2017 SENATE APPROPRIATIONS

SB 2015

2017 SENATE STANDING COMMITTEE MINUTES

Appropriations Committee
Harvest Room, State Capitol

SB 2015 & SB 2075
1/11/2017
Job # 26792

☐ Subcommittee
☐ Conference Committee

Committee Clerk Signature mmonson for Alice Delzer

Explanation or reason for introduction of bill/resolution:

A BILL for an Act to provide an appropriation for defraying the expenses of the department of corrections and rehabilitation.

Minutes:

#1 DOCR testimony – Leann K. Bertsch, Director
#2 One Day DOCR Offender Count – January 11, 2017
#3 Growth I CJ Involved Women
#4 ND State Penitentiary Overview
#5 Executive Budget Recommendation Overview
#6 17-19 Estimated Contract Housing & Programming
#7 Adult Services Inmate Population Information
#8.2017-2019 Estimated Male Inmate Population & Estimated Female Inmate Population.
#9. Testimony of Lisa Bjergaard
#9A. Division of Juvenile Services

Chairman Holmberg called the Committee to order on SB 2015 & SB 2075. Roll call was taken. All committee members were present. Alex Cronquist, Legislative Council and Becky J. Keller, OMB were also present. We have a quorum. The Subcommittee for this bill will be Senator Wanzek, Chairman; Senator Hogue and Senator Mathern. Those who have been around awhile know we have two bills, one will die, and will not be utilized unless used for reference.

Leann K. Bertsch, Director of ND Department of Corrections and Rehabilitation (DOCR) testified in favor of SB 2015 and SB 2075 and provided testimony attached # 1 stating the mission of the Department is to enhance public safety, to reduce the risk of future criminal behavior by holding adult and juvenile offenders accountable, and to provide opportunities for change. She referred to the prison population **(11.04).** See testimony # 2 - One Day DOCR Offender County – January 1. She then referred to testimony attached # 3- Growth in Criminal Justice Involved Women **(14.16)** page 4. See page 5 **(17.45)** We bought a 36 bed modular transitional housing unit at Missouri River Correctional Center (MRCC). **(25:00)** The riskiest time for someone to relapse is when they come right out of prison. The probation officers are very frustrated because a lot of these people have aftercare needs.

Chairman Holmberg: Is one of the challenges, when these folks come out, that housing can be severely limited meaning they have to live in a neighborhood with others that have come out of prison?

Ms. Bertsch: Yes, there are a lot of challenges that they face. Housing is a huge one. Also, a lot of them don't have driver's license so trying to establish employment is difficult. One of the resources we have come to rely on is a faith based organization that provides housing to people that are difficult to house. It's called Redemption Road and has been very helpful to house some of our most difficult individuals.

(27.52) Even if the executive budget in its current form is fully funded, the DOCR will not have sufficient funding to manage the inmates committed to its custody. She is hopeful though that there will be some things that come out of this session that could change that. Each piece of this budget is critical and interdependent including adequate staffing to supervise the increasing numbers of probationers and parolees. She brought attention to Attachment # 4 which is a summary of all the different areas within the adult services.

Senator Robinson: We know that there are 780 new jail cells that are under construction in the state. What is the impact that will have on our DOCR? He referred to her testimony on the population – 1800 individuals incarcerated and another 1700 in our county jails. Are we at capacity in county jails? What will happen when the other 780 beds come online?

Ms. Bertsch: I am concerned the counties have overbuilt. You would think that would relieve some pressure on the Department of Corrections but my concern is that it will have the opposite effect. (30:53) She explained why she thought so. There needs to be a prioritization of who uses the prison bed and who uses the county jails. Warehousing individuals increases recidivism. You are not going to get a lot of treatment services in jail. That's not the mission.

Senator Robinson: There are employers that will hire people with a criminal record. How much potential is there to look at a model where there is work release, electronic monitoring bracelets and patches for those inmates that are of a lesser challenge to get them employed and out of the prison cells into a productive setting?

