

**DEPARTMENT OF CORRECTIONS
PRISON ISSUES BOARDS MEETING
MDOC Central Office
EOC Conference Room
Helena, MT
December 6, 2012**

Roll Call – Director Ferriter, Warden Leroy Kirkegard, Gayle Lambert, Warden Martin Frink, Patrick Smith, Warden Dan O’Fallon

Via telephone conference – Warden Tom Green, DW Bob Paul

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.”

Approval of minutes from the last meeting
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; Kristy Cobban, Heidi Crowe, Louis Peterson, Sam Casey, Lena Havron, Kara Sperle, Dayna Gilman, John Daugherty, Colleen Ambrose.

Public; none present

Legislative and Management Team Updates – Director Ferriter
Director Ferriter is leaving his position. Mike Batista has been appointed to the Director position by Steve Bullock and is taking over on January 7, 2013. There are three key administrators retiring. Steve Berry, who is the Staff Services Administrator, is retiring and they are currently trying to get this position filled. Diana Koch, DOC Legal, is also retiring. Colleen Ambrose and her staff have been stepping in to help out. The third administrator retiring is Ken MacElroy. Ken is the Human Resources Bureau Chief.

We have five bills for Legislation.

1. There is a bill to clarify what a youthful offender is. These are DOC commitments that are under twenty five years of age.
2. Substance abuse counselors – allow their license to also deal with gambling addictions.
3. Peace officer status for our investigators.
4. Sex offenders – there is some confusion in the statute and the rules about licensing sex offender treatment providers.
5. Any type of electronic device brought illegally into a facility would be a felony offense.

There is a bill affecting the BOP that would require two representatives from mental health to sit on the parole board. The bill would also require mental health training for parole board members.

Director Ferriter said Warden Kirkegard is keeping a close eye on Administrative Segregation. This will probably come up in the session.

The other piece of legislation is the budget. We have asked for a 30 million dollar increase over what we spent last year. This is a very conservative number. Our most significant request is for a new housing unit at MSP. This will add 120 beds, which is about what we need

at this point. This will replace A, B and C units. We do not anticipate needing to add staff members. On the women's side, there is an addition of 15 pre-release beds. These are designed to be different from traditional pre-release beds.

The Lewistown Infirmary is getting ready to open up. We have nine FTE for Lewistown. Warden Kirkegard will have to request these positions. These beds will be for long term geriatric inmates.

Re-entry is one of our key initiatives. We have money in the budget for re-entry.

Of most interest to this group is our request for contract increases. Kara Sperle said we have our annual request for funding for the regional facilities. There is one CCA per diem increase. This is an increase to fund the prevailing wage. The only other thing to note is the correctional officers are requesting the starting wage to increase. Our correctional officers are requesting to be brought to 2010 market.

Division Updates/EPP – Warden Kirkegard

Lewistown is starting up. It will have One Supervisor and 9 FTEs. We only had five recruits show up for new employee orientation. All of the new officers are from Lewistown. We will have a modified NEO class. The first transport will be December 17, 2012. Once Lewistown is at capacity, it should open up thirty five (25 + 10 extra) beds at MSP. We will transport about five inmates to Lewistown at a time. There will be a total of 25. Nexus has said if the Lewistown Infirmary needs help that they will give them assistance.

Warden Kirkegard's biggest concern is some of the severe charges of the inmates that will be housed in Lewistown. The people in the community of Lewistown are happy to have an increase in jobs available. Director Ferriter thinks is good for the whole system.

Director Ferriter and Warden Kirkegard have also been talking about Administrative Segregation. They both attended some training. The Director encouraged everyone to look at their policies regarding Administrative Segregation. Warden Kirkegard wanted to make sure everyone is aware there is a review process for inmates placed into Administrative Segregation.

Warden Kirkegard said that over the past year, we have implemented a new Suicide Risk Management Training class. We have posted signs on what to look for. This is not just about offenders, but also staff. The other class just presented is called Crossing Barriers. This is about falling for inmate manipulation and the first class was during NEO. They will make changes as necessary. We are not trying to fire people, we are trying to save people's jobs.

