

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 52nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON STATE ADMINISTRATION

Call to Order: By CHAIR JAN BROWN, on February 6, 1991, at 9:00 a.m.

ROLL CALL

Members Present:

Jan Brown, Chair (D)
Vicki Cocchiarella, Vice-Chair (D)
Beverly Barnhart (D)
Gary Beck (D)
Ernest Bergsagel (R)
Fred "Fritz" Daily (D)
Ervin Davis (D)
Jane DeBruycker (D)
Roger DeBruycker (R)
Gary Feland (R)
Gary Forrester (D)
Patrick Galvin (D)
Harriet Hayne (R)
Betty Lou Kasten (R)
John Phillips (R)
Richard Simpkins (R)
Jim Southworth (D)
Wilbur Spring (R)
Carolyn Squires (D)

Staff Present: Sheri Heffelfinger, Legislative Council
Judy Burggraff, Committee Secretary

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Announcements/Discussion: CHAIR BROWN said the Committee would like to say happy birthday to Rep. Vivian Brooke.

HEARING ON HB 528

Presentation and Opening Statement by Sponsor:

REP. VIVIAN BROOKE, House District 56, Missoula, introduced HB 528 to require the Department of Institutions (DI) to solicit proposals from Montana local governmental units for the siting of a Women's Correctional Facility (WCF); requiring the DI to solicit proposals according to the request and specifying certain criteria for the site of the facility; creating a committee to

evaluate the proposals; providing for the evaluation of the proposals and selection of a facility site; authorizing the issuance of General Obligation bonds to finance construction of the facility; authorizing construction and statutorily appropriating the proceeds of the bonds for that purpose. She said she would like to get the "bogey man" out of the bill. She is always asked "where" the prison will be. The question is not where the prison will be, it is how. The Missoula County Commissioners have gone on record as saying they do not want the women's prison facility in their area. She has also been told that her bill weighs one community against another as there are several communities interested in the facility. "If this bill is passed intact, it will be one of the fairest bills you could have to site these facilities. It does not weigh one community in favor of another. . . . I am strictly interested in this project purely from the interests of the women inmates." This bill deserves a full hearing from the Legislature as the facility would be better served if it had the endorsement of the Legislature for the process of decision making and the decision of how it will be funded. Rep. Brooke had the Committee view a video of the prison by a Missoula station, KPAX, shown on January, 1990, to give a "feeling about what kind of facility we have now and the inmates residing there." The average female inmate has been physically and sexually abused and is a victim as well as a felon. She was probably a "throw-away kid" and dropped out of school at age 16 and has probably been a waitress or bartender. Average age -- 34; a single mother with kids in foster care and feeling guilty about that. She usually is caught writing bad checks or doing drugs while "she was probably going with a guy who forced her to do that." She is a victim; will probably serve two years -- the average length of stay. There is not much to do at the Women's Correctional Center. She would like to see her kids more and be a good mom, but she has a low self esteem and will probably fall prey to another guy when she is released. It is important that the Committee learns about the women serving time in the former nurses' dormitory at Warm Springs because these people are different from the stereotypical prisoner. These people have very different needs than those men serving in prison at Deer Lodge. HB 528 does four things: 1) It describes the need; 2) it sets the criteria for what a new facility should have; 3) it explains the selection process; and 4) it outlines the funding mechanism. It was determined by the Governor's Advisory Council on Corrections and Criminal Justice that constructing and equipping a new women's correctional facility was its highest priority. Rep. Brooke distributed a booklet entitled, "Request for Proposals for Community Site Selection for a Women's Correctional Facility." **EXHIBIT 1** There are 17 recommendations in the booklet that have primarily been heard by the Judiciary Committee. It was determined if the 1991 Legislature did anything at all in the area of corrections and criminal justice, it should build a new facility for women inmates. We do not need a new country club for women; we do not need to coddle women felons; but we do need to get out of what was described as a "time bomb" by the Minnesota women's prison

warden, Jacqueline Fleming. There are 63 women inmates at Warm Springs. The emergency capacity is 65, including 45 at the actual facility in a dormitory and 20 at the forensic unit where the minimum and maximum security are located. The women are "double bunked." Data collected for the Advisory Council in 1989 shows that the average annual percent increase in number of admissions in women's prisons is 11.4 percent. In May of 1990, the Bureau of Justice Statistics reported that the female prison population jumped 21.8 percent nationally from 1988 to 1989. This was the ninth consecutive year that the rate of increase at women's institutions far surpassed men's. The DI has projected figures into 1995. They estimated the total female population will number 124. There is definitely a need now and there will be a need in the future. The Council also determined that the programmatic needs for inmates was tied inextricably to the construction needs of the facility. Because the Legislature should keep the woman inmate as the primary focus of determining the site of a new building, HB 528 sets out mandatory criteria in Sect. 4, Pg. 6 and scored criteria in Sect. 6, Pgs. 8 - 10. It is clear what is required. The Legislative Auditor's office assisted with the language in the bill. Mike Wingard will further explain the process the office went through to determine the language in both the bill and the supplemental request for proposals and the scoring methodology for community proposals. At the present time, the DI has initiated a process for receiving proposals. HB 528 takes the DI beginning of the process and adds more detail in the criteria as well as outlines the scoring process. In Sect. 5 the bill describes the nine-member site selection committee, which is balanced with corrections professionals, Legislators and representatives of the Corrections Advisory Council. Sects. 9 - 11 authorize the issuance and sale of General Obligation Bonds for the purpose of building a 200-bed, \$12 million facility. This area of the bill is the same size of a facility that the Governor has recommended. The Advisory Council recommended a facility that would house 120 inmates at \$9 million. The Governor increased that recommendation by rationalizing that it would be cheaper to build a 200-bed facility now than expand later. He also said there would be space for federal prisoners. Rep. Brooke said she was open to amending the bill to a smaller facility. Sects. 12 - 14 change some of the appropriate statutes to signify that the WCF be an entity within the DI listed with the other institutions. Rep. Brooke distributed an amendment. **EXHIBIT 2** She requested the Committee keep in mind that this is not an economic development plan but it is to meet the needs of Montana's rapidly growing female prison population.

Proponents' Testimony:

John McCrea, Protection Advocacy for Mentally Ill Individuals' Program, Montana Advocacy Program, said he supports the bill to build a new women's prison. His decision to support the program was initially based on the review completed by the national prison's project, which was further substantiated by a tour he

took at the women's prison that included a group discussion with inmates. The inmates stressed the concerns about inadequate, temporary housing in a cramped, dilapidated building at the Montana state hospital. He agreed with the assessment of the Interim Committee after touring the prison and questioned after nine years how temporary the facility should be. He questioned the needs listed on Pg. 8 - 9 of the bill which include: medical services, medical specialties needed by female inmates, dental services, chemical dependency treatment, vocational education and public transportation. He supported the need for mental health treatment saying that even though efforts have been made to address the need it falls short and remains a glaring concern for those in the mental health advocacy program. He quoted Alexis Freeman, with the National Prison Project, who pointed out, "As with medical staff, there is inadequate mental health staff coverage. Psychologists spend six hours a week at the prison and the psychiatrist four hours a month. This does not enable adequate therapy or monitoring of medications. This is dangerous in light of the fact that half the women at the prison are on psychotropic medications. This seems to be a disproportionately high number." Currently the state's psychiatric hospital, on the same campus, is not "even able to recruit enough psychiatrists for that hospital." The department is not able to adequately staff the psychiatric needs of the more mentally ill inmates. He does not support a 200-bed facility; he said a facility with less than 100 beds would address the need to incarcerate serious offenders. A large concentration of resources must go to support pre-release centers throughout the state which allow for better integration back into the community. He believes the language addressing the site location committee provides an effective and efficient procedure to review and select the most appropriate location for a new women's correctional facility.

CHAIR BROWN asked the Committee's permission to have Susan Byorth Fox give testimony as she is a staff person. "She worked with the interim committee on the women's prison and is probably the most knowledgeable person on this committee." There was no objection from the Committee.

Marty Onishuk, Social Policy Chair, Montana Board, League of Women Voters, presented written testimony. **EXHIBIT 3**

Margaret Stuart, Social Worker, Professor, Carroll College, said the prison facilities are a state responsibility and should be assumed by the state. A major part of planning must include the fact that women prisoners will have children. Therefore, the following must be included: child care; available pediatricians; foster care; and ways for the mother and child to maintain some kind of a relationship. The most disturbed children she has dealt with are the ones who were attached to a parent/parents and then deprived of them and never made another attachment. When she has done evaluations on children whose mothers are in prisons, those are usually "that kind of kid." These children will never be successfully placed unless we deal with that

parent/child relationship effectively. "When you plan for women, you have to plan for children, unless we want to create the next generation of offenders." Ms. Stuart did not like the 200-bed prison proposal. "If you create a bed, someone will fill it." She doubted if the 200-bed WCF would pay for itself by contracting for other inmates from the federal and state governments. She said as long as those beds don't exist, we don't have a strong motivation to develop alternatives such as early intervention and rehabilitation treatment within the community. "By and large, women don't commit violent crimes. There are a lot of women that don't need to be locked up."

Dan Russell, Administrator, Division of Corrections, presented written testimony. EXHIBIT 4

John Ortwein, Director, Montana Catholic Conference, presented written testimony for himself EXHIBIT 5 and for the Great Falls-Billings Diocesan Council of Catholic Women EXHIBIT 6

Gene Vuckovich, City/County Manager of Anaconda/Deer Lodge County, presented written testimony. EXHIBIT 7

Jack Lynch, Chief Executive, Butte/Silver Bow, said that for the past 15 years he has served as director of the state parole board until his recent election in Butte. He also served in an advisory capacity to the Governor's Advisory Council on Corrections and he feels he has knowledge about the proposal. He believes it is mandatory that the state build a facility and feels we should all be ashamed of the present facility. He said it does not address the needs of female offenders that we are directed by state law to deal with. He believes that the communities that have submitted proposals should be the ones considered for the facility's location. Those communities have spent a great deal of time, effort and in some cases financial resources to develop these proposals. To open the competition to all applicants at this stage, might cause problems with some of the funding mechanisms that were researched by the communities. Particular attention should be paid to the selection process. In addition to the economic concerns, the Committee should be concerned with the quality of the programs presented. In terms of adhering to statutory and constitutional mandates, the Committee should look beyond the needs of the offenders so another generation of neglected and abused children does not occur. A facility larger than 200 beds will probably be needed in the future. The financing is an issue that the Legislative body should address. Butte/Silver Bow is prepared through capital obligation bonds or through a community expenditure to stand by their submitted proposal and to present a financial package. The Committee should also look at job retention for those presently employed at Warm Springs and avoiding duplication, relative to the site selection, for that facility. There are some programs available at the prison that could be utilized at the WCF, particularly training. The facility should be located where they have access to the current prison training

staff, and if there is a desire to use laundry or pharmacy facilities, then the facility should be located near Warm Springs where access to those facilities is available -- thus avoiding costly duplication. One of the most important components of the proposal is the impact you would have on the parole board relative to site selection. The parole board is a part-time body of citizens that meet monthly two days a month at the men's prison to conduct hearings for the men and the women prisoners. One member of the parole board and a staff member go to the pre-release facility at Swan River. One reason he left his work on the parole board, is because the population of just the men's prison grew from approximately 300 to 1,400. In addition we went from one facility to nine without ever having a staff increase. The work load is breaking down the system. "Unless in the future you want to convert to a full-time, paid board, you have to take their needs into consideration." If the facility is located in Butte, there would be no additional travel time, per diem, or staff time involved. If you select a city with an existing pre-release facility, you will double their travel time; if you pick a city where the parole board doesn't presently meet, the increase on their travel and time will be twelve fold because they will have to go there every month.

Harley Warner, Montana Association of Churches, presented written testimony. EXHIBIT 8

Susan Byorth Fox, Project Director, Criminal Justice and Corrections Advisory Council, said the Council was directed by SB 38 of the 51st Legislative Session to study the Women's Prison Issue. The needs of women offenders should be primary when considering HB 528. A recommendation of the Council is that all facilities be completely separate from the Men's Correctional Facility. It is important the women's programming be specifically directed for women and their needs, which are different from men's. Due to the "sheer size" of the men's prison, the programs for women are lost. The national consultant said that it was very important to keep everything separate from the men's facilities. A very high percentage of the women in the correctional facility have mental health and vocational education needs. They need to learn "parenting" skills. The needs cannot be met at the current facility because of its size. It is important that a facility be built that is large enough to house the women and the programming needs they have. Judges will fill beds that aren't available also. "If you build (the prison) too small, you will be adding to the (problem). Maybe it would be better to invest money now. The Council did recommend a 120-bed facility. The Council is also concerned that the issue would become a political football as it will have economic development ramifications. The Council represented small parts of the state, including the Deer Lodge Valley, they all tried very hard to keep the needs of the women offenders in mind. If the state does not voluntarily build a women's prison, the state will be forced to do this by the federal government. Currently there are 45 of the 50 states under a federal mandate regarding corrections.

Montana, probably because of its size, has not been brought into litigation, but that is a definite cause for concern. The mental health needs are very important. The Council recommended that the prison be built in an urban area where the women's needs could be met. They need more medical attention, more mental health facilities, more child care facilities -- anything that a woman would need, they need. "The closer we can put these women to these facilities the more important and better it will be."