Ms. Bertsch: I believe we can. We have a wonderful education department. This isn't about whether someone deserves these services. It's about public safety and making our communities stronger and safer. When we talk about open jobs, why can't we match up the skills of the 1800 people in prison or the 3500 in jails with jobs that are open in the community? (35:26) She talked about vocational programs available such as welding and construction. She was pleased to see a bill where the department of corrections and commerce should work together to establish a program where inmates can build houses that can be sold to low income individuals. We need to take the approach not to look at them as inmates but citizens. Only about 200 are maximum security so there is a lot of potential for those in minimum security.

Senator Robinson: Have we made an impact on the issue of numbers of cases for our case workers that is a key component from keeping folks from coming back?

Ms. Bertsch: It was very great you gave us the 16 officers. The caseloads in most of our areas have become manageable. The biggest challenge is that, even if they have a manageable caseload but they don't have the services to connect those individuals up, they can't be as successful as they should be.

Senator Robinson: How many of the inmates in the system right now should be in treatment, not incarceration?

Ms. Bertsch: 75% of our inmate population has addiction problems. A lot could be treated in the community if we had the appropriate services there. Some need a more secure facility right away. The highest likelihood of overdose is when you step out of the incarcerated placement.

Senator Mathern: I would like to see a list of those bills this session that could assist your department to meet your goals. It would be helpful to me and maybe to our committee. I didn't hear anything of Medicaid expansion. What is the consequence to corrections if we don't have Medicaid expansion?

Ms. Bertsch: It will be dramatic. Dave Krabbenhoft will talk about cost to our budget. The impact is much greater. Medicaid expansion is one of the key factors in really doing adequate criminal justice reform. We haven't fully capitalized on the Medicaid expansion. (41:35) She explained that some of the regulations just got put into effect at the human services level. She spoke about problems with inmates needing medication if they were in halfway houses or reentry centers but still with the inmate status. The saddest thing is that when someone is functioning very well and close to the time before they get out they stop taking their medications. That's because they know they can't afford them when they get into the community. That rule has changed so now with Medicaid Expansion it will not be an issue.

Chairman Holmberg: When the Bismarck-Mandan facility goes online, what is the difference between what the county pays and what you pay? Do you see that impacting your personnel?

Ms. Bertsch: That's one of the reasons we are so thankful you provided that targeted equity. That will help. They will still be somewhere above us but they shouldn't be ravaging us too bad because of the equity provided last session.

Senator Dever wanted to speak about public perception. Maybe we need to rethink how we look at things. Reduced recidivism equates to increased public safety. He thinks that is what people need to understand.

Ms. Bertsch: We want them to be good neighbors not good prisoners. Society has a perception that these aren't people who are going to live among us. One of the things they are trying to do is to bring people in to the facilities so that the community is more accepting of the work being done and the individuals when they return to the community. **(46.45)** She gave an example of a prison visitation day in November at the James River correctional facility. She pointed out that there are people who need to be in prison but thinks there is a better use and a better way to prioritize what they are doing. She referred to the chart and said there is really no excuse for the growth in prison inmates. The dialog is changing and

they need to be very cognizant about how they message what's going on. There are victims but there will be fewer victims if they can make the offenders healthier and better and less criminal than when they came in.

Chairman Holmberg thought the public would prefer to have someone who has been prepared for living on their own versus someone who has been locked up alone with no transition to live in their community after they leave prison

V. Chairman Bowman: Since the oilfield has slowed down, has it made any difference in the number of people incarcerated? Are they leaving the state? Are they staying here and still getting into trouble?

Ms. Bertsch: We saw a decrease in the rate of growth. We actually are seeing interstate. The problems didn't go away because of the slowdown. Some of the people who came in here didn't come for the job, they came in to sell their drugs.

V. Chairman Bowman: What would be the answer for the ones who come here to capitalize on this, strictly about money and making as much as they can? We catch them, incarcerate them, and turn them loose. Then they go right back and do the same thing. What is the answer in the long run to stop this type of business?

