

MINUTES

**MONTANA HOUSE OF REPRESENTATIVES
54th LEGISLATURE - REGULAR SESSION**

**JOINT SUBCOMMITTEE ON HUMAN SERVICES & AGING
AND
JOINT SUBCOMMITTEE ON INSTITUTIONS & CULTURAL EDUCATION**

Call to Order: By **CHAIRMAN JOHN COBB**, on January 23, 1995 at
8:00 a.m.

ROLL CALL

Human Services & Aging Joint Subcommittee

Members Present:

Rep. John Cobb, Chairman (R)
Sen. Charles "Chuck" Swysgood, Vice Chairman (R)
Rep. Beverly Barnhart (D)
Rep. Betty Lou Kasten (R)
Sen. John "J.D." Lynch (D)

Members Excused: None.

Members Absent: Sen. James "Jim" Burnett

Staff Present: Lois Steinbeck, Legislative Fiscal Analyst
Doug Schmitz, Office of Budget & Program Planning
Ann Boden, Committee Secretary

Institutions and Cultural Education Joint Subcommittee

Members Present:

Rep. Marjorie Fisher, Chairman (R)
Sen. Larry Tveit (R)
Rep. William "Red" Menahan (D)
Sen. Gary Aklestad (R)
Rep. Steve Vick (R)
Sen. Mignon Waterman (D)

Members Excused: None.

Members Absent: None.

Staff Present: Lisa Smith, Legislative Fiscal Analyst
Mary LaFond, Office of Budget & Program Planning

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

Committee Business Summary:

Hearing: Department of Family Services
Executive Action: None

HEARING ON DEPARTMENT OF FAMILY SERVICES

Tape No. 1:A

Proponents' Testimony:

Hank Hudson, Director, Department of Family Services, presented an overview of a new program called the Montana Youth Alternative Program for troubled youth in Montana. He said the program will not be implemented until it has been presented to the legislature. The guidelines that were developed for the program gave the department a knowledgeable background of the children they would be serving, i.e., the types of crimes, how many times, serious and dangerous. Programs and plans for the communities were developed to provide a secure setting for the children without having to send them to Pine Hills School or the Mountain View Home. He said the young people that need to be removed from their community temporarily need an experience that is more intense and demanding than what can be provided in a corrections community setting. There is a greater demand for certain types of services than what is currently being provided at the schools. He expressed his concern at reaching more kids and giving them an opportunity they wouldn't otherwise have. He would like to see the kids stay in this program longer than the 90 day program currently at Mountain View School. The new project is a combination of programs from the private sector and youth corrections programs and involved youth correction officials, judges, and probation officers who worked with the department staff to develop this project. The project will be operated with the same number of dollars and resources that was used at the Mountain View School.

Al Davis, Administrator of the Juvenile Division, Department of Family Services, gave an overview of his division and the staff's teamwork on a number of programs they have developed for the Alternative Youth of Montana. He said that education is a high priority in this program, and he would place Pine Hills School and the Mountain View School against any other like schools in the nation. He said less than 10% of the kids that go to these two schools historically return to their home community and complete high school. He spoke of support for the staff people stating the Alternative school will require 53 staff members to meet the demand of the required four levels: the state program; the wilderness program; the transition program; and the aftercare program. Mr. Davis urged the staff of the Mountain View Home to apply for the positions that will be available at the Youth Alternative School. EXHIBIT 1

Tape 2:A

Questions from the Committee Members: REP. BEVERLY BARNHART asked Mr. Tim Marshall, Program Director for Alternative Youth Program, if the staff will be from and trained here in Montana. Mr. Marshall replied it is his intention to make this exclusively a Montana program for Montana youth and use Montana staff. He

would like to have the 4 or 5 people he has been working with the last four to five years from out-of-state that are experts in certain areas to help train and offer support for the staff. The staff to student ratio will be 1:3.

SEN. MINGON WATERMAN stated her support for the Montana Youth Alternatives Program. When a boy commits a crime he goes to Pine Hills, and when a girl commits a crime she goes to Mountain View. With the Alternative Program in place throughout the state the kids will be placed where they will receive the best services to meet their needs.

CHAIRMAN JOHN COBB asked **Mr. Marshall** if there is a 60 day follow-up program to monitor the kids. **Mr. Marshall** said the 60 days following level four will be a planned services program. He said individuals will be able to continue on with some of the services after the planned services program. There is a \$40 charge per day during the transitional, but the kids will be able to continue their involvement in the programs and services after their transitional is finished. **CHAIRMAN COBB** asked **Mr. Marshall** if this contract will demand more funds in the future or is it a two year contract or how long will he (Mr. Marshall) be involved. **Mr. Marshall** said he is negotiating a three year contract with a renewal for every year thereafter depending how the program works.

