MINUTES

MONTANA HOUSE OF REPRESENTATIVES 54th LEGISLATURE - REGULAR SESSION

JOINT SUBCOMMITTEE ON INSTITUTIONS & CULTURAL EDUCATION

Call to Order: By CHAIRMAN MARJORIE I. FISHER, on February 2, 1995, at 8:10 a.m.

ROLL CALL

Members Present:

Rep. Marjorie I. Fisher, Chairman (R)

Sen. Larry J. Tveit, Vice Chairman (R)

Sen. Gary C. Aklestad (R)

Rep. William T. "Red" Menahan (D)

Rep. Steve Vick (D)

Sen. Mignon Waterman (D)

Members Excused: None

Members Absent: None

Staff Present: Lisa Smith, Legislative Fiscal Analyst

Mary LaFond, Office of Budget & Program Planning

Brandee Decrevel, Committee Secretary

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

Committee Business Summary:

Hearing: Department of Corrections

- Swan River Boot Camp - Prerelease Management - Probation and Parole

Executive Action: None

{Tape: 1; Side: A; Approx. Counter: 1}

HEARING ON DEPARTMENT OF CORRECTIONS SWAN RIVER BOOT CAMP

Mike Ferriter, Community Corrections Bureau Chief, presented information on the Swan River Boot Camp. He explained the program was designed as an alternative to prison incarceration for young or first-time offenders. Mr. Ferriter submitted a report on "The Courage to Change Swan River Correctional Training Center Summary Information." EXHIBIT 1

- **REP. MENAHAN** expressed concern about the success rate and asked if it would be better to move the boot camp facility closer to the prison.
- Mr. Ferriter stated that he felt the unit was more effective away from the prison environment. Even those offenders who do not graduate from the boot camp benefit from it and become better prisoners. One of the reasons for the success of the program is the staff.
- John W. Larson, District Judge, District No. 3, reported that from the perspective of the sentencing judge, the boot camp is a valuable option for non-violent youth or first-time offenders. The educational component is valuable.
- REP. VICK asked Judge Larson if he was aware that a number of the trustees were violent offenders.
- Judge Larson answered that he was unaware, but understood the trustees were there to do some administrative work and help with the counseling. He suggested using successful graduates for trustees. Judge Larson stated that the judges felt the program was successful and referred non-violent and young offenders. He suggested that improvements be implemented.
- Mr. Ferriter said the trainee program is designed for young offenders under the age of 35. As a result of the last legislative session the program was redesigned and some of the trustees assist in some counseling, but their major role is cooking, maintaining facilities, keeping the fires going to heat the facilities, etc.
- Mr. Ferriter discussed the Executive Budget adjustments. He stated that the corrections officers at MSP are looking at an upgrade which will have a significant effect on the budget at the prison. They plan to have an additional four correction officers at Swan River and have requested funding for the upcoming fiscal year. He noted that the key need for Swan River is more staff. The program's success can be attributed to a few over worked state employees. An additional 9 FTE are requested in the budget. The FTE would provide supervision, training, security and a support staff position.

{Tape: 1; Side: A; Approx. Counter: 860; Comments: n/a.}

Mr. Ferriter distributed a report on Average Daily Population for the Institutions. EXHIBIT 2 He said if the department received the additional staff, they would expand the trustee population by five to bring the total to 15. Additional funds are being requested for the aftercare program. The success of a boot camp program is relevant to a solid aftercare program. The department wants to expand the aftercare facility in Great Falls to a 20-bed facility.

{Tape: 1; Side: B; Approx. Counter: 1}

REP. VICK asked if there were violent offenders serving as trustees and what their duties involved.

Mr. Ferriter answered that some trustees do assist in training staff and counseling. The trustees have been effective with the younger offenders because of their life experiences and experience in the criminal justice system. Whether or not using violent offenders or convicted murderers is the best choice, he could not answer.

{Tape: 1; Side: B; Approx. Counter: 132; Comments: n/a.}

SEN. WATERMAN asked about the aftercare component of the boot camp and if it was adequate.

Mr. Ferriter stated that individuals can be placed in the programs longer if the staff and probation officer feel that is necessary.

Mr. Ed Metzler, Drill Instructor, read a letter from a trainee from the boot camp. Mr. Metzler explained that the person was back in prison. About halfway through the program, both the staff and the person decided that the program was not working. The writer expressed regrets for not taking advantage of the program but thanked them for the opportunity and said that he learned a lot while at the boot camp.

Mr. Metzer stated that the location of the camp was ideal because it is isolated. It is an intense program where they are focused all but the seven hours a day when they sleep.

CHAIRMAN FISHER asked Mr. Metzler about his background.

{Tape: 1; Side: B; Approx. Counter: 397; Comments: n/a.}

Mr. Metzler stated that he went into the Marine Corps when he was 17 years old and grew up in Vietnam. He has been working at the camp for six months as a teacher's aide.

Mr. Mike McCarty, Probation and Parole Officer, gave a report on the Intensive Supervision Program. Mr. McCarty has been a parole officer for 23 years. He has been an ISP Officer for 5½ years in Missoula. Mr. McCarty said there are 36 individuals in the intensive supervision program who work closely with the boot camp. He described the program. He said the purpose of the ISP program was to deal with overcrowding at the prison. He discussed how the program worked.

Ron Chander, from Rocky Boy Reservation, testified about the success of the program. He said he participated in all the programs and it made him a better person. Because this program was available, a whole new world opened for him. He learned to

work hard and respect others and was very appreciative of the experience.

Mike Mahoney, Warden at Montana State Prison, testified on behalf of the program. He said they deal with every issue of public safety. The trustee program is designed to provide support systems and support programs such as food service. He pointed out that human services was not an exact science. People move through the system based on their motivation for change, their ability to address inappropriate behavior and the amount of time they have to serve. Utilization of trustees in corrections is an annual process.

{Tape: 2; Side: B; Approx. Counter: 1}

Mr. Mahoney discussed what the department looks for when considering trustee positions.

