

**DEPARTMENT OF CORRECTIONS  
PRISON ISSUES BOARDS MEETING  
MDOC Central Office  
EOC Conference Room  
Helena, MT  
April 25, 2013**

Roll Call – Gayle Lambert, Warden Leroy Kirkegard, Director Mike Batista, Deputy Warden Bob Paul, Warden Martin Frink, Deputy Director Loraine Wodnik

Cascade was absent.

Via Vision Net –Deputy Warden Ron Nodland, Captain Jon Barthel, Carrie Zachmann, Dale Henrichs

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.”

Moved to approve the minutes – Warden Leroy Kirkegard

Seconded the motion – Warden Martin Frink

All approved.

Welcome and Introductions.

In addition to the above people, the following were present; Louis Peterson, Kristy Cobban, Billie Reich, Travis Harris, Anthony Cacace, AW Tom Wilson, Kara Sperle, Angie Carter, Charles Geary, Pam Bunke, Kurt Aughney, Steve Ray, Lena Havron, Ira Eakin, Ben Reed.

Public; Andree Lanse

**Legislative and Management Team Updates – Director Batista and Loraine Wodnik**

About two million dollars has been put back into the state budget. SB410 also gave the governor’s office \$7.5 million to use for operations in eight agencies – including Corrections and the Governor’s Office. This was the Director’s first time in front of the subcommittee and his first legislative process for the DOC. He said we need to address the image the DOC in future sessions. We received some money for pre-release beds. We also got funding for salary increases, but we do not know at this time exactly how much will be allocated to the DOC.

Loraine Wodnik is the new Deputy Director. She has twenty years in state government in several different positions. Her background with these departments will help with the pay plans and budget.

There will be a management meeting in June to look at the things that need to be enhanced or improved. The Director is traveling to Washington, DC the week of April 28<sup>th</sup> to meet on grants and funding opportunities. In the following weeks, he will be traveling to facilities in the eastern part of the state.

In the next couple of months, the Director will be focusing on the pay plan. Pay issues are very critical and beneficial to all. The Director also said we need to make decisions on PREA and what is expected with the federal government. Lorraine has been working on this issue.

There will be an upcoming management retreat for the DOC Administrators. The initial phase will focus on Administrators. It will be good to know the strengths of our operations. Then we will focus on things we need to do differently.

Pat Smith said that when we get our pay plan worked out, our contractors would like to know.

#### **Division Updates- Warden Kirkegard**

Warden Kirkegard thanked all the people who helped out when the bus lines were shut down. The only route that is not running now is the one to/from Great Falls. OMIS visiting is getting ready to allow all approved visiting requests to follow inmates between facilities. The target date for this is the middle of May to June. Video Visitation is being considered and explored to supplement regular visiting.

The Lewistown Infirmary is working well and MSP's medical costs have decreased since moving offenders to Lewistown. Keeping the facility fully staffed may be an issue. A memorandum agreement was put in place with the local government and others to help if needed.

MSP is 43 correctional officers down and that number will soon increase to 52. It is creating problems when a staff member has to work 16 hours. It is also a morale issue and is becoming more and more problematic. The Human Resource Department is working with Great Falls and Shelby to see if they can help with ideas to recruit more officers. The population at MSP dipped down to 1399, but that did not last long. Pam Bunke and Cathy Gordon have been working and helping on the County Jail Hold to try and get the jail numbers down. MCE has put together some grants and there is now Vocational Education available for inmates on the high side at MSP. There is also Chemical Dependency treatment on the high side.

#### **Annual Review of Property/Religious Items – AW Tom Wilson**

Pat Smith wanted to clarify this agenda item. The Security Chiefs from each facility meet annually to review the Property Policy. They get input throughout the year from staff and inmate meetings, and from inmate representatives. We only make changes once a year. This year, we sent out a survey to all the inmates from the canteen. Only about 10%, 250 inmates, responded. AW Tom Wood has the compiled information and will be meeting with the Security Chiefs to review. He plans to send it out electronically and asks them to respond, and then send the lists to Patrick Smith. Pat will then send the information to the PIB members to review, comment and make any necessary changes. This year, the religious items were reviewed separately and AW Tom Wilson will present those.