Mike McGrath, Lewis and Clark County Attorney, said he wanted to provide a "law enforcement perspective." He thinks it is imperative the state build a correctional facility for the "ever-increasing inmate population." Regarding financing -- corrections is an obligation of the state government. When someone is sent to prison, it is done in the name of the state of Montana. The state should finance it. The financing option in the bill is the one that should be adopted. Regarding programming -- Yesterday, a man was sent to prison for an additional six years. He is 20 years old. He was paroled in July. He was released and started committing crimes and using drugs. The story is a classic tragic tale. He was abandoned at 11; his mother was sent to prison; he lost contact with his mother. From the time he was 11 years old until 30, he will be institutionalized primarily because he did not have appropriate guidance due to losing all contact with his family. We cannot afford to let that happen to future generations. We also need to address the programming issues that make an essential part of this bill or these people will be back on the streets within two years. He said he believes that if you build a facility, you will fill it. The 200-bed facility is too large.

John Shontz, Mental Health Association of Montana, said he has a few concerns with the bill. Regarding financing, there is a (theory) that says one Legislature in most instances cannot commit future Legislatures in terms of dollars spent. The state can "float" its own bonds and finance programs like this, but one question that will arise is whether or not the state is in a position legally to continue to sign a contract with a local unit of government to pay for bonds that will be "out there" for 20 years if not issued by the state itself. The Mental Health Association of Montana supports the particular funding proposal in HB 528 over a local revenue bond issue and want to see mental health services remain in the bill. It is important to recognize that prisoners are returned to society. Look beyond the bricks and mortar of where it is built and how big it is to where it will be 20 to 30 years from now in terms of programs that must be in place to stop repeat felons. It is important to consider the serious impact on the Medicaid budget for felons, particularly if we bring female felons in from out of state. Many single-parent families will follow the felon, which will have an impact on Montana's Medicaid budget -- particularly on local governments.

Lee Jewell, Power County/Deer Lodge, representing governments of

the county and the city, presented written testimony. EXHIBIT 9

Diane Sands, Montana Women's Lobby, presented written testimony. EXHIBIT 10

Shelly Laine, Director, Administrative Services for city of Helena, said that the Helena City Commission would like to go on record as supporting HB 528. They recognize the need for a new Women's Correctional Facility (WCF) and support the construction. They are one of the eight original communities that have submitted a proposal. She requested the Committee to limit the proposal to those eight.

Scott Crichton, Executive Director, American Civil Liberties Union of Montana, presented written testimony. EXHIBIT 11 and EXHIBIT 12

Bob McCarthy, County Attorney, Butte/Silver Bow County, said his central purpose is to encourage the Committee to listen to all proponents who have pointed out that it is "most urgent that the Legislature, in some form, provide for a new WCF for the state of Montana. About a week or so ago we had a female offender in Butte/Silver Bow County who was sentenced for the fifth time." She has never been to prison because the judges are reluctant to send women to the WCF because they are aware of how bad it is and "there is such inadequate treatment provided." The areas of substance abuse and mental health problems are not well handled by the state. He believes that a 200-bed facility is too big and alternative community correctional facilities should be considered.

Robert J. Filipovich, Teacher, WCF said he has taught at the prison since 1983 and had come to answer questions regarding any points of view he has regarding the WCF. "There are others here who work at the WCF who are on close terms with its operation, and they would welcome questions."

Chris Christians, Director, Great Falls Pre-release Center, member of the Prison Council, said he wanted the Committee to remember the following: 1) there is an 18 percent annual growth in the number of women being incarcerated; 2) no matter when the ground is broken for a WCF, it will be at least two years before it is open; 3) the equity issues discussed as to how women are treated versus men in the prison system; 4) the length of stay continues to grow in both men's and women's facilities -- we are looking at at least an 18-month average length of stay for women. "This probably will continue to get longer." 5) this is the number one priority of the Council; 6) there are bills now in the Legislative process that will add to the prisons population; 7) every time someone is put in prison, it costs a "great deal of money."

Opponents' Testimony: None

Questions From Committee Members:

REP. GARY BECK asked if there would be an opportunity for the Committee as a whole to ask questions? CHAIR BROWN said, "yes, that would be all right." REP. BECK asked if Rep. Brooke, Mr. Russell and others would be willing to come back at another time to answer those questions. REP. BROOKE said she would be happy to come in any time the Committee requested.

REP. RICHARD SIMPKINS asked Mr. Christians if the current site selection bidding process procedure had been satisfactory and proceeding on schedule. Mr. Christians said to his knowledge it has, and he has no particular problem with it. Some of the amendments requested today are probably "in good order." REP. SIMPKINS said the Legislative Auditor (LA) has monitored the bill to make sure that everything is on an "even playing field." He asked if Mr. Christians had been receiving those reports. Mr. Christians said he had. REP. SIMPKINS said that he understood the reports question the scoring system and the LA believes that system should be modified. He asked if the procedures followed by the eight cities who have proposed bids and the cities' abilities to come up with funding mechanisms has been compatible with the procedures of bidding. Mr. Christians said he believes it has been in "every one of those areas." That is "one of the reasons for one of the amendments . . . to limit (the bidding) to those eight communities who have already submitted proposals, and they have the opportunity, if there is anything additional, to be able to address those parts." "As to how they were going to be evaluated and graded, I don't believe there had been any numerical order or any other set standards on that. In talking to the DI, those are things that were going to be taken care of 'down the road.'" REP. SIMPKINS asked if the bill "disappears" are we still on track in the bidding process and our commitment to go ahead with building the WCF. Mr. Christians said, "It is my opinion that yes, you are. However, I think this does clarify some things perhaps not only for the Legislature but for the DI as well."

CHAIR BROWN said that the Committee was scheduled to meet at 8:30 a.m. the next day. She requested Rep. Brooke and Mr. Russell to come prior to the meeting at 8:00 a.m. to answer questions on HB 528. The Committee could decide at that time if there was a need for a subcommittee for the bill.

Presented written testimony but did not attend the hearing:

Sheryl Logan Hoffarth, Director, Women's Life Skills Center,
Billings, EXHIBIT 13

Closing by Sponsor:

REP. BROOKE thanked all 18 proponents who took the time to come to testify on the bill. She said Mr. Russell did not address the amendment which "cleared up the language on the acreage." The

amendment concerning acreage would be for potential rather than mandatory expansion. Concerning the last question to Mr. Christians regarding where the WCF will be if this bill gets lost, "I think it is very important that (the Committee) looks carefully as to whether there is documentation from the DI as to how they are going to select the Site Selection Committee (SSC). . . . In HB 528 there is a guarantee that the SSC is as impartial as it can be. I fully support Mr. Vuckovich's amendment regarding the people chosen from the Advisory Council that they not be a resident of the communities submitting proposals. The Representatives and Senators serving on the SSC should not be residents of communities submitting proposals. It should also be noted that a community for the WCF should not be depressed which would allow a potential for jobs for out-of-facility residents. This would be necessary to forestall community resentment. "If we incur debt in the communities, we incur debt in the state. If we incur debt in General Obligation Bonds, we incur debt as a state. This is a state responsibility. . . . We have a definite responsibility to rise above those constituents that we represent and represent the whole state in an impartial way. . . . HB 528 provides daylight in a potentially otherwise closed-door process."

HEARING ON HB 427

Presentation and Opening Statement by Sponsor:

REP. GARY BECK, House District 48, Deer Lodge, introduced HB 427 to designate the Montana Law Enforcement Officers' Memorial in the Old Montana State Prison in Deer Lodge as the state's official Law Enforcement Officers' Memorial.

Proponents' Testimony:

Terry Tyler, Volunteer Coordinator of the non-profit Montana Law Enforcement Museum, Employer of Montana State Prison, presented written testimony. EXHIBIT 14 He distributed a photocopy of an article, "Slain Lawmen Honored at Museum Opening, from The Montana Standard and four sheets of statistics from the Montana Law Enforcement Museum, Inc. EXHIBIT 15 He also distributed a pamphlet entitled, Montana Law Enforcement Museum EXHIBIT 16

Gene Vuckovich, City/County Manager, Anaconda/Deer Lodge County, said two officers who were killed in the line of duty from Anaconda/Deer Lodge County are represented in the Memorial. "We are very proud of these people and the service they rendered to Anaconda/Deer Lodge County." He asked the Committee for their support.

Lee A. Jewell, Funeral Director, Deer Lodge, said the whole state should realize we need to make special "these people who have dedicated their lives to (the state). This is a valid way for it to occur."

Opponents' Testimony: None

Questions From Committee Members: None

Closing by Sponsor:

REP. BECK said that sometimes these memorials mean something to you personally. "The first time the Vietnam Veterans Memorial was (touring Montana), I had a real feeling when I read the eight names that I knew. . . . I think of Socks Sullivan, from Anaconda, who was killed about six year ago. He was the kind of a guy who was involved in his community . . . and highly respected as a police officer. . . . I went to school with the person who shot Socks Sullivan He was responding to a domestic disturbance and killed in the line of duty. Many times officers are . . . killed doing (something) that does not look like it is dangerous at the time. They always have their life on the line. . . . This bill gives recognition to those 90 people who have lost their lives in the line of duty." He recommended the bill be placed on the Consent Calendar.


EXECUTIVE ACTION ON HB 427


Motion: REP. JOHN PHILLIPS MOVED HB 427 DO PASS. Motion carried unanimously.

Motion/Vote: REP. JIM SOUTHWORTH MOVED HB 427 BE PLACED ON CONSENT CALENDAR. Motion carried unanimously.

ADJOURNMENT

Adjournment: 10:48 a.m.


JAN BROWN, Chair


JUDY BURGGRAFF, Secretary

JB/jb

HOUSE OF REPRESENTATIVES

STATE ADMINISTRATION COMMITTEE

ROLL CALL

DATE 2/6/91

| NAME | PRESENT | ABSENT | EXCUSED |
|-------------------------------------|---------|--------|---------|
| REP. JAN BROWN, CHAIR | ✓ | | |
| REP. VICKI COCCHIARELLA, VICE-CHAIR | ✓ | | |
| REP. BEVERLY BARNHART | ✓ | | |
| REP. GARY BECK | ✓ | | |
| REP. ERNEST BERGSAGEL | ✓ | | |
| REP. FRED "FRITZ" DAILY | ✓ | | |
| REP. ERVIN DAVIS | ✓ | | |
| REP. JANE DEBRUYCKER | ✓ | | |
| REP. ROGER DEBRUYCKER | ✓ | | |
| REP. GARY FELAND | ✓ | | |
| REP. GARY FORRESTER | ✓ | | |
| REP. PATRICK GALVIN | ✓ | | |
| REP. HARRIET HAYNE | ✓ | | |
| REP. BETTY LOU KASTEN | ✓ | | |
| REP. JOHN PHILLIPS | ✓ | | |
| REP. RICHARD SIMPKINS | ✓ | | |
| REP. JIM SOUTHWORTH | ✓ | | |
| REP. WILBUR SPRING | ✓ | | |
| REP. CAROLYN SQUIRES | ✓ | | |
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HOUSE STANDING COMMITTEE REPORT

2/6/91
12:00 P.M.
BDA
February 6, 1991

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Mr. Speaker: We, the committee on State Administration report that House Bill 427 (first reading copy -- white) do pass and be placed on consent calendar.

Signed: _____

Jan Brown

Jan Brown, Chairman

REQUEST FOR PROPOSALS
FOR
COMMUNITY SITE SELECTION FOR A
WOMEN'S CORRECTIONAL FACILITY

General requirements for the proposals concerning
a site selection for a women's correctional facility.
(as revised for HB 528)

I. Project Description

The Department of Institutions, hereinafter called the Department, will propose that a 200-bed minimum, medium, and maximum security prison for women be built. The Department/Legislature requests proposals from communities wishing to locate and construct a new women's prison to be built to Department pre-established specifications. The Montana Legislature is asked to authorize the spending and approve the project. The host community and prison site will be chosen by a site selection committee using specific, scored site criteria developed by the Legislature and the Department.

II. Proposal

The Respondent shall present a proposal which outlines the community's ability to best provide the site and services required for the placement of the proposed 200 bed, minimum, medium, and maximum security women's correctional facility. The proposal must include:

- A. Documented demonstration of the extent to which a sponsoring community complies with the Department and Legislature's mandatory and scored site criteria;

III. Criteria

The Legislature has determined criteria will be categorized into "mandatory" and "scored" criteria. Mandatory criteria are defined as services/circumstances which must be available prior to consideration of the proposal by the site selection committee. Scored criteria are defined as services/considerations which should be available, but which may vary among the communities responding. These criteria will be judged and given a score by the site selection committee based on the extent to which the criteria are met by the responding communities. The following outlines the mandatory and scored criteria based upon construction and ancillary requirements.

A. Mandatory Construction Criteria

1. The proposed site(s) must be 15-20 acres with potential for expansion up to at least 25-30 acres if the inmate population increases beyond 200 inmates. (The Respondents may submit more than one site for consideration) The respondents must provide the following information about the proposed site(s):
 - a. Ownership information including the name of the legal owners and the location of the deed book and page number where the owner's deed is recorded;
 - b. If the site is not already in the Respondent's possession, identify how long acquisition will take and the projected costs for both the initial site and any future expansion.
 - c. Identify site configuration for the site(s), e.g. is the site square, rectangular, oblong?
 - d. Identify site topography.
 - 1) Land contours.
 - 2) Do buffer zones exist around the perimeter to minimize unauthorized contact, prevent passage of contraband, and protect privacy. (Generally a zone width of 200 feet is considered adequate).
 - 3) Identify whether the site has any natural or manmade features to screen the site from the community.
 - 4) Document surrounding land use, current and projected.
2. For each proposed site, drawings should be included which detail the following.
 - a. Location plan: indicate general location of site within community. Also indicate retail districts, hospitals and medical facilities, city/county offices, parks, schools, churches, libraries, fire stations, and arterial streets.

