

MINUTES OF THE MEETING
LONG-RANGE PLANNING SUBCOMMITTEE
MONTANA STATE
HOUSE OF REPRESENTATIVES

January 31, 1985

The meeting of the Long-Range Planning Subcommittee was called to order by Chairman Robert Thoft on January 31, 1985 at 8:04 a.m. in Room 420 of the State Capitol.

ROLL CALL: All members were present.

EXECUTIVE ACTION

Modified Cultural and Aesthetic Projects:

Chairman Thoft (35:B:053) discussed a proposal on how to deal with the modified cultural and aesthetic projects. He suggested St. Mary's Mission, Oral History and Folklife all be returned to the advisory committee for review and recommendation. He said these three projects have been funded through the grant process before and for various reasons were not included with the original project applications. He suggested Representative Bardanoue's project for a new statue be funded from the Capitol Land Grant Fund. He said by doing this the committee will maintain the integrity of the September 1 deadline. He suggested the Lone Rock School proposal be removed from consideration.

Senator Fuller (35:B:066) asked what the source of income is for the land grant fund. Representative Bardanoue said when Montana became a state the federal government gave Montana some land and the income off of this land goes into a Capitol Land Grant Fund which is used to maintain the capitol. He said the balance in the fund is around \$650,000.

Representative Bardanoue (35:B:128) moved that the committee eliminate consideration of the Lone Rock School project, send Oral History, Folklife and St. Mary's Mission back to the advisory committee for further recommendation and consider funding the Meagher Statue project from the Capital Land Grant Fund. The motion passed unanimously.

Cultural and Aesthetic Program Administrative Budget: Carleen Lassise (35:B:149), Accountant, Montana Arts Council presented the administrative budget for the cultural and aesthetic project program (EXHIBIT 1). She said the 1986-87 budget is current level based on the 1984-85 biennium. Chairman Thoft asked if an inflation rate is built in. Ms. Lassise said yes the Governor's inflationary factors were used. She said the inflation rate is generally 4 percent except for communications where the inflation rate is 12 percent for 1986 and 19 percent for 1987.

Senator Van Valkenburg (35:B:190) asked if the council is operating solely on contracted services for this biennium and if it plans to have FTEs for the coming biennium. Ms. Lassise said yes they are currently using contracted personnel with a 1/2 FTE for each biennium. David Nelson, Administrator, Montana Arts Council said the council's operating budget proposes to make contracted personnel into FTEs, but the Institutions Subcommittee does not agree with this. They recommended only to have a 1/2 FTE. Mr. Nelson said this budget does not reflect all of the administrative costs involved with the Cultural and Aesthetic Grants Program. The Montana Arts Council does absorb some of these costs because they are a granting agency and able to handle this type of program.

Representative Bardanouve (35:B:232) asked if the budget is current level of the Governor's Budget or the Legislative Fiscal Analyst's. Pam Joehler, Staff Analyst, Legislative Fiscal Analyst Office said the office figured the needs for cultural and aesthetic administration on fiscal 1984 expenses plus inflation and their figures came to \$23,700 for the 1987 biennium. After talking with the council, she said they probably have a legitimate need to expend more funds in the second year of the biennium in preparation for the Legislative Session. She said replacing the contracted person with a 1/2 FTE is probably more expensive than contracting. She said the services level of the budget are at current level. Representative Bardanouve asked how much more the 1/2 FTE will cost. Ms. Joehler said \$1,600 or the cost of fringe benefits.

Representative Bardanouve (35:B:260) asked why the council felt it is better to have the 1/2 FTE than a contracted person. Mr. Nelson said the council would like state government to recognize that the council has 9.5 staff people and they should be treated as FTEs. If they were treated as FTE's it would not cause any expense to the general fund. Mr. Nelson said presently the Montana Institute for the Arts Foundation has to hire these people and then the Arts Council contracts with the foundation for their people's services. Senator Fuller said the council is vulnerable because the persons they contract with are not able to meet independent contractor status.

Representative Bardanouve (35:B:298) moved the committee adopt the administrative budget for the Cultural and Aesthetic Program at the current level of \$33,289 with the inclusion of a 1/2 FTE. Chairman Thoft asked if the contracted personnel build a retirement fund. Mr. Nelson said the council tries to

make up in salary what would be received in fringe benefits if these people were considered state employees. Representative Bardanouve said the fringe benefits are to have made up the difference between the 1984-85 biennium budget and the 1986-87 current level budget. If an amount for fringe benefits has been added to the contracted person's salary then the fringe benefits are being added to the budget twice. Ms. Lassise said she did not believe the fringe benefits make the 1986-87 budget more expensive because the same level of salary (Grade 12, Step 1) was used in both bienniums. Representative Bardanouve said he would make the above motion contingent upon the Legislative Fiscal Analyst's finding concerning the fringe benefits expense. The motion passed unanimously.

Other Recommended Allocations For The Cultural And Aesthetic Program Budget: David Nelson explained to members that these recommendations are being made by the advisory committee and neither the committee or the council are actively promoting them. The committee decided to make three program proposals based on discussions in the 1983 session and the review process. The three proposals are: 1) an evaluation program for grants which have received funding; 2) workshops to aid applicants in writing their grant proposals; and 3) a brochure advertizing the availability of the grant funds. Senator Fuller (35:B:376) asked if the funding for the projects will come from the cultural and aesthetic grant money. Mr. Nelson said yes it will and it will be in addition to the \$33,289 budgeted for administrative costs. Representative Ernst wondered how many small communities can even afford to send people to the grant writing workshops.

Senator Van Valkenburg (35:B:399) suggested the council add a line to the grant application stating that the Arts Council will help any applicant who wants assistance in writing their application. He said he felt the project evaluation program is more important because of the need for followup information. He suggested the committee give the Arts Council authorization to use money not spent in 1986, up to \$18,000, for the evaluation of funded projects. Senator Fuller said he did not agree with this. He said he felt it would be better to give the council \$18,000 which might be used to recapture and revert grant funds to other projects.

Representative Ernst (35:B:456) asked how the \$18,000 will be used. Mr. Nelson said the council will identify a group of people and train them to evaluate a project. They will go to the project applicant and ask them various questions and based on the responses draft a report to the council on their observations. The evaluation process will run over a 2 year period.

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Senator Fuller (35:B:478) asked what the brochure funds will be used for. Mr. Nelson said the brochure will describe the grant program and notify groups of the availability of grant funds. It will be distributed broadly.