There is also a video being made for line staff for re-entry awareness. This is a 15 minute video clip that Warden Kirkegard, Sam Casey, Associate Warden Tom Wilson, Associate Warden Tom Wood and Associate Warden Beeson made. Once the director sees it, they will put it out for all the facilities.

Associate Warden Tom Wilson sent the unit management teams to a Re-entry retreat. The group was tasked with mapping how we are going to go forward with Re-Entry at MSP and the regional facilities. It will start as soon as inmate enters MDIU. There is a lot of information that comes from these meetings. The next meeting is set for Wednesday, December 19, 2012.

Sam Casey said there were 21 people who attended the Re-entry Retreat. He said they are putting together a strategic plan for MSP. They identified seven transition points. This is a big process.

Next week, there are 12 staff members from MSP attending the MORA "Train the Trainers" class. The one critical piece of this class is to define a case plan. The plan needs to be simple and cohesive. Jim Pagel is working towards getting the faith based groups resources and coordinators plan set up. We also have re-entry PO's from each region. Colleen Ambrose asked, "Will we require inmates to utilize faith based coordinators? The answer is no, we will not require this, we will just have it as another tool to use. Gayle Lambert said a lot of the time we just want to work with the easy inmates. We have to shift our focus to the inmates that are harder to teach and train.

Warden Kirkegard had a meeting with Candyce Neubauer. He asked her to put together a committee on keeping high side inmates productive. They recruited people from the Command Post, some correctional officers, unit managers and grievance people. They talked with the inmates. They talked about behavioral changes, accountability for inmates and staff and understanding consequences. If an inmate breaks a rule, we lock them up. Gayle Lambert said one thing she was impressed with was staff talking about instant sanctions. We asked them to look at how could we deal with this differently. We are trying to think outside the box. It was brought up there should be motivation for the inmates to move through fazes. The idea of inmate mentoring with staff overseeing was brought up. The inmates would like fresh fruit, their own hygiene products and team sports. The inmates also asked if they could set up a basketball tournament and they would get shirts for the team that wins. The command post is looking at this.

Colleen Ambrose has been talking with the inmates about lack of communication with staff and administration. They asked a lot of questions about why everything gets taken away and why the whole population gets punished for a few.

The Director asked how this would impact the regional facilities. Patrick Smith said Shelby may be able to pick up some of this. Great Falls already has basketball tournaments, as does CCC. We just have to keep it structured and empower staff to make decisions. What works for one facility may not work for all the facilities. We do have policies as to what we can do and how money gets spent. Sam Casey said it is important to find out what the inmates want to do. Ask what their long range employment goals are while they are at MSP. We also need to allow officers to get inmate input.

Update on Grievance System – Kristy Cobban

Kristy has the total DOC Grievance numbers. She is working on the Director's report. Total informals were 4,465 and 1,485 formals. Of the DOC formals, 613 were not processed (due to various reasons per policy), 132 were partially granted, 154 granted and 586 denied. DOC total Warden appeals was 346 with 21 partially granted, 22 granted and 302 denied. DOC total Director appeals was 290 with 11 granted and 257 denied.

There were a lot of offenders asking for staff to be fired and these cannot be processed. The inmates were also complaining about how officers talked to them, and this is something that can be resolved. There have been a lot of policy grievances, but there were a lot of policy changes in the last year. Lost property and disallowed property are the biggest grievance areas.

OMIS is not ready to go online with grievances. Kristy is working with IT. She would like to go live by the fiscal year. She is getting scanners for each facility for the grievances. In the future, everything will go into OMIS. Once OMIS is up and she has the scanners, she will go to each facility and train staff.

If there are any re-entry grievances, they need to be directed to Sam Casey.

Roundtable discussion on inmate/facility issues

Colleen Ambrose – DOC Legal

The IWF vs Beeson lawsuit – this is in discussion with the inmates. The intent is to resolve this issue.