Public Testimony:

REP. ED GRADY, HD 55, gave an overview of the Mountain View Girls Home vs. the Alternative Youth Program. He didn't feel the program will help address the academic needs and skill problems that most of the girls have. He said the program will be more selective and there will be a larger number of girls that will not receive the help they need. He urged the joint subcommittees to revisit this issue and address the real problems.

Bill Christianson, Counselor at Helena High School and former principal for seven years at the Mountain View Girls Home, stated his opposition of privatization, because it ends up costing the state more money. He urged that the Mountain View School not be closed.

Tape 2:B

Mr. Christianson said it is his observation that the girls cannot be placed out into the community without close supervision. He said there are no real statistics on the number of kids that are placed back into the community and continue with their education. He said the Department of Family Services should track the kids at the Mountain View Home from probation, aftercare, group homes, and the community based programs and place more money into the girls home where it is needed. He urged the joint subcommittees to restore the Mountain View Home to its full teaching capacity, full time education, and build a strong recreation program for the kids.

Lauren Johnston, Wilderness Treatment Center, stated her opposition of the Alternative Youth Program. She did not review any RFPs nor was she requested to participate in the planning process.

Joan Miller, Math teacher at Mountain View School, said the staff at Mountain View are entrusted with the guardianship of the children in the state of Montana. She said it is the obligation and responsibility of the staff to do what is in the best interest of the girls at Mountain View. She stated her support for any of the changes at Mountain View to increase the educational requirements, increase working with the parents, and increase working towards the transition phase from the school to the community. **Ms. Miller** said she cannot support a program that does not include or stress education as its strong component. **Ms. Miller** said the school year of 1989-1990 they served 144 girls, in 1990 - 1991 they served 165, and in 1991 - 1992 they served 139. In 1992, the school became co-ed and the number of girls have dropped considerable to only 13 this year.

Rosemary Hertel, teacher at Mountain View Home, reiterated the above concerns and urged the joint subcommittees to fully support the operation of the Mountain View Home.

Toni Gies, Family and Consumer Sciences teacher at Mountain View School, distributed and read from her written testimony. She said in her review of the new program that is before the joint subcommittees that the criteria for admittance to the wilderness program eliminates many students the school now serves. She urged the members to support the Mountain View School. **EXHIBIT 2**

Tape 2:B:625

Dr. Tom Carlin, Chairperson of the Committee for the Emotionally Disturbed Child, said the committee is concerned regarding some components of the Alternative Youth Program, but overall they support the program. He said the committee would like to see a strong education phase to better prepare the children for the community.

Robert Arbogast, teacher at Mountain View School, said if the state loses this school the education for the children will be forfeited. He urged the joint subcommittees to support the full operation and management of the Mountain View School.

Tape 3:A

Jeff Burnbound, Executive Director, Missoula Youth Homes, opposed the Alternative Youth Program and urged the members to continue their support for the Mountain View Home.

Steve Nelson, Executive Director of the Montana Conservation Corp, gave an overview of the young people at the corp who work on meaningful projects with quality supervision. He said the

corp serves young people between the ages of 17 and 25, and teaches these youth the skills and basics of everyday life.

Honorable Judge John W. Larson, 4th Judicial District of Missoula, said he had the opportunity to go out into the field and visit with some of the kids involved in the Alternative Program and was impressed by the changes that were apparent in the children by the opportunities they had for education. As a judge he is not given many options where to place the juvenile, because the juvenile justice system in Montana is essentially broke. The judges need the opportunities to impress upon the youth that there are things to do and places to go.

Tape 3:A:555

SEN. WATERMAN commented about the options presented by the Department of Family Services wanting to expand community programs, expand the MRM program, change the focus of Pine Hills to serve the youth longer, and implement the Alternative Program at Mountain View. She said there was a large number of suggestions from the staff of Mountain View to restore the original program at Mountain View which was downsized to expand the community based services, and asked **Judge Larson** if given these choices what advice could he give to the members. **Judge Larson** said he is frustrated by the lack of options through the judicial system in Montana. He said the judges in Montana need options and need the information to know these programs are available. He said by giving the judges more community opportunities will take out some of the bureaucratic problems the system has. He also suggested there be a program for sex offenders in Montana.