Senator Fuller (35:B:495) moved the committee authorize \$19,000 in funds for the evaluation program and the brochures excluding any funds for grant writing workshops. Senator Tveit asked if the evaluation program will be for ongoing projects. Mr. Nelson said yes.

The motion failed, Senator Fuller and Representative Bardanouve voted yes, Senator Tveit and Chairman Thoft voted no, and Senator Van Valkenburg and Representative Ernst abstained.

Senator Van Valkenburg (35:B:626) moved the committee give the Montana Arts Council authorization to expend funds, up to \$10,000, for the evaluation of grants awarded during the 1987 biennium. These monies are to come from unexpended funds after July 1, 1986.

The motion passed on a roll call vote. The committee's intent is to use reverted funds from grants. The evaluations will be done after July 1, 1986 for the purpose of preparing a report to the 1987 legislature. Carleen Lassise gave committee members a copy of the Arts Council's operating budget, which Senator Fuller had requested the day before (EXHIBIT 2).

Vice Chairman Van Valkenburg (36:A:002) chaired the meeting from this point since Chairman Thoft had to present a bill before another committee.

DEPARTMENT OF INSTITUTIONS

Forensic Unit, Montana State Hospital, Warm Springs Campus:
Mr. Curt Chisholm (36:A:011), Deputy Director, Department of Institutions (D of I) said the department came before the 1983 Legislature with a request to improve the Forensic Unit at the Montana State Hospital in Warm Springs. That project was to have provided for the following: 1) a 100 bed facility; 2) allow for discontinued use of two separate buildings for the forensic program (EXHIBIT 3); 3) enhance the physical security of the forensic buildings; and 4) effectively deal with the improvements necessary for patient comfort and treatment. The department originally thought all of these goals could be accomplished for the \$1.6 million appropriated in 1983. It became apparent early on in the design process that \$1.6 million was not going to be enough to accomplish the desired goals for the forensic unit.

Mr. Chisholm explained the forensic program, its mission and the various proposals the department has considered for improving the forensic unit (EXHIBIT 4). He also provided a copy of a study done by Clyde H. Dorsett, the leading expert on design of forensic facilities (EXHIBIT 5). Mr. Chisholm said given the options available to the department, they decided the best solution to the problem is to build a freestanding facility. The cost of the new building is estimated to be \$6.7 million.

Tom Sellars (36:A:199), Chief Executive Officer, Montana State Hospital gave the committee two handouts, one which illustrated the growth in the patient population in the forensic program (EXHIBIT 6) and the second which illustrates the growth in court ordered evaluations (EXHIBIT 7).

Ellen Feaver (36:A:275), Director, Department of Administration (D of A) explained the funding options available for the \$6.3 million project.

- Option 1 - Let the bid on the entire construction project with a provision saying that only \$2.7 million of construction can be done during the 1987 biennium. Then in the 1987 Session fund the remainder of the project.
- Option 2 - Build the facility in phases. In Phase I a bid for \$2.7 million could be let. Then, in the 1987 session, appropriate the remaining funds and get a bid on Phase II of the project. D of A does not like the fact that two separate contractors could end up doing the phases.
- Option 3 - Let the bid for the entire project and after the \$2.7 million is spent borrow money which reverts from other projects to continue construction of the forensic unit. This option assumes there will be legislative approval of the remaining \$3.6 million during the 1987 session.

PROPOSERS: James Door Johnson (36:A:308), Montana Legal Services Association said he finds the present conditions for patients in buildings 56 and 57 intolerable. The new building will provide humane conditions for the patients and is designed to preserve their individual rights for health and safety. He worries about the patients in the current forensic building being isolated. The new building will allow for better treatment of patients in the forensic unit. He also said staff at the hospital and citizens have been allowed to participate in the planning of the new building and he feels this has provided for more insight into the needs of the patients and staff.

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Al Bertelsen (36:A:397), Chairman, Mental Disabilities Board of Visitors appeared as a proponent of the project and submitted written testimony (EXHIBIT 8).

Mike McGrath (36:A:418), Lewis and Clark County Attorney said he has never seen a worse facility for the treatment of patients. He said he feels it is impossible to treat patients adequately in the current lockup facility. In 1979 the Legislature changed the insanity defense as it applies to the Montana criminal justice defense. Since 1979 felons can be committed to Warm Springs for treatment and then after treatment can be transferred to the Montana State Prison. The Montana Supreme Court recently upheld Montana's insanity law and Mr. McGrath says this action will greatly increase the patient population at the forensic unit.

Tom Cherry (36:A:485), Mental Health Association for Montana said environment is everything when treating criminally insane patients. He feels the new facility is long overdue. He said the cost estimate is good because quite often general hospital construction cost is \$100,000 per bed and this proposal is only \$60,000 per bed.

Representative William (Red) Menahan (36:A:511), District 67, said both he and Representative Steve Waldron, District 58 would like to go on record as proponents of the project. He said the facility was needed two years ago. He said he thinks the facility will accommodate present needs if funding can be made available for its construction.

Vice Chairman Van Valkenburg (36:A:527) then asked for opponents of the project. There were no opponents present.

Vice Chairman Van Valkenburg asked what the future of buildings 56 and 57 will be after the construction of the new forensic building. Mr. Chisholm said all security equipment will be removed from the buildings and they will either be demolished or used as a warehouse to store supplies.

Mr. Chisholm (36:A:610) showed the committee two schematic designs, one of Option 2 which would have utilized buildings 56 and 57 and included additions to them. The second is of the new freestanding facility.

Vice Chairman Van Valkenburg (36:B:001) asked why the forensic unit should be on the Warm Springs campus. Tom Cherry said he felt it was appropriate because the rest of the resources for

treating patients are available there. Mr. Cherry said there is general agreement among the mental health community on the location of the forensic unit. Mr. Johnson said he thought it would be much more expensive to put the unit in another location. Mr. Chisholm said there will always be a need for a forensic unit at Warm Springs because of patients already there who need acute psychiatric intervention and who must be kept in a highly secure area. Representative Menahan said he thought the department would need a shuttle bus for patients if the facility were in another site. As it is the prison transports patients to Warm Springs and back. Other facilities will have to do the same thing if some patients go to Warm Springs and others to another location.