REP. VICK asked about the use of trustees regarding the public's right to know.

Mr. Mahoney replied that trustees are screened on a daily basis. Staff also make recommendations which result in a double-screening process.

Sue Hannah testified about the trustee selection process. She said the criteria did not allow sex offenders in the program. She described other rules that must be followed for a trustee to be considered for the program.

REP. MENAHAN asked about psychiatric evaluations. He gave an example of a trustee who hated women and would that person be allowed a trustee position. He said he was concerned about safety of female workers. Ms. Hannah replied that those workers had other people around.

Rick Day, Director of Department of Corrections, discussed the evaluation process used to screen trustees. He pointed out that the statutory authority that allowed placement does not restrict people with violent offenses to be placed in the program. He said that violent offenses covered a broad spectrum from assault to homicide with different circumstances for each event. He noted that everyone was always looking for a simple answer and wanted the people that were easier to handle. However, this was a difficult population and many cases have youthful records. Each case must be addressed individually. The trustees undergo a very clear selection process. All of the safety issues are considered by the department. He pointed out that anyone coming into the program had either been ordered to or referred to by a judge. He said that their jobs dealt with court orders and the sentencing section of law.

Mark Racicot, Governor, testified in support of the department. He said they try to teach responsibility for those who enter the

system. He noted that for those who are in charge of the boot camp and the prison they are expected to fix problems. He said those in the criminal justice system are very concerned about the mistakes made in the system. But there are inherent risks in this business. He discussed the people that do these jobs on a daily basis. He noted that corrections in Montana had been going through a very serious evolution. He said it evolves naturally because it deals with human nature. However, every situation cannot be predicted. People are skeptical about the program and the success rate. For example, there are more people that return to the prison than have graduated. However, the success rate is very high for those people who have completed the program. That is the emphasis that is placed on the program.

CHAIRMAN FISHER closed the section on the Swan River Youth Camp.

HEARING ON DEPARTMENT OF CORRECTIONS PRE-RELEASE MANAGEMENT

Doug Barnes, Pre-Release Manager, discussed the programs which are located in Missoula, Butte and Great Falls. Presently, the Department of Corrections and Human Services contracts 27 beds at the Missoula Center and 60 beds each at Butte and Great Falls. There are a total of 251 beds that the department contracts for, 44 for women. He described the Transitional Living Program and the after care program at the Great Falls Pre-Release Center.

The Transition Living Program was designed to be 60 days in length. The program allows pre-release center recommendations for the entire department. The programs allows a person to assume an increased level of responsibility. It also allows the resident to be integrated back into the community. The program is highly structured and is designed to have daily supervision for the residents participating in that program.

{Tape: 3; Side: A; Approx. Counter: 1}

Mr. Barnes described the opportunities for graduates of the program. He said job skills are learned. Time is spent with the personnel at the center and the parole officer in the sentence reduction process.

Michael Thatcher, Director of the Pre-Release Program in Butte, testified about the program. He said it was important to have these centers since the program helps inmates with job skills, obtaining GEDs, and providing help with employment. After incarceration there are discharge and referral procedures. One of the most important things the pre-release center does is assess the requirements for release. The main correction system releases inmates from prison after doing a period of time. The pre-release programs only allow release after the resident demonstrates abilities on job performance, etc. Those that behave irresponsibly are not released. Each case is scrutinized.

Patricia Whitewolf testified in favor of the Pre-Release Program. She said she had been a convicted felon in 1987. She was arrested for mitigated homicide and served 4½ years. She graduated from the Butte Pre-Release Center. She discussed her background. She said the center was very hard, in fact, it was easier back at prison. However, the center helped her with counseling and helped her get a job. She said it was very important to keep the center available since its purpose provides a valuable and effective tool in helping residents back into society.

{Tape: 3; Side: A; Approx. Counter: 582; Comments: n/a.}

Don Heigh, a 1983 graduate of the pre-release Center, testified in support of the program. He discussed the background of this case and how he had spent money that wasn't his. He had spent time in prison for his crime. He had the opportunity to become a resident of the pre-release center. He discussed the skills he learned at the center such as budgeting.

Mr. Heigh said if he had not had the program he would be unequipped to deal with things. The pre-release programs were very worthwhile.

Dick King, Director of the Great Falls Pre-Release Center, discussed the programs available at the center. He said the four pre-release centers in the state were private non-profit entities that contracted with the department. The program provides mentoring for the graduates of the Swan River Youth Camp. The idea of a mentoring program is an excellent idea. It should be used in conjunction with counseling, but not as a replacement of the trustee program.

{Tape: 3; Side: B; Approx. Counter: 1}

Questions for the Committee:

REP. VICK asked about the difficulty of job placement for residents. Mr. King replied that work in Montana right now was more available than in the past. The procedures are essentially the same in all four centers. There is a staff person that actually assists the person in going out and looking for work. The types of job that they might apply for are dishwasher, telephone salesperson up to an assistant to an accountant. A lot of the residents work into construction. He discussed the average day's schedule and what was provided at the center, including treatment programs.

{Tape: 3; Side: B; Approx. Counter: 230; Comments: n/a.}

Budget details were discussed including the number of FTE that are reflected in the budget. The department new proposals for 1996 and 1997 expenditures were explained.

HEARING ON DEPARTMENT OF CORRECTIONS PROBATION AND PAROLE

Mike Ferriter, Chief of the Community Corrections Bureau, discussed the agency's mission. **EXHIBIT 4** He pointed out that the probation and parole agency was always concerned with the Their number one priority was the enhancement of safety of the citizens through quality supervision. They are also concerned with providing opportunities for offenders. He pointed out the attached list of phone numbers where offices are located statewide. The next information on the handout breaks down the regions in each of the communities. All 56 counties are covered through the 21 locations listed on the handout. He noted what the Probation and Parole had been able to accomplish, such as the expansion of the intensive supervision program, training of probation and parole officers at the Montana Law Enforcement Academy, expansion of the bureau's role in the pre-release program, and the hiring of 17 additional probation officers and support staff.