Tape 3:B

Bill Robbins, Mountain View Special Education Teacher, said he has concerns about the reorganization of the school because of the criteria for special education youth. He has taught students that are hearing impaired, and have low I.Q. are not being accepted into the new program. He asked how will this new program accommodate the needs of these special education students. He questioned if the new program will conform to the Individual Disabilities Education Act with a guarantee for a free and appropriate education. **Mr. Robbins** stated he has concerns about the proposed wilderness program and felt it is indescriptive for individual placement. He said that Mountain View School needs to be reorganized and staffed with more social workers. He said "we need to look into the future for Montana is growing, and with this growth comes progress and more youth gaining admittance into Montana schools. Where will we place our youth when their numbers grow, and if we close our doors to them now in two or three years we will need a facility just like Mountain View School."

Candy Wimmer, Montana Board of Crime Control, and staffs the Youth Justice Council, said the council is an 18 member board of individuals who represent the entire juvenile justice sphere in

Montana. **Ms. Wimmer** said the council has been involved in all of the discussion and deliberation that influenced the decision to incorporate the Montana Alternative Program at the campus of Mountain View. She said this program provides an opportunity for the youth of Montana and urged the joint subcommittees to look favorably on this program.

Dick Boutalier, Chief Probation Officer, 8th Judicial District for Cascade County, said he approves of this program because it will give him the opportunity to intervene sooner with the youth through the courts and probation.

Andree Larose, Staff Attorney for the Montana Advocacy Program (MAP), said the Youth Alternative Program is an important component for the judicial system and MAP is excited for this type of activity. She said that MAP is concerned about the emotionally disturbed youth that are currently under identified, misdiagnosed and placed in the correction systems and not receiving the proper treatment they need. She said MAP is concerned about the blanket exclusion for mental disabilities and discrimination of weight requirement, and hoped the program will accept the youth on their individual needs.

Cliff Stockton, SW Adolescence Center, Helena, said he was disappointed that he was not involved in the development and planning of the program, but he did like the Aspen proposal that the Youth Alternative Program is based on.

Questions from the Committee Members:

SEN. CHUCK SWYSGOOD asked **Mr. Hudson** if this program can be implemented under the current Mountain View Structure. **Mr. Hudson** said that Mountain View school is not the only program that has changed by offering a different type of education and work experience.

Tape 4:A

CHAIRMAN COBB asked **Mr. Hudson** if the law enforcement academy is placed at the Mountain View Campus, will it harm phase three of the program. **Mr. Hudson** replied no, that it would enhance it.

Announcement: The subcommittee members were informed there will be an MRM overview in Room 108 at 7:30 p.m. this evening.

ADJOURNMENT

Adjournment: 11:55 a.m.

Cobb

REP. JOHN COBB, Chairman

Marjorie Fisher

REP. MARJORIE FISHER, Chairman

P. Barnevan

for _____
CLAUDIA JOHNSON, Recording Secretary

JC/cj

* These minutes were recorded 4 months after
the meeting. I do not sign as to their accuracy

INSTITUTIONS

Joint Appropriations Subcommittee

ROLL CALL

DATE 1-23-95

NAME	PRESENT	ABSENT	EXCUSED
Rep. Marj Fisher, Chairman	X		
Rep. Red Menahan	X		
Rep. Steve Vick	X		
Sen. Larry Tveit, Vice Chairman	X		
Sen. Gary Aklestad	X		
Sen. Mignon Waterman	X		

Mary LAFOND - OBPP
LISA SMITH - LFA

HUMAN SERVICES & AGING

ROLL CALL ~~XXXXXXXXXX~~

Joint Appropriations Subcommittee

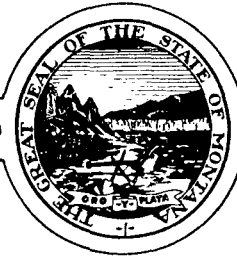
DATE 1-23-95 BILL NO. _____ NUMBER _____

~~REASON:~~ _____

NAME	AYE	NO
Rep. John Cobb, Chairman	X	
Rep. Beverly Barnhart	X	
Rep. Betty Lou Kasten	X	
Sen. Chuck Swysgood, Vice Chairman	X	
Sen. J.D. Lynch	X	
Sen. Jim Burnett		✓

Lois - Doug

DEPARTMENT OF FAMILY SERVICES



MARC RACICOT, GOVERNOR

(406) 444-5900
FAX (406) 444-5956

STATE OF MONTANA

HANK HUDSON, DIRECTOR

PO BOX 8005
HELENA, MONTANA 59604-8005

TO: Human Services Appropriations Subcommittee
FR: Al Davis, Administrator *Al Davis*
Juvenile Corrections Division
RE: Concept Support Information

Date: January 22, 1995

DO ALTERNATIVE PROGRAMS UTILIZING OUTDOOR EXPERIENCE WORK?

