

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 53rd LEGISLATURE - REGULAR SESSION**

#### **JOINT SUBCOMMITTEE ON INSTITUTIONS & CULTURAL EDUCATION**

**Call to Order:** By REP. ED GRADY, Chairman, on February 4, 1993,  
at 8:00 am

#### **ROLL CALL**

##### **Members Present:**

Rep. Ed Grady, Chair (R)  
Sen. Eve Franklin, Vice Chair (D)  
Sen. Gary Aklestad (R)  
Sen. Tom Beck (R)  
Sen. J.D. Lynch (D)  
Rep. Red Menahan (D)  
Rep. Linda Nelson (D)

**Members Excused:** NONE

**Members Absent:** NONE

**Staff Present:** Sandra Whitney, Legislative Fiscal Analyst  
Mary LaFond, Office of Budget & Program Planning  
Judy Murphy, Committee Secretary

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

##### **Committee Business Summary:**

**Hearing:** CUTS OVERVIEW REGARDING MONTANA STATE  
PRISON AND MENTAL HEALTH

**Executive Action:** NONE

#### **HEARING ON CUTS OVERVIEW REGARDING MONTANA STATE PRISON AND MENTAL HEALTH**

**Tape No. 1:A**

**Rick Templeton**, National Director of Justice Fellowship, told the committee the Justice Fellowship is the criminal justice policy on the prison fellowship ministries and was started in 1976. The Justice Fellowship works for criminal justice reform. The fellowship works in 28 states and the federal government. **Mr. Templeton** has twelve years of varied experience in politics and was also an inmate in a correctional institution. He did time in a maximum security facility, minimum security facility, medium

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security facility and in a community corrections program. He told the committee the inmate has an attitude that his/her time is just the cost of doing business. He thought while he was in prison the inmates did not come out of prison better people they came out better criminals. He said crimes are broken laws and that crime is an offense against the state and is an injury to community, victim and their families. The goal of prison should be to repair and restore the victim back into the community. He said most communities do not want the inmates back in their neighborhoods, but the fact is that 98% of the inmates will be back. **Mr. Templeton** said the criminals must be eased back to the communities. It is safer for the communities if the criminals are worked back through community corrections. He feels that having to hold a job, going to school, having to pay room and board, having to pay restitution to their victims, and having to pay child support is more punishment than some criminals would receive in prison. He told the committee they must get in line with some community corrections.

#### Questions, Responses, and Discussion:

**SEN. EVE FRANKLIN** asked **Mr. Templeton** if he has a vision for community corrections and would he share his vision with the committee?

**Mr. Templeton** said his vision would vary according to state and circumstances. He told the committee that in working with community corrections he would build a ladder. The ladder would take the offender into the department of corrections and then the department would determine where the criminal would fit on the ladder of alternatives. The alternatives would be house arrests and half-way-in/half-way-out work release situations. Once the inmate start in the program he can start backing out. This process enables the inmate to go back to the community where they can survive and not end up not going back to prison.

**Rick Day, Director of the Department of Corrections and Human Services**, said legislation would help the department form a policy which would address managed care. Legislation would allow the department to contain the care and make sure the care which is provided is appropriate for the state to pay.

**CHAIRMAN GRADY** asked how much of the medical costs will be in the department's supplementals?

**Mr. Day** said there is \$1.8 million appropriated for the biennium and the department is projecting \$3.2 million.

**SEN. GARY AKLESTAD** asked what legislation is being proposed and would there need to be statutory changes regarding medical issues?

**Mr. Day** said the department is having their attorney look at the

statutes to determine if legislation is necessary or whether the department can accomplish the same thing through department policy and rulemaking. The Oregon plan, which the department is using as a model, also suggests using legislation in establishing policies.

REP. RED MENAHAN asked Mr. Day to explain the elimination of SRFC and the downsizing to a boot camp. He told Mr. Day the boot camp is an administrative decision.

Mr. Day said the department was asked to make reductions in their budget and as a part of that request the conversion was made for a reduction at SRFC. By changing SRFC to a boot camp will lower the cost of doing business at SRFC and will still provide the department an alternative which is not available anywhere else in the system. The department would like the boot camp to be a sun setted operation. There is legislation proposed by SEN. CHRISTIAENS for the creation of a boot camp.

REP. MENAHAN feels the legislature does not need to run boot camps and that is what the DCHS staff is getting paid to do.

SEN. AKLESTAD asked Mr. Day if he is asking for statutory language for the boot camp?

Mickey Gamble, Correction's Division Administrator, told the committee the boot camp requires some legislative changes regarding the judicial perspectives. The boot camp is a diversion program and the inmates will be recommended by the judge or other institutions. Once the inmate completes the boot camp he is sent back to court and will then be placed on probation. This process will require legislation.

REP. MENAHAN said all inmates were sentenced to the department. He feels it is up to the department to decide in which correctional facility the inmate should be placed.

SEN. AKLESTAD wants to know what the savings will be in establishing a boot camp vs. SRFC?

Mr. Gamble stated, 1) SRFC is serving approximately 51 inmates at the present time, these inmates could have been served elsewhere due to classification, 2) this is a diversion project so basically if they are serving 30-40 booters over a 90 day period then they served between 150-160 inmates in that same period of time, and 3) staff reductions result because the department will not have education and other programs to staff.

SEN. AKLESTAD wanted to know if the inmates will be of a higher level of problem since there will be fewer of them at the camp?

Mr. Gamble stated that would be determined by the classification. He told SEN. AKLESTAD if the inmates where in prison they would be higher. The inmate's behavior is better because the inmate

knows he is only serving 90 days and not years and the boot camp has very structured days and provides constant supervision.

**SEN. AKLESTAD** asked if the inmates would go directly from the boot camp into communities?

**Mr. Gamble** said that would be determined by the case. The majority of the inmates would go to intensive supervision or to a pre-release center for a period of time. The idea that makes a boot camp work is the intensity.

**SEN. AKLESTAD** said in the overall budget the department is saving money but they are providing service for almost half as many. He asked what the cost of SRFC is per day?

**Mr. Gamble** told the committee the cost per day at SRFC is over \$60 per inmate for FY 93. The cost of the boot camp is projected to be \$50 per day per inmate.

**CHAIRMAN GRADY** asked where the savings will appear?

**Mr. Gamble** told the committee the saving will be in less staff.

**SEN. AKLESTAD** said the 30 inmates which will not be going to Swan River will be going into community programs (\$47 per day per inmate) so there will be a savings of \$3 per day.

**Mr. Gamble** said the cost of community programs is \$30 per day per inmate. The department has projected they will increase the amount paid by the inmate and hopefully lessen the amount paid by the state. He feels a quality service must be provided.