Mr. Ferriter said one of the most significant things was the expansion of the salary of the probation and parole officers which enabled the hiring of better qualified people. He said some of the other factors have been the successful supervision team which was authorized by the legislature last session. They were able to enhance their equipment and training as a result of that, since offenders pay a fee towards this purpose. The bureau has assisted the "live-outs" at the pre-release center. A policy manual has been updated. Education of the public through teleconference has been accomplished. He pointed out the bureau has requested consideration of legislation to control firearm use by convicted felons and a TSI fee which would go to the victims.

Todd Dennison, a probation and parole officer assigned to the Kalispell office, testified in support of the program. EXHIBIT 5 He discussed the central role the probation and parole bureau plays in managing the corrections system.

{Tape: 4; Side: A; Approx. Counter: 1}

Mr. Dennison discussed the policy in handling pre-sentence investigations. He said that recommendations were made as to the offender's future and in the interests of the community. Sentencing alternatives exist for a sentencing disposition: prison, probation, or one of the new diversion programs such as the Pre-Release, the Intensive Supervision Program or the "Boot Camp" at the Swan River Correctional Training Center. The officer must consider community security and the characteristics, circumstances, needs and potentialities of the offender. He pointed out the placement decisions had to take into account the limited resources and diversionary programs available through the Montana correctional system.

Mr. Dennison pointed out that providing quality supervision enhanced safety of Montana Citizens. The programs assist offenders in the development of life skills and help reduce recidivism through the use of management techniques and alternatives to incarceration.

Mr. Ferriter discussed points in the budget regarding FTE, upgrades and funding for the various programs.

{Tape: 4; Side: A; Approx. Counter: 300; Comments: n/a.}

REP. VICK asked who decided the upgrades. Mr. Ferriter replied that the process was the same for all state employees. The position descriptions were upgraded which was forwarded to the state classification bureau. They have a system to analyze the information. He said the officers were a grade 14.

Maggie Corbett, State Probation and Parole Officer in the Helena District Office, discussed the needs to expand the offices. discussed her review of a Montana job posting for a Probation/Parole position. The person selected is expected to have considerable knowledge of counseling and case management techniques, vocational, mental health, chemical dependency and sexual offender programs. Skill in proactive confrontation with clientele when appropriate for successful completion of programming is very important. However, due to the caseload sizes, being proactive is a luxury. Due to the diversity of duties and caseload sizes, quality of supervision efforts have been subordinated to a crisis management level. She pointed out that recent changes in types of individuals supervised have noted greater needs more severe problems and intensified dysfunctions. The problem is the agencies and community resources have She discussed the case plan categories and enforcement lessened. of sentence activities. There is a need for the addition of FTE's for Probation and Parole to enhance the level of protection for Montana's citizens.

{Tape: 4; Side: A; Approx. Counter: 677}

Mike McCarty, a probation officer stationed in Missoula, discussed the program. He said in 1989 he became an Intensive Supervision Officer. The purpose of the intensive supervision was to address the over crowding problem at the Montana State Prison. The program was set up not for rehabilitative purposes but rather as a security surveillance program. He noted that the recidivism rate has been 1/3. He discussed the case load which fluctuated from 36-38 clients. The crimes vary from perjury to murder. He explained there is zero tolerance as far as alcohol, drugs or any crime. He said the program was one of the finest tools they have.

Questions from the Committee:

REP. VICK asked how people were motivated to stay in the program. Mr. McCarty replied this was one way to get out of prison. However the individual had to sincerely want to change in order to stick it out. Rep. Vick asked if this was the judge's decision or did the person have some part in the decision. Mr. McCarty said the judges referred the individuals or they came in as parolees. This is not forced on them.

{Tape: 4; Side: B; Approx. Counter: 1}

REP. VICK asked about addressing the alcohol and drug abuse of the residents. **Mr. McCarty** replied that they were checked a minimum of once a week, breathalizers are used, their houses are searched etc.

Jon Simmons, a 21-year old from Missoula, testified in support of the program. He discussed his criminal background. He said he tried to work the system such as take drugs to try to get away with it. However, it did not work. He got through the boot camp and could not say enough about the program. He trusts and respects the people. They changed his life and he looks up to them like fathers. He now has goals. A spot job turned into a full time job. He has become a successful person because of his experience with the ISP and the program.

Rick Day told the committee that these people who worked in probation and parole did a great job. The case load was an issue regarding a safer society.

HOUSE INSTITUTIONS & CULTURAL EDUCATION SUBCOMMITTEE
February 2, 1995
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ADJOURNMENT

Adjournment: 12:00 noon.

Moymi I Zulini REP. MARJORIE I. FISHER, Chairman

DEB THOMPSON, Recording Secretary

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INSTITUTIONS

Joint Appropriations Subcommittee

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NAME	PRESENT	ABSENT	EXCUSED
Rep. Marj Fisher, Chairman	<i>X</i>		
Rep. Red Menahan			
Rep. Steve Vick	X		
Sen. Larry Tveit, Vice Chairman	X		
Sen. Gary Aklestad	Y	*	
Sen. Mignon Waterman	Χ.		

2.95

EXHIBIT.	/	
DATE	2-2-95	•
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Outline

Name: Michael C. McCarty

Probation/Parole Officer

I Introduction

- A. Name Mike McCarty
- B. Parole Officer 23 years
- C. In Missoula
- D. I.S.P. Officer since 9-89 5 1/2 years

II I.S.P. - Intensive Supervision Program

- A. Started Billings 1987
- B. Started Missoula 1989

III Purpose of I.S.P.