Ms. Bertsch: There is a huge difference between those that are the big dealers and the ones that get caught up in using and dealing to support their habit. Our system can do a better job of sorting those individuals out. The federal system has taken on some of those big dealers. They get some fairly lengthy sentences. (51:45) Then there are those who just get caught up in it and also get lengthy sentences but are the users.

Senator Wanzek: For the committee's information — former Senator Ron Carlisle chaired the alternatives to incarceration committee. Senator Wanzek and Senator Grabinger were also on the committee. There was a large comprehensive bill that deals with sentencing and criminal offense penalties. There is still a group meeting and looking at some of the ideas that were in that committee. There is one large bill that is in judiciary that came out of that committee. He was told they were HB 1041 and HB 1042.

Senator Grabinger: You talked about pay inequity for teachers. I have heard from a constituent that there are other inequities in the pay grades. It appears it is an issue? Are you aware of it and are you seeing a lot of it?

Ms. Bertsch: The targeted equity went to our uniformed correctional officers. That was the classification where we had the highest turnover. Yes, when we gave out that equity it created other inequities in our system. (54:15) She gave some examples.

(58.40) Dave Krabbenhoft, Director of Administration for DOCR testified in favor of SB 2015 and SB 2075. He provided Testimony attached # 5 (The 2017-2019 Executive Budget Recommendation Overview) and did a power point presentation of his testimony.

(1.00.53) He explained the prison facilities, NDSP, JRCC, MRCC, and DWCRC and talked about their capacities.

He then went on to talk about adult supervision in the community. Presently, they supervise over 7300 people in the community. There are sixteen regional offices located throughout the state.
He pointed out the importance of the parole board.

Senator Robinson: (1.06.42) wanted clarification that 800 were paroled over the course of the current biennium?

Mr. Krabbenhoft: Our one-day count is over 800 people on parole. They are part of the 7300. The difference is that those 800 people were actually in our prisons at one time. They were let out early by the parole board.

(1.12.48) Talking about the expanded Medicaid, he gave an example of a man who had a rare form of cancer. He was taken to the University of MN and was there over two weeks. The bill was covered through expanded Medicaid instead of state general fund. He also gave an example of how they reduced pharmacy costs. Looking at travel, the motor pool came in less than budgeted and they are limiting out of state travel.

(1.19.52) Senator Robinson: Typically, in the area of parole and probation, how long are these folks on probation?

Mr. Krabbenhoft: We just did a fiscal note and we assumed a two-year window. I'm not sure but we can get the average length of people on supervision. It varies.

He continued on page 14 of his testimony.

Chairman Holmberg: How does Marcy's law impact these areas with victims, etc.?

Mr. Krabbenhoft: We are still in a discovery mode. One of the areas where it is going to impact us is the victim notification. If they have restitution available, we won't be able to collect those supervision fees until their restitution is paid. He continued his testimony regarding adult services on page 15.

Senator Grabinger: Was there ever any consideration to putting in more units and do we have the capability to do it?

(1.27.24) Mr. Krabbenhoft: It would be tight. We would have to put in more infrastructure. We are at the limit at MRCC. There is a lot of land in Jamestown but a lot of that land is not the Dept. of Corrections land.

Senator Robinson: When we get recidivism information of these various facilities it seems like we are really structured in what we can and cannot do. In the area of treatment, it's impossible to say that in 90 days or 120 days all of our clients are ready to go. In some areas, it might take longer than that. The investment we make would have a better return if we could have more of a comfort level. We are so restricted because of budgets, ready or not, you are out.

Mr. Krabbenhoft: We do have recidivism that's inmate population wide not specific to those individual programs because they're all so intertwined. We can tell you about the success rates.
He continued on page 19.
Treatment and Programming – page 20 of testimony (1.31.26)

V. Chairman Krebsbach: Back on the adult services for women you have 1 FTE. Is that all you have in that setting?

Mr. Krabbenhoft: Since it is a contract facility, the one person in there is our contract manager. There are some allocated costs back. Our Director of Facility Operations spends time in there, too.
He continued with Roughrider Industries. Every penny of profit is reinvested back to the education program.