**CHAIRMAN GRADY** feels there would be a savings in establishing a boot camp at Swan River.

**SEN. AKLESTAD** is concerned with the 300 inmates who will be taken from MSP. He feels it would be safer to take the inmates from MSP, taking their age into consideration, and put them in SRFC.

**Mr. Day** said in the prison concept there is more programming, education and counseling. The boot camp at Swan River will be short term and the inmate then will be sent to a community program. The boot camp would be a diversion before the inmate would get to prison.

**REP. MENAHAN** asked why, if they were going to downsize the prison by 300-350 inmates at a \$47 a day savings, which amount to about \$4 to \$5 million dollars, is the budget only being reduced by \$1.3 million?

**Mr. Day** said part of the reduction is in variable costs which amount to about \$5 per day relative to the cost associated with the inmate. There will also be a staff reduction over time which will reduce the overall cost of operating the prison.

REP. MENAHAN feels if the prison budget is reduced by \$4 million dollars they will be able to take 350 inmates out of prison. Mr. Day said in dropping the population to 850 the line item would be variable costs and that would amount to a savings of \$1,350,660. There would also be a savings of \$1,892,000 in FTE at MSP. EXHIBIT 1

SEN. AKLESTAD asked how many employees would be cut at MSP?

Mr. Day told the committee there will be 43 fewer employees. He also stated the largest percentage of the 43 would be at MSP but not the full 43 positions would be cut at MSP.

SEN. AKLESTAD asked if the department was planning to keep the buildings at MSP open even though the budget needs to be reduced?

Mr. Day told the committee the department is in the process of discussing whether all the cell blocks should remain open or just certain ones. He feels the majority of the cell blocks will be open. When the prison was built the ideal population was 854.

SEN. AKLESTAD stated that D unit was just built and now there is talk about closing some of the other units. There is discussion also on reducing the staff by 43 and keeping all the units open. He told the department he cannot follow that train of thought.

Mr. Day said the department is looking at the theory of staff per inmate. If there are fewer inmates in a cell block then there is less need for guards to supervise.

SEN. AKLESTAD feels it would be cheaper to have more staff at MSP than to send the inmates to community programs.

Mr. Day said there are over 1100 people in MSP which was designed for 854 inmates. He feels if the prison population is reduced and the department uses the community resources the cost in the end will be lower.

Mr. Gamble presented information requested by the committee regarding budget reductions. There are 622 inmates projected to enter the system in 1993, the prison has been discharging or paroling approximately 600 inmates per year (35% discharge and 65% parole). In FY 91, of the inmates admitted to the prison, 52% were direct placements, and 46% were Probation and Parole revocations. EXHIBIT 2

The numbers which appear below will be the projection to reach a cap of 850 at MSP by 10/01/93.

	<u>Population</u>	<u>Total</u>
Current population	1222 (includes Swan River)	
Admit	416	1638
Divert to community	(120)	1518
Reduce parole & probations revocations	(100)	1418

Normal parole & release	(400)	1018
probations		
Direct discharge	(100)	918
Place in community	(68)	850
programs		

**EXHIBIT 2**

Under the budget request there are six parole officers requested and an additional ten parole officers for intensive supervision and extended supervision. There are units being closed and one area in a basement called Rothe Dorm. The area does not provide decent housing, programming or staff. This closure will save eleven positions. The department is looking at closing the expansion unit at Warm Springs. There are 16 inmates in this area and no real programming taking place, this area requires 12 staff. Mr. Gamble feels this is not an efficient use of staff. The department believes if the prison population is capped there will be a budget savings in the long run.

"Good time" is an important issue with the department. Mr. Day suggested discharging the inmates who have "good time" at the first of the month rather than waiting a whole month. Currently there are approximately 80 inmates in pre-release centers who are beyond their parole eligibility date. Several of these cases could be placed on non-residential supervision. Thus, the actual number directly discharged could be no more than was done in the past years. EXHIBIT 2

The percentage of crime types which are at MSP are as follows:

<u>Crime Type</u>	<u>Percentage</u>
violent	36.6
Property	36.6
Drug	4.3
Combination	19.1
Combination w/violent	10.0
Other	3.4

**EXHIBIT 2**

Mr. Gamble said people in prison have different behaviors according to where they are placed. The inmates on the ranch and in the industry are not under supervision and will have better behavior patterns. The best type of programming is work. The ranch and the industry area teach the inmates trades and a work ethic.

Mr. Gamble said inmates can be discharged at any level. A savings will occur by having the inmate do less time in a more intense situation. He stated a management system can be used to reduce the prison population to 850. The pre-release centers provide the inmates with a better quality of life. The department feels it is important for the inmates to go through the various programs.

SEN. J.D. LYNCH feels the parole board refuses parole to inmates

who are eligible. He said there is a bill to allow more inmates to be paroled. He feels the prison tries to rehabilitate the inmate and the communities want the inmates to do time.

**Mr. Gamble** said there is a misconception that community programming is easier time. He feels public safety needs to be stressed and community programs address the safety issue.

**REP. MENAHAN** feels the "good time" bill will make parole easier. He asked the department why they didn't raise all the numbers on what is a crime? He suggested making all crimes misdemeanors.

**Mr. Gamble** told the committee the feeling on the national level is that 85% of non-violent offenders should be treated in a community program.

**REP. MENAHAN** feels the "good time" bill is defeating the law. He said the law gives the inmate time and then the system gives the inmate "good time" in order to get out of prison. He told the committee that "good time" is a major factor in attitudes with the inmates at the prison.

**Mr. Gamble** said "good time" is a management tool. The prison functions as a warehouse not as an active programming unit.

**CHAIRMAN GRADY** asked if the new forensic league area could be used for protective inmates? He saw, on the tour, empty cells and in one wing there were only three people. He also asked if the inmate/s from maximum security go directly to the communities?

**Mr. Gamble** said hopefully only a small number go right out of maximum security. There are some inmates who go directly out without completing their programs but they have served their time. He feels the department needs to look at mandatory parole. Mandatory parole is inmates going out on parole before they earn their "good time".

**SEN. AKLESTAD** asked who the 40 people are who will be placed at SRFC and what facility they came from?

**Mr. Gamble** said they will be diversion people, non-violent in nature. They are sent there by the recommendation of the courts. Boot camps can also be called shock incarceration. Once the inmate has been through the program they can be placed on probation status. The department is suggesting the age limit be between 17 and 30 years of age. The inmate must also meet the physical requirements.

**SEN. AKLESTAD** asked about the physical plant at SRFC? He wanted to know if all the present buildings would be used for the proposed boot camp?

**Mr. Gamble** told the committee SRFC is an ideal facility for a

boot camp. SRFC has an open dorm concept which is necessary for a structured boot camp since the inmates need to be directly supervised at all times. The majority of the buildings would be used for the camp. The work projects are done in groups. The people at the boot camp are programmed from 4:00 am to 9:00 pm. and this includes programming, physical fitness and drill.