- A. To Deal with overcrowding M.S.P.
- B. Not a rehabilitation program
- C. Clients on I.S.P. would be in prison if program didn't exist
- D. Zero tolerance

IV How I.S.P. Works

- A. 3 Phases 90 days each
- B. Schedules Pass time
- C. Weekly office call
- D. Home visits
- E. U.A.s or breathalyzer
- F. Explain equipment
 - 1. Verifier computer

V How program has worked

- A. Type of client probation/parole D.O.C.
- B. Two-thirds of clients have completed steady over five years
- C. Most violations are alcohol or drug related
- D. Advantage of knowing clients much better than regular Probation Officer

Handout 1

DEPARTMENT OF CORRECTIONS AND HUMAN SERVICES



MARC RACICOT, GOVERNOR

1539 11TH AVENUE

STATE OF MONTANA

(406) 444-3930 FAX: (406) 444-4920 PO BOX 201301 HELENA, MONTANA 59620-1301

THE COURAGE TO CHANGE SWAN RIVER CORRECTIONAL TRAINING CENTER (SRCTC) SUMMARY INFORMATION

The boot camp received the first group of "booters" on July 14, 1993. The current population is 32, 22 booters and 10 trusties. They are scheduled to receive 9 additional booters 1/10/95, which will bring the population to 41. To date there have been 175 Admissions, 17 Re-admissions and 25 Intakes, with the next Intake scheduled for 1-10-95, followed by an Intake on 1/31/95. The average # received at each Intake is 7. So far 78 people have graduated from the program. The status of those graduated is as follows:

- 20 at Great Falls Aftercare Program/Pre-Release
- 54 on Intensive Supervision/Parole, or Probation
- 4 returned to Montana State Prison.

79 total have returned to Montana State Prison:

- 36 Disciplinary
- 15 Voluntary Returns
- 17 Medical
 - 7 Lack of Commitment to the Program
 - 2 Detainers
 - 1 Other
 - 1 AWOL walked away from facility, apprehended within 24 hours.

The Swan River Correctional Training Center was authorized by the 53rd Legislature - SB 323, which established a boot camp incarceration program for convicted adult offenders as an alternative to typical, long-term incarceration.

In order to be eligible for participation an inmate must be serving at least one year for a felony offense other than one punishable by life imprisonment or death; be less than 35 years of age; and pass a physical exam to ensure sufficient health for participation.

The primary mission of SRCTC is to provide a secure, safe, humane environment for those placed in their custody. The 90 to 120-day program is built on a foundation of fitness, discipline, education, treatment and self-growth programs. The program focuses on providing opportunities to build self-esteem, self-discipline and self-reliance; to learn self-confidence which comes from achieving difficult goals; and to develop skills and acquire knowledge which will facilitate successful reintegration into the community.

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Printed:

05-Dec-94

Updated:

05-Dec-94

2-2-95 EXHIBIT 2 DATE 2-2-95

	Male Institu	tional Average Da	ily Population		
	Actual FY 94 ADP	Actual 1st Qtr FY95 ADP	Projected FY 95 ADP	Projected FY 96 ADP	Projected FY 97 ADP
Montana State Prison	1,189	1,255	1,298	1,189	1,189
Regional Jail Facilities	Q.	0	0	0	52
Swan River CTC	29	42	48	50	57
Pre-Release Live-In	190	204	215	340	390
Pre-Release Live-Out	4	15	30	40	40
P&P Intensive Supervision	70	89	110	175	177
	1,482	1,605	1,701	1,794	1,905
Population Last Day of FY:	1,600		1,725	1,829	(1,940)

F	emale Instit	utional Average D	aily Population)	
	Actual FY 94 ADP	Actual 1st Qtr FY95 ADP	Projected FY 95 ADP	Projected FY 96 ADP	Projected FY 97 ADP
Women's Correctional Center	42	44	48	42	42
Regional Jail Facilities	0	0	0	0	4
Swan River CTC	0	0	0	2	4
Pre-Release Live-In	26	31	32	44	44
Pre-Release Live-Out	1	4	6	7	7
P&P Intensive Supervision	7	7	7	15 .	25
	76	86	93	110	126
Population Last Day of FY:	86		95	106	112

	otal Institut	ional Average Dai	ly Population		
	Actual FY 94 ADP	Actual 1st Qtr FY95 ADP	Projected FY 95 ADP	Projected FY 96 ADP	Projected FY 97 ADP
Montana State Prison	1,189	1,255	1,298	1,189	1,189
Women's Correctional Center	42	44	48	42	42
Regional Jail Facilities	0	0	0	0	56
Swan River CTC	29	42	48	52	61
Pre-Release Live-In	216	235	247	384	434
Pre-Release Live-Out	5	18	36	47	47
P&P Intensive Supervision	77	96	117	190	202
	1,558	1,691	1,794	1,904	2,031
Population Last Day of FY:	1,686		1,820	1,935	2,052

Institutional Population includes:

Inmates housed in an Institution

Inmates housed in community Pre-Release Centers

Inmates on day reporting to community Pre-Release Centers

Inmates on Intensive Supervision in Probation & Parole

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EXHIBIT_	
DATE_	7-2-95
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- LEGISLATION DISCUSSION OUTLINE -

1. Introduction:

A - Name , Age , Race , Probation in Missoula.

2. Crime:

- A Types of crimes committed.
- B Crime for which I was placed on probation.
- C Types of sentences placed on.
- 3. Differences in supervision levels:
 - A Probation;
 - 1. One out of 100 clients.
 - 2. Met with probation officer once a month.
 - B I.S.P. 1st time;
 - 1. Met with probation officer once a week.
 - 2. Urine analysis once a week.
 - 3. Random house checks.
 - 4. Attitude and drug problems started in 4 month of I.S.P.
- 4. Swan River Correctional Training Center:
 - A What it was like.
 - B How I felt.
 - C Relationship with staff.
 - D What I got out of it.

5. I.S.P. 2nd time:

- A Difference in attitude before and after boot camp.
- B Honesty with probation officer.
- C Changed view of probation from the enemy to my friend.
- D Realized the opportunities within my freedom.