AW Tom Wilson – The items we are looking at today are the ones approved by the MSP Religious Issues Committee (RIC). That group asked five questions of each request. 1. Is it religious? 2. Is it sincere and consistent with our knowledge and experience? 3. Does this issue cause a burden? 4. Is there a compelling state interest or does it create a safety/security issue with the facilities? 5. Is there a less restrictive means to accomplish what they need? Communal property does not go back to the inmate's house, and is not part of the individual inmate's property. These items should stay consistent between facilities.

RIC approved items for Prison Issues Board consideration:

##### Wicca Communal Property

1 quartz crystal – pyramid style - crystals are used in magical rituals, cleansing and energy exercises.

Alter Broom - 21" long - the broom is used to sweep out negative energy and clean the ritual area.

##### Wicca Personal Property

A different Book of Shadows - unlined 192 pages – the current Book of Shadows has a hard cover with lined pages inside.

A different pendant – pewter with cord - the current pendant is brass and the chain turns the neck green.

Parchment Posters - Wheel of the Year, Witch's Reed and Witch's Alphabet - these parchments come in standard paper size.

Botanicals – Sage, Cedar and Lavender - used for blessing the area and protection. These botanicals are already available for communal purposes at the RAC.

##### Satanists Personal Property – only one item will not be added to the matrix

Pendant – Inverted Pentagram with cord (a note will be made in OMIS regarding the allowance of this item. There will also be a special card created that says this is an approved item for those without OMSI access).

Odinist Personal Property

Raven feather (imitation) – The raven’s feather is sacred to the Odinists just as the eagle feather is to Native Americans. The feather represents a direct link to Odin as Ravens are considered an aspect of the All-Feather. It is essential for prayer and cleansing an area of negative energy.

Muslim Personal Property

Prayer Beads – 33 beads in length – used by Muslims to help count recitations and concentrate during personal prayer. These beads are also used to decrease the stress and give comfort.  
Prayer Rug – already on the current matrix

The committee put together what it believed was appropriate. The quartz and broom are communal property. The Muslim prayer rug is on the matrix.

A question was asked that if an inmate was a Satanist, and therefore allowed to have the pendant, how would an officer know this is an allowed item for that inmate. AW Wilson responded they are working on putting this item on the property list. Pat Smith wanted to make sure that if an inmate was transferred, the approved items are not taken away. AW Wilson said there would be a notation in OMIS.

DW Paul had a concern about structured religious times. Communal activities are five or more people. One or two is not considered a group.

Warden Green did not have any concerns regarding this. He said with communication, we can be on the same page. DW Nodland asked if they could give the inmate with the satanic pendant a type of permit along with putting the information on OMIS. AW Wilson said this is a possibility.

Superintendent Steve Ray said he would have to get approval from parents for any of these items, but didn’t see a concern with what was discussed.

Eagle Feathers that are confiscated will be turned over to the local game wardens, which then will send them to the federal game warden to return to the Denver Repository. This way, we have a paper trail.

Warden Kirkegard moved to accept all items as presented to the PIB by AW Wilson’s committee.

Warden Frink seconded the motion.

All Approved – none opposed

Update on MSP Re-entry Program – Warden Kirkegard/AW Tom Wilson

AW Wilson said there are seven phases to the Re-Entry Program’s Transitional Accountability Plan. These phases are built for the facilities’ needs, and can be modified to successfully transition the inmate to the community.

Warden Kirkegard appointed AW Wilson the work with staff at MSP on a case plan overview. There have been a few bumps in the road. The strategy and philosophy we have taken is that re-entry starts on day one. AW Wilson and his group have created an overview document that goes through the seven stages. They want to create a transition that puts the inmate in the best position for community success. They are putting together a step by step process in a case manager procedural manual. The whole re-entry case plan will be on paper. The case managers currently learn from peers, but now they will have a document to help them also. This will be a new way of case management at MSP and will have a comprehensive and unified plan of how to do things. When the plan is done, it will be presented to the regional facilities.

Gayle Lambert said we do most of it now; we just do not do it together. The MDOC must initiate a seamless transition back into community. The new standard assessment is going to help. The assessment has to work for everybody.

Pam Bunke said there has been a lot of work at MWP on re-entry during the last couple of years. This has not been easy and she would like to thank everyone’s efforts.

