

THE MINUTES OF THE MEETING OF THE STATE
ADMINISTRATION COMMITTEE
June 25, 1982

The meeting of the State Administration committee was called to order by Chairman Jerry Feda at 12:10 p.m. in room 436 of the Capital building, Helena, Montana. Roll call was taken and all members were present with the exception of REPRESENTATIVE PISTORIA.

HOUSE BILL 23, "AN ACT TO APPROPRIATE MONEY TO THE DEPARTMENT OF INSTITUTIONS FOR PURPOSES OF CONTRACTING WITH PRIVATE ENTITIES FOR THE ESTABLISHMENT AND OPERATION OF THREE PRERELEASE CENTERS; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE", and HOUSE BILL 25, "AN ACT TO APPROPRIATE MONEY FOR A MEN'S PRERELEASE CENTER TO BE OPERATED BY THE DEPARTMENT OF INSTITUTIONS AND TO BE LOCATED AT THE VALLEY INDUSTRIAL PARK FACILITY IN GLASGOW, MONTANA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE" was introduced by SENATOR TOWE. (SEE EXHIBIT A & B)

SENATOR TOWE gave handouts to the committee members showing the population at the present in the prison and a diagram of the prison close security expansion and current prison proposed expansion. (EXHIBITS C & D)

SENATOR TOWE stated that out of 814 close to parole there have been 91 approved for parole already and if you look at the property offenders who are in 12 months of parole, there are 215, then you get down to 508 and that is below the single bunking figure of 515. This proves there is sufficient persons at the prison now occupying a bed that could be in trustee status. He stated they are basing this program on an Iowa model.

EXHIBIT E, a handout by SENATOR TOWE, shows the prisoners risk and parole status and an alternative to the long term plan.

EXHIBIT F shows the the members of the study committee on corrections and their findings and conclusions.

SENATOR TOWE again called attention to the second page of EXHIBIT E, alternative long term plan. (1) three more prerelease centers (2) Glasgow would handle 50 inmates at the same \$40 per day, offer them training in the facilities as is, no fence, no remodeling, just use the facilities that are available (3) double appropriation for adult probation and parole. He also stated that Alpha House inmates have not all been out of minimum security.

SENATOR TOWE directed the committee's attention to HOUSE BILL 25 and stated that this bill relates to the Glasgow proposal and stated that they can put 50 men in this facility without any changes in the present condition.

PROPOSERS were called and REPRESENTATIVE FEDA was recognized as a proponent.

The meeting was opened up for questions.

REPRESENTATIVE PHILLIPS asked why not fill Glasgow up rather than just with 50 inmates.

SENATOR TOWE stated that that figure could be left open but said that Carroll South, Director of Institutions, remarked that too many could not be moved or they could not run the farm.

It was mentioned that the purpose of the prison was not the farm. Also that the alcohol and drug treatment center is in Glasgow.

It was also suggested that the people of Glasgow should have some say in this and may not respond too well to having a prison without a fence. It was also questioned what a "high" and "very high" risk was in referring to inmates.

REPRESENTATIVE MUELLER asked about three more prerelease centers saying "when we discussed the two prerelease centers with Mr. Huddle, he suggested we procede slowly with the two". He asked if they might be moving to hurriedly.

SENATOR TOWE asked them to recognize the words "Long term"

REPERSENTATIVE BRIGGS of Deer Lodge stated that he has never found any person that owns property in the area of a prison that really likes it, and what are they going to say in Glasgow about a prison without a fence.

REPRESENTATIVE FEDA stated that someone has to locate the prison and it would be a shame not to use the existing Valley Industrial Park.

SENATOR TOWE said this bill does not eliminate a fence. He also stated that the administration does not support this bill but does support a \$9.6 million proposal and this is inconsistent.

The meeting was called into EXECUTIVE SESSION.

REPRESENTATIVE PHILLIPS MOVED to TABLE HOUSE BILL 23, REPRESENTATIVE BRIGGS seconded the motion. MOTION PASSED with 11 voting Yes, 7 voting No. (See roll call vote sheet attached)

ACTION ON HOUSE BILL 23 - TABLED.