Hemolon + 4 2-3-95

EXHIBIT 4

DATE 2-2-95

AGENCY MISSION

Montana Adult Probation and Parole integrates the delivery of services with cooperation and support to our clientele, their families, victims, courts, Board of Pardons, other Human Service and Criminal Justice Agencies and the public. These services will be delivered in a respectful and dignified manner.

By integrating the delivery of services, Montana Adult Probation and Parole strives to achieve its Mission by:

- A. Enhancing the safety of the citizens of Montana through quality supervision.
- B. Assisting clientele in dealing with their individual needs.
- C. Assisting clientele in skill development, education and training.
- D. Reducing the rate of incarceration by utilizing prison alternatives, thus reducing the rate of recidivism.
- E. Assisting in the location of appropriate services.
- F. Complying with legal mandates of the courts and Board of Pardons.
- G. Ensuring that all Probation and Parole Bureau employees are viewed as professionals in the field of corrections.

REGION	REGION II	REGION III	REGION IV	REGION Y
MBSOULA	HELENA	==	BALMOS	KALIBPELL
			90 Phil Sanderson (Supervisor)	
	9 Mark Piskolich			
		73 Rick Holzheimer (ISP)		
	25 Lori Moore			
	69 Cathy Murphy			SS Herb Lay (ISP)
	Gina Resmusson (Admin. Assistant)		-	
	1539 11th Avenue #102	5 Judy Relmann		82 Form Oaler
9 Doreen Ellis	Helena, MT 59001		-	Jody Wurtz (Admin. Assistant)
	444-2482 or Hot Line 140-2482			Traingle Bullding
9 Don Learnelster	FAX 444-4920		33 Sieve Dale	575 Sunset Blvd, #208
8 Carol Ritchey		77 Antoinette Peterson	80 Joe McElroy	Kaltapell, MT 59901
acant (Admin. Assistant)	LIVINGSTON	76 Scott Foeter	34 Rob Pasquarello	752-2575 or Hot Line 756-2331
ori Whiteker (Admin. Aide .5 FTE)	12 Kent Lombard	Johanne Celfo (Admin. Assistant)	78 Monte Sheide	FAX 756-5124
27 E Main #303	Park County Courthouse	Diens Kelch (Admin. Alde)	79 Helen Kuchera	
lisacula, MT 59602	Livingston, MT 59047	219 5th St. So., Ste. A	Sue Devis (Admin. Assistant)	POLBON
49-0022 549-7206 549-7309	222-6120 ext. 294	Great Falls, MT 50405		23 Dan Hov
		727-6061, 727-6063 or	201 N 25th St. PO Box 1884	24 Dave Weaver
	BOZEMAN	Hot Lines 771-3110/3120	Billings, MT 59103	Connie Hensen (Admin. Aide)
AMELTON	11 Bernie Driscoli	FAX 761-4633	259-2940 or 248-3611	314 1st St E Ste 205
5 Sally McRae			Hot Lines 657-2136/2146	Polson, MT 59000
Chuck Ha	68 Monty Carrillo	HAVRE	FAX 245-1248	863-4629
	Duthie Hers (Admin Aide)	A James Smith		FAX ART-1788
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ONTAKA STATE PRISON		Havre, MT 58501	Glendive, MT 58330	Joella Fritsch (Admin. Alde:5 FTE)
46-1320 + ext. or	ANACONDA	205-0718	362-706	417 Mineral Ave, Ste 5
of Line 8-996+ext.	28 Dave Robbins			Libby, MT 59923
	26 John "Bobo" Kelly	# OLA SOOW	MALES CITY	283-7730
d Foley (IPPO) 2221	Colleen Jones (Admin. Aide .5 FTE)	36 Bridger Franzen	36 Steriting Silver (P&P II)	FAX 283-0836
on Kelley (IPPO) 2269	122 E Park, PO Box 1482	Shelle Melone (Admin. Aide :5 FTE)	81 John Uden	
	Anaconda, MT 59711	605 2nd Ave. So., Ste. 303	Petty Weshington (Admin. Aide)	BACTC
1 2351	563-2560	Glescow, MT 59230	519 Main #5. PO Box 703	DeAm Cermer (IPPO)
		228-4861	Miles City, MT 56301	PO Box 80
	BUTTE		232-1962 or Hot Line 997-2258	Swen Late MT 50511
	74 Rud Wateh (PAP II)	PHE BY		754.2282
	27 John Biller	4 Arry Jones	ADMEN	FAX 754.3012
		Michaele Fradeshand (Admin Aide & FTF.)	A Last Facts	
	57 Marylana Antonich	Cadar Source Building	Loratta Douas (Admin Akta)	
	Jenny Stechens (Admin Aide)	301 1 St. So.	104 2nd Ave SW	MCHMC TAREASC
	66 W Broadway	Shelby, MT 50474	Sidney, MT 50270	Corrections Objeton State
	Butte, MT 59701	434-5344	462-5061	
	782-1754, 723-4865, 723-8911			Meg Angell 444-4333
	FAX 723-7347		HARDM	•
			31 Cotton Secreet	•
			Thereas Hert (Admin. Aide)	_
			Big Horn County Courthouse	
			Drawer H	Interstate Office
			Hardin, MT 59034	Comile Perrin, Supervisor 444-4916
			966-3636	Sandy Johnson 444 4902



MARC RACICOL GOVERNOR

1539 11TH AVENUE

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PO BOX 201301 HELENA, MONTANA 59620-1301

MEMORANDUM

TO:

RICK DAY

Director

FROM:

MIKE FERRITER, Chief

Community Corrections

RE:

PROBATION AND PAROLE STAFF AND DUTY BREAKDOWN

DATE:

January 4, 1995

All data contained herein is current as of November 30, 1994.