Vice Chairman Van Valkenburg (36:B:042) asked to what extent the legislative policy adopted in 1979 is causing the creation of a second prison. Mike McGrath said he felt the present law does not create a second prison because felons can be treated and then released to the prison. Mr. Johnson (38:B:080) said possibly policy should be looked at because to his knowledge no one has had their case reviewed so that they can be transferred to the prison. He said if Boulder is to be developed into a mental treatment center he could foresee transferring patients between Warm Springs and Boulder. Senator Van Valkenburg asked if management policies at the institution have contributed to the growth of the maximum security unit. Mr. Johnson said he thought the committee will have to look at the Board of Visitors reports to determine this. He said his concern is that people who can be treated are not receiving the proper treatment. However, Mr. Johnson said he feels the management at the institution has done everything possible. There just is not enough staff or funding for the individualized treatment necessary for these kinds of patients. Mr. Bertleson said he does not see the problem as being the result of poor management, nor does he see the request for a new building as a result of past policy decisions.

Senator Tveit (36:B:155) asked how many floors the new building will have and if there is room for expansion in the future. Mr. Chisholm said the schematic design is for a two story structure with 104 beds. The department does not think it would be appropriate to add on to this facility at a later date because it is difficult to provide security in one building for more than 100 to 150 patients.

Representative Bardanouve (36:B:180) asked when buildings 56 and 57 were built. Mr. Chisholm said in 1972. Representative Bardanouve said he is concerned about facilities built in the

70's being demolished. Mr. Chisholm explained that adding on the existing buildings would be more expensive than building a new one. Representative Menehan (36:B:180) said in buildings 56 and 57 patients have been able to dig through the walls with toothbrushes. He said the present facilities are nothing more than a jail. Representative Menahan said the institution needs to be providing for treatment of patients and not just providing security like a prison. Mr. Chisholm (36:B:313) said he does not feel the department is creating another prison. They are simply trying to meet the anticipated needs of the criminal justice system, the courts and their own internal needs to provide a secure environment.

Vice Chairman Van Valkenburg (36:B:467) asked for a floor plan and cost estimates on the project. Mr. Chisholm referred him to Exhibit 4 and he gave members a comparison of the three different cost proposals the department considered prior to the session (EXHIBIT 9). James Lenon architect, Mattson, Prugh & Lenon said the construction cost of the facility per square foot is \$92.00 and the per bed cost is \$61,000. Mr. Chisholm said the department did not want to anticipate legislative approval of the project because it has changed drastically since the 1983 appropriation of \$1.6 million. The architects were only asked to plan through the schematic phase. They have estimated costs of the project on the schematic design.

Vice Chairman Van Valkenburg (36:B:612) said before the legislature will appropriate \$1.1 million dollars this session they will want to talk about the long-range expense of \$6.7 million. He suggested funding a planning phase before the Legislature is asked to approve the project. Mr. Chisholm (36:B:648) said this is a possibility but, in effect, the department has already done a considerable amount of preplanning with the architects and the consulting advice of Clyde Dorsett. Mr. Chisholm said the cost estimates they have come up with are as realistic as the Legislature will get. Vice Chairman Van Valkenburg (36:B:682) asked for a breakdown of specific projects costs, such as site development, architectural fees, construction, contingency, etc. Mr. Tom O'Connell, Chief, Facility Planning Bureau, Architecture and Engineering Division (A&E) said he will work with Mr. Lenon and get the cost breakdown for the committee. Mr. Chisholm (37:A:046) said because of the change and scope of the project the department did not want to commit to anymore planning with the architect other than the schematic phase. He said he felt the information requested will enable the committee to see that the department has taken everything into account in estimating the cost of the facility. Vice Chairman Van Valkenburg pointed out

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that the department's cost estimate for updating the forensic unit in 1983 fell short by \$4,000,000 and before the committee can recommend funding on a \$6.7 million project they need more information.


Vice Chairman Van Valkenburg asked why the Department of Administration is not proposing a bonding program for this project. Ellen Feaver said they are not because of the future commitment of the bonding program to the general fund.

Vice Chairman Van Valkenburg (37:A:198) asked Representative Menahan if Deer Lodge or Powell County could possibly use buildings 56 and 57 for jails. Representative Menahan said Deer Lodge County is in the process of having the present jail evaluated. He said he will check into the possibility of interest by the counties for the use of 56 and 57.

Representative Ernst (37:A:227) asked if the funding is authorized what the earliest occupancy would be of the new building. Phil Hauck, Administrator, A&E said the building might possibly be occupied by the Summer of 1987.

Representative Bardanouve (37:A:299) asked how much of the original \$1.6 million appropriation has been spent. Mr. Chisholm said \$160,000 has been used to pay for the architect's work and soil testing.

There being no further business before the subcommittee the meeting was adjourned at 10:55 a.m.



Robert Thoft, CHAIRMAN

ROLL CALL VOTE

SUBCOMMITTEE LONG-RANGE PLANNING

Admin. Budget

DATE January 31, 1985

BILL NO. Cult. & Aesth. Prog. TIME 8:45 a.m.

8:45 a.m.

[illegible]

Janet Pallister

Secretary, Janet Pallister

Robert Thoft

Chairman , Robert Thoft

Motion: To give the Montana Arts Council authorization to expend funds,
up to \$10,000, for the evaluation of grants awarded during the 1987 biennium
and these monies are to be used after July 1, 1986 for the evaluation process.

Exhibit #1
1-31-85

MONTANA ARTS COUNCIL
CULTURAL & AESTHETIC PROJECTS
ADMINISTRATION
FY 86-87

	FY 84 ACTUAL	FY 85 BUDGET	TOTAL 84-85 BIENNIUM	FY 86 BUDGET	FY 87 BUDGET	FY 86-87 BIENNIUM TOTAL
SALARIES				8781.50	8781.50	17563.00
FRINGE BENEFITS				1624.58	1624.58	3249.16
CONTRACTED SERVICES						
STAFF	6206.90	10508.39	16715.29			
COMMITTEE	675.00	1142.79	1817.79	702.00	1188.50	1890.50
SUPPLIES & MATERIALS	652.61	1104.88	1757.49	678.71	1149.08	1827.79
COMMUNICATIONS	197.06	333.63	530.69	220.71	397.02	617.72
TRAVEL	2824.92	4782.64	7607.56	2937.92	4973.95	7911.86
RENT	64.00	108.35	172.35	66.56	112.69	179.25
REPAIR & MAINTENANCE	12.66	21.43	34.09	13.17	22.29	35.46
OTHER	5.10	8.63	13.73	5.30	8.98	14.28
TOTAL	10638.25	18010.75	28649.00	15030.45	18258.57	33289.02