MOTION was made by REPRESENTATIVE O'CONNELL that HOUSE BILL 25 DO PASS, seconded by REPRESENTATIVE HOLLIDAY.

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REPRESENTATIVE MUELLER made a SUBSTITUTE MOTION that HOUSE
BILL 25 be TABLE.

MOTION PASSED. (See roll call vote sheet attached)

The meeting was adjourned at 12:50 p.m.



CHAIRMAN G. C. (Jerry) FEDA



Leona Williams, Secretary

Montana State Prison close security expansion

1. Close security housing

2. Close security housing

3. Perimeter guard station

4. Food Service

5. Industries manufacturing

6. Industries, auto license factory & and prison shop

7. Vocational education and automotive repair facility

8. Farm machinery repair facility

9. Minimum security housing

10. Minimum/medium security housing

11. Medium security housing
12. Administration/visiting

13. Infirmary/University of Montana Drug Research Facility

14. Maximum security housing

15. Gymnasium

16. Guard tower

17. Guard tower

18. Chapel

19. Future guard tower

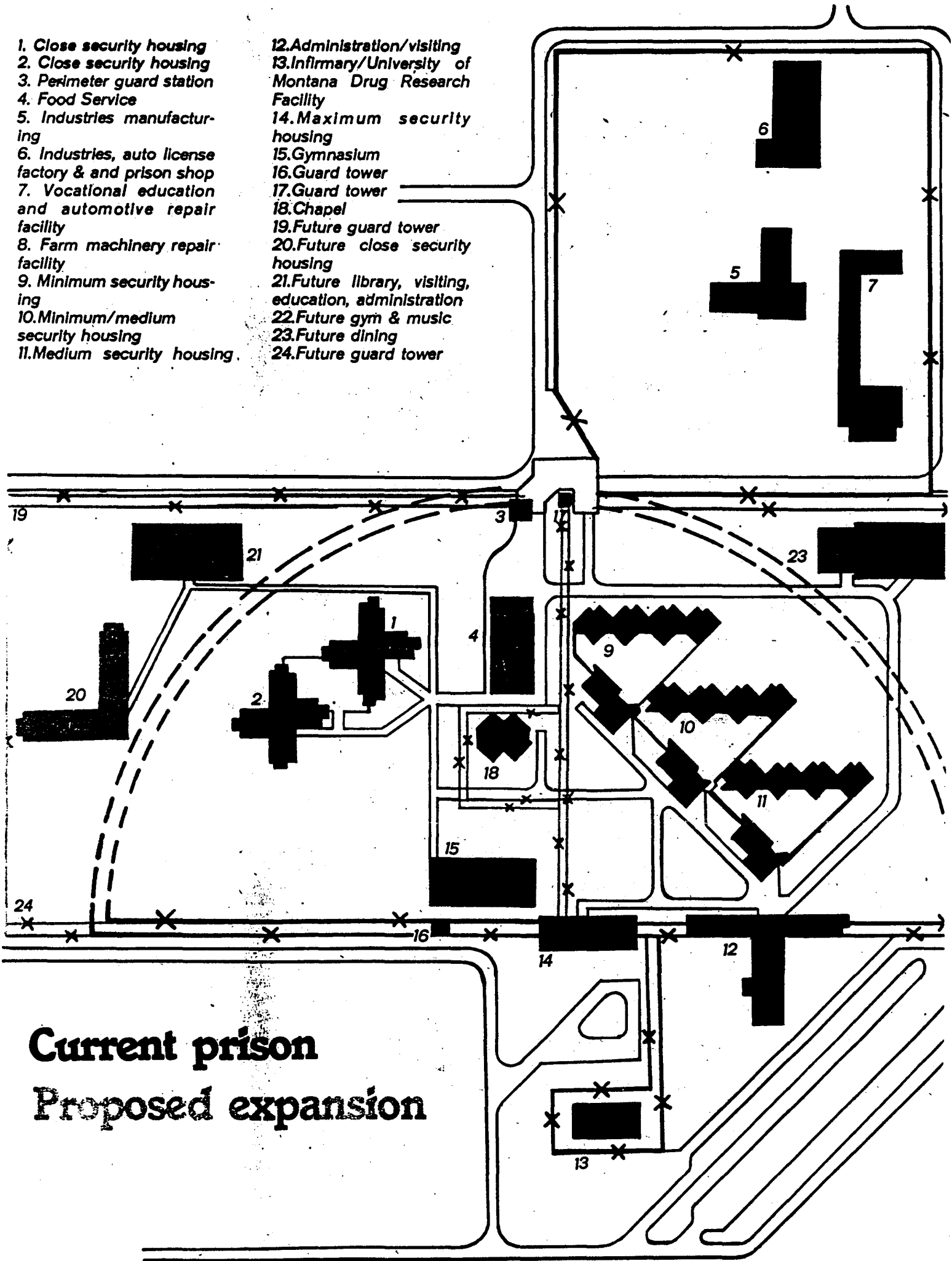
20. Future close security housing

21. Future library, visiting, education, administration

22. Future gym & music

23. Future dining

24. Future guard tower



Current prison
Proposed expansion

Present Population

Cells - single
bunk capacity

inmates present
on 2 June 1982

Acceptable
if double bunk

Maximum Security Unit	35	44	35
House I (Max)	48	39	48
House I (remainder)	48	77	48
House II (high medium + Protective Custody)	96 (227)	169 { 54 P.C. 110 high med. (329)	192 (322)
Unit A (low medium)	96	124	96
Unit B (minimum)	96	131	96
Unit C (minimum)	96	119	96
Total inside the compound	515	703	611