Programs similar to the Montana Youth Alternatives program offer adjudicated youth the opportunity to change behavior patterns. They do this through a combination of rigorous outdoor work, counseling, recreation and educational activities. These programs affect many areas in the lives of youth including school participation, drug use, interaction with family and peers, appropriate use of free time and, of course, involvement with the juvenile justice system.

There are a number of evaluations which demonstrate the effectiveness of alternative programs by tracking recidivism measures. Recidivism may be defined as subsequent arrests, adjudications, and placements in programs that are equally or more restrictive. Using these definitions, the following conclusions have been made:

- Evaluators have calculated recidivism rates for programs as low as 5%. That is, 95% of the program's graduates were not placed in programs of equal or more restrictive nature in the year following release. (Ekerd 1993-94 Annual Descriptive Summary)
- A program based in Texas found that 85% of graduates did not recidivate during the initial six months after release. (Clagett 1989)
- Another wilderness program based in Illinois found the program had positive

effects on subsequent arrests and adjudications and in reducing the seriousness of subsequent offenses. (Castellona and Soderstrom 1992)

- Finally, a program drawing its population from San Diego compared the recidivism rates of its youth with the rates for a similar group of committed juveniles. The evaluators found that the program graduates were 15% less likely to be arrested than those youth committed to a traditional secure-care training school during the first year of release. This result was in spite of the slightly more serious prior records of the wilderness program graduates. (Greenwood, 1988)

Alternative programs similar to the proposed Montana Alternatives Program have been shown to positively impact many other important factors promoting pro-social behavior.

- The ASPEN program has shown positive effects in the areas of school participation, staying off drugs, using free time appropriately, and not becoming involved with the juvenile justice system. Other programs have been tied explicitly to reduced disciplinary actions in school and increased grade point averages. (Maizell 1989 and Callahan 1990)
- Reductions in school truancy and dropout rates and increases in part-time and full-time employment have been documented. (Eckerd 1993-94 Annual Descriptive Summary)

Alternative program graduates have shown the permanence of the program experience by using many of these pro-social behaviors in their home environments: for example:

- Better conflict resolution and communication;
- Increased problem solving skills; and
- resistance to negative peer pressure. (ASPEN AND Eckerd)

Finally, alternative programs using a wilderness component have traditionally been evaluated based on improving youth's self-esteem and other cognitive and behavioral functioning which has been linked to reduced recidivism. (Culver 1993) These traditional evaluations have concluded that these programs do indeed have positive effects on youth attitudes and behavior. (Fried 1994)

January 23, 1995

Testimony of Toni Gies,
Family and Consumer Sciences Teacher
Mountain View School
449-8023

My name is Toni Gies and I am the current Family and Consumer Sciences teacher at Mountain View School. I teach Life Skills. I have also taught the traditional Home Economics classes and have taught Art half days. Before moving to Helena, I taught in Billings, where I also ran a large camp near Red Lodge. I have been in Education for many years and previously served as a school board member and PTA president. I am a graduate of the University of Montana, holding a Bachelor of Fine Arts in Art with a Home Economics minor.

One concern we have with the proposed program is that it will replace an educational component that has always been successful and has a long history. Weekly we receive requests for transcripts and we often hear from former students telling us of their successes since leaving Mountain View School. They always relate this directly to the help they received from our school program with the support of other campus staff members. The Legislative Auditor's report for 1993 states that "Classroom Activity Plays A Significant Role In Youth Stays" at Mountain View School. Since Montana youths are required to attend school until age 16, it makes sense to continue with the program at Mountain View School.

Senate Bill 61, 1993 requires Mountain View to maintain an accredited school. The current proposal does not meet this legislative mandate by any standard. The Aspen Program cannot fulfill this mandate in any way due to the specialized nature of the program.

In the 8 years I have been at MVS we have continually searched for a reward or an advancement component to our education program; a sort of plus or bonus, a reason to succeed. A wilderness experience or a vision quest concept could become a reward for those who show outstanding effort in the Mountain View School program.

In reviewing this new program the teachers are aware that the criteria for admittance to the wilderness program eliminates many students we now serve. Almost fifty per cent or more of our students have severe chemical dependency problems and withdrawal. They are overweight, anorexic/bulimic, products of poor nutritional environments and in poor physical condition. Thirty-five percent receive special education, many self mutilate, use psychotropic medication and/or suffer from trauma of a serious sort. The selection criteria used by the Aspen Corporation seem arbitrary and discriminatory. (see attached) Children who are troubled and adjudicated deserve a safe place to be treated, evaluated and given the very best individualized program possible. In my experience at Mountain View, we have traditionally accepted adjudicated students regardless of their physical or mental limitations.