SALARIES: GRADE 12 STEP 2 .5 FTE AT 84-85 MATRIX

FRINGE: 18.5% OF SALARIES

MIN: OBPP INFLATION FACTORS APPLIED TO CURRENT 84-85

MONTANA ARTS COUNCIL
ISSUES FOR THE 49TH LEGISLATURE

I. RECOGNITION OF STAFF AS STATE FTE'S: Since 1975, when the agency was a grant flow through with an AIS program, the FTE level has been four. We have requested recognition of our full administrative and program staff which is 9.5 FTE regardless of where they are funded from. The executive has recommended the change from contracted service to state FTE and half support of these positions from General Fund, \$56,000 in FY 86 and \$54,800 in FY 87. The LFA, the governor's analyst, and the agency have arrived at a funding strategy which would fund the positions and meet the federal requirement that administrative costs be funded 50-50 out of federal and state funds, without utilizing additional General Fund by transferring funds among the Council's three programs--administration, programs, and grants. Over the history of the agency, administration has comprised 21% of the total budget; programs, 23%; and grants, 56%. The sources of funds for these costs have come from the following: General Fund, 15%; Federal Funds (from the National Endowment for the Arts), 65%; Coal Tax Funds, 13%; and Private Donations and Community Match (AIS program), 7%.

II. MAINTENANCE OF THE AGENCY'S GENERAL FUND CURRENT LEVEL: The agency, following executive action in subcommittee on its budget, has been recommended for a 20% reduction in state support with the elimination of approximately \$23,000 in General Fund for state grants, which provides 12% of the total funding for grants. Current level state support for the agency, which includes funding the Folklife Project, is \$153,000 for FY 86 and \$145,000 for FY 87. In addition, the council has been alerted to the possibility of a 12% cut in federal funds from the NEA or \$45,000 per year. The total cuts amount to \$97,000 per year or a 17% cut in overall annual funding.

SUMMARY OF GENERAL FUND:

FISCAL YEAR 86

Governor's Recommended	\$177,575	
Current Level	123,715	
Subcommittee recommended	101,959	
Recommended cut	\$ 23,392	19%

FISCAL YEAR 87

Governor's Recommended	\$167,185	
Current Level	114,578	
Subcommittee recommended	99,041	
Recommended cut	\$ 23,392	20%

MONTANA ARTS COUNCIL
COMPARISON OF CURRENT LEVEL WITH
LEGISLATIVE SUB-COMMITTEE & EXECUTIVE RECOMMENDATION

FY 86-87

SUMMARY OF ALL PROGRAMS

	1986-----				1987-----				BIENNIUM TOTAL-----			
	ACTUAL FY 84	BUDGET FY 85	CURRENT LEVEL	GOV REC	CURRENT LEVEL	SUB-COMM	GOV REC	CURRENT LEVEL	SUB-COMM	GOV REC	BELOW CURRENT	BELOW GOV REC
FTE'S	4	4	4*	4	4*	4	9.5	4*	4	9.5		
PERSONAL SERVICES	118565	102568	111059	110864	111460	111265	198298	222519	222129	397018	-390	-174889
OPERATING EXPENSE	256959	242575	293153	264937	285684	268360	201471	578837	533297	395437	-45540	137860
EQUIPMENT	2753											
TOTAL OPERATING	378277	345143	404212	375801	397144	379625	399769	801356	755426	792455	-45930	-37029
GRANTS												
GENERAL FUND	21918	23392	22068		22068	0	22068	44136	0	44136	-44136	-44136
CULTURAL & AESTHETIC**	186720	563110										
FEDERAL	168739	172798	155605	166816	147671	160275	211688	303276	327091	414195	23815	-87104
TOTAL EXPENDITURES	755654	1104443	581885	542617	566883	539900	633525	1148768	1082517	1250786	-66251	-168269
FUNDING:												
GENERAL FUND	130881	113586	123715	101959	114578	99041	177575	238293	201000	344760	-37293	-143760
STATE SPECIAL (CT)**	224205	599274										
FEDERAL & SPECIAL	400568	391583	458171	440658	452305	440859	455950	910476	881517	906026	-28959	-24509
TOTAL FUNDS	755654	1104443	581885	542617	566883	539900	633525	1148768	1082517	1250786	-66251	-168269