REP. LINDA NELSON asked if the 40 inmates who will be assigned to the boot camp will be the 40 inmates who are already there?

Mr. Gamble told her some of the inmates would remain at the boot camp. He said some of the older inmates (trustees) would be put in charge of maintenance and by doing this would cut down on staffing.

CHAIRMAN GRADY asked what the department has planned for the fire fighters and state lands projects which were part of the SRFC?

Mr. Gamble said these projects will not be handled at the boot camp because of the shortness of training time. Some pre-release centers have fire crew programs.

SEN. LYNCH said the original grant in the budget was \$1.8 million for inmate medical and the supplemental would be \$1.4 million. After he calculated the figure he believes the department is asking for \$1.7 million for the next seven months.

Pam Joeehler, Central Services Division Administrator, said the projections were made on expenditures to date and the expenditures are running 50% ahead of last year.

SEN. LYNCH asked for a further breakdown of the medical expenses in the corrections areas in order to see where the money is going. He would also like a breakdown of the services provided by the doctors. He asked if the inmate gets to choose what doctor he would like to see?

Mr. Day stated the decision of what doctor will be used is made by MSP.

SEN. BECK would like to see a breakdown of the drug bills for the prison.

#### HEARING ON MENTAL HEALTH

Tape No. 1:A

Dan Anderson, Administrator of the Mental Health Division, said the department feels good about what has been accomplished in terms of improving the services at the state hospital, the intensity of the services, the extent to which we have full compliment of professional staff and also the extent to which they've been able to put into place some community services which have allowed an increased number of people being served in the community rather than in the state hospital. This process is



being monitored very closely by the department and by using an oversight committee.

Mr. Anderson addressed the issue of suicides of former state hospital patients. The department has examined every former state hospital patient who has died within the last year. The department found two former patients had committed suicide in the past year. Mr. Anderson feels the people in charge of these two patients and their treatment had made good clinical judgements. He said suicides happen to people that are mentally ill. The responsibility of the department is to provide the necessary services the people need, reach out to the seriously mentally ill patients, and to make good sound clinical judgements regarding the patient's treatment.

Mr. Anderson addressed the issue of the administrative cost of community mental health centers. Fifteen years ago the mental health centers were funded through block grants. He stated he has seen over the past few year where mental health services have increased but the staff has decreased. He feels the department has done a good job in reducing costs.

For FY 91, the center's total expenditures, by function, were:

Clinical staff salaries	\$7,407,662
Administration/support staff salaries	\$3,236,617
Operating expenses	\$2,899,730

**EXHIBIT 3**

Mr. Anderson addressed the spending reduction plan for Program 30 Mental Health.

1. Eliminate NH/Acute Care on the Galen Campus.  
The plan is to move the nursing home patients to either the Center for the Aged or to private community nursing homes. The acute care hospital would be discontinued, put the mental health system in its place and have an infirmary on the Warm Springs campus.

2. Eliminate MH Services for non-seriously ill adults.  
For the community mental health system the department would limit the state funding and federal funding which they control only to fund services for adults who have serious mental illnesses and for children and adolescents. **EXHIBIT 1**

**Questions, Responses, and Discussion:**

REP. MENAHAN asked how many people will be affected by the reduction of the non-seriously mentally ill adults?

Mr. Anderson explained the department pays for services on a fee for service basis. This converts into 10,000-12,000 hours of outpatient service which the department would no longer be purchasing. The number of people this translates into would be approximately 700-1000 people per year who would not be receiving

this service.

**REP. NELSON** asked how a non-seriously mentally ill adult is described?

**Mr. Anderson** said the department has identified through their contract a group of people they call people with severe and disabling mental illness. These are people based upon diagnoses, disability and the length of the illness are called the seriously mentally ill. It is everyone else who is not non-seriously mentally ill. The range is from someone going through a difficult divorce to anxiety problems. Generally these people have mental health problems and do not need the services of the state hospital.

**REP. NELSON** said if the people are not sick enough to leave their communities then maybe they do not need the therapy.

**Mr. Anderson** told the committee the criteria would be adults who do not meet the above definitions. The state would not subsidize their treatment.

**SEN. FRANKLIN** is very concerned regarding the services which will be available in the communities.

**SEN. AKLESTAD** asked if all these people are being served in the communities at the present time?

**Mr. Anderson** answered they are predominately being served in the communities. Some patient/s receive service for a brief period of time.

**SEN. AKLESTAD** asked if everyone who commits suicide is mentally ill?

**Mr. Anderson** said his personal opinion is not at all. Suicide is an issue if the patient is seriously mentally ill.

**REP. MENAHAN** asked if people who cannot pay and have no insurance would receive services for mental health problems?

**Mr. Anderson** told the committee the MH department will subsidize the patient/s who can pay only \$20 of a \$60 bill.

**SEN. BECK** said the MH department worked with a clientele of approximately 12,500 last year. He asked for some statistics on recidivism of patients, length of care, and results of the program. He asked if the low income person is causing an increase in mental health treatment?

**SEN. FRANKLIN** asked what the treatment philosophy is in the outpatient treatment centers?

**John Shontz, Mental Health Association** said one out of every four

visits to a general practice doctor's office is related to mental illness. Mental health is a major component in health care issues in the state and in the nation.

**SEN. AKLESTAD** asked for the criteria which is used in determining mental illness. He asked **Mr. Anderson** what issues have caused the numbers to go up in the MH area over the last ten years?

**Mr. Anderson** said he would look at some diagnostic categories the department is serving in the community programs and look for the changes in service which have taken place over the past years.

**REP. MENAHAN** asked for a breakdown of the directors, areas the directors serve and the titles of the administration which make up the MH department.

**Mr. Anderson** said the state does not run the community mental health programs but they do control the dollars which go to these programs.

**SEN. AKLESTAD** asked if the community MH programs are mandated to provide a certain level of service?

**Mr. Anderson** said the community MH programs are mandated to provide certain types of services according to the state statutes. The level of service depends on the amount of funding which is available and the type of services depends on the contracts the department has with the community MH programs.

**Mr. Anderson** explained one of the modifications for Program 30 is to increase funding for maintaining the seriously mentally ill in the community programs. This would allow the department to maintain compliance with the Ihler Program. Housing is a very critical issue for the mentally ill. The MH department started a new program in which MH centers go out and find suitable housing for patients, furnish the dwelling if necessary, rent it from the landlord, then sublet it to the patient. The department then provides good case management services for the person to maintain a good living environment.

**REP. MENAHAN** asked why the department chose the most costly living areas in the state to run this new program?

**Mr. Anderson** said it is hard to find low rent facilities in these cities. MH is not trying to subsidize the rent for the patient they are trying to use their resources to find low cost housing for the clients. The landlords are more willing to rent to mental health patients if they know the department is part of the program. This program operates in Butte, Great Falls and Helena.