- b. Area-wide master plan: indicate planned and existing land use of community.
 - c. Site plan: indicate property lines, adjacent property, road right of ways, easements, sidewalks, encroachments, deed restrictions, and available service and utility lines, both public and private.
3. The proposed site must have direct access to paved public streets, reliable utilities such as water, sewer system, natural gas, electricity, and telephone services. The respondent should respond to the following questions about the above site requirements:
- a. Does the site have year around access?
 - b. Does the site have limited, but maintained road access?
 - c. Does the site have two access points to developed roadways?
 - d. Does the site have a water system that is able to provide a minimum of 1500 GPM with 20 PSI residual pressure and meet EPA primary drinking water regulations?
 - 1) If city water, how far will water lines have to be extended in order to provide service to the site, what are the projected hookup costs, and what are the user fees?
 - 2) If not city water, identify the distance of the water source to the site, hookup costs, cost of test wells, drilling, treating, etc.
 - e. Does the site have local sewer access or on-site treatment capability sufficient to support the staff and population of the facility?
 - 1) If city sewer facilities, what are the costs to extend services, hookup costs, and user fees? Would sewage have to be pumped to the plant or would gravity pipes be sufficient?

- b. Area-wide master plan: indicate planned and existing land use of community.
 - c. Site plan: indicate property lines, adjacent property, road right of ways, easements, sidewalks, encroachments, deed restrictions, and available service and utility lines, both public and private.
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 - b. Does the site have limited, but maintained road access?
 - c. Does the site have two access points to developed roadways?
 - d. Does the site have a water system that is able to provide a minimum of 1500 GPM with 20 PSI residual pressure and meet EPA primary drinking water regulations?
 - 1) If city water, how far will water lines have to be extended in order to provide service to the site, what are the projected hookup costs, and what are the user fees?
 - 2) If not city water, identify the distance of the water source to the site, hookup costs, cost of test wells, drilling, treating, etc.
 - e. Does the site have local sewer access or on-site treatment capability sufficient to support the staff and population of the facility?
 - 1) If city sewer facilities, what are the costs to extend services, hookup costs, and user fees? Would sewage have to be pumped to the plant or would gravity pipes be sufficient?

- 2) If not city sewer, identify what is being proposed and the associated costs.
- f. Does the site have natural gas available?
 - 1) How far will lines have to be extended?
 - 2) What are the costs for hookup?
- g. Does the site have available three phase power with a minimum of 3500 KVA?
 - 1) What is the distance from the site to the nearest power source?
 - 2) What is the cost of extending the service?
 - 3) What is the load capacity?
- h. Does the site have phone service to support regular and reliable telephone service?
 - 1) Is there capability for remote communications via computers and facsimile service?
 - 2) What are the costs of extending phone services to the site?
- i. Identify where the closest sanitary landfill is.
 - 1) What is it's remaining capacity?
 - 2) What is the hauling distance?
 - 3) What are the hauling fees and user fees?
 - 4) What are the days of operation?
4. For each proposed site there must be documentation that the property does not lie in FEMA Flood Hazard Boundary Maps, Soil Conservation Service Flood Hazard Studies, or Corps of Engineers Flood Information Reports.
5. For each proposed site there must be documentation that the water table will allow the facility a

basement structure; and must include subsurface soils and water table analyses based on actual site investigations or general description based on soils in the immediate area. (Final selection will require an actual soil investigation). The respondents must also answer the following questions:

- a. What has the land use been for the past 30 years?
 - b. Are or have there been any hazardous wastes of any kind stored or dumped on the property?
6. The respondent must document climatic information about the general location including but not limited to: average monthly temperature, average monthly precipitation, monthly solar days, and monthly average wind speeds and direction.

B. Mandatory Ancillary Criteria

1. A 24-hour emergency medical service vehicle must be available with a 10 minute or less response time upon notification of an emergency. The Respondent will demonstrate the proximity and availability of a 24-hour emergency medical service vehicle to the proposed site upon notification of an emergency.
 - a. Identify the number of emergency vehicles typically available for responses.
 - b. Identify the number of designated EMS personnel and their certification levels.
2. A 24-hour active fire protection service must be available with a 15-minute or less response time upon notification of an emergency. The respondent will demonstrate the proximity and availability of a 24-hour active fire protection service to the proposed site upon notification of an emergency.
 - a. Identify current firefighting equipment.
 - b. Identify the number of certified firefighters.
3. An interstate or highway exit must be available within 10 road miles of the site. The Respondent

will demonstrate the proximity of an interstate or major highway exit to the proposed site.

4. The site shall be within a 10 minute response time of a certified local law enforcement agency capable of emergency response. The Respondent will demonstrate the proximity of a certified local law enforcement agency to the proposed site, and the level of capability of emergency response.
 - a. Identify the agencies represented and the number of personnel in each.
5. The respondent will demonstrate the compatibility of the proposed site(s) with local zoning ordinances.
6. The site community must be served by interstate transportation services (e.g. air, bus, or train services). The Respondent will demonstrate the proximity and availability of these services.
7. The site must be located reasonably close to counties contributing a majority of the inmates. The Respondent will demonstrate their proximity to these counties. Proximity to the committing counties is particularly important in terms of transportation for parent/child relational development, legal counsel, and other visitors.

C. Scored Criteria

The proposed site must be reasonably close to certified and/or licensed sources of the following services.

1. Medical Services The site shall be within 15 road miles of a referral hospital with 24-hour emergency room service and an attending physician. The Respondent will demonstrate the proximity and current availability of a full range of medical care for the routine and emergency medical care of the inmates on a 24-hour basis including, but not limited to:
 - a. a referral hospital with a 24-hour emergency room service and an attending physician.
 - b. the hospital must offer medical specialties (on both an in-patient and out-patient basis) needed by female inmates (i.e., obstetrical and gynecology, family practice,

internal medicine, etc.) The Respondent will also demonstrate the willingness of medical providers to provide these services to inmates of the proposed prison.

- c. Identify available dental services (dentists, orthodontists, periodontists) and demonstrate their willingness to provide services to inmates of the proposed prison.
2. Chemical Dependency The Respondent will demonstrate the proximity, availability, current levels of service, and willingness to contract with the state to deliver chemical dependency services.
3. Mental Health Services The Respondent will demonstrate the proximity, availability, current levels of service, and willingness to contract with the state to deliver mental health services. These services must include all levels of mental health services including, but not limited to, psychiatric care, clinical services, inpatient and outpatient treatment, and programs appropriate to women's needs.
4. Vocational education center or programmatic equivalent and unit of higher education (public or private) The Respondent will demonstrate the proximity, availability, and types of training available in the vocational education center and the programmatic post-secondary institutions such as units of higher education (public or private). The Respondent will demonstrate the extent to which the available programs present basic skill development opportunities and should demonstrate a willingness to allow selected inmates to attend the programs; a willingness to meet inmate's special needs; and, the willingness to allow their staff to contract with the prison to provide these services on-site to educate those unable to leave the facility. The institutions should show a willingness to place interns from appropriate fields of study in programs at the prison.
5. Child care and foster care The Respondent must demonstrate the quantity and availability of licensed foster care and all levels of child care including, but not limited to, registered day care, licensed group care and out-of-home care. A Respondent may do this by contacting the

Department of Family Services Regional Administrator for their region.

6. Public Transportation The Respondent must identify what public transportation services are available, e.g. taxis, bus service, etc.
7. Court Access The Respondent must identify the proximity to the court system and legal community.
8. Motel/Hotel Accomodations The Respondent must identify the number and availability of motels/hotels in the community and their proximity to the proposed site(s).
9. Vendor Access The Respondent must identify the proximity and availability of various vendor services to the proposed site(s).
 - a. Food vendors.
 - b. Fuel supply vendors.
 - c. Other service vendors such as vehicle repair, office supply/repair, building supplies.
10. Availability of Workforce The Respondent must demonstrate the availability of a local work force to adequately staff the facility.
11. Availability of Staff Housing The Respondent must demonstrate there is available and affordable housing resources to support the proposed staff of the facility.
12. Organizational Support The Respondent will demonstrate the existence of established organizations whose primary missions are specific to women's needs, i.e. battered spouse, incest victims support groups, rape victims programs, parenting skill support groups, self-esteem building, employment skills, displaced homemaker programs, etc. The Respondent must also demonstrate the existence of established organization(s) which emphasize and are concerned with Native American issues.
13. Employment The Respondent will demonstrate the community's ability to sufficiently absorb out-of-facility possibilities for inmate employment. This should be shown by supplying potential

employment data from local Job Service Offices,
JTPA providers and prospective employers, etc.

IV. Building Model

- A. The design and construction of the facility will represent the latest conceptual advancements for constructing a women's correctional facility, conform to American Correctional Association standards, and be similar to the design of the Minnesota Correctional Facility at Shakopee, Minnesota.

V. Special Instruction to Respondents

- A. Authorization: This request for proposal (RFP) is issued in accordance with 18-4-304, Montana Code Annotated and 2.5.602, Administrative Rules of Montana. The RFP process is a procurement option allowing the award to be based upon stated criteria or evaluation factors.
- B. Financial Information: The estimated cost of this facility is approximately \$12,000,000. This estimated cost does not include land acquisition costs. The Respondent is expected to provide site(s) which comply with the mandatory and scored criteria outlined in the RFP.
- C. RFP Information:
1. Proposals must be signed, sealed, and delivered to the:

Department of Institutions
1539 11th Avenue
Helena, MT 59620

no later than 5:00 pm 1991. The proposal should contain an original document and four copies. The proposals will remain sealed and unopened until the closing date and time.
 2. Proposals must provide all data required herein. Failure to submit all such data will be deemed sufficient cause for rejection of a proposal.
 3. If it becomes necessary to revise any part of the RFP, revisions will be provided to all Respondents who receive the initial RFP at least one week (seven calendar days) before the close of the response period.

4. The Respondent must assume sole responsibility for the complete efforts as required by this RFP and will be considered the sole point of contact with regard to contractual matters.
 5. The Department of Institutions assumes no responsibility or liability or costs incurred by communities prior to issuance of a Contract.
 6. The Respondent shall be responsible for any and all injury or damage as a result of the research and preparation of the proposal.
 7. A Contract may be awarded in response to a proposal considered to be in the best interest of the Department contingent upon project approval by the Legislature.
- D. Approach to the selection criteria:
1. A Respondent must specifically identify the method and manner in which the community proposes to provide the required services.
 2. A Respondent must submit a written narrative and may submit any other printed material to demonstrate the community's ability to satisfy the selection criteria.
- E. Oral Presentation: Respondents may be requested to orally present their proposal to the Department of Institutions and the site selection committee who will schedule the time and location of any requested presentations.

VI. RFP Evaluation Process

- A. Legislative authority (time line)
- B. Community submission of proposals (time line)
- C. The proposals will be evaluated as follows:
 1. ALL provisions of III A and B must be present for a proposal to be considered by the site selection committee.
 2. The site selection committee will consist of the following persons:
 - a. one representative of the Architecture and Engineering Division of the Department of

Administration, appointed by the Director of the Department of Administration:

- b. two members of the subcommittee on women's correctional center from the Governor's Criminal Justice and Corrections Advisory Council, appointed by the Governor;
 - c. two representatives of the Department of Institutions, appointed by the Director of the Department of Institutions;
 - d. two members of the House of Representatives neither of whom may be a resident of a local governmental unit submitting a proposal, appointed by the Speaker of the House; and,
 - e. two members of the Senate, neither of whom may be a resident of a local governmental unit submitting a proposal, appointed by the president of the senate.
3. The scored criteria will be judged with a weighted scale process, with the site selection committee establishing a score for each criteria listed. For example, an individual score will be established for medical services, mental health services, child care, etc. The scoring will be determined based upon the documented demonstration of:
- a. the number of available resources in the community;
 - b. the strength of a community's resources; and,
 - c. the community's willingness through both contracted and volunteer entities to provide the resources to the Women's Correctional Center.

The four communities with the highest total scores on the scored criteria will be eligible for further consideration, which will be based upon on-site reviews and input from public hearings. Additional consideration will be made regarding community contributions to the proposed project.

4. In addition to establishing scores for each submitted proposal, the Department of Institutions and the site selection committee will perform on-

site evaluations of the proposed sites of the top four communities and conduct public hearings regarding the potential siting of a correctional facility at the proposed site(s).

5. In the event of a tie among or between proposals, further details from the submitted data will be used to make a final site determination. The following describes the criteria to be used in the event of a tie-breaker:

- a. Documentation of the strength of community volunteer resources in terms of providing help and services to the WCC inmates;
- b. The ability of the community's post-secondary programs to provide appropriate interns. For example, are there programs relating to the services outlined in the scored criteria, such as mental health services, chemical dependency, etc.?
- c. Does the community have the ability to provide employment for released inmates as demonstrated by female employment statistics in the community;
- d. Documented demonstration of district schools' receptivity to enrolling inmates' children in local schools; and,
- e. Documentation of the community's ability to provide ethnic and cultural diversity, as demonstrated by identification of community social and cultural resources such as social organizations, theatres, museums, art galleries, etc.

D. Basis of Awards

The facility will be awarded to the Respondent whose proposal best serves the interests of the program as defined by the site selection committee and the Department of Institutions in the site and selection criteria and the needs of the Department.

E. Department Responsibility

The Department will comply with all reasonable requests from Respondent's for additional information that may be required in order to respond to this request. Such requests may be addressed in writing or requested

EXHIBIT 1
DATE 2/6/91
HB 528

verbally through Department contacts listed in this section.

Department of Institutions contacts are Dan Russell, Administrator, (406) 444-3902, or Ted Clack, (406) 444-4907, Corrections Division, Capitol Station, Helena, MT.

