

MINUTES OF THE MEETING  
FINANCE AND CLAIMS COMMITTEE  
MONTANA STATE SENATE

SPECIAL SESSION II

June 21, 1982

The second joint meeting of the Finance and Claims and Appropriations Committees was called to order at 10:55 in Room 104 by Chairman Moore. Roll call was taken for House and Senate committee members. Representative Moore, Chairman, announced the committee would hear testimony on House Bill 2 and the hearing would be closed at noon. At 12:45 the House would take executive action. At 7:00 p.m. the joint committee would begin hearing testimony on House Bill 5.

Mr. Carroll South, Director of the Department of Institutions said he would direct the committee to page four of House Bill 2, plus the exceptions, Industries reappropriation. As of July it was to be self-supporting. Appropriations were to be divided up with about \$66,000 of the \$140,000 for equipment. The biggest piece of equipment was a validating machine to validate tags on license plates. In checking this, we found it could be done in four months and felt it was not a prudent purchase to spend that much money for a piece of equipment that would be idle for eight months. We would have had to encroach on other areas in both private and state and at the time there was criticism for the state doing as much printing as it was so we dropped that idea. Most of that equipment appropriation is still there and we are requesting it be used in 1983. We also have some operational money, prison industries contract saved us some money - approximately \$105,000 of general fund money. We are asking this be reappropriated for 1983. We perceive this as a loan to be amortized and paid back. The equipment is not a loan.

Pre-release centers: The special session briefing paper, page 14. Mr. South asked the chairman how much he wanted covered.

Rep. Moore: Just the budget - just talk about the budget.

Mr. South: There is a shift to \$35 per day that the state will pay the centers, plus the ancillary services. The way the \$35 per day was arrived at, we sent a budget analyst to Alpha House in Billings. It appeared \$32 a day to be a reasonable contract per inmate and for '83 their actual cost per inmate is closer to \$35 but they receive \$3 per inmate from the inmates for board and room. As for the two new centers; we don't know where they will be, what the costs will be and renovation and utility costs are unknown. We are estimating \$35 a day. If it is less, the money will go back, if more, we will ask the '83 legislature for an adjustment. The state is still liable for the needs of the inmate.

On page 14 you will see we have estimated the '83 annualized cost per home of \$344,655. We are assuming that one unit would be operational the first day of this year and the other the first day of next year. Then, we are proposing that each center receive \$35,000 in renovation costs. I assume that they would borrow the difference and amortize it with the rates what they are. If the state has to borrow, they would be entitled to amortize it and it should cost the state less in the long run.

Chairman Moore asked for further testimony on House Bill 2.

Mr. Dave Armstrong, Administrator for Alpha House in Billings, spoke for the bill. He said, in regard to the budget for the Alpha House and the start-up costs for the two new pre-release centers, that the Alpha House books have been gone over by the state. The rate of \$32.15 is well founded. Compared to Missoula, we are looking at a comparable rate. The non-profit organizations are a little different in that we have to be 100% of the 25 or receive only for those that are there. If you look at the grant through March of 1982 the largest number was 20.1. It averages closer to 16 or 17. That is why it is important to have a rate increase to stay in operation. We have been at full occupancy of late. The request for funds has been made for additional beds. It does not deal with the other 20 people being funded at the rate of \$29.15 per day - \$17,000 extra is what it would cost for the additional residents and I am asking you to take a good look at this. The \$27.50 per day is the last year. This has not allowed us to touch any capital needs. We do not meet 100% of the codes in the kitchen but have cleared it with the Health Department since we will be doing the work. Half of the salary raise is at the beginning of the year and one-half at the middle. This year we could not meet the second raise. Four dollars a day as officers is not much money. The reason for the success is a loyal staff and a low turnover rate. Mr. Corber, probation officer, said you will still have problems but the experience is part of its success.

The new half-way houses, Mr. Armstrong continued, if you are dealing with non-profit or even state, you have a good chance of citizen participation right from the start.

Mr. Armstrong explained the problems and mistrust of people when a pre-release center is started and said conditions and quotas must be worked out that will be acceptable in the community. As the center proves successful and an asset to the community, you find that people are willing to go a little further and they are now accepting most pre-release people except sex offenders and hardcore or those sentenced for serious crimes against society. He asked the state to give enough start-up money to insure success and said a center should start small and work up with experience and hiring and that employees must be trained. He said he would recommend, rather than amortizing, putting another \$65,000 in and insuring a successful center.

Sgt. Wagner, Montana State Prison, and representative for MPEA at the prison, spoke in favor of the bill. He said on page 10 of the briefing paper there was a breakdown, by post assignment, of the old staffing and the new staffing at the prison. He said he works as a relief sergeant and was in Unit A at the time of the up-rising.

He said the one close unit is all key operated and they need a backup when they go into the unit. He said if it was necessary to stop a fight, etc., or even help a prisoner who was hurt or ill, you needed a backup. He said he had worked at this type of work for many years and this was one of the highest stress areas possible to work in. He said the disturbance affected all the guards and officers and felt they really need the equipment and the training.

Pat Klingman, Billings, Chairperson of the Billings Coalition for Community Acceptance, said they had worked three days and received a tremendous amount of signatures. She said the Methodist Church is recommending more pre-release centers and felt this was something that should receive careful use to avoid overcrowding at the prison.