Gayle Lambert said the Billing’s job service has helping ex-offenders. We have worked hard to make sure it works for secure care and community corrections. This is for all Montanan’s to have offenders go back to being good citizens. House bill 68 officially creates the Re-entry Task Force and gets some resources with a Statute to cite when asking for money.

Pat Smith said next week there is OMIS training at the regional facilities. Having everyone enter and capture needed data will be key to the success of re-entry.

**Update on Grievance System – Kristy Cobban**

Kristy Cobban reported that every year she compiles an annual report. She went over the report and added a definition table and an abuse notice. Some inmates do not understand the process, so that is why they prepared a definition table. There is always a huge amount of policy grievances when there are policy changes that affect inmates. We want to know where the grievances are coming from and track all the areas. The Infirmary sees almost every inmate through the year, along with property. These areas are consistently the highest grieved areas over the last five years. CCC and the other contract facilities have done a great job and all working very well with us.

During the annual grievance conference, there were good discussions and solutions regarding higher trend areas and the grievance system. Kristy appreciates what a great job our grievance officers are doing. Grievance should apply to the justice standards. Our grievance procedures comply.

Gayle Lambert said our grievance system works in part because Warden Kirkegard gets out and talks to the offenders.

**Review of Draft Policy DOC 1.2.12 IWF Account & Gate Pay – Lena Havron**

Kurt Aughney said re-entry language was taken out of the IWF Policy. The inmates will have up to \$500 in release assistance. The Inmate's release plan will go the IPPO and the P&P Officers who work directly with landlords and other people. This money would not go directly to the inmate. Another important piece is the inmate representatives and how they are chosen and what role they play. The policy will be going to the Director. When everyone gets the policy, review it ASAP and get back with Lena.

Gate pay - It is pretty wide open for every facility and each do it a little differently, we need some consistency. We do not have a policy for gate pay. There has not been a policy in years and it would have to have good guide lines. Gate pay is fiscal policy and language could be added to current policy. Statute says we may give an inmate up to \$100 for gate pay and that is all. How many times should we give it? Should there be a time limit in between? How is gate money connected to release assistance?

Ira and Kurt will get together and then report back to the PIB with some suggested drafts. We may also need some policy language on inventories for IWF purchases. Anthony Cacace said he would also like to thank Warden Frink for helping him with this issue at CCC.

**Roundtable Discussion on Inmate/Facility Issues**

MWP - DW Bob Paul

There have been a lot of female offenders dealing with deaths. MWP has also had an interesting few months on recover and re-entry standpoints. The control system is finally done. Staffing is always a challenge. DW Joan Daly and DW Bob Paul have split the work since the announcement of the retirement of Warden Acton.

CCC – Warden Martin Frink

The work on the stun fence is done and it is up and running. They finished their ACA accreditation and received. 99.76 on the initial score. One problem was the segregation recreation yard space, but this has been fixed. They have seven vacant positions, one being a case manager. They had 12 applicants. Some of the applicants were locals. They also recruit nationally for their vacant positions. Another source they have used is Craigslist, it has a government section and this has worked very well.

GFRP – Travis Harris, Contract Monitor

Darren Bryce is the new Unit Manager at the Great Falls Regional Prison. The ongoing project to get power and cable in the cells has not started, but the contractor has done a walk through. They have upgrades for the weight room coming that were donated from the mine. Karen Pepos, Classification Manager, has returned from being off.

DCCF – AW Ron Nodland

DCCF has been looking for a new cable provider. The biggest problems at DCCF are staffing and retention. Subway is paying \$15/hr. If you have a CDL, starting wages for drivers are \$28/hr. None of the people who sent in applications to the facility have met minimum qualifications since March 4<sup>th</sup>. Another big issue is housing with the oil fields going. They have new modular homes and three new motels, and there are still problems finding affordable housing for staff. Several new oil service companies say they are looking at doubling the production. Our CJH has been at capacity and we have had to move inmates. Thanks to CPB for moving so fast on getting them out. We are looking forward to the Director to coming down.

**MCE - Gayle Lambert**

Gayle asked if anyone is having issues with getting inmate driver's licenses. GFRP was having issues getting connected. Four Auto-Cad classes are starting at MSP. There are two classes on the high side and two on the low side. The first class will get done at the end of July. Chris Lansford is looking at getting us mattresses that are made out of a recycled fabric. This would be a more cost effective mattress. Chris will be going to each of the facilities to talk to them.

