



Greg Gianforte, Governor | Brian M. Gootkin, Director

Feb. 10, 2021.

The Montana Department of Corrections respectfully submits the following information in response to questions posed by members of the Joint Appropriations Subcommittee on Judicial Branch, Law Enforcement and Justice on Tuesday, Feb. 2, 2021. Please let us know if there is any additional information we can provide on these issues.

An example of what the daily per diem would be on a 7 year contract (using a contract of the agency's choosing)

The department consulted with the Montana Facility Finance Authority (MFFA) of the Montana Department of Commerce, the agency responsible for the bond issuance for Nexus, to determine what an annual bond payment would look like for a \$9.2 million bond with an interest rate of 2.72 percent for both a seven-year term and a 20-year term. The annual payment is more than double for the seven-year term which would negatively affect the per diem rate. A prerelease would not be able to add more beds, so in essence, the per diem rate would have to increase by about 21 percent to cover just the debt service. In addition, MFFA representatives said it would be difficult for this type of entity to secure a seven-year bond for a construction type project.

- Annual Payment – \$9.2 million, 2.72%, 7-year term - \$1,452,711
- Annual Payment – \$9.2 million, 2.72%, 20-year term - \$600,161

Nexus What-If Scenario	7 Year Term	20 year Term
Annual Payment	1,452,710.76	600,161.28
Annual Bed Capacity	30,660	30,660
Per Diem Rate	159.58	131.77
Bond Payment/Bed Day	47.38	19.57

Provide a copy of the document evaluating community corrections contractor performance

Please refer to Attachment 1.

Provide copies of the CPC evaluations that have been completed and a sense for when the remaining evaluations will be done.

Please refer to Attachment 2.

The DOC's Quality Assurance Office is scheduled to conduct CPC evaluations of five contracted programs this fiscal year. As per policy, the programs are provided with a 30-day notice prior to the review. As such, the department respectfully declines to provide the program names and audit dates in this response as that would provide an unfair advantage to the programs whose audits are upcoming.

The QA Office's goal is to do at least one CPC or CPC GA per month, for a total of 12-18 reviews per year. Although COVID-19 impacted that work over the past several months, QA still anticipates reaching its goal of 12-18 reviews per year.

Does the agency have information on offenders that have received their 4th DUI offense and whether that offender is going to WATCH (or other DOC custody) or treatment court?

As was the case with some of the questions in the department's response to the committee's Feb. 1 questions, this query would require manual review of individual cases to respond most accurately. To address this in the future, the department is developing a module within its Offender Management Information System (OMIS) database to address offender placements. This enhancement of OMIS will allow the department to better track and measure offender success.

The department also reached out to the Office of the Court Administrator for information regarding offenders going to treatment court in this scenario. Administrator Beth McLaughlin indicated her office would need to review felony DUI cases by hand in order to provide that information.

Attachment 1

CONTRACT SECTION:

SECTION AMENDMENTS:

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RELATED QUALITY ASSURANCE FINDINGS:

MONITORING ACTIONS:

Review Date: _____ Review Period: _____

Review Method: Remote On-Site

Review Description:

Findings: Full Compliance Partial Compliance Non-Compliance

Follow-Up Actions for Partial or Non-Compliance:

Review Date: _____ Review Period: _____

Review Method: Remote On-Site

Review Description:

Findings: Full Compliance Partial Compliance Non-Compliance

Follow-Up Actions for Partial or Non-Compliance:
