

MINUTES OF THE MEETING
FINANCE AND CLAIMS COMMITTEE
MONTANA STATE SENATE

SPECIAL SESSION II

June 22, 1982

The third joint meeting of the Special Session II was held on the above date in Room 104 at 7:00 p.m. Roll call is attached.

Chairman Moore said he did not feel the testimony should last more than an hour. He proposed to go until 8:00 p.m. on H.B.5 then hold executive session in Appropriations committee until 9:00 to get the bill out.

Mr. Carroll South, Director of the Department of Institutions explained the purpose of the bill and passed pictures around of the damage done during the disturbance at the prison.

Mr. South referred the committee to the briefing paper, page 11 and said he would like to go through them with the committee, and then take the questions if that were agreeable with the committee. He said they would want to relocate the sergeant's office so they could get out if it became necessary, and also to put in a window for ventilation. He said pass-throughs should be modified in the control centers of Close Units I and II to let them pass tear gas containers through. He explained that during the disturbance they found they were too small and the canisters were lodged and much of the tear gas was inhaled by those in the area. He asked for enlargement of the sally port at the main control and extending the sally-port to the visiting room so that the guard would be able to assist at both. He also asked for a 5' chain link fence since people lean against it and in one instance while some were leaning against it, another down by their feet was cutting through. This would be inside the other with the space between as out-of-bounds. He said they need lighting that is about 6 ft. above the towers so that they do not get the light in their eyes when they are searching. Another item was metal detectors that would be capable of picking up the contraband entering the prison and also going from the kitchen area.

Sargeant Wagner spoke representing the employees there. He said they would like to back all the improvements and feel they are a necessary improvement to their livelihood.

Moore: I had the warden acquire us some data on the House unit to put on the ranch. I would like him to go over this now as to the price, etc.

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Warden Risley, MSP said the approximate cost for temporary or modular housing to be used at the dairy was looked into at the request of the chairman. We talked on the phone to one company who manufactures these. A unit that comes in 4 24x60 feet -- then 2 are put together for a 24x60. It would be \$50,000 for two of them. This would make 10x12 rooms -- 9 rooms each. Some space would have to be given up for showers, toilets, etc. For about \$75,000 we could put up temporary housing. There was another estimate by A & E people for similar type of house. A 32-man open dorm modular house at the cost of about \$65,000. As I understand it, that is just for the modular unit itself. You purchase the pre-cast concrete unit that sleeps 16. The total estimate was \$202,000.

Senator Regan: \$65,000 each for two units that would sleep 16. A total of 32 - what would we be buying anyway?

Moore: We have information on a mobile home kind of construction we could get cheap and install for about \$75,000 to provide for 30 people. That is a used unit. It was used for an office at the University of Washington.

Regan: What would be the life time?

Moore: What would be the life time, Mr. Risley?

Risley: I have seen it used in job security. The buildings last about 15 years.

Chairman Moore asked for questions from the committee.

Rep. Stobie: How much cost for cinder blocks, lumber and materials and let the boys in the prison build it?

Phil Hauck, State Architect, Department of Administration, said the prison used to have a concrete block plant out there. If you build your own block and set it up yourself - I cannot guess as to the price, but perhaps \$50,000 to \$60,000. A block construction, if you did it yourself, would not be any more expensive than wood if you did it yourself.

South: We are limited to \$25,000 on what we can do.

Sen. Smith: Where did this house thing come up?

Moore: It is not in a bill. I think there is something in the mill on it, however.

Conroy: In the course of our hearing we have tried to think of the possibility of having the people that work at the dairy stay there and not have to come back in, being subject to the peer pressure, etc.

Sen. Boylan: Where would it be located?

Risley: Close to the dairy because of water, electricity, sewer, etc.

Moore: My thoughts - they had discussed taking the old dairy farm and moving the minimum security people over there. The other thing that came up was the construction of one of these elaborate things. I asked the warden to look into something like this today.

Boylan: I looked into the barns at the dairy barn. I counted 36 beds in a room smaller than this. It was repainted. They used to have people stay there and it upset the people having them that close to the manufacturing plant at the dairy. I think it would be very poor to put people there again.

Moore: In earlier testimony on that I thought about something like this as a short time proposal and get it here.

Quilici: Where is the \$75,000 coming from? How does this unit come in?

Risley: We pour a slab and put it in place.

Quilici: What is the construction? Ans. Material and wood.

Quilici: How many square feet? Ans. 2880

Smith: What type of studding and what type of insulation?

Ans. I don't know. Phil, how is that comparable with residential of about \$26 a square foot?

Phil Hauck: To compare it with residential, it is about \$50 or \$60 a square foot. Does it have a kitchen? Any headings? Supports?

Waldron: You will have people stay here? They will be around to answer our questions.

Moore: Yes.

Senator Jacobson: Is there a kitchen. Ans. No. They are planning to bring the food out.

Senator Jacobson: What are you doing now?

Risley: We are talking about the dairy workers. They go back at night.

Regan: Are you proposing that the dairy workers would not come off shift and work out there all the time? Answer: Yes.

Regan: If we are going to do a responsible job, this seems quick and easy. What if the committee would appropriate x amount of dollars and say build the house not over this much. Wouldn't that be something better than a trailer house?

Risley: I restored the space in the dairy barn to get 20 people out of prison. I don't disapprove, but we are adding considerable time involved.

Regan: Phil, are you comfortable with this kind of proposal? If you were told to appropriate money for this kind of pre-fab job, would you feel comfortable with it?