* NO VACANCY SAVINGS

** BEING REVIEWED BY LONG-RANGE PLANNING

*** HALF GENERAL FUND, HALF FEDERAL

Exhibit #3

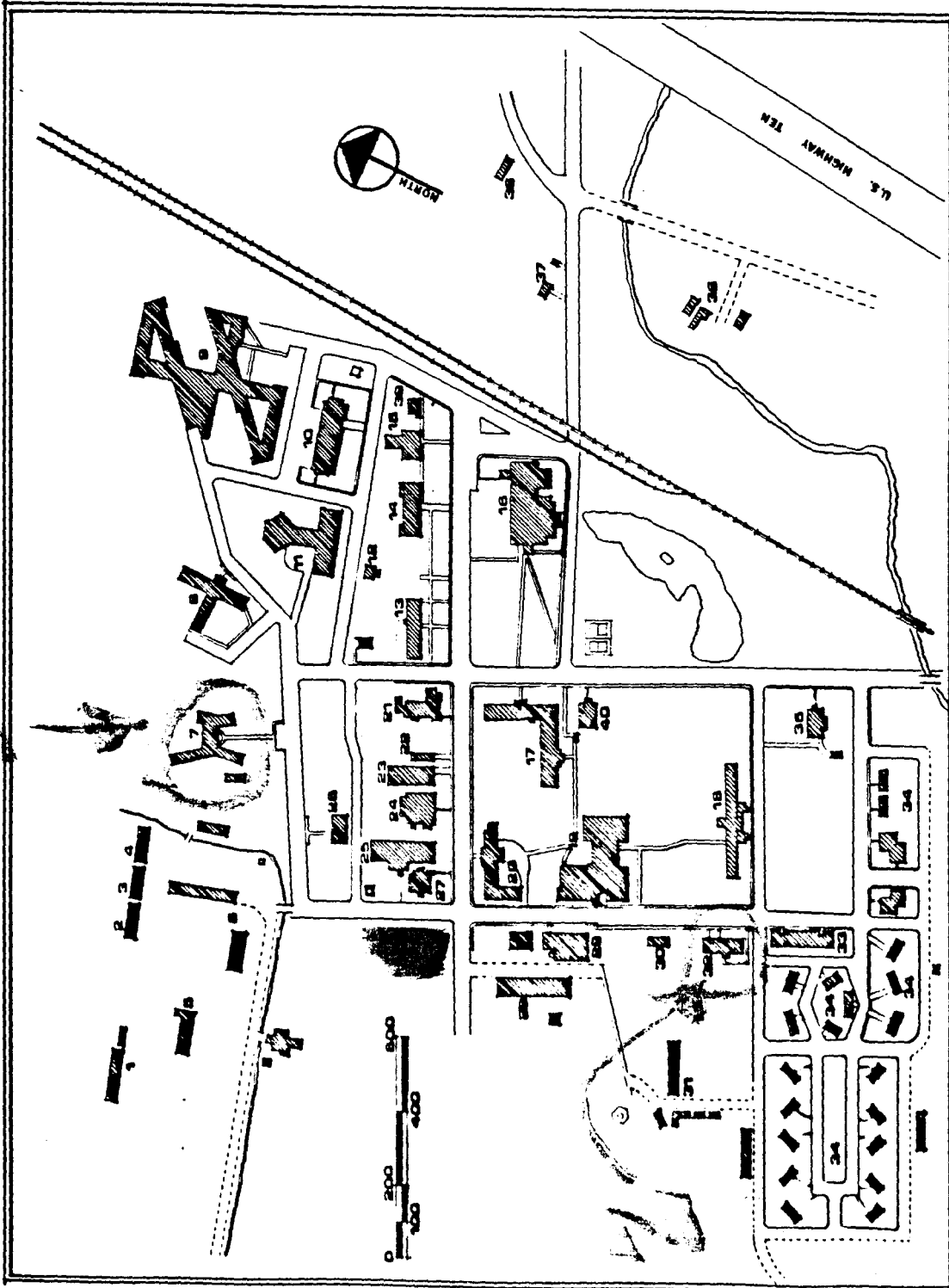
1-31-85

D of I

LEGEND

WARM SPRINGS

1. Warehouse
2. Plumbing Shop
3. Electrical Shop
4. Paint Shop
5. Lumber Storage
6. Maintenance Shop
7. Maximum Security
8. Men's Dormitory
9. Receiving Hospital
10. Intake Unit
11. Spratt Building
12. X-Ray Lab Storage
13. Old General Hospital
14. Pharmacy and Storage
15. Administration
16. Multi-Purpose Building
17. Bolton
18. Children's Unit
19. Kitchen & Food Service
20. Warren
21. Residence
22. Fire Station
23. Garage
24. Trade School and Mechanical Repair
25. Laundry
26. Boiler Plant
27. Linen Supply
28. Warehouse
29. Commissary
30. Patient Employment
31. Greenhouse
32. Unit 885 - 886
33. Women's Correctional Facility
34. Staff Housing
35. Residence
36. Residence Garage
37. Residence
38. Residence
39. Post Office
40. Scanton Apartments



MONTANA STATE HOSPITAL

WARM SPRINGS MONTANA

Mission of Forensic Unit - MSH

Mission: Diagnosis, assessment and treatment within a secure environment of the following patients:

A. Court ordered patients under the criminal code:

1. Court ordered patients to determine the existence of and the degree of the serious mental disease or defect.
2. Those determined by the court to be unfit to proceed with a criminal prosecution.
3. Those persons who have been determined by the criminal court to be not guilty by reason of mental disease or defect.
4. Ordered to serve treatment sentence.

B. Other categories of patients confined and treated in the Forensic Unit.

1. Persons who have become seriously mentally ill while serving sentences in the state prison.
2. Persons committed under the Civil Commitment Act who have been judged to be dangerous or a high security risk.
3. Persons committed by court because they have been judged to be inclined to do bizarre and dangerous acts although they are not seriously mentally ill, [For example: Habitual larcenists, child molesters and other sexual psychopaths].
4. Transfer from general population at MSH due to severe acting out and other behavioral problems.

Forensic Unit - Montana State Hospital

Current Use of Existing Facilities

The Forensic Unit is one of seven treatment units created as a result of the 1979 redefinition of treatment modalities and patient separation at Warm Springs State Hospital departing from the regional system of housing and treating patients.

Maximum Security Building [56/57]

Ward 56 - Two Wings - Capacity 31

- "A" Wing - 15 patients [Male]
- "B" Wing - 16 patients [Male]

Ward 57 - Capacity - 15 patients [male]

- Control room - centrally located
- Hallways used as exercise areas on 56
- No day rooms on 56
- Basement: small exercise room, O.T. room, two storage rooms
- Professional offices, admission area, conference and visitor rooms [inadequate]

Minimum Security Building [85/86]

- Three story buildings
- one of oldest on campus

Unit 85 - 15 patients [male]

Unit 86 - 14 patients [female]

- Two small day halls
- Basement has kitchen area, laundry area, two "activity" rooms [used for recreational activities, visitation and conference rooms] and three small offices
- Rooms have 2-4 beds in a room
- Former patient rooms used for Nurses station, medication and seclusion rooms

Administration

Trailer House used for office space.

Forensic Unit Proposal

Existing

Problems:

- Has been at 94% occupancy for last year. Additional space needed.
- Two widely separated facilities.
- Administrative office in a trailer.
- Privacy severely lacking.
- Inadequate space for needs of unit (Therapy, exercise, etc.)
- Non-therapeutic environment. Security appears to be only design consideration - a prison atmosphere.
- Plumbing needs upgrading.
- Ventilation and heating problems.
- Does not meet Life Safety Codes.
- Lighting in cells inadequate for reading, writing.
- Violates codes which guarantee rights to privacy and dignity and to a humane psychological and physical environment. [53-31-142 (1) (3), 1981].
- No central alarm.
- No monitoring devices for suicidal patients.
- No fenced area outside [85/86]
- Seclusion rooms inadequate.
- Lacks sufficient support space.

Forensic Unit Proposal "A" (Original Proposal)

Improvements:

- Increased beds to 100.
- All forensic unit operations in one building.
- Security improved.
- Therapy space increased.

Problems:

- Results would not meet JCAH general standards, uniform building codes, life safety codes, uniform mechanical codes.
- Did not meet codes for energy conservation, (did not improve insulation or replace windows in old building).
- Privacy issue dealt with inadequately, i.e. metal plates welded to steel bars. Continued charges of rights violations likely with chance of litigation.
- Did not have a day room or exercise area for Ward 56. (Exercised in hall.)
- Ward 56 has no nurses station, tub room or laundry storage.
- No emergency generator.
- Did not include miscellaneous service areas (nurses stations, staff toilet rooms).
- Cost estimate based on square footage - not specific needs of forensic construction.
- No perimeter fencing.
- Admission area inadequate.