Another modification the department is asking for is two registered nurse positions at the state hospital. In order to cover the eight-hour shifts which are necessary in the hospital the department will need two additional positions. This was part

of the Ihler decision/recommendation.

Crisis intervention is another modification the department is presenting. In the last legislative session HB 103 was passed which will prohibit, as of July 1993, detaining a person in jail who is believed to be seriously mentally ill. Also if a person is arrested for a minor misdemeanor they will be screened to see if they are mentally ill. A survey was done by the department in regard to HB 103 and found there are 1500 jail days per year involving mentally ill people. The modification would provide \$95 a day to find a diversion for this type of person.

**SEN. AKLESTAD** asked if all the people involved in crisis intervention go to jail through the court system?

**Mr. Anderson** said not everyone who is being held for a mental health hold is detained in jail. Some people who are acting strange, out in the cold weather without a coat and are acting like they are out of touch with reality, are taken into custody and will be involuntarily committed to the state hospital. HB 103 states in these situations the department must find an alternative place to hold this person pending the commitment hearing. They can not be held in jail. The department uses hospitals, motel rooms or crisis centers as alternative places. Every county must submit their crisis intervention plan to the department for approval.

**SEN. AKLESTAD** asked if some of the communities which have MH buildings could use them for housing the patients, such as group homes?

**Mr. Anderson** said that was a good option. In some situations the patient needs to go to the hospital. The state hospital could be another option but the department is not encouraging this.

**SEN. AKLESTAD** asked if the family member of the patient/s is notified?

**Mr. Anderson** said the family usually makes the calls.

**REP. NELSON** asked if the people in the eastern part of the state go to North Dakota?

**Mr. Anderson** believes the MH facilities in Dickenson, ND have been used. The eastern part of the state also uses the facilities in Billings and the highline area would probably use the facilities in Havre.

**REP. NELSON** feels there is definitely a hardship regarding MH in the eastern part of the state.

**REP. MENAHAN** asked if every county turns in a crisis intervention plan? Deer Lodge county will be using the local hospital.

**Mr. Anderson** stated that approximately 20 counties have not submitted their plans.

**SEN. AKLESTAD** asked if it is the determination of the local MH facilities which makes the decision where the patient will be placed?

**Mr. Anderson** said the judge usually makes that decision. At the time of detention a professional person will make an evaluation to see if the patient is a danger to self or others.

**CHAIRMAN GRADY** asked what the cost would be to operate one program on the Galen campus? He asked if the fixed cost to maintain the Galen campus would be approximately \$400,000 annually?

**Ms. Joehler** said there are 30 support positions budgeted at Montana State Hospital in the executive budget which are for the Galen campus. The total cost would be \$953,000 for the first year and \$986,000 for the second year. Some of these costs are proposed to be recovered through the rental agreements. At the request of the legislature to find general fund savings the department was able to identify an additional \$143,000 cost recovery per year. The department is proposing part of the cost to be recovered from alcohol earmarked account and the rest is currently budgeted to be paid from the general fund.

**CHAIRMAN GRADY** asked if some of the houses on the Galen campus are rented and is the state receiving revenue from anything else on the campus?

**Ms. Joehler** said she would find out for **CHAIRMAN GRADY**.

**REP. MENAHAN** said three or four doctors are renting houses on the Galen campus. Some staff members live in apartments located on the campus.

**SEN. AKLESTAD** asked what kind of rent is being paid for the buildings at Warm Springs and Galen? He also asked what the ongoing expenses will be to keep the Galen campus running even if it is closed to patients?

**Ms. Joehler** said \$1,762,579 would be the impact to the general fund. The results would be the cost of the general fund not receiving reimbursement revenue from the patients who were located at the nursing home and the acute care hospital at Galen. The department receives third party reimbursement to the general fund for the services which are provided. **EXHIBIT 1**

The cost to maintain the Galen campus if it were closed to patients would be approximately \$100,000 a year. This cost would be to maintain security, maintain the heating plant and to leave a minimal amount of heat on in the buildings.

**SEN. AKLESTAD** asked about the 24 FTE reduction shown on Exhibit 1.

**Ms. Joehler** said the 24 FTE reduction is not shown as a savings and the reduction would be included in the budget for next year.

**CHAIRMAN GRADY** asked what the cost would be to move the CD unit to St. James Community Hospital East in Butte?

**Ms. Joehler** said the St. James Community Hospital is talking to their board and will be getting back to **Mr. Bruno** with some figures regarding the CD unit.

**CHAIRMAN GRADY** asked what the plans are for the CD unit?

**Ms. Joehler** said the department is reviewing options for the buildings on the Warm Spring campus, other alternatives off the Galen campus or the facility at St. James Community Hospital East in Butte for the CD program.

**CHAIRMAN GRADY** feels the committee needs to know the long-term savings of all the alternatives before a decision can be made.

**Mr. Anderson** said the vacant buildings at Warm Springs were being considered.

**SEN. AKLESTAD** asked if the department is keeping the CD program at Galen?

**Mr. Anderson** told the committee if the legislature were to adopt these cuts the Galen campus would be closed. The CD unit would be moved to Warm Springs or to Butte.

**SEN. AKLESTAD** feels it would be more feasible to keep the CD program at the Warm Springs hospital.

**Mr. Anderson** said the cost of bringing the buildings up to code would be expensive. Some of the buildings have only been used for storage for a number of years. Remodeling would prove to be very expensive.

**SEN. AKLESTAD** asked if the St. James East Community Hospital in Butte needs repairs?

**Mr. Anderson** told the committee that St. James Community Hospital East has been used recently.

**CHAIRMAN GRADY** told the committee that **Mr. Bruno** had shared with some of the committee members that he feels the CD program would work quite well in the St. James Community Hospital.

**CHAIRMAN GRADY** asked the department if they have looked into the possibility of selling Galen and what the value would be for the facility? Maybe the department needs to look at building a new


facility and selling the old. He is interested in the long-term savings of the department.

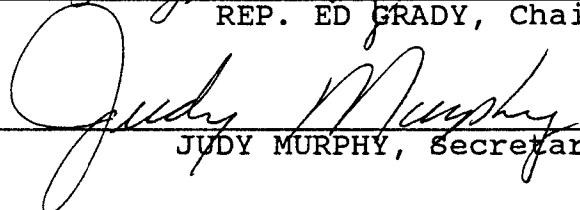
**Mr. Anderson** told the committee a health care agency may be interested in buying the Center for the Aged in Lewistown. He also mentioned the Galen facility.

A motion was made to adjourn.