Warden Frink – CCC

CCC has a new Associate Warden. His name is Timothy Shoop and he has been there a couple of months. They are getting a new chief of security. After the first of the year, he would like to send staff to MSP to take a tour and visit with our employees. Staffing wise, the CO positions are full. They have two vacancies for senior Correctional Officers. Their new investigator started the academy. This person will be the investigator/STG officer combined. The grievance position is posted. There were two applicants. They will be doing interviews around the first of the week. There is someone acting in that position right now. Warden Frink thanked Kristy for the assistance provided in the grievance department. Kara Sperle asked how CCC has resolved their vacancy issues. Warden Frink said until recently, it was not just a pay issue. It is diligence and recruiting issues. They offered a referral bonus. This was not received well at first, but is going well now. They have got some officers from other hard hit states. Housing is a concern. They have been dealing with the mayor and other people around town and they have gotten some investors and are looking at building apartments. For now, they have staff living with each other. The staff members hired from other states have not been from other CCA facilities. Some are from California DOC. Some have previous CO experience from the military.

Warden Frink wanted to mention that Associate Warden Tim Shoop was receiving a Distinguished Service Medal by the U.S. Attorney General. This award was for his role in helping build the Iraq Correctional System.

Warden Dan O'Fallon – GFRP

There have been a lot of changes in Great Falls. Harlan Trombley is the new Unit Manager. He previously was the Case Manager. Steve Grubb is now the Chief of Security and Hearings Officer. Davilyn Stevens is the Case Manager - this position is now a civilian position. The GED program is up and running. They are working with the public schools. The bid for electricity in the cells will get done and posted. Warden O'Fallon will let us know who will receive the job. Great Falls is down three officers. They got 40-50 applicants, but it takes about six weeks before interviews take place. With screening, they will probably interview eight. They modeled their recruitment process after Las Vegas. It places the bar higher and they end up hiring good officers. Warden Kirkegard said through this process, you find people who truly want the job. Warden O'Fallon said they even have a home interview.

Kara Sperle – Fiscal

Anthony Cacace is the new quality assurance person. He is learning a lot and is very good at his job. He came from the legislative auditors office, where he spent the last four years. He is looking at this as a team effort. If anyone needs anything, just let him know. Kara's office is getting ready for the session. Patrick Smith said the legislative process starts with preparing budget presentations and then daily roundtable calls to track bills. He will keep us up to date on what is going on. He hopes representatives from the facilities will be present at the budget presentations. Local legislators need to know what our challenges are with recruitment and pay increases.

Gayle Lambert – MCE

Gayle asked if the IWF Global Fund was close to becoming reality. Colleen Ambrose said there is a problem with how the statute is worded. Gayle asked if Shelby was getting wood for sweat. Jerry Johnson was getting this set up. Gayle does not want to wait until they are out because then there is a big rush. MCE could provide the wood for sweat.

Director Ferriter asked if MWP had wood for sweat set up. Gayle did not know what was going on with wood for MWP. DW Bob Paul said they are getting wood locally.

The Billings Task Force meets next week. They wanted Representatives Moore and Walker there. They will have a presentation for the representatives at the meeting.

The new industries director starts on Monday. Her name is Christine Lansford. She has experience with Arizona and Wyoming DOC. She would like to look at establish programs at the regionals and the private prison.

John Dougherty – IT

We got a grant and are working on getting technology for inmates at MSP and MWP. The computers will be connected to the internet to help look for jobs and housing. We have worked with the Department of Administration and they will not be able access porn, gang or hate sites. They will not have access in the evening and weekends and will be supervised. The inmates will not be able to communicate with each other and email will be blocked. Gayle Lambert said John and his group deserve credit for getting DOA on board. Director Ferriter said they (DOA) have a lot of confidence in John. John understands the mission and direction we are going. Kristy Cobban said we are down to about three vendors who will let inmates take courses without computers. This will help considerably.

Gayle Lambert will make sure there are policies in place for these computers.