Forensic Unit Proposal "B"

(Include Recommendations of Consultant)

Improvements:

- Security perimeter fence included.
- Insulation added for retained building.
- Electronic security/central control.
- Improved outdoor recreation.
- Dayroom in Unit 56.
- Patient kitchen & laundry for life skills therapy.
- Admission area improved and enlarged.
- Gymnasium added.
- Increase square footage by 5,000 sq. ft.
- Separated Maximum from Minimum Security.
- Added crafts room for maximum security.
- Vehicle Sallyports.
- Standards substantially met (exception cited below).

Problems:

- Existing building difficult to add to.
- Long corridor to connect units (140 ft.)
- Inefficient staff utilization.
- Energy inefficient.
- Security Compromised (Central Control could not observe service entrance.)
- Remodeling with patients occupying building would be difficult. Would have to handle as two separate projects.
- Difficult to maintain security during remodeling.
- Existing rooms would still not meet construction size requirements for new construction.
- Remodeling will require large contingency fund to cover any problems encountered.

Forensic Unit Proposal "C"
(Free Standing Building)

Additional Improvements:

- Adds four additional rooms.
- Improved energy efficiencies. All thermal windows, less ceiling space (Engineer estimate: 10% more efficient).
- Improved security - Observation of wings improved.
- All rooms meet size standards.
- Improved staff utilization (No long corridors, design of each patient wing improved)
- Building more esthetically designed (without being frivolous)
- Basement not required on site selected.
- Wings designed for better segregation of similar behavioral problems.

Forensic Unit - MSP
Comparison of Square Footage

	Remodel / Addition Proposal	Proposal for New Facility
Admission/Intake/Central Control	1,480	1,490
Patient Use Areas:		
Wards	13,273	13,415
Day Rooms	2,171	2,500
RT/OT	1,764	1,330
Prof. Therapy	1,129	1,388
Gym/Exercise	3,216	3,238
Patient Kitchen/Laundry	390	358
Patient Dining Room	<u>1,200</u>	<u>1,394</u>
Total Patient Use	23,143	23,623
Administration		
Nursing	340	380
Admin.	<u>794</u>	<u>650</u>
Total Admin.	1,134	1,030
Ancillary		
Hskp/Linen	680	1,087
Circulation Space (Hallways, Stair, Elevator)	20,563	20,270
TOTAL SQUARE FEET	47,000	47,500

WHY Forensic Construction is Costly

It includes the requirements of both a hospital and a prison - the two most expensive type of building.

Security Requirements

- Central control with electronic doors and sally ports
- Security glass
- Hardware is very costly [e.g., one door @ \$4,200]
- Perimeter walls are concrete block with steel bars and grouted solid

Hospital Requirements

- 8 foot corridors
- Wide doors
- Ventilation/smoke barriers
- Room size minimum is 100 sq.ft. - larger than a prison

Therapy Requirements

- Outdoor recreation
- Gymnasium
- Resident kitchen and laundry for domestic skills training
- Professional therapy rooms for treatment

Estimated Cost per Bed: \$61,248

Cost of Forensic Facility in Florida:

- 1 200 bed facility @ \$ 77,500 per bed
- 1 200 bed facility @ \$102,500 per bed

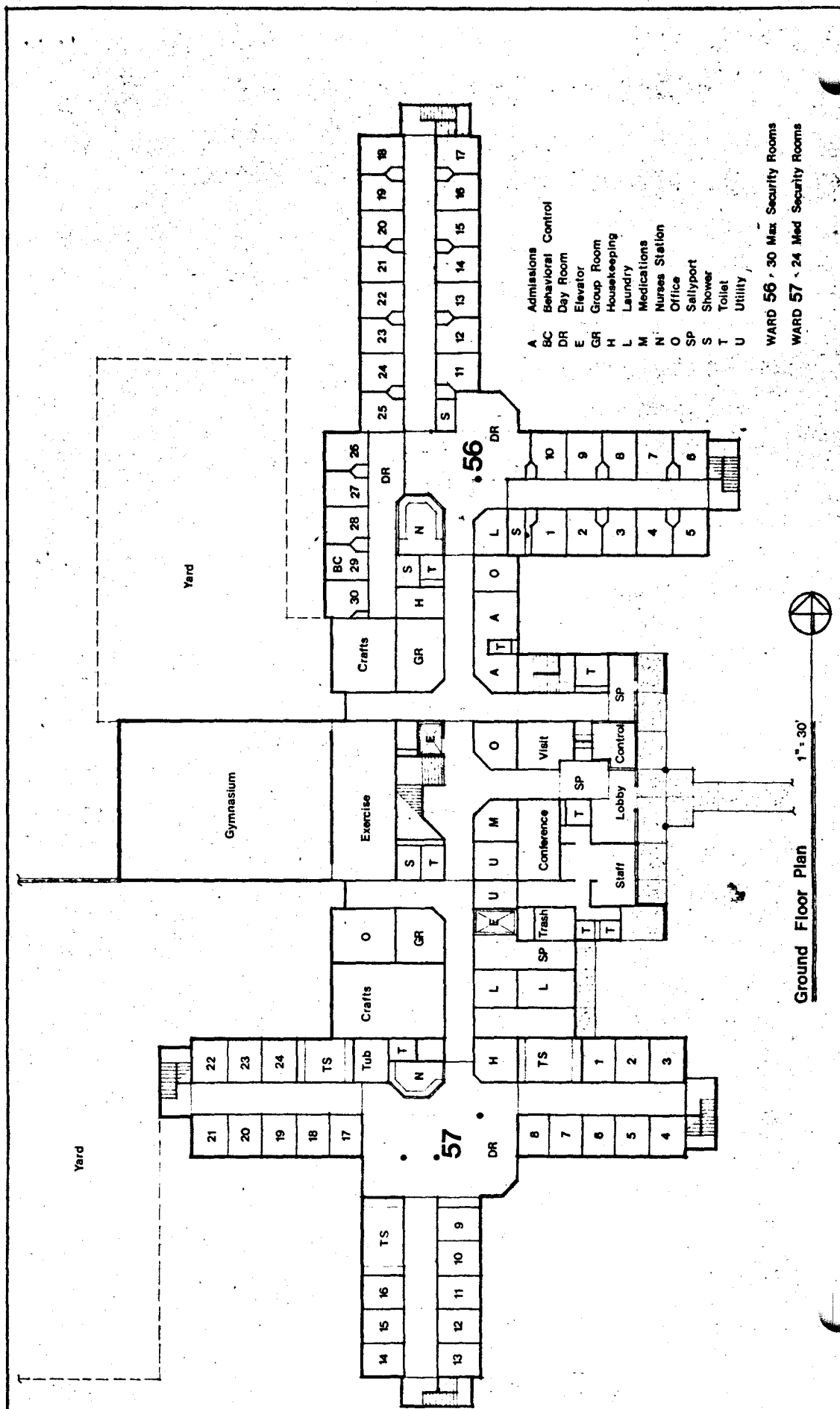
Source: Dick Prugh

Forensic Proposals - MSH
Comparison of Capacity

	Maximum Security Male (56)	Medium Security Male (57)	Minimum Security Male (85)	Min/Med Security Female (86)	Total Capacity
Existing	31	15	15	14	75
Original Proposal	31	15	34	20	100
2nd Remodel Proposal	31	13	36	20	100
New Facility*	30 (Includes 6 Behavior Control Rooms)	24**	24**	26 (Includes 6 Behavior Control Rooms)	104

* Capacity ties to most recent actual and projected patient occupancy.