Plus:

Dairy Barn	6
Cow Camp	3
Prison Ranch (tag plant-1, VMS garage-1, feedlot-1, slaughter- house-1, VMC-1, Ranch-1)	6
Total on sight (Deer Lodge)	718

Swan River	55	53	55
Galen		3	
Warm Springs		3	
Supervised Release		4	
Missoula Life Skills	17	10	17
Alpha House	23	23	23
Total under MSP jurisdiction		814	

Close to parole

Total under jurisdiction	814
Approved for parole	91
	723

- Property Offenders - _____	
within 12 months to parole	215
	508

- Others within 12 months to parole	144
	364

Risk Assessment

_____ - _____	
Very High	262
High	154
Medium-low	398
Total	814
Less medium-low	398
	416

Number of inmates at Mont. State Prison - June 2, 1982 - 703
" " cells " " " " (without double bunking) 515

The need is to get the prisoners out of minimum - B & C Units
- Inmates in Close II who have been approved for transfer to
minimum security - 30 inmates - but no beds in minimum

There are enough inmates for pre-release & trustee status.

Non violent offenders (property crimes) within 6 months to parole - 121
" " " " " " " " " " 12 " " " 94

Persons who have been approved for parole - 91

less Alpha House 23

less Msla Life Skill 17

51

51

inmates who are not dangerous and close to parole = 266

" " " " " " " " within 6 months = 172

Inmates within 6 months of parole & medium-low risk of violence - 111

" " 12 " " " " " " " " " " - 88

" close to " " " " " " " " " " = 203

" " " " " " " " " " "

and convicted of property offenses only - 13.

Therefore there are between 130 and 266 inmates who could be
given trustee status right now - 51 have already
received approved parole plans but can't get parole because
they have ~~no~~ no job.