SCORED CRITERIA

| | |
|--|------------------------------|
| <u>Medical Services:</u> | <u>Total Possible Points</u> |
| W/in 15 miles-10 points | |
| 24 hr. ER w/ Physician-10 points | |
| Applicable Medical Specialists-50 points | |
| Gynecologist(s) | |
| Obstetrician(s) | |
| Family Practitioner(s) | |
| Internist(s) | |
| Dentists/Orthodontists/Etc. | |
| Willingness to provide services-30 points | |
| Total | 100 points |
| <u>Chemical Dependency:</u> | |
| Proximity/Availability-10 points | |
| Current Level of Service-25 points | |
| Willingness to Contract-25 points | |
| Total | 60 points |
| <u>Mental Health Services;</u> | |
| Proximity/Availability-10 points | |
| Current Levels of Service-25 points | |
| Willingness to Contract-25 points | |
| Specific Services Provided-20 points | |
| Psychiatric Services | |
| Clinical Services | |
| Inpatient Treatment | |
| Outpatient Treatment | |
| Appropriate Women's Programs-20 points | |
| Total | 100 points |
| <u>Voc. Ed Capabilities and</u> | |
| <u>Unit of Higher Education:</u> | |
| Proximity/Availability-10 points | |
| Voc.Ed Training Available-30 points | |
| College Training Available-20 points | |
| Demonstration of Basic Skills Training-50 points | |
| Institution(s) Willingness To Provide:-80 points | |
| Allow Inmate Attendance | |
| Meet Special Inmate Needs | |
| Allow Staff Visits | |
| Provide Interns | |
| Total | 190 points |
| <u>Child Care and Foster Care:</u> | |
| Quantity of Licensed Foster Care-10 points | |
| Availability of Licensed Foster Care-10 points | |
| Quantity of all Levels of Child Care-10 points | |
| Availability of all Levels of Child Care-10 points | |
| Total | 40 points |

Organizational Support:

Existence of Established Organizations
Which Emphasize and are Concerned With
Women's Needs:-35 points

Battered Spouse Group
Incest Victims Group
Rape Victims Group
Parenting Skills Group
Self-Esteem Building Group
Appropriate Employment Skills Group
Displaced Homemaker Program

Existence of Established Organizations Which
Emphasize and are Concerned With Native American
Issues-20 points

Total 55 points

Employment:

Identify Possibilities for Inmate Employment-50 points

Employment Data From Job Service
Employment Data From JTPA Providers
Employment Data From Prospective Employers

Total 50 points

Public Transportation:

Taxis-5 points

Bus Service-5 points

Total 10 points

Court Access:

Proximity to Court and Legal Community-10 points

Total 10 points

Motel/Hotel Accomodations:

Proximity/Availability-10 points

Total 10 points

Vendor Access:

Proximity/Availability-10 points

Total 10 points

Workforce Availability:

Employment Data From Job Service-20 points

Total 20 points

Housing Availability:

Housing Data From Local Realtors-20 points

Total 20 points

Total Possible Points From Criteria 675 points

Amendments to House Bill No. 528
First Reading Copy

Requested by Rep. Brooke

Prepared by David S. Niss
February 5, 1991

1. Page 6, line 6.
Following: "site"
Insert: ",provided by the local governmental unit,"
2. Page 6, line 7.
Following: "with"
Insert: "potential for expansion up to at least "
3. Page 6, line 8.
Strike: "available for expansion"
4. Page 10, line 2.
Following: "and"
Insert: "a"
Strike: "institutions"
Insert: "institution"
5. Page 12, line 18.
Strike: "\$12 million"
Insert: "\$12,300,000, which includes \$12 million"
6. Page 12, line 20.
Following: "facility"
Insert: ", and an appropriate amount for bond issuance costs.
The bonds may be issued only for a women's correctional facility"

ENCL 2
DATE 2/6/91
HB 528



To House State Administration Committee
From the Montana League of Women Voters

SUPPORTING HB 528: WOMEN'S CORRECTIONAL
FACILITY

Chairman Brown and Members of the Committee:

I am Marty Onishuk, Social Policy Director of the Montana League of Women Voters. We support HB 528 setting up a procedure to solicit proposals to site a women's correctional facility.

The League promotes an open government system that assures opportunities for citizen participation in government decision-making and we feel this bill promotes this goal with a numerical process to select the four final locations and with the public hearings in these cities.

We support the inclusion of community programs and services which can offer the opportunity of personal and family counseling, education, and vocational training. Inclusion of facilities to meet the needs of the children of women offenders is excellent.

We are happy the very inadequate facility at Warm Springs will finally be replaced with a modern facility.

Martha L. (Marty) Onishuk
5855 Pinewood Lane
Missoula, Mt. 59803

Feb. 6, 1991

TESTIMONY IN SUPPORT OF HB 528

Madame Chairman and Members of the Committee, for the record my name is Dan Russell and I am appearing today in support of HB 528.

The 51st Montana Legislature directed the Department, in conjunction with the Criminal Justice and Corrections Advisory Council (CJAC), to develop a comprehensive plan to address the needs of female inmates. That plan was to be presented to the 52nd Legislature. The plan was to include:

1. consideration of the need to build a new correctional facility, as well as other incarceration alternatives;
2. provision for adequate educational, treatment, training and employment opportunities for female inmates;

3. compliance with standards published by the American Correctional Association's Commission on Accreditation for Corrections, wherever feasible; and,

4. proposed legislation for implementing the plan, if appropriate.

The Department and the CJAC (recreated by Executive Order 17-89) jointly responded to the Legislature's directive. A subcommittee of the Council, served by Department staff, studied women's correctional issues for nearly a year. The committee heard testimony from two national experts on women's corrections issues, studied literature and toured the two newest women's prisons in the nation.

The present Women's Correctional Center was authorized by the Montana Legislature as a temporary facility and was intended to

house a maximum of thirty female inmates. The facility was not designed for correctional use - it is a converted nurses' dormitory. Its design does not serve security or programming purposes well. Its location also is problematic in that it is an appreciable distance from sources of the special services female inmates require. That facility now houses forty-five or more females, the remainder being housed in a temporary unit in the Old Forensics Building on the Montana State Hospital campus. Opened in late 1982, the WCC has experienced an average annual increase in inmate population of nearly 18 percent. The FYE 1990 population was nearly 3 times greater than that of 1983. This increase is substantially greater than that of the male inmate population. This phenomenon is not unique to Montana. Corrections literature indicates a persistent nationwide rapid growth of female inmate populations in the past decade, again at rates greater than those noted for males. Historical FYE total female inmate populations, admissions and average length of stay were:

| | FISCAL YEAR END | | | | | | | |
|------------|-----------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|
| | <u>1983</u> | <u>1984</u> | <u>1985</u> | <u>1986</u> | <u>1987</u> | <u>1988</u> | <u>1989</u> | <u>1990</u> |
| Population | 25 | 25 | 39 | 46 | 51 | 53 | 70 | 73 |

| | FISCAL YEAR | | | | | | | |
|------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|
| | <u>1983</u> | <u>1984</u> | <u>1985</u> | <u>1986</u> | <u>1987</u> | <u>1988</u> | <u>1989</u> | <u>1990</u> |
| Admissions | 33 | 26 | 33 | 34 | 41 | 44 | 52 | 52 |

| | FISCAL YEAR | | | | | | | |
|------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|
| | <u>1983</u> | <u>1984</u> | <u>1985</u> | <u>1986</u> | <u>1987</u> | <u>1988</u> | <u>1989</u> | <u>1990</u> |
| LOS (mos.) | 11.0 | 11.3 | 11.3 | 11.2 | 10.6 | 11.2 | 12.6 | 13.3 |

Female inmate population projections were developed using the same program used for males. The driving assumptions were based on conservative interpretations of growth experience in female prison admissions and length of stay. The FYE 1989 population was chosen as the base year for projections. Projected correctional system populations for female inmates are:

| | FISCAL YEAR END | | | | |
|-----------------------------|-----------------|-------------|-------------|-------------|-------------|
| | <u>1991</u> | <u>1992</u> | <u>1993</u> | <u>1994</u> | <u>1995</u> |
| Female Projected Population | 69 | 80 | 93 | 108 | 124 |

It should be noted that the present female inmate population (73) is already greater than that predicted for FYE 1991. That level has been exceeded for months. Clearly, our projections are not excessive.

The emergency operating capacity of the WCC is 45 inmates; that of the emergency expansion unit is 20, with double-bunking of five cells. The emergency operating capacity of the female institutional system is 77 inmates, including 12 beds at the WLSC.

The Department is going to present a proposal to the LRBP to construct a 200-bed women's prison, to be ready for occupancy by July 1, 1992. If such a facility is constructed, the Montana female corrections system will have extra prison capacity through the year 2000. A Department survey of 18 states and the Federal Bureau of Prisons revealed that eight states and the federal government would favorably consider renting prison bed space from Montana, should such beds become available.

I briefly addressed the problems we have with the present WCC. Let me elaborate on them at this point. Our problems are not simply those of insufficient space, although that, too is a critical and immediate concern. The following is a summary of a

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1. The Department's RFP called for a 15 - 20 acre site whereas HB 528 requires that an additional 25 - 30 acres be available for expansion.

2. The Department has proposed two (2) additional members for the Site Selection Committee:

1 Financial Advisor;

1 Citizen at Large.

The Department would choose all members other than the Legislators, who would be named by the leadership and the Citizen-at-Large who would be chosen by the Governor.

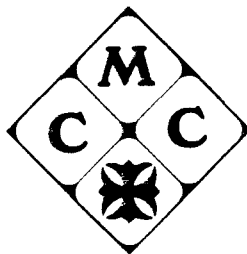
3. There are minor additions to the site selection criteria which will in all likelihood be covered in the RFP's that were submitted on January 30th.

4. HB 528 requires that the Site Selection Committee make the final decision on site selection as opposed to the Department of Institutions.

5. HB 528 proposes funding the Women's Correctional Facility with General Obligation Bonds issued by the State as opposed to Certificates of Participation on Special Revenue Bonds issued by local units of government with a lease/purchase agreement from the State.

It is most important that regardless of the funding mechanisms or the final authority for site selection, that this Legislature approve the construction of a new women's prison. The need is overwhelming and the condition of our facilities and programs for female offenders cannot be overlooked for another legislative session.

DDR/jeb



Montana Catholic Conference

EXHIBIT 5

DATE 2/06/91

HB 528

February 6, 1991

MADAM CHAIRMAN BROWN AND MEMBERS OF THE COMMITTEE

I am John Ortwein, representing the Montana Catholic Conference. As director of the Conference I represent the two Roman Catholic Bishops of the State in matters of public policy.

February 14, 1990, was a day that I will never forget. True, it was Valentine's Day, but the remembrance of Valentine's Day past was not one of cards and chocolates. It was the day members of a number of Churches of the Montana Association of Churches toured the Women's Correctional Facility at Warm Springs.

I was truly not prepared for what I saw on the tour. Women offenders were warehoused, not incarcerated in a facility that lends itself to helping the women prepare for life on the outside. The rooms were small, the space throughout the facility at a premium, and privacy was nonexistent. The women sat about doing nothing as there was not adequate space for training and rehabilitation to take place. The present facility simply doesn't allow the staff the opportunities to help the women to become productive rather than dependent members of society.

Women prisoners in Montana have consistently been housed in temporary, remodeled facilities that were never designed to house inmates.

It is time for the State of Montana to build a new Women's Correctional Facility.

The Montana Catholic Conference supports H.B. 528.

The women of the Great Falls-Billings DCCW are truly generous women. The DCCW is striving in prayer and through donated items to assist in the treatment of the women prisoners at the Women's Correctional Center, Warm Springs, Montana.

The Center now houses 65 women inmates and this number is expected to reach 70 in July. Four of the women inmates are pregnant; one should be out on parole when her baby is due, the remaining three will give birth to their babies while in prison.

Treatment through arts and crafts programs and more specifically through the parenting program that the Center offers. The parenting program allows the inmates to spend one weekend, if possible, with her children.

The women of the diocese have sent many, many gifts to the Center and according to Louise McCleod, Treatment Specialist, "The moral in the prison over the holidays was the highest I have ever seen and it's due to the response of your women." She went on to say that all was greatly and gratefully appreciated. If a total list of the items sent is not included here, it is because as soon as the material was sent it was immediately put to use and the Center was not able to record all items.

Livingston--42 boxes of baby clothing, used women clothing, books, art & craft supplies and presents for the children of the inmates.

Fort Benton--personal hygiene items.

Nashua--used women and children clothing.

Poplar--baby things.

Great Falls--two used sewing machines, comforters, baby blankets, and a box of stuffed animals.

Many more items have been sent since this report.

Items still needed are baby blankets, diapers, bottles, nipples, feeding dishes, spoons, cups with no spill lids, baby food, baby clothing, small stuffed animals and two twin beds. Crib, crib sheets, high chair, walker, baby backpack, small refrigerator and a small microwave.

Transportation of donated items from the Billings and Great Falls areas has been secured. In addition, all areas need to identify pre-release centers in your areas. Donated items which can fit into the trunk of these police cars will be taken directly to the prison. For more information, PLEASE contact either of the following: MARY BETH DALLENGER, 609 Carol Dr., Great Falls, MT 59405, 761-4199, or SHERRY MCGONIGAL, 3541 Windmill Cr., Billings, MT 59102, 656-8607. If items are sent via the pre-release centers, or personally, please let Mary Beth or Sherry know what items have been sent.

The DCCW has also set up an account for cash donations. All donations should be made to and submitted to the Montana Catholic Conference, John Ortwein, P.O. Box 1708, Helena, MT 59624. The DCCW 1990 Convention delegates opened this account with a donation of \$367.00. Donations were made from Havre Vicariate - \$117.00, Holy Family, Glentana - \$50.00, Flaxville - \$40.00, St. Phillips, Scobey - \$89.00, and Billings Prayer Group - \$260.00. Helena DCCW submitted \$50.00. The account now totals \$973.00 and has been earmarked for educational tuition as needed.

