

# MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

2016

2001 SENATE APPROPRIATIONS

SB 2016

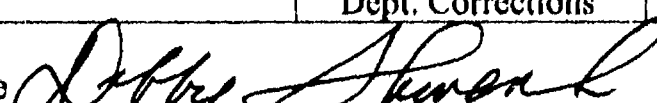
2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 2016

Senate Appropriations Committee

Conference Committee

Hearing Date January 16,2001

Tape Number	Side A	Side B	Meter #
1	Dept Corrections		0.0-53.0
1		Dept. Corrections	0.0-50.5
2	Dept Corrections		0.0-54.4
2		Dept. Corrections	0.0-26.0
Committee Clerk Signature 			

Minutes:

Senator Nething opened hearing for Department of Corrections.

Elaine Little, Director of Corrections and Rehabilitation (DOCR), introduced members of her staff present for the hearing and in support of this bill. The increase to the budget is due to a population increase of inmates and offenders (charts attached). Major increase is due to more arrival of inmates than releases where in the past this was averaged out. The count of inmates as of 12/21/00 is 1,076. She explained the sentence lengths and reasons over years (chart attached). There is an increase in violent offenders and sex offenders has stayed same. Drug and DUI offenders has increased. Sentences violent crimes 10 years, sex offenders 11 years and drug offenders 5 years. Explaining graph (attached) showing inmate arrivals, release and net gain/losses; the crime types, with drug offenses increasing; parole reviews, granting fewer releases down 19% with probation population increasing to 100%. There are 3,265 paroled at this time.

Page 2

Senate Appropriations Committee

Bill/Resolution Number 2016

Hearing Date January 16, 2001

Senator Robinson: Looking at graph and percent paroled; does the reduction attribute to mixed crimes/sentencing to change population?

Elaine Little: Part of it; the Parole Board is more conservative, we have tougher inmates.

Senator Tomac: Can you provide a gender balance; is it constant where it is at?

Elaine Little: Female is constant at 60 to 70 last five years; had fewer previous years.

Senator Holmberg: What is your idea of the rationale rate compared past years?

Elaine Little: There were two primary groups years back; today it has changed with 19% native American, Hispanic 10% and black 5%.

Senator Holmberg: With population of the state; native American higher?

Elaine Little: No.

Senator Andrist: Have you experienced with electronic monitoring instead of incarceration?

Elaine Little: We have pulled back using them; they are not fool proof; with the ankle bracelet, violations can still be committed; not very effective in ND.

Senator Nething: Is the population of ND too small for these electric systems?

Elaine Little: Yes, they are more effective in the larger states.

Senator Robinson: Are your projections that inmate count will continue to rise?

Elaine Little: Projections are a 7% increase per year with inmates; the new biennium we are projecting a 10-15% increase which we were hoping would be more stable.

Senator Robinson: How many beds are outside the prison are those projections?

Elaine Little: We have placed 130 outside, 50 jails and 80 private prisons until the addition to 5th and 6th floors at the JRCC are completed, projection by July 1, 2001.

Senator Grindberg: Are you still transferring Federal inmates to ND?

Page 3  
Senate Appropriations Committee  
Bill/Resolution Number 2016  
Hearing Date January 16, 2001

Elaine Little: We are no longer housing Federal inmates but are still participating in the exchange program.

Senator Holmberg: Some 20 years ago there was an issue that county jails could not house inmate for over a year; is that still true?

Elaine Little: Yes, no longer than a year; more than 50 inmates have 15-18 month sentences; once we had a prisoner who was only serving a 30 day sentence.

Senator Heitkamp: With economic times being good, shouldn't the prison count down?

Elaine Little: That is an interesting question; this does not seem to make a difference with the prison count as most prisoners money in the first place; 85% with addition problems and 25% without GED; economics has not changed the count.

Senator Heitkamp: Are you still using private companies to transfer prisoners?

Elaine Little: Recently we either use our own staff or US Marshall service.

Senator Robinson: In the course of the last number of years, with the mixture of criminals, have you noticed a change in the moral with the staff?

Elaine Little: In Bismarck there is a mixture in the types of inmate; we have more gang related around 70 to 100 inmates and this has affected management; also more mentally ill inmates.

Senator Bowman: With repeat offenders, could rehabilitation with drug users verses drug dealers make a difference

Elaine Little: This is complex; most drug users are dealers as well to support their own habit.

Senator Tomac: With increase of mentally ill, where are most of them coming from; what type of illnesses are there?

Elaine Little: Across the board, the types vary; change in communities and treatment is complex.

**Page 4**

**Senate Appropriations Committee**

**Bill/Resolution Number 2016**

**Hearing Date January 16, 2001**

**Senator Tomac** In the past decade, people have been deinstitutionalized does this explain some mental illnesses or is it part of birth disorders? Can this be categorized?

