

**DEPARTMENT OF CORRECTIONS
PRISON ISSUES BOARDS MEETING
Dawson County Correctional Facility
440 Colorado Blvd.
Glendive, MT
July 17, 2013**

Roll Call – Warden Joan Daly, Warden Tom Green, Warden Leroy Kirkegard, Deputy Warden Bob Paul, Deputy Director Loraine Wodnik, Patrick Smith

Via telephone conference – Sargent Darren Bryce, Lieutenant Roger Handa (GFRP)

Via vision Net- William Moulton, and Louis Peterson (CCC)

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- Deputy Warden Bob Paul
All approved

Warden Kirkegard had a comment on the minutes, and asked if we could discuss how PIB members or staff would be able to respond to written comments from public and have it posted with the Prison Issues minutes. Pat Smith agreed to put the discussion on the agenda for next Prison Issues Board meeting.

Welcome and Introductions.

In addition to the above people, the following were present - Kurt Aughney, Captain Jon Barthel, Anthony Cacace, Lena Havron, Dale Henrichs, Chris Lansford, Steve Ray, Kara Sperle, and Carrie Zachmann.

Public - None in attendance.

Legislative and Management Team Updates – Deputy Director Loraine Wodnik

HB13 got approved. Some state employees will receive 3% this year and 5% next year. SB410 allotted 7.5 million to the Department and others. The Governor said it will be used for public safety. This is one-time only money.

Several bills that were passed will have impacts on corrections. HB68 establishes a state wide reentry task force for paroled offenders. House Joint Resolution 16 is a study of correctional facilities that deal with mental illness, intellectual challenges and chemical dependency. This may have an impact on the contract facilities. Senate Joint Resolution 3 is a study of the Board of Pardons and Parole.

Director Batista was unable to attend the meeting. It is the 25th anniversary for TSCTC and he needed to be there. Bob Anez and Myrna Olmstead retired at the end May. The new warden for MWP is Joan Daly.

Pat Smith added that the tour of the Bakken Oil Fields was very interesting. It was good to see what Dawson County is dealing with in terms of housing and staffing issues.

Division Updates – Warden Kirkegard

Warden Kirkegard stated there has been a breakdown in the system. When we have an inmate death and the family and victims are not notified, it lets him know there is a break in the system. MSP has trained the Command Post to be able to update and notify parties when the usual staff is not there. With the recent escape, we have realized that procedures need to be fine-tuned.

Steve Redfern, our policy specialist recently retired. Interviews for the new policy specialist are next Friday. The pay band for this position was a six. The job description was redone, and it was dropped to a five. Kurt Aughney will be helping during the process of finding a new policy officer. Once we get the position filled, we will get the information out to everyone.

Pat Smith clarified they are getting the annual personal property review completed. The yearly review of allowed property has come to the PIB first for additions or deletions. They are just waiting for the new policy person to get latest update out to everyone. The RAC and Canteen at MSP have been part of this review.

Update on MSP/DOC Re-Entry Program – Warden Kirkegard

Warden Kirkegard stated that we have the second draft of the Case Manager Plan put together for MSP and it is being reviewed. The target start date is mid-August. Gayle Lambert had an update on re-entry but was unable to attend. As it gets updated and outlined, and we get the bugs out, we will get the information out to the contract facilities. Warden Joan Daly said that MWP is still working on a reentry plan, trying to make it like MSP. AW Tom Wilson is doing a great job. Warden Kirkegard said AW Wilson is working with John Williams to get some problems taken care. By the next meeting we should have an outline. Training is continuing for the Case Manager portion of the plan. The final product should be done soon.

MCE Products Update-Chris Lansford

Pat Smith introduced Chris Lansford who works for the Montana Correctional Enterprises. Chris is the new MCE Industries Director. Chris Lansford has a great background in this area and has a lot of great ideas. Chris worked for Arizona Correctional Industries for 10 years and Wyoming Correctional Industries for 2 years. It is really important for correctional industries to manufacture products that support the institutions; anything that clothes an inmate, or is in a cell, staff clothing, cabinets, chairs, whiteboards and bedding. Industries have a lot of different products now. They are getting a lot of feedback on the mattresses. The current mattress we have is \$70 more expensive than the new prototype. Chris brought a sample of the new mattress prototype. It has a recycled denim core mattress as opposed to foam which is flammable. They are also thicker than the average mattress. They also have women's jackets, which are cut different than the ones we have for our male inmates. They have shirts for the ranch workers. The women's pants have more ample room in the hips. The women had issues with the fly in the front of the scrubs, so they put a snap on them. They also have a prototype chair that is good for the command center or places that are staffed for 24 hours a day. The cost for this heavy duty chair is around \$600. There is also a catalog with a choice of up to 200 chairs to choose from. New models of the chair have been sent to the Command Post at MSP and to Central Office in Helena for staff to try them out.