In addition, the Diocesan Library, 1-800-332-9998, has a copy of Louise McCleod's talk at the 1990 DCCW Convention. If your parish would like to view this video, please call Dodie.

Again, THANK YOU for your wonderful caring response to the call for help for the WOMEN'S CORRECTIONAL CENTER.

Mary Beth Dallenger, CAC chairman and the DCCW Board

VICARIATE PRESIDENTS

BILLINGS: Mrs. Rita Morgan
Rt 85 Box 4101
Livingston, MT 59047
Phone 222-3922

HAVRE: Mrs. Barbara Stevens (Lee)
Box 371
Malta, MT 59538
Phone 654-1392

WOLF POINT: Mrs. Peggy Cornwell (Howard)

Meet Sr. Genevieve, Ethnic Committee
Chairman



EXHIBIT 6

DATE 2/06/91

528

EXHIBIT 7
DATE 2/06/91
HB 528

Testimony of on House Bill #528 presented by Gene Vuckovich, City/County Manager of Anaconda/Deer Lodge County before the House State Administration Committee on February 6, 1991.

Chairwomen Brown and Committee Members, for the record my name is Gene Vuckovich and I am the City/County Manager of Anaconda/Deer Lodge County.

I am neither a proponent nor an opponent of this bill. I would, however, offer suggested amendments to this proposed legislation in an attempt to maintain an even playing field for those entities which have submitted proposals for the site selection of the new proposed Women's Correctional Facility.

I would offer the following amendments:

Section 3, Parts (b) and (c), page 4, Lines 9 - 13.

(b) Amend to specify date to correspond to date of January 30, 1991, which is the date set for submission of proposals by the Department of Institutions.

(c) Amend to limit to the original applicants who submitted proposals by January 1, 1991 any additional information that is determined to be necessary by the Department of Institutions.

Section 3, subsection (3), Pages 5 and 6, Lines 24 & 25, Lines 1 - 3.

Amend to limit this section to those entities who submitted original proposals by the date set by the Department of Institutions as January 30, 1991.

Section 5, Part (b), Page 7, Lines 11 - 13.

Amend to read: "Two members of the subcommittee on a women's correctional facility of the governor's criminal justice and corrections advisory council, neither of whom may be a resident of a local governmental unit submitting a proposal, appointed by the governor."

Section 6, subsection (2), part (b), pages 9 and 10.

Amend to exclude this section because it is subjective and there is no objective way that values such as "strength" and "quality" can be judged.

Section 7, Page 10, Line ²⁴25.

Amend "As soon as possible" with a defined time line.



EXHIBIT Y
DATE 2/06/91
HB 528

MONTANA RELIGIOUS LEGISLATIVE COALITION • P.O. Box 745 • Helena, MT 59624

PHONE: (406) 442-5761

Date Submitted: February 6, 1991

Bill Number: HB 528

Submitted by: Harley E. Warner

WORKING TOGETHER:

American Baptist Churches
of the Northwest

|

Christian Churches
of Montana
(Disciples of Christ)

|

Episcopal Church
Diocese of Montana

|

Evangelical Lutheran
Church in America
Montana Synod

|

Presbyterian Church (U. S. A.)
Glacier Presbytery

|

Presbyterian Church (U. S. A.)
Yellowstone Presbytery

|

Roman Catholic Diocese
of Great Falls - Billings

|

Roman Catholic Diocese
of Helena

|

United Church
of Christ
Mt.-N. Wyo. Cont.

|

United Methodist Church
Yellowstone Conference

|

Chair, members of the committee, I am Harley Warner. I am here representing the Montana Association of Churches.

The Montana Association of Churches speaks from a Judeo-Christian ethic that echoes a constant theme regarding concerns for the captive person. Jesus associates himself with those in prison: "I was in prison, and you come to visit me." As leaders of Christian churches and, as participants in and observers of the justice system in Montana, our association speaks to the needs of that system.

The existing Women's Correction Facility does not adequately provide for education, treatment, training, and employment opportunities for inmates. We therefore support the construction of a new facility which does meet these needs.

House Bill 528 appears to provide adequate facilities for; indoor as well as outdoor physical fitness. It also provides space for vocational and industrial training as well as other education space. Self-help/support group space; and a parenting program which allows for extended on-site visitation is also provided for under this bill. The on-site visitation program must be available in order to block some of the adversities felt by the innocent victims of the woman's incarceration ----- her children.

Completion of this facility and the related programs will help alleviate some of the problems which caused the woman to commit the offense which required that she be incarcerated.

We therefore rise in support of House Bill 528.

WITNESS STATEMENT

EXHIBIT 9
DATE 2/06/91
HB 528

NAME Lee Jauell BILL NO. HB 528
ADDRESS 1601 Mission Deer Lodge, MT DATE 2-6-91
WHOM DO YOU REPRESENT? Powell County / Deer Lodge
SUPPORT WWC. OPPOSE Selection Criteria AMEND _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

Powell County / Deer Lodge had given a proposal to the Dept of Inst. as soon Dec. 15, 1990. They have chose to ignore our duplicate proposal:

① Following Criteria of Dept. of Institutions

② A proposal of a "private Inst." under the direct control of Dept. Institutions.

This facility could be built in 8 months upon approval
Plans are also already on books for its development.

We urge you to consider the Deer Lodge / Powell County Proposal as we had no intention to be left out of the Site Selection Proposal

MONTANA WOMEN'S LOBBY

P.O. Box 1099

Helena, MT 59624

406/449-7917

Testimony to House State Administration, 2/6/91
In support of HB 528, Women's Prison
Diane Sands, Executive Director

EXHIBIT 10
DATE 2/06/91
HB 528

The Montana Women's Lobby supports HB 528 and thanks Rep. Brooke for placing this approach before the legislature. Along with many other institutional and public interest groups, the MWL has been involved over the past two years in the planning for Montana's female offenders.

We support a comprehensive and diverse approach to the incarceration and treatment of women offenders, including the construction of a new facility that is located and designed with special attention to the health and safety of both offenders and staff. We had input into the process that developed the criteria for a new facility and we continue to support those criteria being used in the selection process for the location of the new facility.

We also strongly support greater use of alternative sentencing, community correctional alternatives and expanded pre-release programs. We do not want to see these cost-effective and offender-effective options lost sight of in the rush to build a new facility. It is our opinion that building a 200 bed facility is overbuilding and not in the best interest of women offenders and the state of Montana. We support the original proposal of the sub-committee of the women's correctional facility to build a 100-125 person facility and to seriously invest in appropriate community based alternatives. This approach would allow women to be spread throughout the state to be kept closer to families, especially their young children, which is a priority since most of the women are mothers and will remain heads of household when leaving the correctional facility. Community based corrections and alternative sentencing allows better use of community vocational, educational and rehabilitative services that are essential if these women are to be returned to Montana society as healthier people.

We urge your support of HB 528.

EXHIBIT 11
DATE 2/06/91
HB 528

February 6, 1991

Madame Chair, Members of the Committee:

For the record, my name is Scott Crichton, Director of the American Civil Liberties Union of Montana. I am testifying on behalf of the more than 800 dues paying households in Montana who are concerned about preserving and defending the Constitution and the Bill of Rights.

Regarding HB 528: We support this proposal for its positive assertions relating to the site selection committee -- it is proper to involve two members of the subcommittee on a women's correctional facility of the governor's criminal justice and corrections advisory council (CJCAC), and members of the House and the Senate who are not representing local governments interested in submitting a proposal to balance with representatives from the department of institutions.

We agree that constructing a women's prison is a state responsibility and should be funded as such through the issuance of general obligation bonds. Site selection should not be linked to a local community's ability to finance construction of what is really a piece of the state's institutional infrastructure.

We think it is time to follow the lead of other states by designating the Montana women's correctional facility as an institution in and of itself, thus placing it on a par with other divisions and not be treating it as a subsidiary of men's corrections. Since there are real, distinct and unique needs that must be met, this is fitting and appropriate.

However, what we cannot support, in any fashion, is the proposed size of this facility. At the June 7-8, 1990 meeting of the CJCAC, we stood in opposition to the recommendation of 100-120 beds as being larger than was needed. Having observed the process and the discussions leading up to the committee making those recommendations, it is our distinct recollection that it was agreed the legislature would want to down scale this recommendation, but this was a good place to start negotiating on size.

Our contention was then as it is now- that we will fill whatever we build. We need not look very far to the experience of the Yellowstone County Detention Center where a facility is physically overbuilt with a portion of it standing unutilized and with a lack of public support to fund the real costs- the annual costs for operational needs, for the staffing and the maintaining of the facility. Nowhere in my recollection, during the meetings and discussions of the CJCAC, did the Department of Institutions or the Executive branch of our state government offer the notion of leasing beds for profit to other states and/or the federal prison system. We were astounded and befuddled by this sudden recommendation to build a 200 bed facility with such a scenario in mind.

Last June we also recommended that a second opinion, with all due respect to the Department of Institutions staff, be solicited to varify Department

of Institutions projections on future populations. This takes on added importance and is especially critical now that the house has passed HB 272-- the Montana Community Corrections Act. The size of the prison should be determined not by how many women are expected to be in the criminal justice system, but rather how many do we need to incarcerate.

People familiar with corrections understand that the most cost effective options that also provide the lowest recidivism rate are the alternative forms of sentencing and community based corrections. Our real need for a women's prison in Montana should not obscure the vision of community based corrections. The necessity to build a women's prison for those who need to be confined to secure beds should not lure us to embrace the illusion that bricks and mortar alone are the solution to a prison crisis.

The last thing the ACLU of Montana wants is for this legislature not to address this crisis this session. Radical surgery is needed and needed now. But like any major operation, one would be prudent to seek a second opinion. We believe the state would be well advised to consult with outside experts to review the inmate classification system to assess what portion of inmates may be best served in a community setting, while also interviewing key criminal justice players in this state to identify other practices which can help keep the prison population down. There are at least two very reputable organizations -- the National Center on Institutions and Alternatives in Washington, D.C., or the National Center on Crime and Delinquency in San Francisco, California-- both recognized by the federal government's National Institute on Corrections, that could be contracted to provide such information. This could be done in a matter of weeks. While there would be a nominal expenditure involved, it should be compared to taking a high stakes gamble that could result in millions of additional dollars in construction costs in over building.

A good number of communities have gone to considerable trouble and expense to demonstrate their willingness and their ability to deal with women in the corrections system. We would suggest that this need not be a winner take all scenario. Admittedly, one women's prison must be built, and that can be built with a solid core capable of supporting more inmates than it originally needs to serve. The laundry, kitchen, recreation and education components should have the potential to serve a larger population than anticipated over the next five to seven years. But why not build only enough beds to accomodate what is reasonable to expect is really needed, while at the same time creating several pre-release centers in various communities. Pre-release centers allow inmates to be closer to their families and their likely places of employment and residence after doing their time and being released back into society.

Recommendations have been made by the CJCAC for one additional pre-release center for women during this biennium. There should be some proportional commitment to additional pre-release, community based beds in future years. This should lower the number of women incarcerated in the prison itself. We would hope that HB 528 can be amended to reflect these concerns. If that were the case, it would receive our wholehearted support.

Thank you for your time and consideration.

IMPACT

| <u>WCC</u> | <u>Population projections</u> | | | | | |
|--------------|-------------------------------|-------------|-------------|-------------|-------------|-------------|
| | <u>1990</u> | <u>1991</u> | <u>1992</u> | <u>1993</u> | <u>1994</u> | <u>1995</u> |
| Hi | 14 | 15 | 18 | 20 | 20 | 27 |
| Med | 28 | 30 | 34 | 40 | 46 | 53 |
| Low | 9 | 10 | 12 | 14 | 16 | 18 |
| Other* | 13 | 14 | 16 | 19 | 22 | 26 |
| <u>Total</u> | <u>64</u> | <u>69</u> | <u>80</u> | <u>93</u> | <u>108</u> | <u>124</u> |

*Other includes ISP, PRC, Galen

Recommendations: Population Impact

| | <u>1990</u> | <u>1991</u> | <u>1992</u> | <u>1993</u> | <u>1994</u> | <u>1995</u> |
|---|-------------|-------------|-------------|----------------------|-------------|-------------|
| PRC: Increase existing capacity of WLSC to 14 and a new center of 12-5. (Low and Other) | 0 | 2 | 14 | 14 | 14 | 14 |
| ISP: 3rd City (Low and Other) | 0 | 0 | 5 | 5 | 5 | 5 |
| | | | | [5 beds w/6 mos LOS] | | |
| New Facility | | | | 100 | 100 | 100 |

Institutional Housing, New Programs and Current Capacity

| | <u>1990</u> | <u>1991</u> | <u>1992</u> | <u>1993</u> | <u>1994</u> | <u>1995</u> |
|---------|-------------|-------------|-------------|-------------|-------------|-------------|
| PRC | 12 | 14 | 28 | 28 | 28 | 28 |
| ISP | 3 | 3 | 5 | 10 | 10 | 10 |
| WCC/New | 55 | 55 | 55 | 100 | 100 | 100 |

The current emergency capacity of WCC and the expansion unit is 55. Two beds are reserved in the Galen/Lighthouse program.

Population in excess after recommendations and current capacity

| | <u>1990</u> | <u>1991</u> | <u>1992</u> | <u>1993</u> | <u>1994</u> | <u>1995</u> |
|--------------|-------------|-------------|-------------|-------------|-------------|-------------|
| Hi/Med | 42 | 45 | 52 | -40 | -34 | -20 |
| Lo/Oth | 7 | 7 | -5 | -5 | 0 | 6 |
| <u>Total</u> | <u>49</u> | <u>52</u> | <u>47</u> | <u>-45*</u> | <u>-34</u> | <u>-14</u> |
| WCC cap. | 55 | 55 | 55 | | | |
| New Facility | | | | 100 | 100 | 100 |

* If high/medium security cannot be placed in ISP or PRC, there will be a population greater than current WCC emergency capacity.