Region 1 (Missoula, Hamilton, MSP Institutional P&P Officers)

- 1 Regional Supervisor
- 1 Probation & Parole Officer II
- 3 Intensive Supervision Officers
- 8 Probation and Parole Officers
- 3 Institutional Probation & Parole Officers (MSP)
- 2 Support Staff

Region I P&P caseload November 30, 1994 - 856

Region I average caseload November 30, 1994 - *102.5

Region I ISP caseload November 30, 1994 - 36 (1 under capacity)

Region II (Helena, Livingston, Bezeman, Anaconda, Butte)

- 1 Regional Supervisor
- 1 Probation & Parole Officer II
- 14 Probation & Parole Officers
- 3.5 Support Staff

"Average does not include IPPO's, POIL or ISP officers.

Region II P&P caseload November 30, 1994 - 1052
Region II average caseload November 30, 1994 - 70.13
Region II does not have an ISP program as of November 30, 1994.

Region III (Great Falls, Havre, Shelby, Glasgow)

- 1 Regional Supervisor
- 1 Probation & Parole Officer II
- 2 Intensive Supervision Officers
- 12 Probation & Parole Officers
- 3 Support Staff

Region III P&P caseload November 30, 1994 - *924
Region III average caseload November 30, 1994 - **77
Intensive Supervision caseload November 30, 1994 - 21 (4 under capacity)

Region IV (Billings, Glendive, Miles City, Sidney, Hardin)

- 1 Regional Supervisor
- 2 Probation & Parole Officer II's
- 3 ISP Officers
- 14 Probation & Parole Officers
- 3.5 Support Staff

Region IV P&P caseload November 30, 1994 - *1202
Region IV average caseload November 30, 1994 - **85.86
ISP caseload November 30, 1994 - 28 (9 under capacity)

Region V (Kalispell, Pelson, Libby)

- 1 Regional Supervisor
- 8 Probation & Parole Officers
- 1 Institutional Probation & Parole Officer (SRCTC)
- 2 Intensive Supervision Officers
- 2 Support Staff

^{*}Figure does not include ISP or PON officers.

[&]quot;"Average does not include ISP or PON officers.

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DATE	2-2-95

Probation & Parole Statistics December 21, 1994 Page 3

Region V P&P caseload November 30, 1994 - *776
Region V average caseload November 30, 1994 - **86.22
ISP caseload November 30, 1994 - 17 (8 under capacity)

Montana Interstate Compact Unit

1 Interstate Compact Supervisor

1 Support Staff

The Montana Interstate Compact Unit performs various duties related to probation and parole clients transferring their supervision to other states, as well as probation and parole clients from other states transferring their supervision to Montana. The Montana Interstate Unit caseload breakdown is:

Montana probationers residing in other states = 730

Montana parolees residing in other states = 126

Montana probationers awaiting transfer to other states = 109

Montana parolees awaiting transfer to other states = 12

Montana parolees included a large = 30

Montana parolees on conditional discharge from supervision = 40

Montana parolees incarcerated in other states = 43

Montana probationers incarcerated in other states = 114

Total P&P Bureau caseload as of Nevember 30, 1984 = 4793 (This number does not include 192 clients on ISP or 45 clients on parele conditional discharge supervised by the Bureau Chief.)

Average statuwide caselead as of November 30, 1984 = 78.88 (This is based on 68 P&P Officers.)

Montana P&P efficers supervise their clients based on six current levels of supervision (conditional discharge, administrative, minimum, medium, meximum and extended). The number of times officers see their client is based on the client's "Risk and Needs Assessment". Clients on conditional discharge from supervision report once per year via mail; clients on administrative supervision report in person once every six months; clients on minimum supervision report in person once every three months; clients on medium supervision report once every month; clients on maximum supervision report in person once every two weeks; and clients on extended supervision report in person weekly. Intensive Supervision is a separate supervision program. The number of times clients are required to report depends on which phase of ISP the client is in.

In addition to supervising clients, P&P Officers performed the following functions between November 30, 1993, and November 30, 1994:

- 1. 1458 Pre-Sentence Investigation Reports. It takes an average of 7 hours and 48 minutes to complete one PSI. P&P Officers spent an approximate total of 11,299.50 hours preparing Pre-Sentence Investigation Reports from November 30, 1993, to November 30, 1994.
- 2. **79 Furlough Investigations.** It takes an average of 2 hours and 12 minutes to perform a Furlough Investigation. P&P Officers spent an approximate total of 169.5 hours performing Furlough Investigations from November 30, 1993, to November 30, 1994.
- 742 Placement Investigations. It takes an average of 2 hours and 12 minutes to perform a
 Placement Investigation. P&P Officers spent an approximate total of 1,558.2 hours performing
 Placement Investigations from November 30, 1993, to November 30, 1994.
- 4. Liaison Functions. An average of 1,536 hours of support was given to four pre-release centers from November 30, 1993, to November 30, 1994.
- 5. Probation and Parole Officers assisted in the collection of \$2,206,569.45 in court fues and fines.
- 6. Probation and Parole Officers assisted in the collection of \$1,008,051.24 in restitution.
- 7. Probation and Parole Officers draws a total of 438,157 miles while carrying out their duties in all 56 Montana counties.
- 8. A total of **902 hearings were held by Bureau Hearing Officers.** The hearings include parole violation hearings (Preliminary Hearings), pre-release Disciplinary Hearings, and Intervention Hearings.

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The following is a breakdown summary of the entire Probation & Parole Bureau:

Probation & Parole Statistics

December 21, 1994 Page 5

P & P Staff Summary		Rogion I Summary		Region II Summary		Reg. III Summary
Regional Supervisors	ιņ	Regional Supervisor		Regional Supervisor		Regional Supervisor
P & P Officers	73	PIP Officers	35	P/P Officers	14	P/P Officers
Interstate Office	7	Support Staff	7	Support Staff	3.5	Support Staff
Support Staff	14.5	Totals	2	Totals	18.5	Totals
. Total Staff	94.5 FTE	•				•
Rogica IV Summary		Region V Summary				
Regional Supervisor	- -	Regional Supervisor				
PIP Officers	8	P/P Officers	1			
Support Staff	3.5	Support Staff	2.5			
Totals	21.5	Tetaks	14.5			

- 12 m ig

MF/SAB

Regional Supervisors 볈

Stephania Bivins Connie Perrin File Meg Angell

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Nemnison (Ex.) Written testimony 2.2.95

1995 LEGISLATURE PRESENTATION

The Probation and Parole Bureau plays a vital, perhaps, central role in managing the Corrections System. Metaphorically speaking, we who work within the Corrections System refer to Probation and Parole as "driving" the

Correctional system.