** Three wings of 8 rooms each. Allows segregation of similar behavioral problems.



 $1'' = 30'$

104 DEUS TOTUS

Exhibit #5
1-31-85
D of I

ARCHITECTURAL PROGRAM

FORENSIC UNIT
WARM SPRINGS/GALEN STATE HOSPITAL
WARM SPRINGS, MONTANA

June 15, 1984

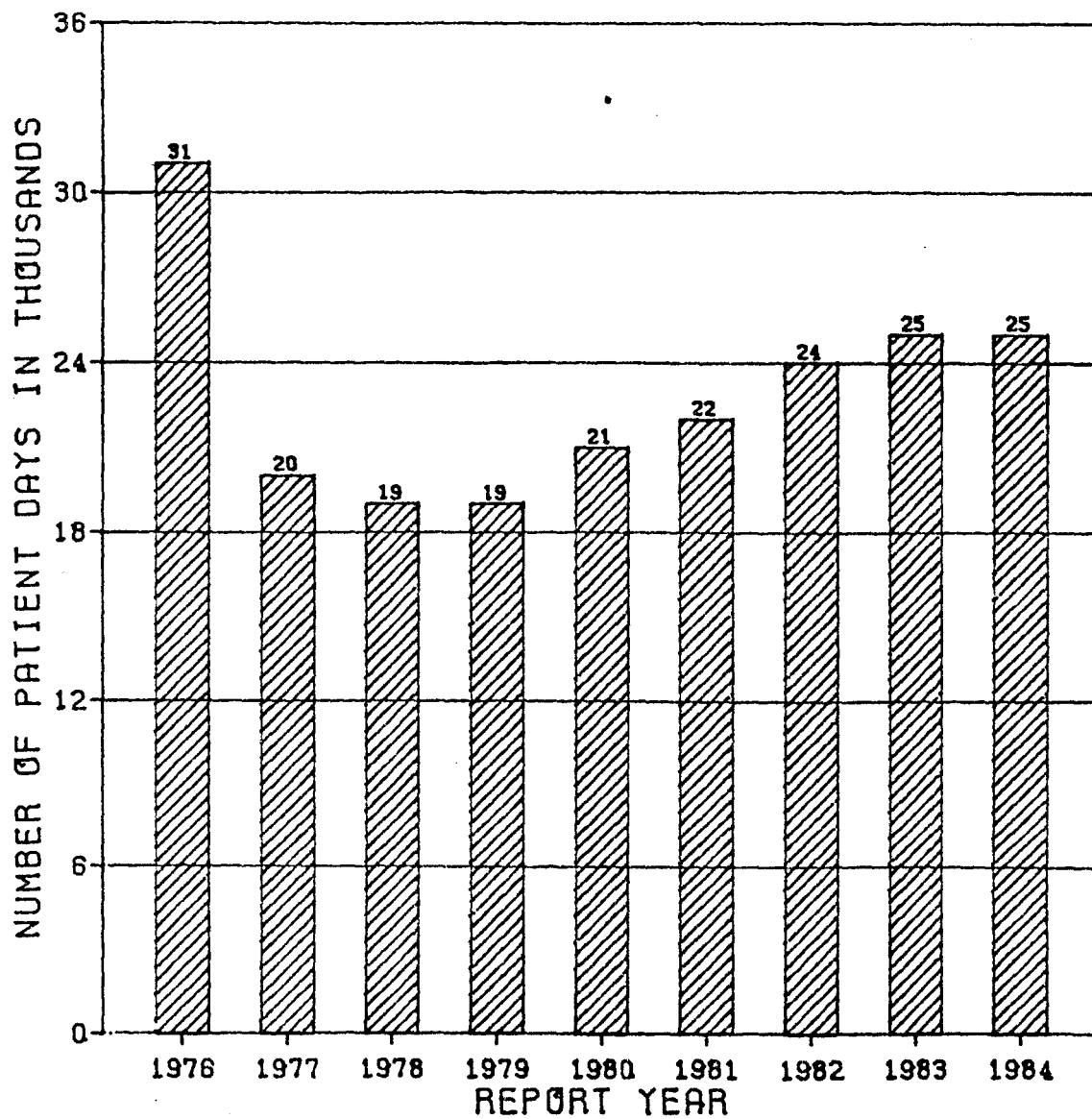
Prepared by
Clyde H. Dorsett, M.Arch, AIA
Mental Health Consultant, Inc.
1603 Lancaster Street
Baltimore, Maryland 21231