ADJOURNMENT

Adjournment: 10:30 am

  
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REP. ED GRADY, Chair

  
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JUDY MURPHY, Secretary

EG/jm



# HOUSE OF REPRESENTATIVES

INSTITUTIONS/CULTURAL EDU. SUB-COMMITTEE

ROLL CALL

DATE

2-4-93

NAME	PRESENT	ABSENT	EXCUSED
SEN. GARY AKLESTAD	✓		
SEN. TOM BECK	✓		
SEN. EVE FRANKLIN, VICE CHAIRMAN	✓		
SEN. J.D. LYNCH	✓		
REP. RED MENAHAN	✓		
REP. LINDA NELSON	✓		
REP. ED GRADY, CHAIRMAN	✓		

03-Feb-93 04:35 PM		DCHS ONLY BIENNIUM EXPENDITURES		Revenue & Other Agcy Impact	Total General Fund Impact	Total General Fund Impact
At Subcommittee Request FTE Information added 02-03-93.	94 Staff	General Funds	Other Funds	94-95 Bien. General Fund	94-95 Bien. General Fund	96-97 Bien. General Fund
SUBCOMMITTEE REQUIRED PROPOSAL: LFA Current Level (Adopted by Subcommittee) HJR2 Cut Target DCHS Supplemental Request FY93 increase	1,998.70	164,701,766 (6,469,280) (1,701,664)	26,504,106			
Total FY94-95 Subcommittee General Fund Target:		\$156,530,822				
Program 10. Central Operations LFA Current Level		4,801,835	90,947		4,801,835	5,089,945
Program 20. Corrections Division LFA Current Level		55,534,038	9,585,322		55,534,038	58,866,080
LFA Current Level Reductions						
Eliminate SRFC LFA CL	(26.33)	(2,086,440)	0		(2,086,440)	(2,211,626)
Downsize SRFC to 40 ADP Boot Camp	18.00	1,488,800	0		1,488,800	1,578,128
Cap MSP Population @ 850. Variable Costs		(1,350,660)	0		(1,350,660)	(1,431,700)
Cap MSP Population @ 850. FTE Reductions	(43.00)	(1,892,000)	0		(1,892,000)	(2,005,520)
Cap WCC @ 50. Variable Costs (FY92=\$5.86)		(58,041)	0		(58,041)	(61,523)
	(51.33)	(3,898,341)	0	0	(3,898,341)	(4,132,241)
Modifications						
Continue Industries BAs	4.00	0	241,951		0	0
Add Prob & Parole and Community Alternatives	21.50	3,952,682	0		3,952,682	4,189,843
	25.50	3,952,682	241,951	0	3,952,682	4,189,843
Program 30. Mental Health LFA Current Level		69,355,524	3,073,650		69,355,524	73,516,855
LFA Current Level Reductions						
Eliminate NH/Acute Care on Galen Campus	(91.32)	(4,819,995)	0	1,762,579	(3,057,416)	(3,240,861)
Eliminate MH Services for non-seriously ill adults		(1,194,422)	0		(1,194,422)	(1,266,087)
Recover Add'l Support Staff Costs from CD program		(292,073)	292,073		(292,073)	(309,597)
Move CD off Galen Campus	(24.00)	(798,590)	0		(798,590)	(846,505)
	(115.32)	(7,105,080)	292,073	1,762,579	(5,342,501)	(5,663,051)
Modifications						
Galen NH Changes to CA From 140 - 120	10.00	617,109	0		617,109	654,136
Community Increases		343,084	0		343,084	363,669
Registered Nurses	2.00	160,338	0		160,338	169,958
Crisis Intervention		290,000	0		290,000	307,400
	12.00	1,410,531	0	0	1,410,531	1,495,163
Program 40. Chemical Dependency LFA Current Level		522,093	9,271,653		522,093	553,419
LFA Current Level Reductions						
Fund old Lighthouse Program with Alc Tax		(522,093)	522,093		(522,093)	(553,419)
Modifications						
Galen Changes	5.00	0	266,648		0	
Program 50. Developmental Disabilities LFA Current Level		32,451,612	105,718		32,451,612	34,398,709
LFA Current Level Reductions						
None		0	0		0	
Modifications						
None		0	0		0	
Program 60. Veterans Nursing LFA Current Level		2,036,664	4,376,816		2,036,664	2,158,864
LFA Current Level Reductions						
Eliminate EMVH building Cost; Trf to GF		0	0	(1,700,000)	(1,700,000)	0
Use 2 cent cigarette tax for MVH operating		(2,036,664)	2,036,664		(2,036,664)	(2,158,864)
	0.00	(2,036,664)	2,036,664	(1,700,000)	(3,736,664)	(2,158,864)
Modifications						
None		0	0		0	
DCHS TOTALS						
LFA Current Level		164,701,766	26,504,106	0	164,701,766	174,583,872
LFA Current Level Reductions	(166.65)	(13,562,178)	2,850,830	62,579	(13,499,599)	(12,507,574)
LFA Current Level Modifications	42.50	5,363,213	508,599	0	5,363,213	5,685,006
TOTAL DCHS PLAN PER SUBCOMMITTEE REQUEST	(124.15)	156,502,801	29,863,535	62,579	156,565,380	167,761,303

MEMO  
DATE: February 3, 1993  
TO: MEMBERS OF INSTITUTIONS AND ARTS SUB-COMMITTEE  
FROM: JAMES M. GAMBLE, ADMINISTRATOR, CORRECTION'S DIVISION  
SUBJECT: INFORMATION REQUESTED FOR BUDGET REDUCTIONS

A review of how the population will be reduced to the projected cap of 850 inmates. Included is a list of the crimes of 350 inmates who are past their parole date. (ATTACHMENT #2) This population will give us an idea of the type of inmate that would be discharged into the community. In addition, 622 inmates are projected to enter the system in 1993, and the prison has been discharging or paroling approximately 600 inmates per year (35% discharge and 65% parole). There are several factors that need to be considered, such as how many of the 622 projected admissions can be diverted to community programs? What percent of those cases are Probation and Parole violations that will be able to be programmed into available community program? In FY 91, of the inmates admitted to the prison, 52% were direct placements, and 46% were Probation and Parole revocations. Thus, the numbers would be projected as follows to reach a cap of 850 by 10/01/93:

	<u>Population</u>	<u>Total</u>
Current Population	1,222 (Includes Swan River)	
Admit	416	1,638
Divert to Community	(120)	1,518
✓ Reduce Parole and Probations Revs	(100)	1,418
Normal Parole and Release to Prob.	(400)	1,018
Direct Discharge	(100)	918
Place in Community Programs	( 68)	850

Under the Budget request there are 6 Parole Officers requested and an additional 10 Parole Officers for Intensive Supervision and Extended Supervision. It is believed these additional officers could be accountable for an additional 480 inmates on Parole, plus the Intensive Officers would be responsible for 130 inmates in more intense supervision. The use of 40 to 60 beds in non-residential programs is anticipated. Thus for the 788 inmates projected to re-enter the community, 400 could be placed on parole, 100 would be discharged directly (THESE NUMBERS ARE NOT SIGNIFICANT INCREASES, THIS IS THE NUMBER THAT HAVE BEEN RELEASED IN THE PAST YEARS), 130 to Intensive Supervision, and the additional would be placed in existing or new Pre-Release Centers, ( 68 inmates). Currently there are approximately 80 inmates in Pre-Release Centers who are beyond their parole eligibility date. Several of these cases could be placed on non-residential supervision. Thus, the actual number directly discharged could be no more than was done in the past years.