Hauck: This is the first time I have heard about it and no, I am not comfortable with it. The price of the average house in the United States is about \$76,000. We worked through the dinner hour and worked up a price. Our price was \$202,000 completed for 32 men. It includes a serving kitchen, 4 showers, etc. I am not comfortable with buying something for \$75,000. The average home with decent insulation in it - the price should be a clue that something is wrong.

Regan: What is the time frame supposing they were to accept the figures and say go to it? What time frame are we looking at?

Hauck: The construction laws of the state say it should be built competitively. This type of unit is constructed in Billings and we could have them built to our own specifications.

Regan: I want some sort of a time frame. There is a problem of crowding. I am more comfortable with our proposals. I am fearful that in three years we will still be faced with something more and it will then be nothing but a pile of junk. How long?

Hauck: Six months.

Regan: Why so long? One month for bids. Hauck: Six to eight months is a realistic time frame.

South: Maybe I could put this in perspective. We were asked to come up with alternatives to the dairy barn. I sensed some of the legislators did not like putting them in a dairy barn.

Quilici: \$75,000 and all you get is a mobile home. I think if you are going to put something there, put more bucks with it and get

something. In the meantime, if the warden wants to put some in the dairy barn until it is up, fine--as long as it is up to code. A picture of the mobile building was passed around and after looking at it he continued--I see in this picture it was the same. The steel is put over the existing openings. This is a steel support frame. (this was in regard to repairs done at the prison disturbance area) Are you going to weld them solid? I see they are spot welded.

Ans. Yes.

Sen. Smith: I was told in 1973 and again in '79 that it was one of the most up-to-date prisons, etc. When I went out there, I believe it was one of the poorest designed prisons you can ever see. I am skeptical. Can you assure me if we sink all this money in for fence and alarms, etc. that no prisoner can escape?

Risley: You cannot prevent escapes. You can only put up the barriers. Your detection system can tell you he is there and then you can catch him before he escapes. At the present time, it takes 1/2 hour to go through the high wire, but nothing to tell us where he is.

Senator Smith. This type of equipment will be just like the last one. They keep touching the fence until the guards think no one is escaping. What we want to know, will it be pretty fool proof?

Risley: Nothing is fool proof. The more sophisticated the defense the more sophisticated the escapes. We think the one Sunday went out on the garbage truck. We cannot find a hole in the fence.

Some light banter was held in regard to scans for garbage trucks, etc. Then Warden Risley said that in 1972 it was expected the prison would have a population of 300. There were 35 cells for hard core cases. We now have gone to over 700 and have not done the extra work to correct all this and deal with the increase.

Sen. Van Valkenburg: If the fence is eventually straightened out, you say you can move the electric system?

Risley: It can be moved.

Question: Who were the architects who originally designed it?

Hauck: Page Warner, a Great Falls firm jointly with a Spokane firm. They had done a lot of prison work and had done work for LEEA. It was a major factor in the prison design. LEEA is not now, but it was then. There were a couple of experts from Washington D.C. and Pennsylvania that also consulted on it. We had more experts than we knew what to do with. At that time it was designed as a model prison. A very liberal prison as was true at that time. No guard towers, etc. It was designed for 300 inmates, 30 maximum unit capacity.

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Comment by questioner: We keep hearing about the people who designed this prison and we should be very hesitant in hiring the same ones.

Rep. Sales: I am confused about the temporary houses. Is this to be a replacement or what or is it an addition?

Moore: An addition. It would rapidly replace it.

Sales: We are getting into a lot of houses for minimum security prisoners. How much does the Missoula one hold?

South: 24 at Missoula when we make our move.

Sales: 25 at Alpha House. 32 at the dairy barn and 30 at the ranch.

South: The dairy employees are some medium security prisoners. The minimum and the ones that are out at the ranch use very little security.

Sales: Are we still going to have enough left to fill up the prison?

South: Yes.

Haffey: If the world hadn't changed when the prison was built, it might have been an adequate prison, but the world has changed. Secondly, if what was seen then had come true, would the prison have been adequate?

Risley: If 300 people living and the maximum security had 30 to 35 capacity, it probably would have been. There would have been some escapes of the mid ones.

Haffey: If all the people in A, B and C could be put in minimum security so that they were empty, could people in Close I and II be put into A, B or C?

Risley: Yes, there are people who could earn the opportunity of moving over. The kind of prisoner in Close I and II units-- we don't want him in A, B or C without vision. If we took them all out of A, B and C, we have about 30 No. 2 that are on the waiting list.

Haffey: Are we maximizing the amount of people that could go out into minimum security?

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Risley: We are saying we can move another 40 now.

Haffey: You have set only two new pre-release centers. If you wanted to take more risk and build four of them, do you have the people that would be ready to fill them?

Risley: You have to teach the community and have them accepted. If it is accepted, they can take more people. They have earned the right.

Moore: Our time for the joint meeting has expired, Senator Keating.

Keating: Is the fence still curved? Is it going to be squared off? South: It is still a part of the long term plan to have it squared off.

Smith: Was the original design of the new prison followed or were changes made?

Hauck: It was followed. We have the plans and we also have them for close units that were built.

Chairman Moore said the meeting would be closed and the committee would come back tomorrow at 1:30 p.m. as a joint hearing to hear House Bills 8 and 12. Room 104.

Senator Himsl, Co-Chairman Joint Sub-
Committee for Finance & Claims and
Appropriations