NATIONAL CENTER on INSTITUTIONS & ALTERNATIVES

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*National Center for Neighborhood Enterprise
Washington, D. C.*

Regional Offices In:

- San Francisco, California
- New York City, New York
- Syracuse, New York

EXHIBIT 12
DATE 2/06/91
HB 528

BACKGROUND AND PROGRAMS of THE NATIONAL CENTER ON INSTITUTIONS AND ALTERNATIVES

The National Center on Institutions and Alternatives (NCIA) is a private, non-profit agency providing training, technical assistance, research and direct services to criminal justice, juvenile justice, social service, and mental health professionals and clients across the country. Since 1977, NCIA has assisted federal, state and local agencies; as well as courts, attorneys, and juvenile and adult offenders in:

- Master planning and needs assessment to state and local jurisdictions facing jail overcrowding;
- Sentencing, placement and classification procedures;
- Solutions for offenders returned for technical violations of probation and parole;
- Analysis of pre-trial, early release and community custody programs and policies;
- Evaluation of intensive supervision and electronic monitoring programs; and
- Conducting jail suicide research and prevention programs, as well as sentencing advocacy training.

Since its inception, NCIA has consistently offered the criminal justice community quality leadership in the areas of innovative programs and services, accurate and timely research and information, and realistic and effective technical assistance. Our pursuit of new solutions to old problems has allowed us to remain in the forefront of the criminal justice field.

CLIENT SPECIFIC PLANNING — OPTIONS IN SENTENCING

Since 1979, NCIA has focused its primary efforts on sentencing and parole processes in federal, state, county and local criminal justice systems across the country. We have provided direct sentencing assistance in over 6,000 cases for approximately 65 of the 95 federal district courts and to state and county courts in 49 states. This assistance, provided under NCIA's Client Specific Planning services, offers the court detailed, highly-structured, and individualized sentencing options which can be utilized in the sentencing of defendants.

Client Specific Planning is distinct from most alternative sentencing programs in that it focuses on the felony offender who has committed such acts as to normally result in incarceration. Client Specific Planning accepts defendants with previous involvements in the criminal justice system, and defendants who have committed both person and property offenses. NCIA has also provided courts with pertinent mitigation in capital cases.

Client Specific Planning has been widely acclaimed as a standard for sentencing and parole work in this country. Landmark sentencing decisions involving community service, work release and halfway house programs, house arrest, creative uses of electronic monitoring and fines have resulted from our work.

TECHNICAL ASSISTANCE IN JAIL OR PRISON OVERCROWDING

In 1988, thirty-seven states were under court-order to make significant changes and reductions in their prison populations. Hundreds of counties and municipalities are confronting the same situation. The dilemma is complex: how does a local government maintain public safety and a respect for the law, confront the ever increasing costs of new jails, and evaluate the alternatives — all at the same time?

NCIA recognizes the need for cost-effective solutions that have significant and measurable effects on jail and prison overcrowding. Too often the decision to build a costly new detention facility is made without exploring program and policy options. For that reason, NCIA offers systemic needs assessment and master planning strategies to scrutinize the process by which persons enter, are moved through, and exit correctional facilities. After reviewing all contributing factors, we develop strategies directed at planning for the short and long term.

NCIA is currently providing on-going technical assistance to the states of Alabama and Delaware in their efforts to curb prison growth while stabilizing community-based correctional programming. Now in the second year of technical assistance, our project has produced three major reports: *Population Assessment and*

Reduction Strategies to the Draper Correctional Center, Elmore, Alabama; The Female Offender in Delaware: A Population Analysis and Assessment; and Detainees in Delaware: An Inmate Profile and Assessment. Each of these reports involved lengthy personal interviews with large segments of the inmate population in the respective states, as well as state correctional and community program officials. Assessment of the sentencing and custody options available in each was also conducted. Based on these assessments, recommendations were made on how, through the use of alternative programs, the inmate populations in each facility might be safely reduced.

Most recently, and based upon NCIA recommendations, the state of Delaware has temporarily rescinded their previous decision to build a new women's prison, and embarked upon a course of dramatically reducing the population in the current facility. NCIA is now assisting the state in devising community-based programs and release mechanisms for its male and female inmates.

Finally, Dr. Jerome G. Miller, founder and president of NCIA, has recently been appointed as Special Master by the federal court in Jacksonville, Florida. His duties include structuring "the most effective remedial measures, research the overcrowding program at the Duval County jails and detention facilities, make recommendations, file periodic reports, and perform other duties for the Court to resolve the overcrowding problem."

JUVENILE JUSTICE SERVICES

Since its inception, NCIA has provided innovative programs and services for juvenile offenders to state and local jurisdictions throughout the country. In 1987 and 1988, NCIA was awarded contracts by the state of Maryland to assist the Department of Juvenile Services (DJS) in its efforts to reduce the population of its two residential training schools. One institution was closed in February 1988. NCIA is currently developing community-based placements for an additional 50 youth residing at the second facility. As a supplemental service, NCIA provides DJS with supervision, intensive aftercare, tracking and data management of more than 500 youth. In addition, we trained more than 90 DJS aftercare workers in methods of juvenile disposition planning. This program is currently being replicated by NCIA for 175 incarcerated youth in the District of Columbia and 30 youth in the state of Delaware.

Beginning in 1987, NCIA demonstrated a new supervision program for young offenders in New York. Currently funded by the Public Welfare Foundation and the Onondaga County Social Services Department (Syracuse, New York), NCIA provides intensive case management to adjudicated juvenile offenders in lieu of institutional placement or jail. This program is currently being replicated by NCIA in New York City.

In 1988, NCIA conducted a multi-phased study that was designed to identify the number of secure residential beds needed for serious and violent youthful offenders committed to the Hawaii Youth Correctional Facility. NCIA assisted Hawaii's Department of Corrections in its efforts to evaluate their juvenile justice system and look at the feasibility of closing its training school. NCIA provided a thorough population profile of juvenile offenders to document each individual's potential for community placement. Over a period of three months, NCIA prepared a case-by-case analysis of the incarcerated juvenile population, identified available and appropriate programming, and proposed policy options for consideration in developing a multi-level approach to youth corrections in Hawaii. As a result of this analysis, NCIA was recently awarded a contract to develop community-based placements for over 40 youth at the training school.

Finally, NCIA was recently awarded a contract by the Florida Division of Children, Youth and Families to operate a 20-bed secure residential treatment center for chronic, serious and violent juvenile offenders. Newly enacted legislation funded the project as the state's first intensive treatment program for this population.

THE PAROLE ASSISTANCE PROJECT

In 1985, NCIA conducted a study of prison populations in 10 states. We discovered that approximately 6 to 20 percent of the inmates had been returned to prison for violating the conditions of their probation or parole; that is, they were reincarcerated for technical violations, rather than new felony offenses.

As of January 1987, 11,181 adults were imprisoned in Virginia's correctional facilities. Each year the Virginia Parole Board hears over 600 cases of technical violations. With such severe prison overcrowding and budgetary restraints, it had become necessary for the state to realistically review alternatives to incarceration for technical violations of probation and parole.

With funding from the Edna McConnell Clark Foundation and endorsements from the Virginia Department of Corrections and the Virginia Parole Board, NCIA initiated a pilot project to address issues of overcrowding caused by the incarceration of parole violators. Project staff prepared individualized release proposals for individuals facing revocation of probation or parole. Referrals came from corrections officials, parole and probation officers, institutional staff, and the violators themselves.

During a two-year period, project staff received 335 referrals, accepted 237 cases, and presented 175 specialized release plans to the Parole Board. Of the 175 cases completed, 137 violators were returned to the community with NCIA intervention on their behalf, while 38 were incarcerated — an overall success rate of 78 percent.

The Parole Assistance Project complemented Virginia's efforts to cope with overcrowding, while providing verifiable and appropriate release proposals that complied with the public's interest in punishment and safety. The project is currently being replicated by NCIA in the state of California.

RESEARCH

There is a natural skepticism about research within the criminal justice field. Whether it involves crime rates, prison populations, or the value of deterrence, research in criminal justice is continually under scrutiny. *Time* magazine has referred to criminology as a "dispiriting science." Nevertheless, if criminal justice is to advance, data must continue to be collected, analyzed and accurately reported.

The Research Institute of NCIA has provided some of the most significant and definitive research in the criminal justice field. Our task goes beyond collecting and reporting data — we feel obligated to provide practical uses of the information analyzed. This is best illustrated in our 1981 study, *And Darkness Closes In...National Study of Jail Suicides*, completed for the Justice Department, National Institute of Corrections. This study, the first national look at the problem of jail suicides, documented the number of suicides occurring in county and local jails, while providing pertinent demographic information. Included were recommendations to assist local jails in the intake, screening and identification of potential victims. The study was quoted extensively in the suicide prevention section of the American Public Health Association's *Standards for Health Services in Correctional Institutions* (1986).

Other studies conducted by NCIA include:

- *Public Safety With Care: A Model System for Juvenile Justice in Hawaii* (1988);
- *Public Safety With Decency: The People, Process and Programs in Marin County Criminal Justice* (1986);
- *Sentenced Prisoners Under 18 Years of Age in Adult Correctional Facilities: A National Survey* (1983); and
- *Scared Straight: A Second Look* (1978).

In September 1986, NCIA received a grant from the National Institute of Corrections to act as National Coordinator of the Jail Suicide Prevention Task Force. The Project: 1) Conducted 12 regional jail suicide prevention seminars throughout the country, training over 750 correctional personnel; 2) Acted as a clearinghouse by providing technical assistance materials to state officials and individual jail facilities, and other parties interested in jail suicide prevention, including the dissemination of a

quarterly newsletter (*Jail Suicide Update*); 3) Developed the *Training Curriculum on Suicide Detection and Prevention in Jails and Lockups*; and 4) Gathered information from county jails, city jails, and police department lockups on the incidence of suicides during 1985 and 1986, and presented within the *National Study of Jail Suicides: Seven Years Later*. Our *Jail Suicide Update* newsletter continues to be published on a quarterly basis.

TRAINING

NCIA offers training across the country in such areas as federal sentencing, supervision techniques, alternative sentencing, and parole release. Participants have included attorneys, probation/parole officers, jail/prison staff, and practitioners in the criminal justice, juvenile justice, and other human service fields. Recently, our staff trained over 750 jail personnel in jail suicide prevention at 12 regional sites throughout the country.

CLIENT TRACKING SYSTEM

ON TRACK is a multi-relational database developed by NCIA and designed for use on Macintosh computer systems. ON TRACK provides customized software which enables a jurisdiction to more effectively track juvenile cases. The ON TRACK software maintains demographic data on each youth, providing documentation for case management, status reports, and monthly summaries.

ON TRACK reports are designed to provide case management information in monthly cycles. Progress reports and assessments can be entered on a daily, weekly or monthly basis, with comprehensive reports documenting each contact. Data can be sorted, indexed and retrieved at will. ON TRACK can access the entire database and prepare prompt reports on all entered variables. NCIA currently utilizes ON TRACK in most of its juvenile project sites.

SUMMARY

Throughout the last 11 years, the National Center on Institutions and Alternatives has consistently offered the criminal justice community quality leadership in the areas of innovative programs and services; accurate and timely research and information; and realistic and effective technical assistance. Our ability and pursuit in developing new solutions to old problems has allowed us to remain in the forefront of the criminal justice field.

In addition to client fees, our work has been accomplished through various public and private funding sources, with over 20 foundations lending their support. Support has also taken the form of numerous grants from state and federal agencies. Listed below are some of the private foundations which have contributed to our organization, and government agencies which have contracted for our services.

Foundation Support Includes:

- The Edna McConnell Clark Foundation
- San Francisco Foundation
- Meyer Foundation
- Meadows Foundation
- The Chicago Community Trust
- Seaver Institute
- Public Welfare Foundation
- Irvine Foundation
- Mattel Foundation
- Ahmanson Foundation
- Abelard Foundation
- Heller Foundation
- Z. Smith Reynolds Foundation
- The Veatch Program
- Caplan Family Trust

Government Contracts Include:

- National Institute of Corrections, U.S. Department of Justice
- Tennessee
- New York
- North Carolina
- Hawaii
- Maryland
- California
- District of Columbia
- Delaware
- Florida

National, State and Local References for NCIA's Technical Assistance Services

National References

Donald Murray, Legislative Representative
for Justice and Public Safety
National Association of Counties (NACo)
440 First Street, NW
Washington, D.C. 20001
(202) 393-6226

James E. Huber, Past Chairman
Board of Lancaster County Commissioners
and Chairman of NACo's Justice and
Public Safety Steering Committee
50 North Duke Street
Lancaster, Pennsylvania 17603
(717) 299-8300

State and Local References

Anthony J. Carabello, Commissioner
Board of Berks County Commissioners
County Courthouse
Reading, Pennsylvania 19601
(215) 378-8066

Bart Lubow, Deputy Director
New York State Division of Probation
and Correctional Alternatives
60 South Pearl Street
Albany, New York 12207
(518) 474-7110

Peter Greenwood, Senior Researcher
RAND Corporation
1700 Main Street
Santa Monica, California 90406
(213) 393-0411

Linda D'Amario Rossi, Director
Maryland Department of Juvenile Services
321 Fallsway
Baltimore, Maryland 21202
(301) 333-6751

Michael J. Hennessey, Sheriff
San Francisco County Sheriff's Department
333 City Hall
San Francisco, California 94102
(415) 554-7225

Morris L. Thigpen, Commissioner
Alabama Department of Corrections
101 South Union Street
Montgomery, Alabama 36130
(205) 834-1227

Vaughn Killeen, Sheriff
Ada County Sheriff's Department
7200 Barrister Drive
Boise Idaho 83704
(208) 377-6500

Martha Torney, Youth Services Officer
Hawaii Department of Corrections
P.O. Box 339
Honolulu, Hawaii 96809
(808) 548-3630

Tom Katsilometes, Chairman
Bannock County Commissioners
P.O. Box 4016
Pocatello, Idaho 83205
(208) 236-7211

Nancy Walker, President
San Francisco County Board of Supervisors
City Hall
San Francisco, California 94102
(415) 554-5943

Dick Michaelson, Sheriff
Sonoma County Sheriff's Office
600 Administration Drive
Santa Rosa, California 95403
(707) 527-2781

Robert J. Watson, Commissioner
Delaware Department of Corrections
80 Monrovia Avenue
Smyrna, Delaware 19977
(302) 736-5601

Revised September 1989

EXHIBIT 13
DATE 2/06/91
HB 528

HB 528

Good Morning Mr. Chairman and Committee Members:

I am Sheryl Logan Hoffarth, Director of the Women's Life Skills Center (A pre-release center) located in Billings, Montana. I have functioned as the director of that facility since 1982. However, my experience in corrections goes back to 1978 when I was employed as a counselor attendant at the same facility that I am currently managing. The past 13 years have been exceedingly stimulating; they have allowed me to gain a first-hand intimate knowledge of the woman offender and her unique needs.