Once the cap of 850 has been reached, the object will be to program the offender at a faster rate, because of the reduced number, and get them into the community programs sooner. The awarding of special good time will be needed to maintain the cap and exact records will be maintained to determine how much good time was awarded, and the number to offenders that return to the system. It is recommended that three (3) Targeted Case Managers be utilized in the placement of these offenders. These Targeted Case Managers will be placed in the Community Programs to work with both the males and females.

DEPARTMENT OF CORRECTIONS  
AND HUMAN SERVICES

Attachment #2

EXHIBIT 2  
DATE 2-4-93  
SB                     



MARC RACICOT, GOVERNOR

STATE OF MONTANA

(406) 444-3930  
FAX: (406) 444-4920

PO BOX 201301  
HELENA, MONTANA 59620-1301

**MEMORANDUM**

DATE: February 2, 1993

TO: RICK DAY  
MICKEY GAMBLE

FROM: TED CLACK *Teal*

RE: The classification status and crime types of the 350 prison inmates closest to discharge, with summary sentencing data

Janet Cox identified the 350 inmates closest to their discharge dates. She emphasized the preliminary nature of her findings - some of the 350 may reach their discharge dates sooner or later than projected, depending upon disciplinaries and their individual good time earning rates.

The 350 are listed by custody level immediately below.

CUSTODY LEVEL

	<u>Max</u>	<u>Close</u>	<u>Med 1</u>	<u>Med 2</u>	<u>Min 1</u>	<u>Min 2</u>	<u>Other</u>
Number	11	27	42	53	52	151	14
% Total	3.1	7.7	12.0	15.1	14.9	43.1	4.0

A total of 80 inmates (22.9 percent) of the 350 inmates closest to discharge are not in the Montana State Prison compound. Sixty-six of the 80 are at Swan River Forest Camp or in pre-release centers.

The types of crimes committed by the inmates in question are listed below.

Page 2

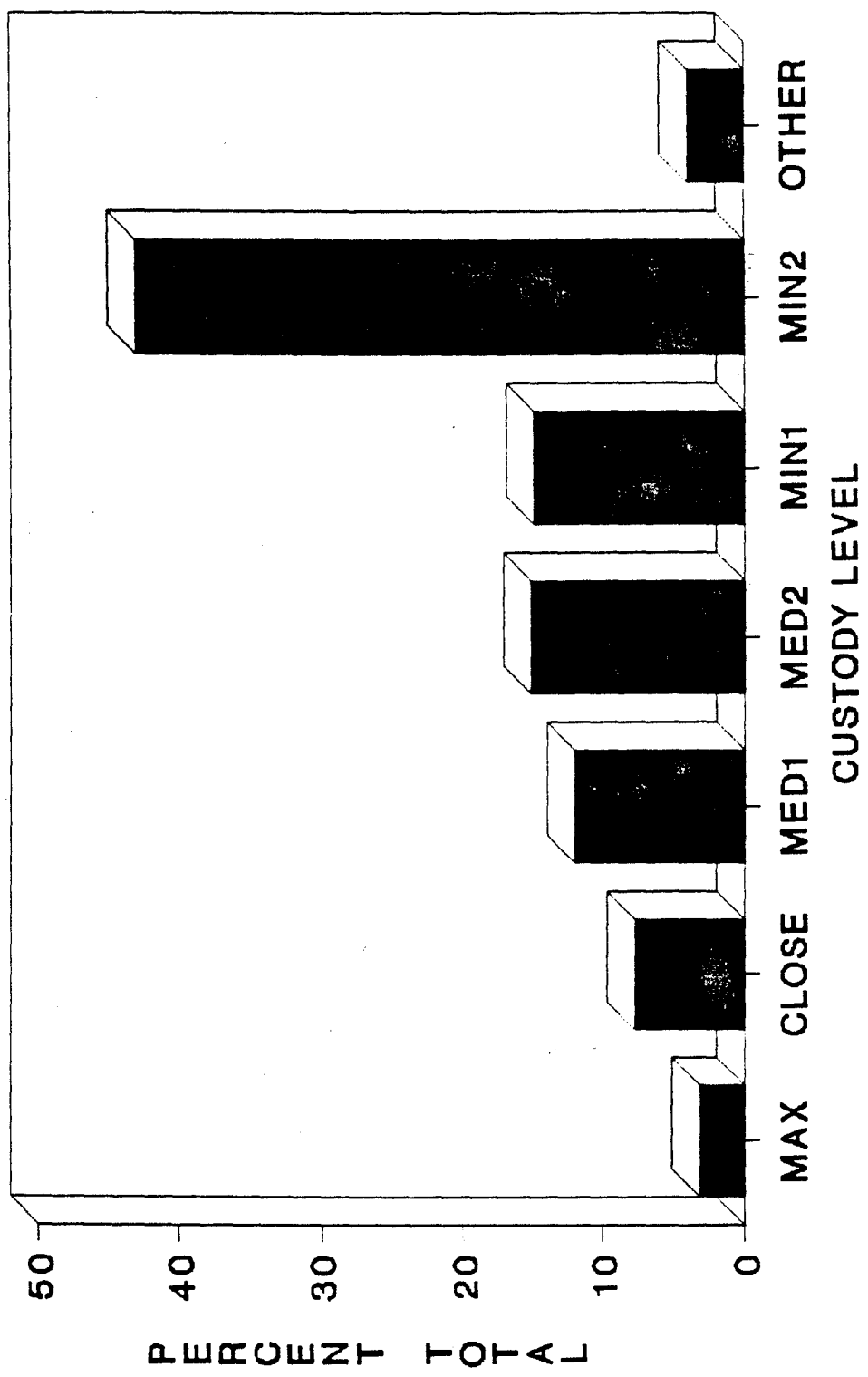
<u>Crime Type</u>	<u>Number</u>	<u>Percent Total</u>
Violent	128	36.6
Property	128	36.6
Drug	15	4.3
Combination	67	19.1
Combination w/violent*	35	10.0
Other	12	3.4

\* included within the 67 committing combination crimes

Sentencing data concerning these inmates are listed below:

