

NORTH DAKOTA LEGISLATIVE COUNCIL

Minutes of the

BUDGET SECTION BUDGET TOUR GROUP

Tuesday and Wednesday, December 18-19, 2001
State Penitentiary, Roughrider Industries, Missouri River Correctional Center,
Bismarck, North Dakota
Youth Correctional Center, Mandan, North Dakota
James River Correctional Center, State Hospital, South Central Human Service Center,
Jamestown, North Dakota

The Budget Section budget tour group was accompanied by members of the Legislative Council's Corrections Committee during its tour of correctional facilities and the State Hospital. Representative Duane DeKrey, Chairman, Corrections Committee, called the Corrections Committee and the tour group to order at 10:05 a.m. at the State Penitentiary, Bismarck.

Chairman DeKrey announced that Representative Svedjan, tour group chairman, would not be in attendance because of an illness. Representative Kempenich acted as chairman of the tour group in Representative Svedjan's absence.

Tour group members present: Representatives Ron Carlisle, Keith Kempenich, John M. Warner; Senators Ed Kringstad, Dave Nething

Tour group members absent: Representatives Ken Svedjan, Jeff Delzer, James Kerzman, Amy Warnke; Senator Larry J. Robinson

Additional Corrections Committee members present: Representatives Duane DeKrey, Howard Grumbo, George Keiser, Joe Kroeber, Laurel Thoreson; Senators Dick Dever, Jerome Kelsh, Stanley W. Lyson, Carolyn Nelson, Darlene Watne

Others present: See attached appendix

STATE PENITENTIARY, ROUGHRIDER INDUSTRIES, AND MISSOURI RIVER CORRECTIONAL CENTER BUDGET TOUR

Ms. Elaine Little, Director of Corrections, Department of Corrections and Rehabilitation, presented information regarding trends in inmate population, the length of inmate sentences, and the types of offenses for which inmates are sentenced. A copy of the information presented is on file in the Legislative Council office. Ms. Little said the December 1, 2001, inmate population is 1,127 inmates, which consists of 535 inmates at the State Penitentiary, 342 inmates at the James River Correctional Center (JRCC), 139 inmates at the Missouri River Correctional Center (MRCC), 11 inmates in county jails, 18 inmates at the Thompkins Rehabilitation and Corrections Unit, 13 inmates at the DUI offender treatment center at the

State Hospital, 34 inmates in community placement programs, and 35 inmates at a private correctional facility in Appleton, Minnesota. She said the December 1 inmate count has increased as follows from 1993 to 2001:

Table with 2 columns: Year, Number of Inmates. Rows from 1993 to 2001 showing an increase from 573 to 1,127 inmates.

Ms. Little said the largest increase in the inmate population relates to those sentenced for drug and alcohol offenses, as shown on the following table which shows the annual number of inmates sentenced to the department for certain types of offenses:

Table with 5 columns: Year, Violent Nonsexual Offenses, Sexual Offenses, Drug and Alcohol Offenses, Property and Other Offenses. Rows from 1993 to 2001 showing trends in offense types.

Ms. Little also discussed the status of three new programs authorized by the 2001 Legislative Assembly for the 2001-03 biennium--the transition or prerelease center, the DUI offender treatment program, and the drug court. She said that due to problems finding a suitable location for the transition center, the opening date may be April or May 2002 rather than October 2001 as originally planned. She said the department is in the process of pursuing a zoning change for a site zoned for industrial use in

south Bismarck. She said the DUI offender treatment program, operated on a contract basis with the State Hospital, has a capacity of 25 offenders. She said the program is operating successfully but has not reached the 25-inmate capacity included in the budget. She said the drug court program is also operating successfully but has fewer inmates than the 20-inmate capacity.