**MSP - Warden Kirkegard**

Warden Kirkegard said MSP is trying some new recruiting things such as recruiting at air force bases and asking MWP to recruit for us. The problem is after we train them and pay for them to go to MLEA, someone else recruits them to work for them at a higher wage. The Warden is also looking into background checks and psychological tests to see if this would help. There are beds at MSP, but no low side beds. There are a lot of inmates cleared and waiting for the WRC. The Warden thanked the regional facilities for moving inmates around and helping out.

**Pine Hills – Superintendent Steve Ray**

Steve Ray reported that staffing is still a problem, as is housing. The Vocational and 4-H programs have started at Pine Hills. They also had to close down the SMI Units. Their focus right now is re-entry. A good number of kids arriving at Pine Hills have mental health problems. Kara Sperle said she could give Steve Ray some ideas. Gayle Lambert said she was wondering if there was an industry program that would help the Bakken industry without a lot of cost to us.

**IWF Annual Budget Review, Account Updates, Quarterly Requests, Funding Reviews and New Business – Lena Havron**

Lena passed out the IWF Reports. The report reflects revenues and expenditures as of March. With the IWF policy signed, the annual budgets will need to be adjusted to remove "Local Release Assistance" and add "Global Fund Contributions". Lena said we also need to decide what each facility will contribute annually to the Global Fund. All of the facilities have inmates who contribute to the IWF, so Lena will work up some options that will adjust this contribution fairly.

Annual budgets will to be adjusted based on new revenue projections. A separate summary will be put out after this meeting. Everyone agreed to approve the budgets as listed and also have Lena make the necessary adjustments. Everyone was reminded that we need to keep in mind that all IWF IT purchases have to go through our ITPR process as they are technically state equipment.

The old MASC funds will get moved to the Global Fund.

**Annual IWF Budgets:**

CCA is asking for \$ 116,168

Gayle Lambert moved to approve the request from CCA. Warden Kirkegard seconded the motion. All approved.

GFRP is asking for \$50, 000

Warden Kirkegard moved to approve the request from GFRP. Warden Frink seconded the motion. All approved.

MWP is asking for \$53,907

Warden Frink moved to approve the request from MWP. Warden Kirkegard seconded the motion. All approved.

MSP is asking for \$265,220

Gayle Lambert moved to approve the request for MSP. Warden Frink seconded the motion. All approved.

DCCF is asking for \$38,600

Warden Frink moved to approve the request for DCCF. Warden Kirkegard seconded the motion. All approved.

**One Time IWF Requests:**

DCCF has a one-time request for a Universal Gym system. It will cost \$10, 299.

Gayle Lambert moved to approve the request from DCCF. Warden Kirkegard seconded the motion. All approved.

Pat Smith will get the amended budgets sent through an email after he gets the information from Lena Havron.

**Public Comment Period**

Andree Larose – Andree said she was representing the rights of offenders with disabilities. She said she is a lawyer, and she commended Pine Hills for utilizing their Brain Development Program. She thinks the custody levels hamper the focus

on mental health needs at MSP. She would like to see more mental health treatment for offenders who are age 18-30 at MSP. She finds it so hard to believe that 24 mental health beds are enough to meet the needs at MSP. She is supportive to have increases of mental health beds. She said the prison claims they do not have that many mental health problems. Andree said Raistlen Katka was a gang member and he attacked officers at Pine Hills. With mental health treatment, he started turning himself around. Andree said there is a letter from community supervision that says he has no violations and no instances of violence. With regular contact, he now is positive enough to be classed as a low risk to offend. He is still working at the same job and has not re-offended. She said we need more education in mental health services and mental health beds. She also said there should be more concentration on offenders with disabilities that are under the age of 21.

**The next Prison Issues Board Meeting is scheduled for July 17, 2013. It will be held at the Dawson County Correctional Facility in Glendive Montana. The tentative hours will be from 8:00 a.m. until 1:00 p.m.**

The rest of the meeting was held in closed session as the Chairman determined that topics under discussion involved safety and security issues that outweighed the public's right to know.