Governors Short Term program

Dairy Barn - 32

Prison now - 703

Alpha House - extra 5

less 77

2 new pre release centers 40

626

77

From South letter and
enclosure of 19 May 82

From briefing
paper

Alternative long term plan

inmates

1) 3 more prerelease centers 20 each = 60
 $\$50,000$ start up each = $\$150,000$
 $\$40$ per day for $\frac{1}{2}$ of FY83 = $\$438,000$
~~Transportation and related costs~~ $\underline{\$5,000}$
 Total cost $\$593,000$

2) 50 inmates to Glasgow - pre release
 intensive job training program = 50
 $\$100,000$ start up = $\$100,000$
 $\$40$ per day for $\frac{3}{4}$ of FY83 = $\$547,500$
~~inmate transportation~~ $\underline{\$5,000}$
 Total cost $\$647,500$

3) Double appropriation for adult
 probation and parole $\$1,274,569$ = 0
 (hopefully less people will return
 to the prison)

110

Inmates now 203

Gov. short term program 22

Alternative long term " $\underline{110}$

516

inmates left for
 515 cells

ROLL CALL VOTE ----- State Administration COMMITTEE

1982

MOTIONS	TABLED Date: 6/25 No: H.B.23	TABLED Date: 6/25 No: H.B.25	Date: No:	Date: No:	Date: No:	Date: No:
FEDA, Jerry	YES	YES				
MUELLER, Glenn	YES	YES				
KROPP, Paul	YES	YES				
SOLBERG, Chester	YES	YES				
PHILLIPS, John	YES	YES				
RYAN, John	YES	YES				
SMITH, Carl	YES	YES				
SPILKER, Bobby	YES	YES				
BRIGGS, Harold	YES	YES				
GOULD, Bud	NO	NO				
HANSON, Ben	YES	YES				
HOLLIDAY, Gay	NO	NO				
KANDUCH, Joe	NO	NO				
KENNERLY, Roland	NO	NO				
MCBRIDE, Kathleen	NO	NO				
O'CONNELL, Helen	YES	NO				
PISTORIA, Paul	ABSENT..	ABSENT				

1982

[illegible]

Membership

Study Committee on Corrections

Sen. Stan Stephens, Vice Chairman	Rep. Dan Yardley, Chairman
Sen. Bob Brown	Rep. Budd Gould
Sen. Thomas Towe	Rep. Andrea Hemstad
Sen. Fred Van Valkenburg	Rep. Michael Keedy

Staff:

Kathleen Harrington, Researcher

James H. Lear

Joan Pauly Mayer, Legal Researchers

Robert B. Person, Director of Research

Diana S. Dowling, Executive Director
Montana Legislative Council

Representative Oscar Kvaalen, Chairman

FINDINGS AND CONCLUSIONS

The Committee on Corrections Policy and Facility Needs found that:

- 1) There appears to be no immediate need for additional residential facilities at Montana State Prison; should the prison population increase so as to require additional facilities, careful consideration should be given to residential alternatives outside the prison;
- 2) Work rehabilitation and job training should be considered as worthwhile alternatives; and
- 3) The Committee views with alarm the increased incarceration rates recently experienced in Montana.

SUMMARY OF RECOMMENDATIONS - CORRECTIONS

The Committee on Corrections Policy and Facility Needs recommends to the 47th Legislature:

- 1) That the Correctional Needs Report from the Department of Institutions be commended to the 47th Legislature for their consideration; and
- 2) That this state make a major commitment to adult probation and parole.

SUMMARY OF RECOMMENDATIONS - SENTENCING

The Committee on Corrections Policy and Facility Needs recommends to the 47th Legislature:

- 1) That plea bargaining be an open process with a written record;
- 2) That the state be allowed to request an appellate review of a legal or a deferred sentence;
- 3) That the maximum period for deferred imposition of a sentence for a felony be increased from 3 to 5 years;
- 4) That fines and assessment of costs in felony criminal cases be allowed and community service as a condition of deferred or suspended sentence be allowed;
- 5) That additional sentences for crimes committed with a dangerous weapon run consecutively with the sentence provided for that offense;
- 6) That there be increased punishment of persons who have been convicted of three separate felonies;

Since Alpha House opened its doors, 117 inmates have been transferred from Montana State Prison. They were classified in the following manner at the time of transfer:

Minimum - 47

Medium I - 13

Medium 2 - 42

Close I - 4

Close 2 - 11

The eleven individuals held in Close 2 prior to transfer to Alpha House were approved for any pre-release program that had an opening. They were not there because of security problems or protective custody. They were ready to leave as soon as accepted into another program and were held in Close 2 pending release.