What follows are my opinions and observations on the woman offender:

The issues and challenges facing women's prisons in the 1990's are definitely complex. In some ways women's prisons have benefitted from benign neglect and stereotypic attitudes; they were able to create and maintain quasi-humane environments because they housed women. Yet, there was a price that was paid for those benefits. Women's prisons did not receive equitable funding for many needed programs. Women are often subject to procedures such as classification systems, which have not been tested for their appropriateness for female offenders. Certainly, many, perhaps most, correctional policies and procedures are applicable to both male and female offenders. However, they must be carefully examined to ensure that male and female offenders are treated equitably.

Corrections is the ultimate in equal opportunity and non-discrimination; it has virtually no disqualifying criteria for entry. A modern day Noah's Ark, with at least two of everybody, but often operated from the "one size fits all" perspective.

Women offenders have been looked at as homogenous rather than being looked at individually. However, common themes emerge when viewing female offenders as a group and those are:

1. Association with offenders and criminal justice personnel reveal a widespread consensus to the high incidence of physical, sexual, and mental abuse among women offenders. Correctional staff report a large proportion of women they have served have been victims of incest, rape, and other forms of sexual assault prior to incarceration. One of the problems with determining prevalence of abuse among women offenders is that they often fail to identify such treatment as abuse. Their self-esteem is so low that they believe they deserve such treatment. This low self-esteem is doubtlessly related to the criminal activity of many women because it makes them more susceptible to the influence of others.
2. The observation that dependence is a common characteristic of women offenders clearly indicates that a climate must be established that will foster independent decision making and self-responsibility. Even when women exhibit assaultive behavior, the same kind of high security environment necessary in male prisons is not required in female institutions.

Undoubtedly, there will be a pool of women who need close supervision, but this need should not limit the range of options available to less assaultive women offenders. Walls and guns can be replaced by personnel and stringent rules, and bars by constant vigilance. However, rules and regimentation restrict the inmate's ability to make choices. She is reduced to the status of child-like dependence, when her greatest need is to acquire independence. The regulations and types of programs traditionally imposed are just what women offenders do not need. Development of each woman's capacity to be self-directed, so she can function on her own in the community, is necessary. This means, ultimately, securing a reliable and adequate income for herself and her dependents and becoming adept at making decisions and using support systems to meet her needs. To reach this stage a woman must have the opportunity to make decisions and experience the consequences of the decisions. To be self-directed, to be motivated, to think for herself, to solve problems, and to depend less on others to make decisions, the woman offender should be encouraged to practice responsibility in all phases of her life.

3. Women committed and sentenced to corrections usually come from the most socially, economically, and physically deprived groups in our society. Often, their youth was governed by the effects of parental violence, abuse of alcohol or drugs, unstable employment, or marginal social and economic circumstances. These conditions contribute to a woman's self worth as dependent on an ability to be pleasing, attractive, passive, dependent and emotional rather than assertive, autonomous, rational and aggressive models of their male peers. Nothing in their experience predicts that hard work and perseverance will lead to economic and social improvements in their lives. Consequently, they often lack motivation to improve knowledge and skills.
4. A full 80% of Montana female offenders are mothers. Most of that number reflect single head-of-household homes. These women receive no assistance from a mate. Children of incarcerated women are a hidden population. While a massive bureaucracy exists to punish the woman offender, the children and their caretakers are often left to fend for themselves - very little is known about these children. Being convicted of a crime does not mean that a woman is a bad mother any more than living in a community guarantees that she is a good mother. The tragedy is that for most children of incarcerated parents, there is so little way to be involved in implementing new plans. While institutional staff may sympathize with the problems faced by the incarcerated mother, the solution is outside of their jurisdiction and expertise. They are the jailers of the mothers, not trained children's workers. For most mothers, this leads to loss of decision making concerning their children's lives. As time goes on this loss of involvement in ongoing decision making multiplies and plans for reunification become less and less realistic. For many women, their prison is not being locked behind bars but being separated from their children. Needless to say, this enforced separation also causes the children significant pain. With continued, prolonged separation from children, the incarcerated woman appears to suffer serious loss of identity and self-esteem. The maternal role has been found to be closely associated with the level of self-esteem of incarcerated mothers.

It is essential that the correctional system work at reducing the obstacles to the maintenance of mother-child relationships and for minimizing the negative effects of extended separation. For the simple fact is, that the offender's anxiety and guilt are reduced and self-esteem is increased when mothers are able to maintain some measure of material role functioning.

In order for the state of Montana to meet the unique needs of women offenders, there needs to be a facility that has the proximity and availability of the following resources:

1. Medical services
2. Dental services
3. Chemical dependency
4. Mental health services including psychiatric care, clinical services, in-patient and out-patient treatment
5. Vocational education
6. Public or private post-secondary institutions
7. Licensed foster care
8. Established organizations whose primary missions are specific to women's needs.

This testimony is not a criticism of existing services, since women's corrections staff struggle with few resources and less support than other parts of the system. Rather, it is an urgent recommendation for change. The Department of Institutions, in cooperation with the Governor's Criminal Justice and Corrections Advisory Council have developed a comprehensive plan addressing the woman offender. That plan must be put into effect if we are to meet the mandate of equity for female offenders.

MONTANA LAW ENFORCEMENT OFFICERS' MEMORIAL

EXHIBIT 14
DATE 2/06/91
NO. 427

My name is Terry L. Tyler and I am volunteer coordinator of the non-profit Montana Law Enforcement Museum located at Old Montana State Prison, Deer Lodge.

Presently, the Montana Law Enforcement Officers' Memorial, established in 1985 as a part of the Montana Law Enforcement Museum, stands as the first and only vestage of remembrance and honor to our state's 90 known slain in the line of duty law officers since as early as 1863. When first established, this Officers' Memorial became one of only 15 nationwide. The Montana Law Enforcement Museum, and therefore the Montana Law Enforcement Officers' Memorial, is solely owned and governed by the professional law enforcement, criminal justice and corrections associations of Montana; namely, the Montana Sheriffs and Peace Officers Association, Montana Association of Chiefs of Police, Association of Montana Highway Patrolmen, Montana Association of State Fish and Game Wardens, Montana Livestock Inspectors Association, Montana Police Protective Association, Montana Corrections Association, Montana County Attorneys Association, and Montana Retired Police Officers Association. Also serving on the law museum's governing Board of Directors are the Office of the Attorney General, Montana Law Enforcement Services Division, Montana Law Enforcement Academy, Office of the Warden of Montana State Prison, resident Powell County Sheriffs Department and Deer Lodge Police Department, as well as Butte-Silver Bow Law Enforcement Agency and Great Falls Police Department.

Before the existance of the Montana Law Enforcement Officers' Memorial, most of Montana's agencies didn't even know they had had fellow officers who lost their lives performing their sworn duties. Because of the Memorial, our state's law officers are once again and now forever known to their respective agencies and the public they serve and died for.

Because of the Montana Law Enforcement Officers' Memorial, it was made possible for Montana's 90 to also become nationally honored and remembered within the American Police Hall of Fame, the nation's only current officers' memorial, and the soon-to-be federal government's National Law Enforcement Officers Memorial scheduled for Washington, DC, and the Law Enforcement Memorial Foundation set for Chicago, Illinois.

Since its establishment, the Montana Law Enforcement Officers' Memorial has become a symbol of long awaited comfort, and a rallying point for the surviving families of slain Montana officers. Because of the Memorial, officers and public citizens alike are faced with the ever present reality and day-to-day dangers that exist with being a peace officer in Montana. It is a sobering reminder that officers are not immune from the Job's perils which hide behind any given corner or shadow, and are therefore deserving of respect and appreciation for serving their fellow men and women on our domestic soil. It also stands as positive proof to all officers and their families that should similar fact befall them, as with those who are already honored in Montana's "Honor Row," their sacrifice for justice, protecting and serving their community and this great state will not be forgotten.

For these reasons, the Board of Directors of the Montana Law Enforcement Museum respectfully ask for the quick and successful passage of HB 427 that will designate the present Montana Law Enforcement Officers' Memorial as the State of Montana's officially recognized memorial to its domestic soldiers who have died in the war against crime and injustice. The Montana Law Enforcement Museum seeks no state funding in connection with the passage of this Bill. The 1991 Montana Legislature possesses in HB 427 the opportunity to express this state's appreciation and honor to its fallen officers who enforce its laws and protect its peace.

Thank you for your time and consideration.

Anaconda / Area

Slain lawmen honored at museum opening

By Duncan Adams
Standard Staff Writer

Five years ago, Anaconda-Deer Lodge County Police Lt. Timothy "Sox" Sullivan died the way so many officers do: Responding to the scene of a domestic disturbance.

On that bloody Sunday — Feb. 10, 1985 — a rampaging husband shot Sullivan three times with a .357 magnum.



KOLSTAD

In June 1883, Deputy Sheriff D.H. Dillingham, Montana Territory, Banack, was shot and killed by members of outlaw Henry Plummer's gang.

On Sept. 20, 1935, Jeremiah J. Murphy, chief of the Butte police department, died from head injuries suffered while attempting to subdue an armed assailant.

On Tuesday afternoon, those three lawmen and 86 of their brother officers were remembered during Montana Peace Officers' Memorial Day ceremonies at the old Montana State Prison in Deer Lodge. Surviving family members of the officers were honored guests.

Lt. Gov. Allen Kolstad participated Tuesday, paying tribute to police



JEREMIAH MURPHY
Died Sept. 20, 1935

officers, game wardens, corrections officers and other law enforcement personnel who have died in the line of duty.

"We cannot bring back the dead, but we can honor them and we can comfort those left behind," Kolstad said.

Tuesday's ceremony was held in a small, cold, dimly lit auditorium in the basement of the old prison's administration building. But the setting did not seem to matter. Memory was at the core of the ritual.

A hand-lettered sign posted on the concrete wall read: "Please reserve the first three rows of seating for families of slain officers."

Although Kolstad acknowledged that the sacrifices of officers and families can never be repaid, he said, "What we can do is promise those who wear the badge that their sacrifices will not have been in vain."

The lieutenant governor said citizens have an obligation to support the work of peace officers, work he said becomes increasingly danger-



JOHN ROBINSON
Slain March 8, 1908

Not all of the officers honored here died at the hands of violent criminals. Some were killed in accidents. A game warden suffered a



FRED PARLIN
Shot March 18, 1896

formed officers saluted. Family members wept, embraced, or simply turned to each other with wordless glances.

A short time later, Naomi Sullivan, the widow of Lt. Timothy "Sox" Sullivan, was asked to describe her reactions to the ceremony and to the Law Enforcement Museum.

"This is really a tribute. Too many people forget too fast," she said. "I think it helps family members to realize that other people might appreciate the sacrifices these officers made."

The portrait of Timothy "Sox" Sullivan hangs only inches away from a framed photograph of Montana Highway Patrolman Michael M. Ren. Ren was shot and killed April 8, 1978, while serving legal papers.

On Tuesday, Ren's son, Jerry, now 17, said he is glad the Montana Peace Officers' Memorial Day has become an annual event. Carol Ott, Ren's wife, said the yearly tribute



MICHAEL REN
Killed April 8, 1978

was "the least we can do." They gave their lives for it."

As Museum Coordinator T.L. Tyler read the "Last Roll Call" in the ceremony's closing moments, he named the officer who had died most recently in the line of duty: Orville Sharbond, chief of the Fairview police department, was shot and killed March 17, 1990, while serving civil papers.

From Dillingham to Sharbond, 89 men were remembered Tuesday. To date, no women officers are known to have died in the line of duty. According to Tyler, Highway Patrol Officer Mary Pat Murphy may have survived a recent shooting because the bullet that hit her struck her badge first.

According to Kolstad, companies should be grateful for the men and women who put their lives on the line every time they pin on a badge. And those who die on the job deserve to be remembered, he said. "We must remember. We owe it to them."

As Montanans, as Americans, and as moral human beings, we have an obligation to see that crime does not pay

fatal heart attack investigating an illegal elk kill.

But for family members and others Tuesday, the remembrance of officers lost, whatever the circumstances, seemed profoundly important.

The ceremony ended with the mournful notes of "Taps." Uni-

at half-mast in honor of officers who have died in the line of duty.

Upstairs from the ceremony hall, portraits of these officers line two full walls of the Montana Law Enforcement Museum. A few portraits are line drawings. Most are photographs. Some, like Sheriff Dillingham's portrait, are simply silhouettes cut from black paper.