FORENSIC UNIT PATIENT DAYS

FORENSIC UNIT PATIENT DAYS BY CALENDAR YEAR

WARM SPRINGS CAMPUS

CALENDAR YEARS 1976 THROUGH 1984



CALENDAR YEAR 1983 FORENSIC PATIENT DAYS = 25,089

CALENDAR YEAR 1984 FORENSIC PATIENT DAYS = 25,734

UNITS CAPACITY: 75

1984 AVERAGE DAILY CENSUS: 70.5 PATIENTS

Exhibit #7

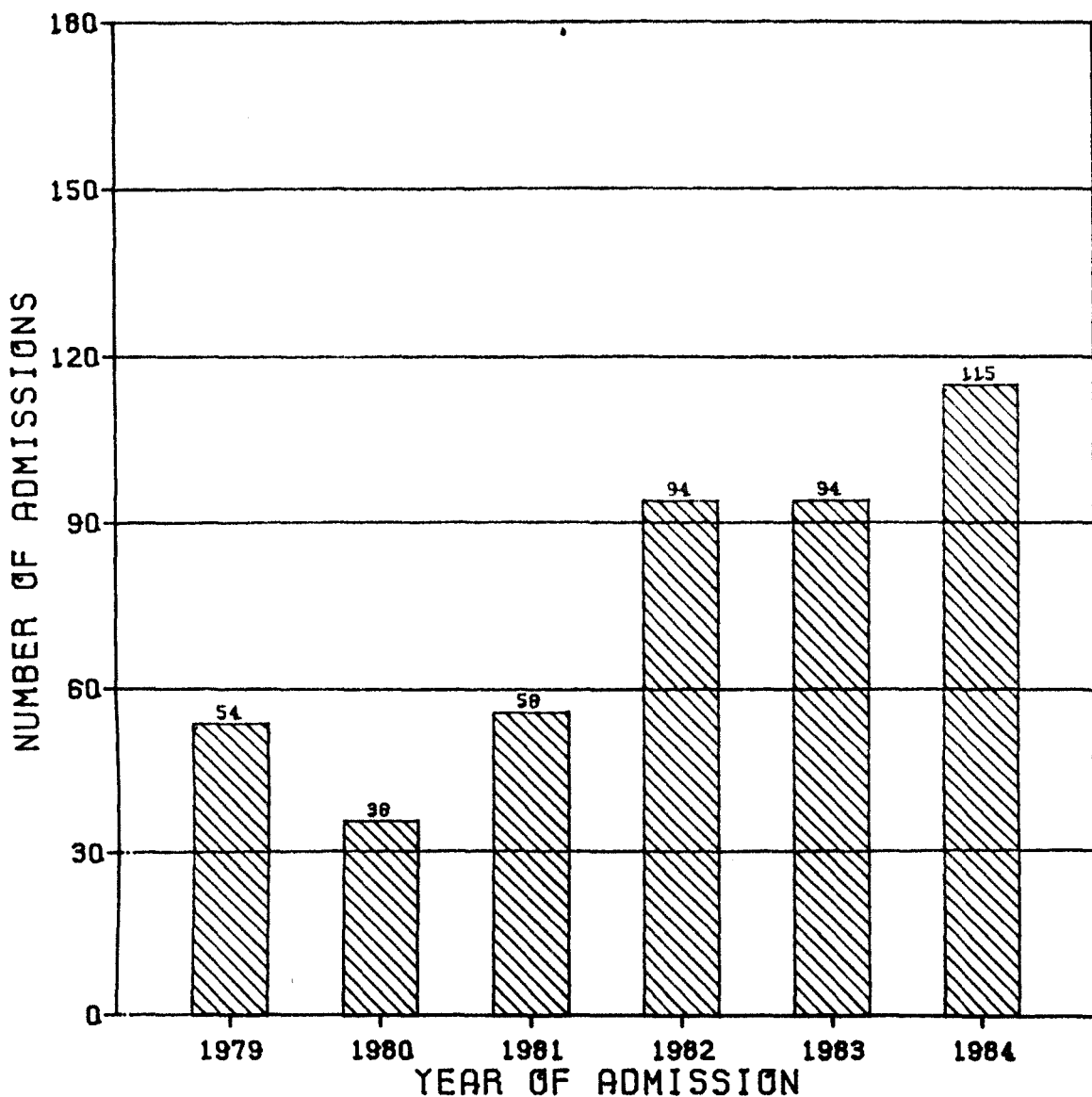
1-31-85

MT State Hospital

COURT ORDER FOR EVALUATION

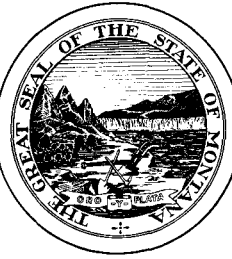
NARM SPRINGS CAMPUS

CALENDAR YEARS 1979 THROUGH 1984.



1-31-85

OFFICE OF THE GOVERNOR
MENTAL DISABILITIES BOARD OF VISITORS



TED SCHWINDEN, GOVERNOR

CAPITOL STATION

STATE OF MONTANA

(406) 444-3955

HELENA, MONTANA 59620

31 January 1985

Representative Bob Thoft, Chairman
Long-Range Planning Committee
State Capitol, Room 420
Helena, Montana 59620

Mr. Chairman and Members of the Committee:

The members of the Mental Disabilities Board of Visitors have reviewed the Forensic Unit at the Warm Springs campus since 1976. The Board of Visitors has expressed dissatisfaction and concern with the individual jail cells, the lack of privacy and the physical deterioration of the unit.

The increase in admissions to the Forensic Unit at the Warm Springs campus, along with the need to provide a therapeutic environment reinforce the need to consolidate treatment services and staff in one building. We support construction of a building which takes into consideration the treatment and security needs and still respects the privacy and dignity of the patients. With such a building, the Board also strongly supports adequate staffing in order to provide the necessary treatment to patients so they can be moved to less restrictive areas of the hospital.

The Board of Visitors supports the Montana State Hospital and the Department of Institutions in their request for a new Forensic Unit.

Sincerely,

Mental Disabilities Board of Visitors

The Mental Disabilities
Board of Visitors

Al Bertelsen, Virginia Kenyon
Joe DeLong, L.P. Noonan
Gracia Schall

Exhibit #9

1-31-85

Dof I

FORENSIC UNIT

Comparison of Proposals

Existing	Original Proposal "A"	Remodel/Additions "B"	New Facility "C"
Estimated Cost	\$ 2,412,606	\$ 5,497,777	\$ 6,369,777
Prop. [1983 Legislative Session]	1,678,464	1,678,464	1,678,464
Additional Funding Needed	734,142	3,819,313	4,691,313

VISITORS' REGISTER

LONG-RANGE PLANNING SUB COMMITTEE

BILL NO. _____

DATE JANUARY 31, 1985

SPONSOR _____

NAME (please print)	RESIDENCE	SUPPORT	OPPOSE
John H. Johnson	Glendive, MT	x	
Stenda Selge	Mont. Arts Adoracy		
Susan Talbot	Montana Arts Council	x	
Carleen Rennie	mt Arts Council		
Dave Nelson	MT Arts Council		
Miss H. J. Jernie	Helena, MT.		
James Dove Johnson	Butte, Mont		
JANE COWARD	Anaconda	x	
Charlotte Kippner	Anaconda	x	
Tom Connell	Helena	✓	
Tom McFarthy	Anaconda	✓	
Mike McGrath	Helena	✓	
Al Bertelsen	Board of Visitors	✓	
Virginia Benyon	Board of Visitors	✓	
Ellen Felt	Deputy Administrator	✓	

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR WITNESS STATEMENT FORM.

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.