(1.35.53) Significant Changes – page 25 in testimony. These would be changes that are included in the executive recommendation. He addressed the one-time funding and explained that it was coming from the strategic investment and improvement fund. He explained why the current application is no longer supported, is quarantined, and failing. It is critical that this be addressed this biennium.

Senator Mathern: Have you considering piggy backing with Human Services State Hospital medical record?

Mr. Krabbenhoft: We have had some discussion about that without much luck. It's something we continue to investigate and look at.

Senator Oehlke: Had questions regarding the canine assistance program and the effect it has on recidivism.

Don Redmann, DOCR: That program was started at Leann's request in 2008. We started with 5 dogs, and expanded to MRCC last year and we have 5 dogs down there. We partner with Jud which is the home base for the Assistant's Dog Program. They have master trainers there and they bring the dogs up to Jamestown and MRCC and the master trainers work with the inmates.

Senator Oehlke: How old are they when they get there?

Mr. Redmann: From weaning, 8 weeks maybe when they start. He explained the process and type of training. Humane Society dogs are taken as well. Graduation rate is probably around 70%.

Senator Oehlke: How is this affecting the inmates? I visited with some of them so I have a good understanding how it works. Maybe you could share some of that here.

Mr. Redmann: There have been a lot of testimonials. He calls it restorative justice. They are giving back to society. We've even had people who receive the dogs; it's a move to tears when they see how it impacts other people's lives. A dog loves you, it doesn't look at

the color of your skin, doesn't know what your crime is, and so they learn affection, they learn caring, they learn humanity. Just having a puppy in prison changes the dynamic of the prison. When we first brought them in, some of these inmates haven't touched a dog in their entire life. Some, for many, many years have been behind bars. It impacts the whole prison and even impacts staff. I encourage you to go to MRCC or JRCC and if you have some time even talk to the inmates. The people at Jud are wonderful. I heard about them and approached them. Initially, they were a little hesitate about using inmates. At your request, Senator, we re-contacted them and at that time they had a new executive director come on board and said yes, great. So it's a win-win. We help support them. They are non-profit. You can go to their website, Service Dogs for America. I can provide you information on that. I also serve as an advisor on their board. It's just tremendous. To see veterans from North Dakota who are suffering from PTSD have their lives changed, me as a veteran, that is powerful. We do place dogs in other states, other systems based on need. There is a screening process. It is pretty complex because of the accreditation requirements on who can get a dog and the steps they have to go through to qualify. We are really focusing on the needs of North Dakota as much as we can.

(1.44.31) Mr. Krabbenhoft continued his testimony. The last piece of this file on juvenile services is small but very important. See pages 26-31 of testimony # 5. He submitted Testimony attached # 6 (17-19 Estimated Contract Housing and Programming) Testimony attached # 7 (DOCR Adult Services Inmate Population Information) and Testimony attached # 8 (2017-2019 Estimated Male Inmate Population) and (2017-2019 Est. Female Inmate Population).

Chairman Holmberg: What percentage are Native Americans? He was told about 30%.

(1.53.15) Lisa Bjergaard, Director of the Division of Juvenile Services testified in favor of SB 2015 and SB 2075 and provided Testimony attached # 9 – regarding the juvenile services in the state of North Dakota. On the 2nd page of my testimony there is a graph, it's a map of the Juvenile Justice System and what it intends to show you is that the Juvenile Court really sits in the center and hubs all of the juvenile court activity but, unlike the adult system, in the juvenile court, there's a juvenile court director. So it is not just the activities of judges and referees and state's attorneys. We also have a juvenile court director who is key in making decisions about how kids get processed. Kids come into that juvenile court process through arrest as well as from other sources. That might be schools, it might be parents, and the juvenile court makes processing decisions. They have the capacity and do divert about ¾ of the kids that they touch. So it's actually about ¼ of the kids that come through the system that actually come through a form of process. Keep in might that the juvenile court is responsible not only for the delinquent kids but the abused, neglected, deprived kids so they oversee all of the child welfare processes as well as the juvenile justice process.
(1.55.51) She continued on page 3 showing a chart relating to juvenile population and talked about taking advantage of reaching the younger youth regarding their behavior and the efforts to take to prevent them from entering the delinquent stage.
(1.58.18) She continued on with law enforcement on page 3-5. On page 4 there is a chart regarding Violent Crime Index. On page 5 is a chart regarding Juvenile Arrest Rates for Selected Offenses. You will see that on the violent crime index the overall national violent crime has gone down. If you look at the Attorney General's crime report, we can get our information about juvenile arrest rates for selected offenses (see page 5). If you look at