627
2/6/91
51



MONTANA LAW ENFORCEMENT MUSEUM, INC.

"In Historic Old Montana State Prison"

P.O. Box 107

Deer Lodge, Montana 59722

A Non-profit, Educational and Historical Organization

MONTANA LAW ENFORCEMENT OFFICERS' MEMORIAL

(Officers Slain Statistics)

BOARD OF DIRECTORS MEMBER ORGANIZATIONS:

Montana Attorney General
Montana Law Enforcement Services
Division
Montana Law Enforcement Academy
Montana Sheriffs & Peace Officers
Association
Montana Association of Chiefs of
Police
Association of Montana Highway
Patrolmen
Montana Association of State Fish
and Game Wardens
Montana Livestock Inspectors
Association
Montana Police Protective Association
Montana Corrections Association
Montana County Attorneys
Association
Powell County Sheriff's Department
Deer Lodge Police Department
Butte-Silver Bow County Law
Enforcement
Great Falls Police Department
Office of the Warden,
Montana State Prison

MEMBER OF:

Museums Association of Montana
Gold West Country of Montana

Total Number of Officers in Memorial: 90 (since 1863)

A. Shot and Killed: 63
B. By Fatal Injury: 18
C. By Heart Failure/Over Exertion: 9

1. Persons Resisting Arrest: 21
By Shooting: 20
By Injury: 1
2. Searching for, Approaching or Questioning
Suspects: 17
3. Motor Vehicle Accidents: 11
By Drunk Drivers: 4
4. Assassination: 9
Planned: 6
Random: 3
5. Suspect/Prisoner Escape: 8
6. Domestic Disturbance: 7
7. Strenuous Circumstances: 7
8. Mistaken Identity: 3
9. Airplane Crash: 3
10. Accidental Weapon Discharge: 2
11. Explosion: 2

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15 MAY - National and Montana Peace Officers' Memorial Day

HELP PRESERVE THE MEMORY OF OFFICERS SLAIN IN THE LINE OF DUTY



MONTANA LAW ENFORCEMENT MUSEUM, INC.

"In Historic Old Montana State Prison" EXHIBIT 15

P.O. Box 107

Deer Lodge, Montana 59722

DATE 2/6/91

HB 427

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A Non-profit, Educational and Historical Organization

MONTANA LAW ENFORCEMENT OFFICERS MEMORIAL

(Officers Slain Statistics - Positions Held)

BOARD OF DIRECTORS

MEMBER ORGANIZATIONS:

Montana Attorney General
Montana Law Enforcement Services
Division
Montana Law Enforcement Academy
Montana Sheriffs & Peace Officers
Association
Montana Association of Chiefs of
Police
Association of Montana Highway
Patrolmen
Montana Association of State Fish
and Game Wardens
Montana Livestock Inspectors
Association
Montana Police Protective Association
Montana Corrections Association
Montana County Attorneys
Association
Powell County Sheriff's Department
Deer Lodge Police Department
Burne-Silver Bow County Law
Enforcement
Great Falls Police Department
Office of the Warden,
Montana State Prison

Chief of Police.....4
Assistant Chief.....1
Lieutenant.....1
Police Sergeant.....2
Detective.....1
Police Patrolman.....22
Special Officer.....1
Sheriff.....13
Undersheriff.....9
Chief Deputy.....1
Lieutenant.....1
Sergeant.....1
Deputy Sheriff.....10
Special Deputy.....2
City/Town Marshal.....3
Correctional Officer/Jailer.....2
Highway Patrolman.....4
Game Warden.....7
State Prison Deputy Warden.....2
State Criminal Investigator.....1
Federal Agent.....2

MEMBER OF:

Museums Association of Montana
Gold West Country of Montana

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15 MAY - National and Montana Peace Officers' Memorial Day

HELP PRESERVE THE MEMORY OF OFFICERS SLAIN IN THE LINE OF DUTY



MONTANA LAW ENFORCEMENT MUSEUM, INC.

"In Historic Old Montana State Prison"

P.O. Box 107

Deer Lodge, Montana 59722

A Non-profit, Educational and Historical Organization

MONTANA LAW ENFORCEMENT OFFICERS' MEMORIAL

(Officers Slain-Department Stats:)

BOARD OF DIRECTORS MEMBER ORGANIZATIONS:

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Montana Law Enforcement Services
Division
Montana Law Enforcement Academy
Montana Sheriffs & Peace Officers
Association
Montana Association of Chiefs of
Police
Association of Montana Highway
Patrolmen
Montana Association of State Fish
and Game Wardens
Montana Livestock Inspectors
Association
Montana Police Protective Association
Montana Corrections Association
Montana County Attorneys
Association
Powell County Sheriff's Department
Deer Lodge Police Department
Butte-Silver Bow County Law
Enforcement
Great Falls Police Department
Office of the Warden,
Montana State Prison

MEMBER OF:

Museums Association of Montana
Gold West Country of Montana

1. Silver Bow County - 1
Butte Police - 11
2. Montana Fish, Wildlife & Parks - 7
3. Montana Highway Patrol - 4
4. Montana State Prison - 4
5. Yellowstone County - 3
Billings Police - 3
6. Beaverhead County - 3
Bannack - 1
Dillon Police - 1
7. Missoula County - 3
Missoula Police - 2
8. Cascade County - 1
Great Falls Police - 3
9. Park County - 1
Livingston Police - 3
10. Bureau of Indian Affairs/Indian Agents - 3
11. Meagher County - 3
12. Big Horn County - 2
Golden Valley County - 2
Madison County - 2
Sheridan County - 2
Sweet Grass County - 2
Columbia Falls Police - 2
13. Custer County - 1
Miles City - 1

Deer Lodge County - 1
Anaconda Police - 1

Lewis & Clark County - 1
East Helena Police - 1

(continued...)

15 MAY - National and Montana Peace Officers' Memorial Day

HELP PRESERVE THE MEMORY OF OFFICERS SLAIN IN THE LINE OF DUTY

Toole County - 1
Shelby Police - 1

United States Treasury - 1

Montana Criminal Investigation Bureau - 1

Fallon County - 1
Gallatin County - 1
Liberty County - 1
Powell County - 1
Stillwater County - 1
Treasure County - 1
Valley County - 1

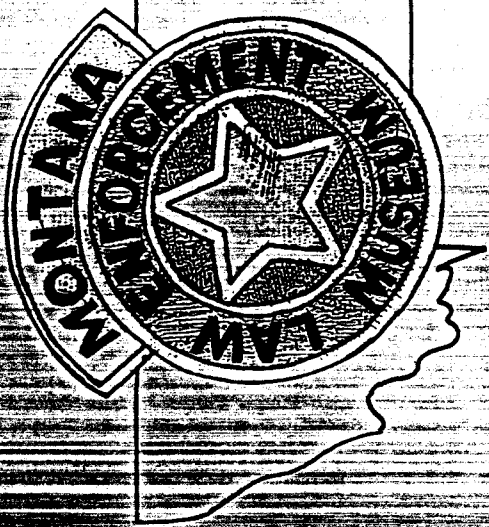
Fairview Police - 1
Glendive Police - 1
Havre Police - 1
Thompson Falls Police - 1

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EXHIBIT 16

DATE 2/6/196

HB 457



in historic
"Old Montana State Prison"
Deer Lodge

P.O. Box 107
Deer Lodge, Montana 59722

A Non-profit
Educational
and
Historical Incorporation

Historical Law & Order Notes

- 1841: First white settlement established St. Mary's Mission, Bitterroot Valley.
- 1858: Gold discovered.
- 1863: April, Henry Plummer, outlaw gang leader, elected sheriff of all gold camps south-east of Bitterroot Mountains.
- 1863: June, 29, D.H. Dillingham first lawman killed in line of duty; assassinated by Plummer gang.
- 1863: December, 102 known killed and over a quarter of a million in gold stolen by outlaws. Outraged citizens form Vigilante committee; within five weeks 21 outlaws hung (including Henry Plummer) countless others banished from territory.
- 1864: May 26, Montana Territory created under the Abraham Lincoln Administration.
- 1866: U.S. Marshal's office established in Helena.
- 1866: First U.S. Military Post, Camp Cooke, created on Judith River.
- 1871: U.S. Territorial Prison opens in Deer Lodge under direction of U.S. Marshal.
- 1873: Beginning of the Royal Canadian Mounted Police, to "destroy illegal whiskey trade and lawlessness" caused by the "Whoop-Up Trail", running from Fort Benton into the Canadian Northwest Territories.
- 1876: Sioux Indians defeat Col. George Custer and 7th Cavalry at Little Big Horn River.
- 1884: Vigilantes ride again! after cattle rustlers.
- 1886: Montana Department of Livestock instituted.
- 1889: November 8, Montana becomes 41st state of the United States; 16 original counties organized and 16 sheriffs appointed.
- 1890's: Harvey Logan, alias Kid Curry, the "Desperado from the Little Rockies," begins outlaw career robbing trains in northern plains.
- 1901: Department of Fish, Wildlife and Parks began.
- 1921: Ruth Garfield becomes first female sheriff after husband Jesse was shot and killed in line of duty in Golden Valley County.
- 1935: Montana Highway Patrol established.
- 1959: Montana Law Enforcement Academy created.
- 1985: July 14, Montana Law Enforcement Officers Memorial dedicated on site of original Territorial Prison.
- 1989: May 5, Governor Stan Stephens signs statewide proclamation establishing May 15 as Montana Peace Officers Memorial Day, and its week as Montana Peace Officers Week.
- 1989: May 16, first annual Montana Peace Officers Memorial Day ceremonies conducted at Officers Memorial site; new Montana Law Enforcement Museum opens to public.

MONTANA LAW ENFORCEMENT MUSEUM

P.O. Box 107

Deer Lodge, Montana 59722

SPONSOR-MEMBERSHIP REGISTRATION:

☐ Enclosed, please find my check (or money order) for annual membership, made payable to the Montana Law Enforcement Museum, Inc. in the amount of and for the category marked:

☐ \$10 (single)

☐ \$20 (family)

☐ \$40 (Patron)

☐ \$ (other: _____)

Name: _____ Rank: _____

Address: _____

City _____ State _____ Zip _____

To assist the museum, please check where appropriate:

☐ I am not affiliated with law enforcement.

☐ I am affiliated with law enforcement; Department: _____

☐ Please contact me regarding volunteer work.

☐ Please contact me, I would like to ☐ donate or ☐ loan an article(s) of historical/educational value to your museum.

(Sponsor-Members receive one year's free admittance to the Old Montana State Prison, which houses the Montana Law Enforcement Museum and Memorial)

* OFFICIAL SPONSOR/MEMBERSHIP REGISTRATION *

Any law enforcement officer or citizen friend of law enforcement may join!

HOUSE OF REPRESENTATIVES
VISITOR'S REGISTER

1 of 2

STATE ADMINISTRATION

COMMITTEE

BILL NO. HB 528

DATE 2/6/91 SPONSOR(S) REP. VIVIAN BROOKE

PLEASE PRINT

PLEASE PRINT

PLEASE PRINT

| NAME AND ADDRESS | REPRESENTING | SUPPORT | OPPOSE |
|-------------------------|------------------------------------|--------------|--------|
| Shelly Laine | City of Helena | ✓ | |
| HARLEY WARNER | MONTANA ASSOCIATION OF CHURCHES | ✓ | |
| MADEIRA BOLD | 1234 | ✓ | |
| Susan Bynorth Fox | CJCAC | | |
| John Orstrom | mt Catholic Cong | ✓ | |
| Robert J. Delis | W.C.C. | ✓ | |
| Gene Vuckovich | Avonlea/Deer Lodge Co. | | |
| Jim Dawson | Armed. | | |
| Scott Christen | RCLU MT | ✓ | |
| John M. Crea | MAP | ✓ | |
| John MacRiel | W.C.C. | | |
| Lee A. Jewel | Powell County/Deer Lodge | | |
| Marty Orshank | MT. League of W. Voters | ✓ | |
| B. Christians | Great Falls P. School | ✓ | |

PLEASE LEAVE PREPARED TESTIMONY WITH SECRETARY. WITNESS STATEMENT FORMS
ARE AVAILABLE IF YOU CARE TO SUBMIT WRITTEN TESTIMONY.

HOUSE OF REPRESENTATIVES
VISITOR'S REGISTER

2062

State Administration COMMITTEE BILL NO. 528
DATE 2/4/91 SPONSOR(S) Brooke

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|------------------|---------------------|---------|--------|
| Rene Sands | MT Women's Lobby | ✓ | |
| Jack Lynch | Butte-Superior Bldg | ✓ | |
| Mike Shea | B-SB | ✓ | |
| Bob W. Conley | B-SB | ✓ | |
| John Shantz | mental Health Assn | ✓ | |
| Margaret Stuart | Social Worker | ✓ | |
| MIKE McRAE | SELF | X | |
| MARGARET L. PORT | ADVISORY COMMITTEE | ✓ | |
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**HOUSE OF REPRESENTATIVES
VISITOR'S REGISTER**

STATE ADMINISTRATION

COMMITTEE

BILL NO. HB 427

DATE 2/6/91

SPONSOR(S) REP. GARY BECK

PLEASE PRINT

PLEASE PRINT

PLEASE PRINT

| NAME AND ADDRESS | REPRESENTING | SUPPORT | OPPOSE |
|----------------------------|---|---------|--------|
| T. L. Tyler | MONTANA LAW ENFORCEMENT OFFICERS' MEMORIAL | ✓ | |
| Susan Byrth Fox | CJLAC - Women's Prison | | |
| J. D. Davis | Amador | | |
| Tom Harrison | mt. Sheriffs + Peace Off. | | |
| George Vuckovitch | Amazons/Deer Lodge Co | ✓ | |
| Lee A. Jewell | Deer Lodge, MT. | | |
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