Mr. Tim Schuetzle, Director, Prisons Division, Department of Corrections and Rehabilitation, presented information regarding the status of the budget for the Prisons Division, concerns for the 2001-03 and 2003-05 bienniums, and future capital construction needs. A copy of the information presented is on file in the Legislative Council office. Mr. Schuetzle said as of December 18, 2001, there were 1,135 inmates sentenced to the Department of Corrections and Rehabilitation, 27 less than the number projected during the 2001 legislative session. He said that even though the number of inmates is less than projected, the department is not realizing any savings because the department's new programs, as outlined by Ms. Little, have been operating at less than capacity and as a result the department has had to contract for the housing of additional inmates.

Mr. Schuetzle said the department is concerned with the increase in the number of female inmates. He said that during the 2001 legislative session, the department's average number of women inmates was 68. He said the current average daily population of women inmates is 98.

Mr. Schuetzle said the number of mentally ill inmates also continues to be an area of concern. He said during the past 23 months, the Prisons Division has had 710 inmates receive contracted psychiatric care and 33 percent of all inmates under the care of the department are currently receiving psychiatric care. He said the department needs a specialized unit to adequately care for the seriously mentally ill. He said mentally ill inmates account for 78 percent of serious behavioral incidents at the department.

Mr. Schuetzle said although it is still early in the biennium, medical and dental costs are an area of concern for the 2001-03 biennium. He said the increased use of methamphetamines has contributed to an increase in the inmate population and to an increase in medical costs. He said the Prisons Division currently has 65 inmates with confirmed cases of hepatitis C and the actual number of inmates with the disease may be much higher. He said the yearlong drug regimen to treat the disease costs approximately \$30,000 per inmate. He said methamphetamine use also contributes to poor dental health and a number of inmates have serious dental needs. He said the department budgeted for one day of inmate dental services per week but has been forced to increase dental services to three days every two weeks which will cost an additional \$94,000 over the course of the biennium. He said the department has difficulty

recruiting and retaining nursing staff and has provided additional salary increases not included in the department's budget in an attempt to retain nurses on staff.

Mr. Schuetzle said future capital construction needs include a dining and multipurpose facility at MRCC, a women's unit at JRCC, renovation and expansion of the Penitentiary infirmary, and an expansion of the Penitentiary administration segregation unit. He said the Legislative Assembly also needs to consider constructing a new cellhouse to replace the 90-year-old east cellhouse unit. He said it may be cost-effective to construct a new cellhouse now rather than paying for the renovation of administration segregation cells and the construction of additional infirmary cells.

In response to a question from Representative Warner, Ms. Little said the federal crime bill, which provided funding for prison construction, was not reauthorized. She said, however, the department has access to approximately \$1 million authorized through the original crime bill legislation.

In response to a question from Representative Carlisle, Mr. Dick Frohlich, Plant Manager, Department of Corrections and Rehabilitation, said the alternative fuel study conducted by the Penitentiary has been completed and the results will be presented to the Department of Energy which will then decide if the project will be funded in the future.

Representative Carlisle said the Legislative Assembly may need to consider selling some of the land currently used for agricultural purposes at the MRCC in order to defray the costs of new construction.

The tour group and the Corrections Committee had a noon luncheon at the Penitentiary and toured various areas of the Penitentiary, including the infirmary, therapeutic community unit, west cellhouse, south unit, administrative segregation unit, and Roughrider Industries.

The tour group and the committee traveled to the Missouri River Correctional Center for a tour and presentation by Mr. Keith Grabowska, Director, Missouri River Correctional Center. Mr. Grabowska discussed the need for the construction of a food service and multipurpose facility to replace the current food service building at MRCC. He distributed copies of the plan for the proposed facility, a copy of which is on file in the Legislative Council office. The tour group and the committee toured the residential building and the food service building at MRCC, then traveled to the Youth Correctional Center, Mandan.

## **YOUTH CORRECTIONAL CENTER BUDGET TOUR**

The tour group and the Corrections Committee reconvened at the Youth Correctional Center, Mandan. Mr. Al Lick, Director, Juvenile Services Division, Department of Corrections and Rehabilitation, distributed a list of capital project needs for the

2003-05 biennium. He said the highest priority project is construction of a south entrance road at a cost of approximately \$390,000. He said, however, the cost may be reduced if assistance can be received from the National Guard. He said the south entrance road is needed to address safety concerns as the north entrance is frequently blocked by train traffic which prohibits emergency vehicles from reaching the institution.