behavioral issues, there is more in ND than on the national level. I don't think our neighborhoods are unsafe.
(2.05.22) The youth correction system is now the mental health and case management system for most of the kids. They used to be the felony level kids. The kids today are still very busy kids. They are very disruptive, disturbed kids. These kids have a lot of trauma and they certainly are disorderly. They've been disorderly in the communities and in their schools and that's what's brought them into the system. When you talk about whether or not that is dangerous, I don't know. I think with mental health kids; if you do some things earlier on and do it right, you might be able to divert some of that behavior. She continued on page 9 and talked about where kids are being served. This is how we manage our population at the YCC **(2.10.54).** The day treatment programs have kept kids out of incarceration. The Intensive-In-Home has done the same thing. We have funded both the treatment and intensive-in-home for over 20 years. We continue to fund these programs because they have such fabulous results.
(2.15.24) Testimony attached # 9A - Appendix A – Division of Juvenile Services. The 93% having opportunity for criminal activities is mostly because they are not supervised. 88% associate with criminal friends or other delinquents. It does matter who you run with. Child neglect is the biggest producer of delinquency.

Senator Sorvaag: Expand on the area of neglect. There has to be more involved.

Ms. Bjergaard: I just wanted to make the point that sometimes people are well intended and still are not able to give their kids what they need. There are a lot of times when ability to care for kids has been impacted by domestic violence or substance abuse or by their own mental illness.
It's more than being absent. The peak juvenile crime hours are from 3 in the afternoon to 8 in the evening. Those are the hours that kids are usually not supervised. A lot of the disorderly conduct arrests happen during the school day. Property crime rates in kids happens a lot at the mall, shop lifting, stealing. That's how they get arrested. There are very good security systems at the malls these days.
She continued with testimony # 9A on page 2.
(2.26.35) Page 4 – Case Management services. The intervention that works with this population are the cognitive behavioral interventions. The program, Phoenix New Freedom(PNF), is a very intensive cognitively based intervention for kids. All of the kids that stay for treatment at the youth correction center get 96 hours of PNF. Then they move into their individual treatment centers.
All those kids in the correctional system just thrive on the MANDT system, which teaches the core values of dignity and respect.
She referred back to page 17 of her testimony #9 and explained the 15-year profile of recidivism. She also talked about the Prison Rape Elimination Act, or PREA and the Youth PREA standards which include mandates for staff to youth ratios which become effective in 2017.
In conclusion, she pointed out a couple of important and exciting kinds of opportunities. SCR 4003 is a proposal put forth by the Chief Justice that's its time to really look at our whole juvenile justice system. It would be an opportunity to look at things that haven't been looked at since 1990.

(2.39.20) One of the other things in the study is currently 2720 allows that a child at the age of 7 could be considered delinquent. Maybe second graders aren't fully cognizant of being delinquent yet. There might be things we should do with that.

There was no further testimony.

Chairman Holmberg: The hearing is closed on SB 2015/2075.

2017 SENATE STANDING COMMITTEE MINUTES

Appropriations Committee
Harvest Room, State Capitol

SB 2015 & 2075
1/23/2017
JOB # 27237

☐ Subcommittee
☐ Conference Committee

Committee Clerk Signature Alice Delzer

Explanation or reason for introduction of bill/resolution:

The Department of Corrections Committee Discussion

Minutes: "Click to enter attachment information."