- o Average sentence = 8.3 years
- o Maximum sentence = 35 years
- o Minimum sentence = 1 year
- o Sentences  $\leq$  5 years = 43.1 percent
- o Sentences 6-10 years = 39.3 percent
- o Sentences 11-20 years = 15.0 percent
- o Sentences > 20 years = 2.6 percent

# 350 INMATES CLOSE TO DISCHARGE PERCENT BY CUSTODY LEVEL



# 350 INMATES CLOSE TO DISCHARGE PERCENT BY CUSTODY LEVEL

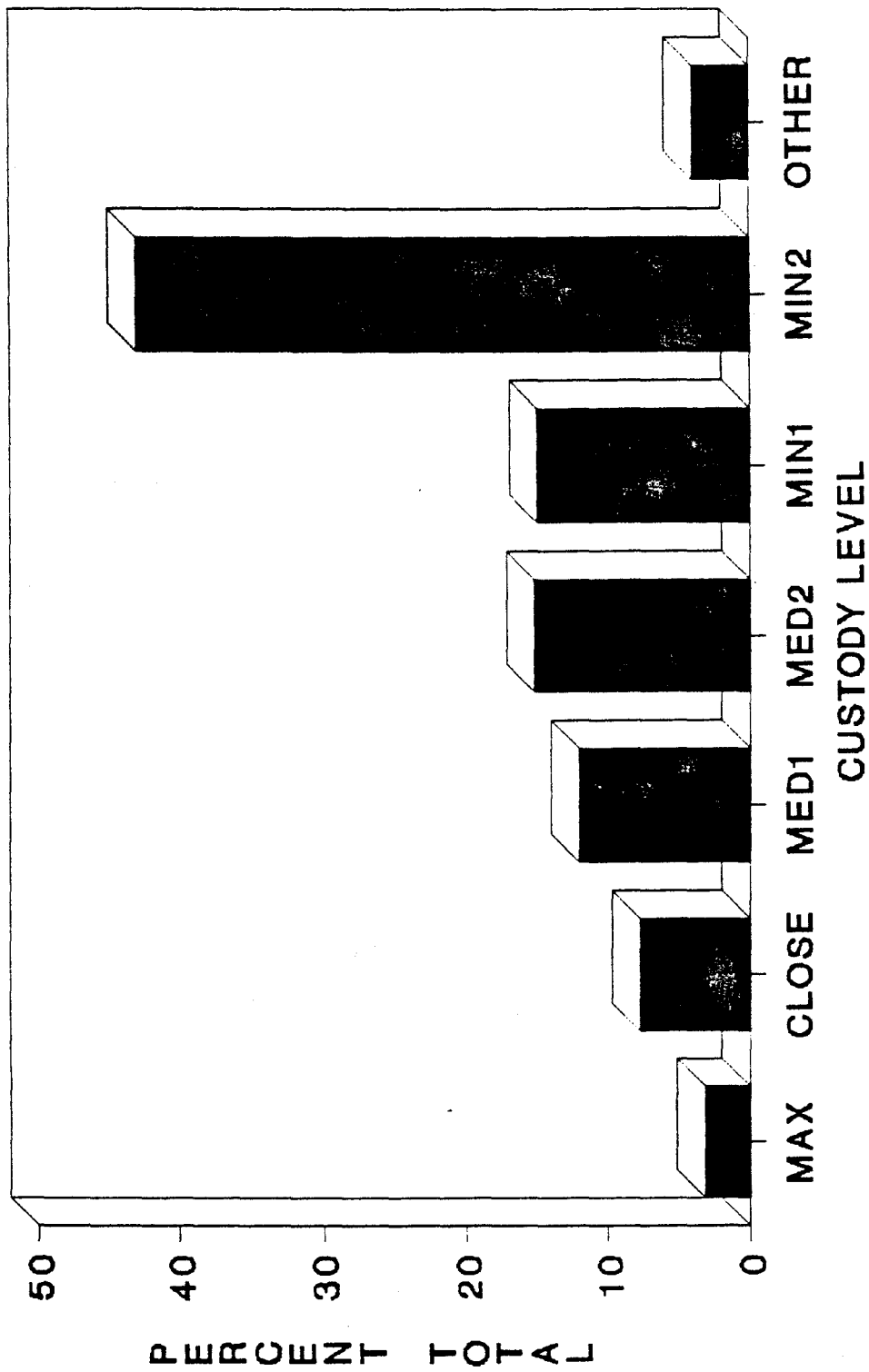
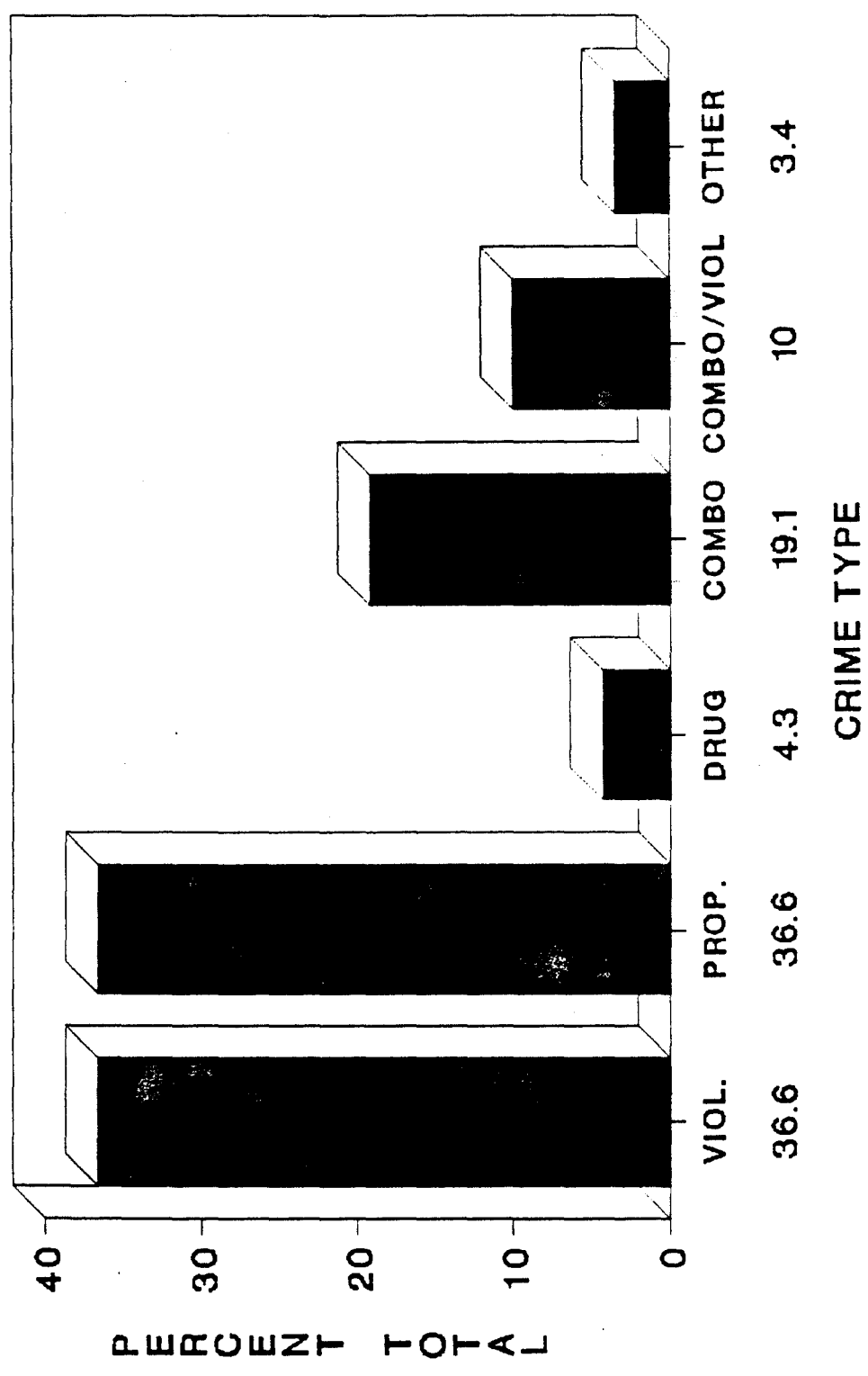