Give Chris a call and she would be glad to work with your facility. She hopes to visit all of them in the near future. They are having inmates make novelty items too, such as license plate purses and clear bags for staff.

Deputy Warden Bob Paul stated that MCE helped finished the control system at MWP. The console was over \$6700, but MCE built what they needed for \$2200. Pat Smith stated that Warden Frink would like to sit down with MCE and see what they could do to help at CCC.

Roundtable Discussion on Inmate/Facility Issues

DCCF-Warden Tom Green

Warden Tom Green stated when a town's population shoots up to 7000 over just a little bit of time, you realize why it is so hard trying to keep or recruit staff. The facility and the union have been working on the pay scale. The starting wage will be \$16.34 with less of an increase in the upper ends of the scale. The college does not have the funds to help us run the GED program any longer. The horse program has had two classes. The Eagala Horse Program is a 32 hour program that was started about 6 years ago. The program uses horses as a therapy tool. The horse's behavior is a direct result of behaviors and attitudes

of the group members. They use nonverbal responses to get the horse to respond. The program does not allow them to ride the horses at all. The addiction counselor works with the inmates and the horses respond to their actions. If anyone wants to see the training, let Carrie Zachmann know. Pat Smith said in the past we have had horse demonstrations for the director and fiscal staff. It is impressive to see how they try to move the horse with only gestures and nonverbal commands. Deputy Warden Ron Nodland said the weight room equipment has been installed.

MCE- Chris Lansford

The mattress is currently in the \$70 range. They will be able to get it in the \$60 range after they start making more of them. They will also be able to recycle them by taking the slip cover off and recycle the cotton. The manufactures will pay the shipping cost to recycle the cotton.

Budget- Kara Sperle

Lena Havron will be moving over to the Community Corrections programs. They will be interviewing next week for the Secure Care Senior Budget Analyst position. Lena has been doing both jobs for now.

Pine Hills – Superintendent Steve Ray

Steve Ray reported they are having some trouble recruiting. The Bakken industry has had a big impact on this area. They are trying to get the pay up. They are working on Union negotiations – the teachers have settled. Officer negotiations are still going on. Staff injuries have decreased by 85%. Inmate injuries have decreased by 50%. The garden project is doing well.

MWP – Deputy Warden Bob Paul

Joan Daly was introduced as the new Warden at MWP. MWP will be requesting IWF funding in the future for a garden shed. They are in the process of screening and hiring more inmate workers. The razor wire installation is done. DW Paul thanked Warden Frink for the razor wire. Pat Smith said that if any other facility needs used razor wire, to get in touch with Warden Frink. MWP is working on the paperwork to purchase the alley. Once this is purchased, they will have a larger group of offenders to choose from that can work in the garden.

Warden Joan Daly has a clinical background and has worked at the state hospital with the forensic population. She said that vocational and education opportunities are a priority with the MWP population. They are working towards helping the inmates to sustain a job and life when they are released from prison. Contract negotiations went well.

Quality Assurance Manager – Anthony Cacace

The fiscal year has started for the early return to work program. If you need something ergonomically done, contact your safety representative and they will help you with the paperwork for Anthony. The Secure Care Tools Policy has been updated to follow ACA and state laws. The Internal Control Review report is done and has been sent to the Director. Corrective Action Plans will be forthcoming. Compliance monitoring will be starting shortly. Ergonomic assessment training was done for some of the staff at the facilities. Pat Smith said we could start looking at the secure care tools and we will be working on licensing CCA in November or December.

MSP – Warden Kirkegard

MSP was down 51 officers at MSP. It is down to 42 now. Warden Kirkegard asked if housing was still a problem for DCCF staff. Warden Green said yes and they are still using the house bought by the county for staff to live in.

Policy – Kurt Aughney

Kurt-1.2.15 Gate Money Policy and 1.1.14, which is the Loss Control Policy, have gone through general review now waiting on legal review. It has been at a 2 month stand still. Kurt will send out a COR update for everyone when they go through. Included in that will be 4.6.1 and 4.6.2, which is the ADR and Movement Policy. These policies are being combined and just needs to be reviewed by legal. Also being reviewed is 3.1.3, which is MSP Logs and Record Keeping Systems and 3.1.17 Searches and Contraband Control.

Kurt will also be meeting with the new director of the crime lab to talk about UA's.

GFRP- Sargent Darren Bryce

Improvement projects are done. The outlets in the cells are completed, and the shower enclosures are also done. GFRP will be putting in an IWF request for typewriters in the law library and dayrooms. They are also looking to upgrade the antennae to allow the inmates to watch local television stations.

CCC- William Moulton

William Moulton is the new Chief of Programs for CCC. He is new to Montana. He has worked in corrections for 37 years, mostly with the Bureau of Prisons. He is new to CCA. He was a Criminal Specialist for 3 years in the army, was also at the Indiana Department of Corrections for 14 years.