This portion of testimony **(0.11.18 to 0.13.39)** is concerning discussion regarding the Department of Corrections. On this job earlier is the Health Department. (At 8:30 am on 01-23-17 the Appropriations Committee heard testimony from Sheila Peterson, OMB regarding the Revised Executive Budget Recommendation 2017-2019 Biennium.) (Job # 27231)

Senator Dever: I do notice there is a reduction in the Department of Corrections. If that is what was intended for behavioral health, then it should be somewhere else.

Senator Wanzek: Senator Grabinger and I were on the alternatives to incarceration or it was the justice reinvestment effort we did pass a bill out of the interim committee that is in the House. I can't remember all the details but it reduced some of the nonviolent criminal offenses down to a level where there wouldn't be incarceration in the hope from those savings they would be reinvested into behavioral health and addiction problems. I don't know if that's in the budget. It's an individual bill. Some of us have met a couple of times and we made that clear. We got to be able to identify where we save money so we can invest that in behavioral health and addiction legislation. That might play out through the course of this legislative session not just this half cycle of the budget

Chairman Holmberg: But one of the things you would think they would be able to have some handle on is this 4th footnote, which relates to salaries. Now does that mean they are going to underfund or reduce salaries and contract housing and programing. That's kind of a broad area for the dollar amount. It seems to be lot of room for wiggling. Do you know if there is going to be detail on that?

Stephanie Gullickson, OMB: I am just asking Becky J. Keller that question.

Chairman Holmberg: It that's shared with the subcommittee that would be most helpful. The discussion was closed on Dept. of Corrections**. (0.13.39)**

2017 SENATE STANDING COMMITTEE MINUTES

Appropriations Committee
Harvest Room, State Capitol

SB 2015
2/1/2017
Job # 27755

☒ Subcommittee
☐ Conference Committee

Committee Clerk Signature Rose Laning

Explanation or reason for introduction of bill/resolution:

A BILL for an Act to provide an appropriation for defraying the expenses of the department of corrections and rehabilitation.

Minutes: Testimony Attached # 1 – 6.

Legislative Council: Alex Cronquist
OMB: Becky Keller

Senator Wanzek called the sub-committee to order on SB 2015. **Senators Hogue** and **Mathern** were also present.

Alex Cronquist handed out the **Base Level Funding Changes** – Testimony Attached # 1.

Dave Krabbenhoft, Director of Administration, Dept. of Corrections & Rehabilitation

There are some bills dealing with some penalties - HB 1041 and HB 1042 have impact reducing felonies, a proposal for possession of a controlled substance and drug paraphernalia. Reduced them from felony C to misdemeanor A and appropriately down the line.
In the Burgum revised executive recommendation, the reductions you'd see and the number of people coming to prison because of the way our budget is wouldn't have an effect on our appropriation because what is funded in the contract housing line which is actually at a level that's lower than the savings so they could be realized.

Senator Wanzek: Wasn't the intent of those 2 bills to save us some money so we could reinvest it?

Dave Krabbenhoft: Our appropriation bill and those reforms that came out of that committee fit hand and glove. They direct the courts on how to sentence people and to sentence them to the DOCR. We brought this forward in much the same format last biennium as an allocation plan to the counties. We went back and projected what our capacity is, and projected admissions and then we allocate bed days. We allocate bed days out to the counties. The change this time is that authority would also go to the counties. All you're asking the courts to do is work within a budget which we have. When you sentence someone

to a felony C, whether it be possession of a controlled substance or drug paraphernalia, you should look hard at what is the best spot for this guy. Some of those changes being proposed in HB 1041 and HB 1042 also address the same exact issue. We're saying that's a good way to drop that population and that use of the resource. Something that was pointed out in the Incarceration Issues committee, I think it was 70% or 80% of the judges in North Dakota said they sentence people to the DOCR to get either drug and alcohol treatment or mental health treatment. We see the allocation plan working. I'm sure we'll be asked to do a fiscal note on those and we'll show you how that impact on our projection of our population is coming. We think it's innovative and it just makes sense. You're working within the confines of a budget. No other place in state government have I ever seen that somebody can impact a budget across the lines of the branches of government and can impact a budget directly like ours is impacted from the courts and prosecutors. And if we're talking about reforming justice, those bills that are up in House Judiciary right now and our appropriation bill, I think provide a vehicle for us for the DOCR to save over $7M from the Dalrymple budget. In consideration of what the revenue picture looks like, to me there are many positives for this.
Certain offenses would be exempted, for instance, murder and more serious offenses. What we are targeting are the offenses where it's focusing on the people with drug and alcohol problems and mental health problems and finding alternatives for them other than sending them to prison. For years we've been talking about how the negative impact of sending someone into incarceration just for even minimal amount of days, 1 or 2 days, and the data shows it's just a spiral downward for them. They tend to lose their jobs when locked up for a little bit. Housing starts to tumble. We clear the path for them to get deeper and deeper into the criminal justice system.