EXHIBIT 2  
DATE 2-4-93

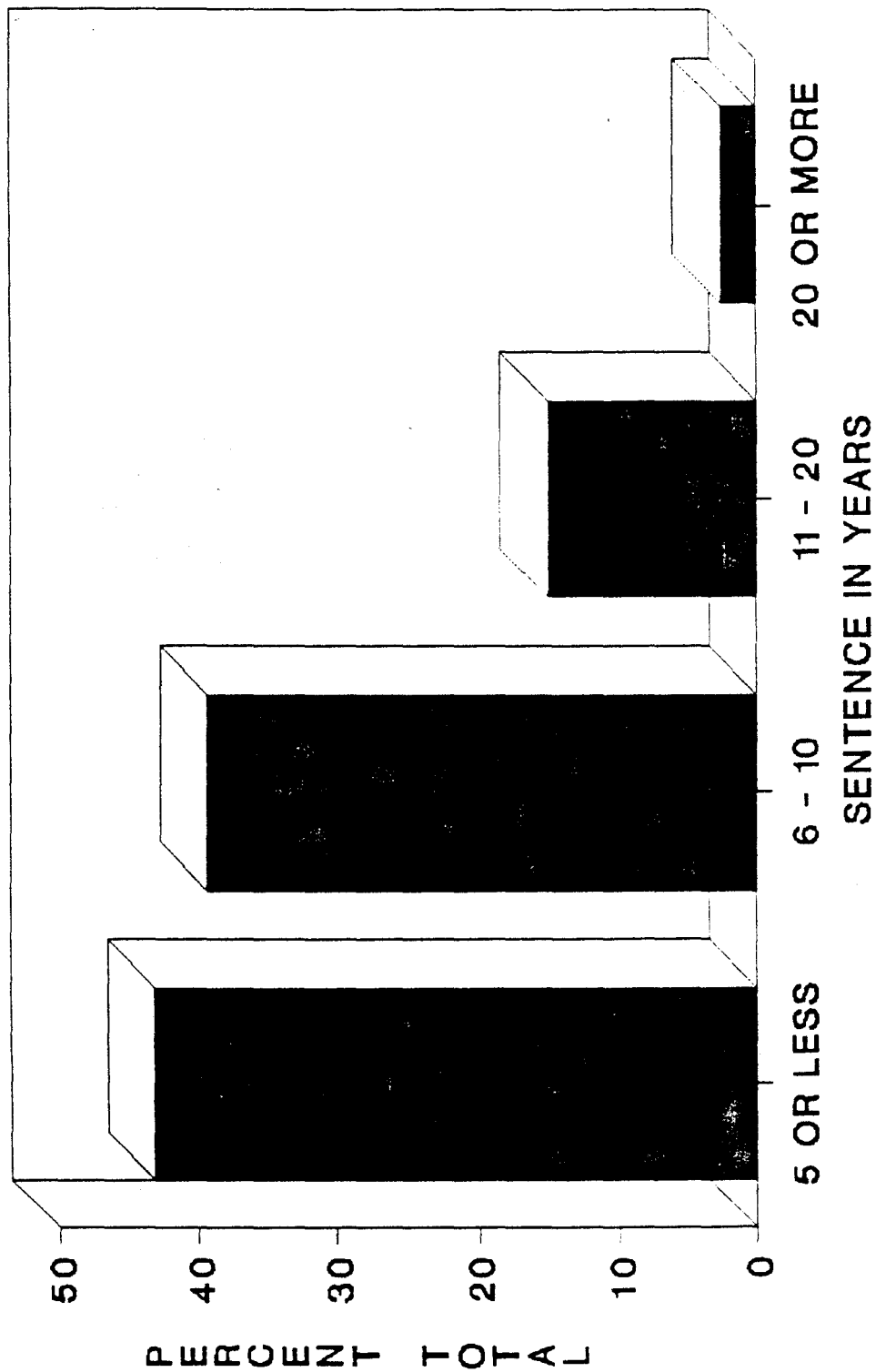
# 350 INMATES CLOSE TO DISCHARGE PERCENT BY CRIME TYPE



COMBO/VIO INCLUDED IN COMBO



# 350 INMATES CLOSE TO DISCHARGE PERCENT BY SENTENCE LENGTH



AVERAGE SENTENCE - 8.3 YEARS

EXHIBIT 2  
DATE 2-4-93

SB

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EXHIBIT 3DATE 2-4-93SB                     **MEMORANDUM**

DATE: February 2, 1993  
TO: RICK DAY  
FROM: DAN ANDERSON  
RE: CMHC Administrative Costs

The most recent cost reports of which we have been able to do complete analysis is FY 91.

For FY 91, the Center's total expenditures, by function, was:

Clinical Staff Salaries:	\$7,407,662
Administration/Support Staff Salaries:	\$3,236,617
Operating Expenses:	\$2,899,730

Another analysis we do is to separate "direct" and "indirect" expenses. Direct expenses include personal services and operating costs of the clinical programs -- including support and administration directly associated with those programs. Indirect expenses are personal services and operating costs of the regional organization which are not tied directly to any of the programs. For FY 91, by Center, the percentages of direct and indirect costs were:

	<u>Region 1</u>	<u>Region 2</u>	<u>Region 3</u>	<u>Region 4</u>	<u>Region 5</u>
Direct	81.2%	81.7%	79.8%	84.5%	88.5%
Indirect	18.8%	18.3%	20.2%	15.5%	11.5%

DA:bt