How Probation and Parole Officers drive the system revolves around our unique position as the only corrections program that has contact with virtually every felony offender and is charged with the responsibility for making a sentencing recommendation or a placement decision for those felony offenders.

Most often, our role in driving the Correctional System begins with the preparation of a Pre-Sentence Investigation. During this process, the Probation and Parole Officer investigates the offender's background, conducts personal interviews, compiles victims' impact information, reviews law enforcement records, and significantly, makes a recommendation to the District Court for a sentencing disposition.

In making this recommendation, the Probation and Parole Officer must make a determination, guided by the Probation and Parole Bureau's Mission Statement, as to the offender's future and to the interests of the community. Sentencing alternatives exist for a sentencing disposition: prison, probation, or

one of the new diversion programs such as Pre-Release, the Intensive Supervision Program, or the "Boot"Camp" at the Swan River Correctional Training Center. The Probation and Parole Officer must be thoroughly familiar with the offender and the sentencing alternatives to determine the most appropriate recommendation.

In instances where the District Court sentences an offender to the Department of Corrections and Human Services, the Probation and Parole Officer becomes responsible for placing the offender in prison or in one of the diversion programs.

When Probation and parole Officers formulate a recommendation for a sentence disposition or make a placement determination, they must take several factors into consideration. They must consider the interests of the community, particularly the interest in community security, and they must consider the victims' need for restitution and case resolution. The Probation and Parole Officer must also consider the characteristics, circumstances, needs, and potentialities of the offender. Finally, recommendations and placement decisions must take into account the finite nature of Montana's Correctional resources; diversionary program availability is sometimes limited.

Driving the system also entails the development and maintenance of a

System. These elements include local judiciary, county attorneys, defense attorneys, local law enforcement, the Board of Pardons, prison officials, pre-release center administrators, local treatment providers, community services representatives, and importantly the individual offender.

During the course of managing caseloads, sometimes Probation and Parole Officers find it necessary to submit Reports of Violation to either the District Court, in the case of probationers, or to the Board of Pardons in the case of parolees. In a Report of Violation, when the jurisdictional authority finds for probation or parole revocation, Probation and Parole Officers again "drive" the Correctional System in that such reports contain a dispositional recommendation. In the case of probationers, the Probation and Parole Officer can recommend a disposition from the full array of sentencing alternatives and much is the same with a parole revocation.

Perhaps the most essential way in which Probation and Parole Officers "drive the system," is through case management and techniques designed to keep recidivism at the lowest rate possible. The central governing concept in case management is the proposition that quality supervision that assists offenders in meeting their needs, developing skills, improving training, or gaining an education, enhances community security and lowers recidivism.

Some of the supervisory techniques employed by Probation and Parole Officers are: counseling, collateral contacts, home visits, urinalysis, monitoring the collection of fines, fees and restitution, community service referral, liaison with treatment providers, and brief, punitive, incarcerations for minor, technical violations of probationary or parole conditions and rules.

Another useful tool in case management is the Intervention Hearing. This hearing is held in lieu of a formal revocation hearing for both probationers and parolees. When an offender is not complying with the terms of their supervision, an Officer consults with their Regional Supervisor. The Regional Supervisor can determine that an Intervention Hearing is appropriate. In this hearing, the Regional Supervisor, Supervising Officer and the offender develop a strategy - that often involves the use of sanctions - for compliance with the terms of supervision. Other hearings that personnel from the Probation and Parole Bureau use are: Disciplinary Hearings at Pre-Release Centers, On-Site (preliminary) Hearing for parolees, Supervised Release Violation Hearings, and ten-day Furlough Violation Hearings.

To adequately train Probation and Parole Officers to assume their role as "Drivers of the System," the Department maintains various training programs. The cornerstone of the training program is the Probation and

Parole Officer's Basic Course, held at the Montana Law Enforcement
Academy in Bozeman. Other programs are the Firearms Instruction Course,
and Regional programs such as Chemical Aerosol Spray Employment training.
Some professional development opportunities are also available to Probation
and Parole Officers, opportunities such as attending the national American
Probation and Parole Association's Annual Training Institute. Often, these
opportunities are financed through money generated by the offenders'
payment of Supervision Fees. Probation and Parole Officers are organized
into Local number 4464 Montana Federation of State Employees, AFL-CIO.

Through enhancing the safety of the citizens of Montana by providing quality supervision, assisting offenders in the development of the necessary life skills and in meeting their multifaceted needs, by reducing recidivism and the rate of incarceration through the use of case management techniques and alternatives to incarceration, and by complying with the legal mandates of the District Courts and the Board of Pardons, the Probation and Parole Bureau drives the Correctional System. This is a demanding task that requires the highest dedication and professionalism of those who are empowered to meet this task.

EXHIBIT_5	
DATE 2-2-95	•

RE: Legislative Presentation

FROM: Maggi Corbett - State Probation/Parole Officer Helena District Office

Madame Chair and Members of the Committee. My name is Maggi Corbett and I am a State Probation and Parole Officer assigned to the Helena District Office. My experience spans fifteen (15) years in the field of Human Services all through employment with the State of Montana. I earned a degree in Social Work/Psychology from Carroll College in 1980 and have been fortunate to have a variety of experience in those fields in addition to my nine (9) years work in Corrections.