Senator Wanzek: You said it has to do with allocating counties? I'm not quite following. You're looking for some authority within the department of corrections?

LeAnn Bertsch, Director, Department of Corrections & Rehabilitation
Criminal Justice System as it exists today in North Dakota – Testimony Attached # 2.
House Bill 1015 (pg. 2) – Testimony Attached # 3.

What I handed out is basically a summary of what the allocation gets at. It's really taking a finite resource, the state corrections system, and allocating it across 53 counties based on their population. The top page is the summary of why this makes a lot of sense, how it would be addressed and why we should do it. I have attached our appropriation bill from last session where it was section 3 and was called the "Prison Bed Day Allocation" plan and that has the language in there that basically set forth the authority for the DOCR to do this. Since last legislative session, we changed this plan because when we were in the House last session, there was a lot of resistance to this. The House appropriations and the full House appropriations liked the plan a lot. They passed it out, but when it got to the floor, they pulled section 3 out of our appropriations bill and they voted it down and it lost by 3 votes so we didn't even have a chance to bring it to the senate side because by that time the Governor's office didn't want to deal with the resistance. We have a much different budget situation this time so a little resistance is probably not going to be the death of a plan that really makes sense.
The difference to this plan from last session is this: what's good for the state should be good for the counties. Our attorney drafted some language that would give the county the same authority to control their corrections budget. Right now, county commissioners are in a

situation and know they are overcrowded, they really don't have an ability to manage how many people are coming into the jail. The county is a little bit different. An allocation plan may not work perfectly but if you recall from the 2013 session that we had language in our appropriation bill which was entitled "Refusal of Admission of Inmates". The intent wasn't to every refuse admission; it was to prioritize admissions into the corrections center.

You probably heard us report on this during budget section on how we managed that type of authority. What we envisioned for the counties is the have an inmate management plan. I'll bring the draft language that we would include for the counties that gives them a way to prioritize and incentivized them to develop alternatives to incarceration. Governor Burgum stated in his State of the State address, that over the last decade, we've spent over $260M not at the state level, but at the county level building jail beds. Look around. How many of those counties that decided it was ok to spend $60M or $70M building jail beds. How much money did they invest in alternatives? How much money did they invest in anything such as behavioral health or treatment services that actually reduced the number of people coming into a corrections system? Not one red cent. This would incentivize them telling the county commissioners that they can manage the number of people coming into your corrections system but still developing alternatives because there is still going to be pressure on that but actually spend money at the local level. That's county money at the local level which is much cheaper than continuing to build jail beds. That's really the difference between the two plans from last session to this session. We need to give the counties the same ability to control their corrections spending as well. It's really out of control.

Senator Mathern: asked if the language to implement this concept was in the bill.

LeAnn Bertsch: Not currently. The bill that you saw came out under Gov. Dalrymple. That budget had $7-8M more dollars for us, so when Governor Burgum came into office, the task was to cut more money. Is there any innovative way to reduce corrections spending and I said "yes there is. It's not popular, but here's a plan." He appreciated the plan and said that it made sense and was willing to take on some of the pushback.

Senator Hogue: I had the impression that SB 2274 required some coordination between the Department of Human Services and Department of Corrections to come up with a plan to develop local behavioral health centers to treat people.