Gail Behan, Correctional Alternatives Coalition of Helena, spoke in favor of the pre-release centers. She said the pre-release centers are cheaper than putting them in Deer Lodge and cheaper because the rate of recidivism is almost non-existent. She said they become a member of society without being an outcast of society through the pre-release centers. She said they see one in Helena at approximately \$100,000. They are working on grants and hope the state will pay part of it. They are estimating \$344,000 to run it. She said whatever the reason they are in prison, a pre-release center gives them an alternative to the life they had and added she hoped the committee would look at the backup figures halfway houses have.

Joe Cassidy, Helena, said he had a different outlook and a different reason. He said he is an ex-prisoner, had a wonderful family that stood behind him, has a job and talks to classes at school about what prison is really like. He felt two pre-release centers were not enough and the state should be thinking in terms of four or six. He spoke on the overcrowding at the prison and added that pre-release centers are not the answer; it is a part of the answer and very important.

Rep. Bergene, House District 36, Great Falls, said there would be a resolution later which affects planning for pre-release centers. He added that Great Falls has met some of the basic criteria, and would like to have one there.

Polly Holmes, Helena, said there are four boards working on pre-release centers in the state and that the one in Helena had competent and able people, are as enthusiastic as Great Falls, and hope they will have one here. She turned in Exhibit 2, attached.

Sen. Dover: One thing that concerns me; you get the house and buildings and what do you do about utilities, insulation, remodeling, etc.?

Mr. Armstrong: The larger startup money is doing just that. You cannot afford to have poor insulation or a poor roof or anything like that with the cost of utilities.

Rep. Bengston: I have a question on inmate help. You mentioned appropriating more money for upfront cost for renovation. How much help is inmate help? I wonder if we are counting that in Missoula, Great Falls and Helena.

Mr. Armstrong: They have the same problems at the Department of Institutions. If too much is done by inmates there may be some resistance by the unions. At Alpha House they do most of the daily maintenance, take care of painting that comes up, act as carpenter helpers in demolition and cleanup work, etc.

Rep. Bengston: On maintaining capacity in pre-release centers - the guideline for coming is established by the center and there are inmates that don't want to come because of the work they have to do. If the institutions are able to provide the people they will keep them full?

Answer: A number of people have talked about the inmate profile. There are about 200 eligible. Some are not palatable because of the type of crime they committed. We have enough to fill two more units. Screening has been voluntary. We wait for people to come forth and apply. Many of them are people who have never come forward before and counselling can bring this out.

Rep. Quilici: What are the qualifications for a person to get into a pre-release center?

Answer: The criteria has been that you have to be within six months of parole and you need to be a non-violent offender. Beyond that is a screening committee that takes into consideration your needs and the risk to the community.

Rep. Quilici: After they get out and go through the center, what is the percentage rate of inmates that get gainfully employed once released?

Mr. Armstrong: One of the criteria for release is fulltime 40 hour a week employment. You must have averaged at least 30 days, but preferably three months on the job.

Rep. Quilici: How many of the inmates have been returned to the prison?

Mr. Armstrong: These people are returned to communities. Some are more ready than others. We screen out the people we feel will not be ready - alcohol, minor infractions of rules, etc. About 25% of these are returned to the prison for these kinds of offenses. Of those we have returned to the prison, many have come back within six months to the Alpha House to try again. Today, of 64 graduates, about 20% have gone back to prison after six months.

Rep. Haffey: What is the criteria for selecting an area for a pre-release center to be established by the Department? A person who has been a violent offender would not be able to go to a pre-release center. Is this a criteria?

Mr. South: Food service has to meet standards. There has to be employment available in the area. If inmates are going to the center, it is very important they are able to find jobs. We will not budget for training areas. When you go, you rotate in. To locate in an area, you do have to do the public relations area. You may have to make some word of commitment to the people in the area. Many of the people who have committed violent crimes are the best risk against committing another one.

Rep. Haffey: Can they get into the halfway houses if they have committed a violent crime?

Mr. Armstrong: When you start a pre-release center you have to turn down anyone who has committed a violent crime. We have now reached the point where we can accept people the community would not have accepted before. Our screening committee includes people from the sheriff and the chief of police. They are getting the people back and they would rather have them to look at in a halfway house rather than be turned loose on the street.

In answer to a question from a committee member asking: In supporting the pre-release centers that have operated for just two years, you can't see where there is a need for more high security there? Mr. Cassidy answered that to put money into something that has proven effective rather than into more buildings should be the goal.

Sen. Keating: The inmates we are looking at for the pre-release centers - there is a 25 person maximum at Alpha House, 24 at Life Skills and 20 others. Is there a maximum and minimum amount of personnel to make a pre-release center viable?

Mr. Armstrong: I don't want to give the idea that anyone in the prison can go through them - some don't fit, etc. Some centers have as many as 100. In Montgomery County, Maryland they have put \$3 million in an 88 bed facility. In attempting to care for the needs of Montana, 30-35 beds is probably necessary.

Rep. Lory: What is the minimum?

Mr. Armstrong: Pre-release centers are a specialized halfway house. Later on some programs could have five or 10 or so people.

Finance and Claims Committee  
Special Session II  
June 21, 1982  
Page 6

Chairman Moore: Our time is up, the joint session is adjourned  
and we will reconvene at 7:00 p.m.

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Senator Himsl, Chairman  
Joint Committee, co-chairman