In response to a question from Senator Dever, Mr. Lick said the current population at the Youth Correctional Center is 104 students. He said the average student age is about 16 years and that children must be at least 12 years of age to attend the Youth Correctional Center. He said the population is 80 percent male and 36 percent of the population are Native American.

The tour group and the committee toured the Youth Correctional Center campus, including Pine Cottage and the gymnasium. The tour group and the committee viewed the exterior of Divine Hall, an unoccupied building on the Youth Correctional Center campus. Mr. Lick said the Youth Correctional Center is prohibited from tearing down the building due to its historical significance; however, the Legislative Assembly has not appropriated funds to renovate the building to make it suitable for use by the Youth Correctional Center. The tour group and the committee recessed at 3:30 p.m. and traveled to Jamestown.

### **JAMES RIVER CORRECTIONAL CENTER BUDGET TOUR**

The tour group and the Corrections Committee reconvened at 9:00 a.m., Wednesday, December 19, 2001, at the James River Correctional Center, Jamestown.

Mr. Don Redmann, Warden, James River Correctional Center, welcomed the tour group and the committee and presented information on the status of the facility and concerns for the future. A copy of the information presented is on file in the Legislative Council office. He said on June 5, 2001, the fifth and sixth floor renovation project was completed, increasing the facility's capacity to 344 general population beds. He said the construction of a security station at the front gate has also been completed and installation of fire suppression systems in unprotected buildings is anticipated to be completed in January 2002.

Mr. Redmann said following the completion of the fifth and sixth floor renovation project, the JRCC's average daily inmate count increased, resulting in a shortage of space for food service, education and treatment programs, and visitations. He said the department has developed a master plan for JRCC and a key component of the plan is the transfer of the State Hospital food service and laundry facilities to JRCC. He said by utilizing inmate labor, the

department could operate the laundry facility for JRCC and the State Hospital at a reduced cost and use the currently unoccupied second floor for inmate programs. He said use of the State Hospital food service building would solve the current space needs of JRCC by providing needed space for vocational programs, offices, and possibly for visitations and the education program.

Mr. Redmann said housing women and men together in JRCC has created numerous problems and forces the department to operate the medium security facility with maximum security procedures to protect the female inmates from the male inmates. He said construction of a new women's unit at a separate location at JRCC would eliminate many of these problems.

In response to a question from Senator Nelson, Mr. Schuetzle said the department may propose building a new women's unit at a site across the street from the JRCC front entry gate. He said the proposed seriously mentally ill (SMI) unit was planned for the former forensic building previously operated by the State Hospital.

The tour group and the committee conducted a tour of JRCC, including the former forensic unit, the kitchen, the women's unit, and the recently completed sixth floor. The tour also included the Roughrider Industries building and the food service and laundry facilities operated by the State Hospital.

After completion of the tour of JRCC, the tour group and the committee reconvened at the State Hospital.

### **STATE HOSPITAL BUDGET TOUR**

Mr. Alex C. Schweitzer, Superintendent, State Hospital, welcomed the tour group and the committee and presented information regarding the activities of the State Hospital and the relationship between the State Hospital and the Department of Corrections and Rehabilitation. A copy of the information presented is on file in the Legislative Council office. Mr. Schweitzer provided information on annual State Hospital admissions from 1996 to 2001:

<b>Year</b>	<b>Annual Admissions</b>
1996	1,679
1997	1,657
1998	1,764
1999	1,069
2000	884
2001	824

The change in average daily population is shown for the same time period:

<b>Year</b>	<b>Average Daily Population</b>
1996	229
1997	223
1998	221
1999	192

2000	165
2001	151

Mr. Schweitzer discussed the status of the serious mental illness care system, the children's mental health care system, and the substance abuse care system operated by the State Hospital. He said the State Hospital and the Department of Corrections and Rehabilitation are in the early stages of discussing a collaborative effort to share food preparation services, beginning with the 2003-05 biennium. He said if the State Hospital and JRCC move forward with the shared food preparation arrangement, the State Hospital will need to renovate an existing building to provide dining space because State Hospital patients and prisoners cannot be mixed.