Review of Inmate Assignment Compensation-Lena Havron

It was brought to my attention that the inmate assignment compensation policy has not been reviewed for a few years. A few years ago the Department developed a policy that ensures compensation in all facilities was consistent for inmates. It was primarily based on the compensation levels and budget available at MSP. The average for inmate compensation is \$1.25 per day. Since the employee pay has been frozen the Department and Legislature has not wanted to look at increasing inmate pay. Since the Department is providing increases to employees it may be a good time to discuss the inmate pay policy and any increases available there. The draft compensation form that is handed out at this meeting shows all inmate compensation by category and a cost to each facility if all compensation tables are raised by \$.25. There is an annual amount located at the bottom which takes into account a 30% vacancy rate for inmate positions, as this has proven average at the state facilities. This spreadsheet would indicate that the increase would potentially cause a budget deficit of \$50,000.

Deputy Director Wodnik supports the Wardens to work on the inmate pay issues and determine whether an increase to the compensation scales is necessary. It was determined that a small committee of folks (led by the fiscal staff) should meet to determine more accurate costs to the facility(s) and a plan to implement a better inmate assignment program that accentuates the reentry initiative for the Department. This item will be put on the next PIB agenda.

Review of Global Fund/IWF Accounts-Lena Havron and Kara Sperle

The new IWF policy is officially in effect and the facilities are going to have to develop a procedure to ensure that the funds are being utilized properly. There will be a meeting with all effected parties in August to help determine the procedure. Currently release assistance is not consistent between the facilities and there are a few that do not process any assistance at all. Having one fund will benefit all inmates in all facilities as they will be able to draw from this global fund for release assistance. There is currently money in the fund that has been moved from the old secure care MASC account. This money was earned there while it was a secure facility. Now that this fund is strictly Secure Care, the funds have been moved to serve their statutory purpose. In order for this fund to be ongoing there will need to be annual allocations from each facility into the fund. There are a number of options to allocate funds annually from each facility into the global fund. They are:

Option 1- Population numbers are the actual numbers from the daily population sheet for 2012. Funds available are 25% of each facility's funds after expenditures.

Option 2 - 50% of each facility's available funds. Some of the revenues have gone down and 50% percent probably could not be sustained.

Option 3 – Percentage is just a straight up 25%.

Option 4 - Based on revenue FY2011 & 2012 and is the revenue collected for these fiscal years at each facility. This could put a negative amount in some of the facility budgets.

Option 5 - Based on the percentage available above what was spent from FY05 through FY2012.

Dale expressed concerns that the increase in funds available to inmates along with the decreased time requirement will be detrimental to the Glendive facility, as he feels they put more inmates out into population.

This will not be the case at all. Because each facility will put in an allocation based on the funds they have available, smaller facilities will be able to contribute smaller amounts, but the inmates housed there will have the exact same opportunity to receive funds as the inmates from larger facilities. The allocations will be looked at annually and included in the annual budget at each facility. They will be reviewed every year to ensure that the facility has enough IWF funds to continue providing for the inmates needs at each facility. If the need arises we can adjust the amounts allowed.

There is an incentive and they will have not sent out more than \$500. The IPPO will have knowledge of what they got and what they need. They will only be able to get money sent to providers they need, like rent, programming etc. and not directly to the inmate. Deputy Warden Bob Paul said it would be an incentive for those actively working on reentry.

Warden Kirkegard – Decided that Option 1 is most fair.

Joan Daly- Option 1, it is good starting point.

Tom Green- Option 1, it is good starting point
Sargent Darren Bryce – Agreed that was the one he would choose
William Moulton- Agreed Option 1
Moved to approve - Warden Tom Green motioned to approve option #1.
Second the motion – Warden Leroy Kirkegard
All Approved

Pat said we will have annual reviews, where we can get that fund or the policy adjusted.

**Review adjusted IWF Annual Budgets, Account Updates, Quarterly Requests, Funding Reviews, and New Business-
Lena Havron and Kara Sperle**

MSP looks a little bit different as a journal was done to reduce the revenue in IWF. There is \$100,000 that is statutorily required to be used in MSP for inmate pay. The journal reduced this revenue to pay for this allocation, so it appears that MSP has negative revenue. The second sheet breaks down the revenue and expenditures for each facility over the last few years. With changes to telephone contracts, such as CCA you will see the reductions in revenues. I thought that it would be good to share with all of you so that you can see the history in each of your facilities.

Lena will clean up budgets and send to administrators for review with inmates and then have one last final review and approval of budgets. There were no other requests or business.

Public Comment Period- None Present

Other Security/Confidential issues if needed

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

The next Prison Issues Board Meeting is tentatively scheduled for October 22, 2013 from 10-2 at MWP in Billings.