DW Bob Paul – MWP

They restructured a pod for close custody inmates. They are identifying high risk offenders in the institution. They have an incentive based system to help inmates work their way toward more freedom and to interact with peers. They also have a Right Living lawsuit. A lot of inmates did not follow administrative options first. The garden project is moving forward. The greenhouse is done and they have things growing now. The control system is moving forward. They are changing out intercoms and cameras. The labor management issue is on its way to getting resolved. The COP has a post certified course on the four components of anger, greed, lust and independence. This is tied in with investment in excellence framework that helps guide through a career. RaeAnn Forsyth drafted a course for mid level supervisors. They also hired a psychiatrist. They are working on emergency preparedness.

Warden Tom Green – DCCF

Glendive is down three staff. They are holding on. The house they purchased is working well. The housing issues in Glendive are getting resolved for now.

Patrick Smith – Contract Placement Bureau

Pat has been working with Candyce and John Dougherty on the OMIS visiting program. They are looking at how it will work and how the questionnaires will be sent out and returned. Candice has her people working on drafts. Pat hopes to have information to put out to staff on the program and instructions for use. There is a meeting for this on the 20th. Montana Interactive will be able to move forward with electronic inmate funds deposits. The program is working at MWP and MSP very well. They will give notice to the offenders and staff on how the program works. The questionnaires will all be sent to MSP. We have to identify who needs OMIS access. The plan is to have the program in place and ready to go on April 1st.

Another thing Pat sent out was how to input photos in OMIS. The facilities will be able to update pictures in OMIS. They will also be able to input photos through the disciplinary process of new tattoos. This will hopefully clean up the process. The monitors will have to have a little training.

Next week he is going to CCC for licensing. The local Shelby community Advisory Board will be there also. Warden Kirkegard will be going to the Advisory Board.

We have a new Contract Monitor in Great Falls. His name is Travis Harris. He is a quick study and has a military background and has worked in compliance.

Lena Havron – IWF

Lena passed out the IWF recap. During a recent audit, it was brought to her attention that she needs to spend more time with each of the facility IWF staff to go over the accounts. She still needs to go to Glendive. She has the information she needs from Great Falls and Shelby. She will send out the reports when they are ready.

IWF Requests

MSP has an IWF request. They are requesting \$22,000 to replace wiring for the units. It is the cable wiring for the units. This will update the TV systems for the whole facility.

Gayle Lambert moved to pay this expense.

Warden Frink seconded the motion.

All approved – none opposed

Gayle Lambert will be putting together a request for STEPS books that will get them through July and will email the request. All attendees were OK with the request and it will be put for a vote when received.

Great Falls – no IWF requests
Shelby – no IWF requests
MWP – no IWF requests
DCCF – no IWF requests

Director Ferriter asked that we all look at incentives for high side offenders, such as IWF phone passes, free phone calls for good behavior, etc. Use that as a positive behavior incentive. The offenders would appreciate being able to call home. Gayle Lambert would like some kind of incentive for the GED program. The Warden said there are lots of opportunities.

We will keep this item and the IWF budgets on our agenda for the next meeting. Lena Havron said she would help if anyone needs it.

Colleen said the biggest thing MSP inmates are complaining about is a lack of communication about things the IWF is paying for. They think that the MDOC should pay for some of these things. We need to communicate and explain why these funds are used to pay for certain programs, and that these funds are a State fund specifically for these purposes. We have regular meetings with them, but only two inmate representatives at MSP. We might have to expand our efforts to get information out to the inmates. Colleen thought the IWF minutes might be posted on the unit boards, but they tend to get taken down quickly by other inmates. When she explained it to them, they understood better and the inmates were happier.

Warden Frink has his employees go to the pods and discuss issues with the offenders – they call it a town hall meeting. We need to work from all areas to get the word out. Lena said the documentation and minutes showing the communication are not getting done. The communication needs to get fixed and we should all come up with ideas to improve it.

The next meeting is tentatively scheduled for Tuesday, March 19, 2013 in Helena at 1:00.
Meeting adjourned.