The tour group and the committee toured various buildings on the State Hospital grounds, including the Learning Resource Center, the Lahaug building, the child and adolescent unit, and the GM building. The tour included the DUI offender treatment program ward and the forensic service unit, currently under construction, in the GM building. The forensic service unit, anticipated to be completed during the spring of 2002, will be used for forensic evaluations, certain short-term admissions, and housing sexual offenders (the State Hospital currently houses seven sexual offenders in the Lahaug building).

The tour concluded at 12:30 p.m., at which time the tour group and the Corrections Committee conducted a working luncheon and received a report from Mr. Michael V. Fair, Securities Response Technologies, Inc., the Corrections Committee consultant. Mr. Fair presented information on the proposed project schedule. A copy of the information is on file in the Legislative Council office. The Corrections Committee adjourned at 1:00 p.m., at which time the members of the tour group traveled to the South Central Human Service Center, Jamestown.

### **SOUTH CENTRAL HUMAN SERVICE CENTER BUDGET TOUR**

The tour group reconvened at 1:30 p.m. at the South Central Human Service Center. Mr. Rolf Storsteen, Director, South Central Human Service Center, introduced staff members in attendance and presented background information on the center. A copy of Mr. Storsteen's testimony is on file in the Legislative Council office. He said Region VI is made up of nine counties with the main center office located in Jamestown and satellite clinics operating in Cooperstown, Valley City, Oakes, Ashley, and Wishek. He said the center has 89 employees who provide a wide range of services to area residents.

Mr. Mark Anderson, Fiscal Manager, South Central Human Service Center, presented an overview of the department's budget for the 2001-03 biennium, the current status of the department's budget, and projected needs for the 2003-05 biennium.

Mr. Lynn Nelson, Program Director, South Central Human Service Center, presented information on the center's partial care program, case management, aftercare program, residential services, vocational services, psychosocial center, and psychiatry programs.

Dr. Gail Pickett, Director of the Children and Families Unit and Partnerships Program, South Central Human Service Center, presented information on the services provided by the Children and Families Unit, collaborative efforts with local communities, and the development of a safe-bed program.

Mr. Russ Sunderland, Aging Services Program Administrator, South Central Human Service Center, presented demographic information on the North Dakota population and the challenges faced by the South Central Human Service Center in providing services to an aging population. Copies of the information presented by the South Central Human Service Center staff are on file in the Legislative Council office.

Senator Nething said legislators in North Dakota will face difficult choices in the future in dealing with the state budget. He said the Legislative Assembly will need to prioritize programs to determine which essential programs must continue to receive funding. Senator Nething asked if the South Central Human Service Center has viewed the budget in this manner to determine which essential programs must be continued and which could be dropped due to limited funding. Mr. Storsteen said the staff of the South Central Human Service Center has discussed that issue. He said it is difficult to draw a line to determine which group of people will not receive services.

Representative Kempenich said the problems faced by many counties will be compounded as a continually higher percentage of the population is elderly.

Senator Nething said the Legislative Assembly should consider providing funding to each human service center in the form of a block grant, thereby allowing each human service center to prioritize funding and decide which programs are the most important for that region. He said such a funding model is now being used to fund higher education. Mr. Storsteen agreed that the Legislative Assembly should consider a block grant funding model for the human service centers. He said such a funding model would provide additional flexibility to the human service centers and the human service centers could be held accountable by showing performance based on established benchmarks.

Senator Nething said such a funding model could be implemented on a pilot basis if agreement could be reached between the human service centers, the Department of Human Services, and the Legislative Assembly. Representative Kempenich said the most feasible region for a block grant funding pilot project

would be a small region with a mix of rural and urban residents.

The meeting was adjourned at 2:45 p.m.

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Joe R. Morrissette  
Senior Fiscal Analyst

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Jim W. Smith  
Legislative Budget Analyst and Auditor

ATTACH:1