100 bills on session regarding budgets, which required a lot of fiscal notes to be done by his staff. HB2-last session restricted MDOC to county jail holds under 250. Been averaging 200-210 jail holds monthly. Regional prisons. Last session rates were frozen, but they took that language out and put restrictions as discussed earlier on calculations of rates. Remember fiscal year coming to an end so get with your staff and get bills and invoices sent in as soon as possible.

Steve Ray-Pine Hills

Kids are transitioning from parole to probation. Lease on farm is up so trying to get kids back into farming program. Running 40-44 kids and 60 plus adults. We have a few wild horses to work with and now have a horse trainer who comes to work with kids and horses. We also have 4 goats used for therapy. These are all good behavior adjustment tools.

Connie Winner-CSD

Moving towards electronic medical records. Planning on CSD meeting for medical and mental health in September or October. Encourage all facilities to let staff go. Looking at grant that the board of Crime Control is helping with regarding medication assisted treatment. MWP have women that come in pregnant so working case by case with OBGYN and outside physicians for addictions and opioid abuse. DOC is looking into possibly initiating set up in facilities. Still learning about this.

Captain K- We are about fully staffed for the first time in 10 years. Kitchen remodel is done, new locks in segregation unit.

Gail Butler-MCE

We are going to have apprentices for tire alignment program and are expanding our commercial driver license program. We are currently only down 1 teacher. We have added a program at MWP called "Sublimation". Long range building approved our request for a cook chill expansion, and we are working with architects and engineers to

get that started. We currently have 3 staff members in Canteen and are seeking to add another staff member due to all of the increased workload.

Warden Jenny Hansen-MWP is at max capacity. Lots of repeat offenders coming back. Family day this weekend. A car broke down on transport and MSP helped. We are almost fully staffed.

Warden Pat McTighe -We are reviewing with MDOC and trying to get new vocational programs up and running. Currently in the process of an internal audit.

Pat Smith- All facilities are pretty much maxed out capacity wise. Be safe, be careful insure staff are doing good shakedown and inspections. Keep things moving and work together. It's been tough all over but we need to keep working toward doing good things.

Pat Smith apologized for not doing this first thing in the meeting but stated due to the recent passage of legislation he would like to suggest adding Pine Hills Superintendent Steve Ray as a new voting member to Prison Issues Board. All approved. Welcome Steve.

IWF Accounts, Global Fund Updates, Requests and Funding Reviews - Chris Briscoe

Kari Alstad filling in for Warden McTighe, brought a proposal from Shelby for recreation equipment totaling \$15,526.70. This request includes a treadmill, exercise bikes and industrial exercise commercial equipment. The company will come in and set up as well as train staff for equipment maintenance. 3 bids did go out, David will be point of contact for this proposal. A question came up in regard to the US Marshalls Service inmates and they do contribute to the IWF fund through their phone use. Only state inmates get funds back from canteen sales though, not USMS. Warden Green makes motion to approve this request, Warden Guyer 2nds. Motion passes with all in favor of the request.

Cascade no IWF requests.

MSP is requesting three phone benches through MCE totaling \$3,384.85 to meet ADA requirements for inmates to use while on the phones. Steve Ray makes a motion to approve this request, Warden Green 2nd, motion passes with all in favor of the request.

Dawson no requests

MWP no requests

Pine Hills- Would like to have a proposal for industrial commercial recreation equipment to include ellipticals, treadmills, bikes etc. Rough estimate is \$20,000 to be used from the global fund.

Per Pat Smith: He asked Superintendent Ray to put the proposals on the required forms and send out and get at least 3 bids for the equipment. Send the total package to him by email with all the info and paperwork together. He would then route the request to the members for a vote.

MCE- 4 years ago approved IWF pay for offenders to pay for birth certificates. Amount requested is \$4,856.00. It was previously approved. Requesting to have it approved again since no action was taken and no payment ever made. Steve Ray makes motion to approve the request, Warden Guyer 2nd motion, motion passes with all voting in favor of approving.

MCE – Gayle Butler will be sending into Pat Smith an additional request for a new alignment machine for vocational education program to provide for an ASE certified alignment program. It will include the required bids. This will be a huge step for MCE automotive program. Estimate \$20,000. Will be sent out by email for approval.

Next up is the annual IWF budgets for FY 2020 for each facility. The budgets were read by the budget analyst and reviewed by the entire group for each facility.