In preparing for this testimony, I reviewed numerous documents including a recent State of Montana job posting for a Probation/Parole position. As stated in that job description, part of the qualifications for a P & P Officer expects that an individual would possess "considerable knowledge of counselling and case management techniques; vocational, mental health, chemical dependency, and sexual offender programs...skill in PROACTIVE confrontation with clientele when appropriate for successful completion of programming and/or adherence to special conditions of supervision." In my opinion the keynote word here is PROACTIVE yet, due to caseload sizes, being proactive is occasionally a luxury rather than the norm. Due to the diversity of duties as described previously by Officer Dennison and current caseload sizes, quality of supervision efforts have been subordinated to a crisis management level making us a reactive force rather than the ongoing proactive entity for which we strive.

Speaking from my own experience with a caseload which averages ninety (90) supervisees, I would offer the following. Given a one hundred and sixty (160) hour work month, I would have less than two (2) hours each month to attend to an individual supervisee...and that is if everything is going well!!! This may appear to be a simple and manageable math problem but as you might surmise, individuals placed under our supervision are NOT simple people.

The complexity of the needs of individuals placed on supervision is endless. Statistically, Chemical Dependency problems affect approximately 90% of our caseloads; Mental Health issues affect another 50%; and, at present, over 15% have a documented Sexual Offense in their criminal history.

Rarely does a supervisee come to the Probation and Parole system without a myriad number of problems and baggage. Although the Court Order or terms of supervised release are the guiding force in case planning, each supervisee is deserving of the maximum guidance and intervention strategies available to him through supervision. In the past fourteen (14) years at least in this Officer's eyes, we have seen a change in the types of individuals we supervise. Their needs are greater, their problems are more severe, their dysfunctions are intensified and, the agencies and community resources have lessened. Because of all these factors, the P & P Officer is required to be more than

simply a broker of services because often the services don't exist. Oftentimes I find myself due to my Social Work background spending far more than the allowable 1.76 hours per month with a variety of supervisees. I have personally done relationship counselling, divorce and separation counselling, grief counselling along with addressing blended or step family issues not to mention how much time is spent addressing the problems associated with reintegration back into society or just living in general.

In an attempt to individualize supervision to provide for the maximum level of protection of society, one of the tools used is that of an initial risk assessment. This is an objective tool that determines the level of supervision on which an individual is placed ie. extended supervision mandates weekly contact; maximum mandates twice per month, medium is one contact per month, minimum is once every three months and administrative requires a personal contact every six months. Meeting the mandated level of supervision contacts often results in an Officer working a 50+ hour week. In speaking for my own partners at the Helena Office, I know there are many evening and weekend hours spent in meeting all the expectations of the job. For instance, just because John Q. Parolee (or Probationer) relapsed, drove drunk, robbed his ex-wife's house to by drugs and took up all of Tuesday and most of Wednesday, does not alter the deadline on the PSI due the next week. In addition, John Parolee still needs a complete investigation of his actions by his PO, a written Parole Violation report, formal service of all appropriate paperwork usually at the jail not to mention the lengthy on-site hearing that must be held within a reasonable time. Think of how often ninety (90) people can require more than their 1.76 hours per month!!!

The ideal goal of the Department of Corrections and Human Services is to allow each Probation and Parole Officer to have a manageable caseload of fifty (50) supervisees. With that number an Officer could through enhanced supervision techniques provide for the maximum level of protection of society. Specialized case planning would promote a goal-oriented system of supervision that would result in specific results. Special conditions of supervision and behavioral problems of offenders would be identified and specific actions by P & P Officers would systematically be undertaken to address them.

If we are to agree that the primary objectives of supervision are to enforce compliance with the conditions of release; to minimize risk to the public and to reintegrate the offender into a law-abiding lifestyle, then we also must agree that maximum effectiveness in casework is hampered by the currently overlarge caseloads.

Broken down into three main categories, Case Plans should include:

l) Enforcement of the Court Order/Sentence Execution - supervision activities intended to ensure that offenders remain in compliance with all conditions established by the Courts and/or Board of Pardons ie. fines, restitution, community service (house arrest or jail time if mandated), MH and CD, etc.;

EXHIBIT.	5
DATE	2-2-95
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2) Risk Control Supervision - supervision activities intended to detect and deter criminal behavior ie. housing/home visits, family contacts, weapons checks, regular record checks, contact with employers, schools, etc., searches, monitored UA's if not in treatment, and;

3) Correctional Treatment for Chemical Dependency, MH issues or specifically Sex Offender Treatment - consistent contact with collateral agencies, treatment providers (CD, AA, NA, GA, sponsors), UA's with treatment which must be consistent and with protocol for how many, how often and what type (scheduled or random).

The above exemplifies a consistently PROACTIVE approach to providing the utmost protection of society through maximized risk protection supervision. The majority of contact with the offender and collateral contacts is done outside the office setting. This external utilization of supervision techniques allows the Officer to enhance the level of knowledge concerning each supervisee. In general terms, by being able to do the necessary home visits, family and collateral contacts we are truly able to know who we are supervising. With the currently mandated caseload sizes, we occasionally end up with an inherently less than quality supervision product. Through enhanced supervision with smaller caseloads, an Officer is allowed the ability to provide the utmost of risk protection to society. Through insightful and specific case planning, an Officer is able to maintain not only an awareness of an offender's status but most importantly, his conduct in the community.

The Department of Corrections and Human Services has seen the importance of quality supervision in having a vision of manageable caseload sizes averaging fifty (50) supervisees. By facilitating the addition of FTE's for Probation and Parole, you are sharing in that commitment to excellence and enhancing the level of protection that should be provided to the citizens of Montana.

HOUSE OF REPRESENTATIVES VISITORS REGISTER

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Maggi Corbert	Probation Parole	All Cure Muss	
Todd Denison	Pribarin / Parole	CWN-PUNG.	
Cathy Musphy	Probation Parole		
Candya Genbaun	1 1/50	Boot CAMP	
Anita Lauren	MSP-(Int Manager)		
Bell POHJOLA	10		
Pan Kelley	Parole Officer		
Bill PERRY.	MT. STATE PRISON	4	
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