Change for change's sake will not improve our system. If Montana is going to remain "The Last Best Place" it will be because we will not look for shortcut solutions or fast fixes for our youth problems. Let's emphasize a strong educational program. This is the best investment that the State of Montana can make towards the rehabilitation of youth. I am proud of what I do at Mountain View School.

Admissions Criteria:

The following criteria are guidelines for admission to the M.V.O.P. whether the youth is reviewed by a Placement Committee or adjudicated a Serious Juvenile Offender. Each referral will be reviewed by the Program Admission Coordinator for appropriateness.* Risk Classification and SJS testing should be accomplished prior to referral to assist in the referral process.

1. Must be declared a delinquent youth with a Risk Classification of at least eight and up to twelve points. Youth scoring above twelve will be considered on a case by case basis.
2. Male or female between the ages of 14 and 18.
3. Youth with sex offenses will be closely reviewed on a case by case basis.
4. Little or no history of assault.
5. No signs of extreme emotional disturbances such as psychosis or extreme delusional thinking. May have some symptoms of psychological/emotional issues. Seriously Mentally Ill youth will not be admitted.
6. Must be in good physical condition. Must not have a history of the following disorders or symptoms:
 - a. Underweight (less than 100 lbs total body weight).
 - b. Overweight (not more than 50 lbs over ideal body weight/height index)
 - c. Eating disorders.
 - d. Physical disability that may place the individual in harm unsafe conditions during strenuous program activities .
 - e. Diabetes or extreme hypoglycemia.
 - f. Epilepsy, severe sensory or motor impairment.
 - g. Renal disease.
 - h. Extreme heart conditions or high blood pressure.
 - i. Extreme asthma without medical clearance.
7. Suicidal and/or self mutilation tendencies reviewed case by case.
8. Severe detoxication symptomatology.
9. Females cannot be pregnant.
10. Average to low average intelligence. (Secondary school level.)
11. Youth on psychotropic medications case by case basis.
12. May have a history of chemical abuse or be chemically dependent but cannot have signs of gross neurological damage, impairment, or trauma or active use.

HOUSE OF REPRESENTATIVES
VISITORS REGISTER

Human Services & Aging - SUB-COMMITTEE

DATE 1-23-95

BILL NO. _____ SPONSOR(S) _____

8:00 A.M.

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NAME AND ADDRESS	REPRESENTING	Support	Oppose
<i>Mary Wise Cook</i>	<i>advocates for MT's Children</i>		
<i>Janice Scudder</i>	<i>Advocate</i>	✓	
<i>Benny Rice</i>	<i>Dept Family Services MHA</i>		
<i>John Cartier</i>	<i>MTSU - Board of Trustees</i>		
<i>Sharon Day</i>	<i>MT Cath. Cong.</i>		
<i>David Hemion</i>	<i>MT Assoc. of Churches</i>		
<i>Gene Johnston</i>	<i>wilderness center</i>		✓
<i>Bill Robbins</i>	<i>MUS Education</i>		✓
<i>Toni Gies</i>	" "		✓
<i>Joan Miller</i>	" "		
<i>Bill Steakton</i>	<i>Southwest Admitted</i>		?
<i>Jani McCall</i>	<i>Youth Dynamics</i>		
<i>Rosemary Hertel</i>	---		

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

HR:1993

wp:vissbcom.man

CS-14

HOUSE OF REPRESENTATIVES
VISITORS REGISTER

Human Services & Aging - SUB-COMMITTEE

DATE 1-23-95
8:00 am

BILL NO. _____ SPONSOR(S) _____

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NAME AND ADDRESS	REPRESENTING	Support	Oppos
<i>Candy Wynn</i>	<i>MBC</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Barbara Fuller</i>	<i>Walden ^{Center} Treatment</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>Ed Fuller</i>	<i>" "</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>Mary McCue</i>	<i>Met. Clinical Mental, Youth Community Center</i>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Geoff Birnbaum</i>	<i>MISSOURI HOPE HOMES MT ASSOC. OF HOMES & SRVS</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>Paul Boutcher</i>	<i>8th & Woodlawn District</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>W. M. M.</i>	<i>M.S. - Tucker</i>	<input type="checkbox"/>	<input type="checkbox"/>
<i>John W. Larson</i>	<i>District Judge</i>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Janice Lantz</i>	<i>Montana Advocacy Program</i>	<input type="checkbox"/>	<input type="checkbox"/>

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