MSP is asking for \$250,010 for FY20. FY19 budget was basically the same thing. Everything looks ok to Chris. All voted in favor to pass the budget.

MWP is asking for \$67,620 for FY20. FY19 budget was \$68,700. The decrease is standard, no red flags. All voted in favor to pass the budget.

Cascade County is asking for \$66,950 for FY20. FY19 budget was \$62,975. There was slight increase but nothing out of the ordinary. All voted in favor to pass the budget.

DCCF is asking for \$39,125 for FY20. FY 19 budget was \$37,990. They had increase in cable but no major expenditures they can cut. If they run into the negative it was previously voted at PIB meeting that CCC and MSP would kick in funds from their portion of the IWF. They have cut down on expenditures and are still currently managing from their account. MSP and CCC are still willing to help if needed. All voted in favor to pass the budget.

CCC is asking for \$180,850 for FY20. FY19 budget was \$172,950. This is not an unreasonable increase. All voted in favor to pass the budget.

Pine Hills is asking for a \$13,000 budget for FY20. Would like MSP and CCA to contribute \$5,000 each to get their funds up in order to see where they stand. Both parties agree to help to establish budget needs of Pine Hills. All voted in favor to pass the budget. Supplement is ONE time only.

IWF Global fund summary- Please see hand out. We may need to replenish the fund again in the spring, Chris will monitor the funds and let Pat Smith know before the spring meeting. We need to investigate "Treatment" (Medical) to see if Medicaid should be paying for the extra treatment expenditures. This probably needs to be a bigger meeting to see if there are other areas that may need to be reviewed related to this.

Chris, Steve, and Warden Hanson would like to meet to revisit IWF policy changes to ensure the language works for Pine Hills and others and see if anything else needs to be updated. They would also like to review the visiting policy to see if the "immediate family" definition can be updated (MSP agreed to take the take lead).

Dawson County asked if we could check and see when they could get the Lexis Nexis program added to their tablets. Pat Smith agreed to take the issue to the next tablet committee.

Public Comment Period

Laurie Littledog-Concerned because things have not been addressed. Wants to know what happens to these minutes and why are they not uploaded anywhere. Things that were addressed by the public have not been acted on. Example is the ACLU hearing issues. Very disappointed that Amy Barton told press that it was fixed 9 days before the problem was actually addressed. Feels that records and evidence were not provided, reports were allegedly exaggerated. What happens when public brings concerns, and nothing happens.

Inmates in MDIU or Locked housing can't participate in sweats or other religious practices due to lock down. Native religious programming should be more accessible in these areas. Sweet Pine is not offered as a botanical and that is a widely used botanical.

There are lots of issues on how grievances and kites are handled. Grievances get sent back to offenders because they have more than one complaint written on them and one of the issues was against an officer. They get stuff returned to them because policy is so strict that we lose humanity and inmates suffer.

Mental health kites go out 10 or 11 times before they get answered. Tablets are hard because Natives are different. There needs to be special training for all staff to relate better to Natives.

Discipline hearings are very one sided. Inmates that try to explain are looked at as not being accountable. They get punished and that punishment affects inmates and families and that make us question the humanity. Policy is too strict when all they need is to talk to their family and they can't because they are found guilty and the first course is to take that away.

I am glad locked housing issues are being addressed. Their one hour of time out is always disrupted and is an ongoing issue. When inmates are moved for classification issues, they are not allowed to take their paperwork with them. If they are in a legal process they can't maintain any kind of self-advocacy. Main concern is prison takes away sense of humanity. Is rehabilitation put on hold until they get out? Inmates that are ready for treatment should be allowed to get that treatment.

Will locked housing be offering T4C and Anger Management classes? CO's need psych evals after certain amounts of times because write ups are excessive, and visitors are afraid of officers because they are yelled at or kicked out if they mess up or break rule.

I also ask to retrain mailroom techs because mail gets returned, they single people out because they don't like the inmates or their families. Wants issues in mailroom revisited as that is the only way of communication for people who can't visit and lots of stuff is not fair.

PAT SMITH- Five emails were sent in from members of the public regarding visitation. He will forward all emails to the PIB members for review. They had concerns about cold cells, count issues, searches and other issues.

Other Security/Confidential issues if Needed

The next meeting will be held in Glendive, tentatively mid to late September. The exact time and date will be sent out in August.

The PIB meeting has since been set for September 24th at the Dawson County Correctional Facility from 10:00 a.m. until approximately 2:00 p.m.

Meeting adjourned 1:34pm