**Elaine Little**: We really can't categorize it at this time; needs further studying.

Tape 1, Side A, meter 33.5

**Denny Fracassi, Director Rough Rider Industries**, (testimony attached), gave an overview on Rough Rider Industries. We currently have 160 inmates working each day in the industry program. This save state taxpayers several hundred thousand dollars each year. We are requesting an increase of \$3,222,616 for our budget. Approximately \$1.7 million is targeted for raw materials in anticipation of a new general issue of license plates. Some of the remaining \$1.5 million will be used to cover additional labor and overhead but the majority of these dollars is targeted toward relationships with private sector. We have done business with over 70 North Dakota businesses reaching sales of \$1.7 million and additional work for 50-60 inmates. The Prison Industry Enhancement Program (PIE) has enabled us to find common grounds for our presence with the private sector in a non-threatening manor. In this program inmates are paid minimum wages and agree to deductions of up to 80% of their gross earnings for taxes; a 5% deduction to victims reparations fund, deduction for fines, restitution, child support and institutional costs that are used to help defray the cost of incarceration. For the eighteen months ending December 31, 2000, a total of \$310,193 has been paid to inmates in the PIE Program.

**Senator Nething**: A couple of years ago, we looked at a PIE Program in Utah. How is that program and did we learn anything from their program?

**Denny Fracassi**: Utah's PIE Program had telemarketing which failed; we are currently looking at cut and sew operations in Jamestown and are currently working with three different private sector partners.

Page 5

Senate Appropriations Committee

Bill/Resolution Number 2016

Hearing Date January 16, 2001

Senator Bowman: Looking at the native American population today; is there a lack of understanding their culture in prisons?

Denny Fracassi: Their in cultural training at the prisons.

Senator Robinson: Are there other programs making products besides the cut and sew in Jamestown?

Denny Fracassi: Bismarck there is furniture, license plates, sign shop, etc. We are working much better with private sector today and it is not our intent to take jobs away from them.

Senator Holmberg: There are areas where people lack training in technology today; could there be any type of technology component to utilize with the inmates?

Denny Fracassi: Not right now; there a problems with inmates skill resources.

Senator Holmberg: It would be a good idea to look at.

Senator Thane: Is there any involvement with females at RRI?

Denny Fracassi: Yes, we have a coed shop in Jamestown which was designed with this in mind as security is good.

Senator Heitkamp: What about Irwin Jacobs?

Denny Fracassi: With World's Greatest Deals, we had a transportation problem and issues with the company; they decided to locate in Nevada instead of North Dakota.

Senator Heitkamp: DOT license costs are \$5.00 per vehicle; how much does it cost RRI to make?

Denny Fracassi: \$2.99 to DOT for a pair of plates; increase about 6-8 cents.

Senator Nething: How are the mailings done for the plates?

Denny Fracassi: DOT delivers to different districts; they want it in-house.

Tape #1, end Side A, meter 53.0

Page 6

Senate Appropriations Committee

Bill/Resolution Number 2016

Hearing Date January 16, 2001

Tape #1, start Side B, meter 0.0

Tim Schuetzle, Prisons Division Director, (testimony attached), stated the state prison consists of three divisions, ND State Penitentiary, Missouri River Correctional Center in Bismarek and James River Correctional Center in Jamestown. We currently have a population of 1,069 inmates and 180 in county jails. Current budget forecast is for an increase in medical costs. There was a delay with the Federal Government in providing funding from the crime bill which pushed back construction of the 5th and 6th floors at JRCC. We completed two capital projects in 1999-2000. It is more difficult to attract and retain workers at the three facilities. We have had to increase salaries for our exiting nurses, clerical personnel and addiction counselors to bring equity with what more recent hires were making as well as starting wages for new correctional officers. Our 2001-2003 governor's budget for the Prisons Division includes a \$13.2 million increase over last biennium.

Senator Solberg: Looking at line item C; explain deploying federal funds and why.

Tim Schuetzle: This is a problem which included requirements to release money and was an environmental impact shifting of funds from the Justice Department.

Senator Bowman: Increase in salaries; some raised, others base line?

Tim Schuetzle: Correct because of pay inequities; increase is needed, can't hire because of current pay.

Senator Thane: Hepatitis treatment; cost effective; vaccination program.

Tim Schuetzle: There are three forms of hepatitis; Hepatitis B can be vaccinated; was requested as a priority and is not funded in executive budget; would be cost effective. Hepatitis is a concern at the prison. Some prisoners will even pay out of their pockets for the vaccination others refuse vaccination.



Senator Thane: Why is this denied in the budget?

Tim Schuetzle: There are items considered higher priority; no reason why.

Senator Robinson: Are Chapel services provided at the prison? Is this provided by the state?

Tim Schuetzle: We have a work agreement with churches; it is not funded. Contract money is used and is not part of budget.

Tim Schuetzle: The MRCC Food Service/Multi-purpose Building \$1.983 million and women's unit at the JRCC \$3.7 million.

Senator Bowman: Do all women go to JRCC?

Tim Schuetzle: Yes, medium and security women.

Senator Robinson: Is the women's facility filling right away; will there be a need for expansion in later plans and not to remodel?

Tim Schuetzle: Yes it is filling up right away; it holds 50-75 and we now have 65 women; women prisoners has been steady for the last five years; we are able to expand to other building which is now occupied by the State Hospital.

Senator Solberg: Why are you not using 80 beds in women's building now?

Tim Schuetzle: Unfortunately because of a lawsuit in 1993; require main custody area and this is the same for men. Still a court ruling on women custody.

Senator Solberg: Maximum verses minimum?

Tim Schuetzle: Depends on ward size; mostly minimum units that are separated.

Tape 1, Side B, meter 35.0

Tim Schuetzle: Serious Mentally Ill Unit (SMI) an increase of \$2.349 million due to additional staff that are trained in this area to treat these inmate efficiently.