LeAnn Bertsch: One of the things with behavioral health is there's a lack of workforce around behavioral health and also a lack of good effective services. We are looking to find $7.5M but you're not going to be able to find $7.5M to be able to implement SB 2274. The sponsors of the bill know that. Hopefully we can do it on a more incremental basis to try something like that in a couple areas of the state. It's money that requires the DOCR and the DHS to incentivize these private providers to get on board and develop effective services. It's been a huge concern because a lot of these providers don't provide quality services because they're not attending to the criminal thinking. They're paying for a service and if someone comes in, they are paying for a particular visit. It disincentivizes them to provide a holistic behavioral health program to that person to get them to change their behavior.

The impetus behind 2274 is that they are not paid for each particular service. They are paid a monthly fee to actually work with a person to a level of either first tier, second tier or third tier of services, the first tier being really comprehensive and the third tier being minimal types

of intervention. The impetus is to try to grow effective private services. There's no way you're going to find $7.5M dollars afluff in our budget that is going to be able to go toward that. The Burgum budget, based on this allocation plan, removed any money that would be saved on the use of contract housing. It's not there.

Senator Wanzek: If we allowed the Department of Corrections to have some flexibility in dealing with those sentences that come down, like a non-violent Class C offense, you would be given that flexibility to make some determinations on how you handle that case?

LeAnn Bertsch:
Handed out **House Bill 1015 (pg. 2)** – Testimony Attached # 3.

The allocation plan is a little different than that. We're really forcing those decisions down at the lower level. Each county, at the beginning of the biennium, based on their census population, is going to be given a number of bed days based on DOCR resources. We're going to tell the county, 'Here's what you've got. You prioritize how you want to use your allocation of state resources'. We want the county to also say, 'Here's your county resources available to you, judges and prosecutors.' So they're going to have to say 'Do I really need three years on this guy? Or could I settle for one year on this person?' 'Do I need to charge multiple offenses and stack on or am I going to address this with a shortened sentence, or am I going to prioritize who I reserve those beds for?' We want them to prioritize on the front end of the sentence who needs to come to the department.

If the county says we want them all to go to the DOCR, that's fine – if they stay within their allocation. If they don't, then they reimburse the state for overuse of the state's correction system. Last biennium when we did the numbers on this, out of 53 counties, only 3 counties based on their usage of state resources would have been over the allocation plan. We also had incentives built into that plan where the ones that were underutilizing state resources, we were asking that the DOCR, through its funding, be able to give a percentage of the savings realized by not using those beds, back to the county to invest in alternatives to incarceration. There's not a lot of money to give back to the counties, so that's removed, but what we did in Alternative is to draft language to give the counties the same authority to control their corrections spending.

Senator Wanzek: Your expanded authority would be in the allocation with the counties? (Answer – right.) And the difference between this and last time is you want to go one step further and give the counties some flexibility.

LeAnn Bertsch: We want to give them the same ability to control their corrections spending. What other area of government, do we not have some ability to control budgets? We think its an unlimited resource and that if they come, we just have to continue building or paying for that person to be housed elsewhere. I can tell you that when people have to prioritize, they do. (Gave example of the Cass County flood).
The other provision in HB 1041, the criminal justice reform bill, is that provision for pre-trial services. Pre-trial services is nowhere funded but would allow department of corrections to provide supervision for people who are released from the jail on pre-trial. That would relieve some tension on the jails too if you choose to fund some positions to do pre-trial services in the state. Supervision of an offender, whether pre-trial or on probation or parole, is a much

cheaper solution than a jail bed or prison bed. Our costs per day is $113/day and jails are probably $75/day.

Senator Wanzek: That would allow you to make the kind of savings you need to fit in with Governor Burgum's budget?

Senator Mathern: expressed concern about eliminating the incentives.

Senator Hogue: There has to be collusion between the judges who are doing the sentencing and the state's attorneys. We keep talking about the counties, but even the county commissioners can't control their state's attorneys when it comes to charging out crimes, so how do you get this collusion to work? How does that happen?

LeAnn Bertsch: Like everyone else, they are told "Here is your budget, here's your allocation. Here's what you have at county level and here's what you have at the state level." County prosecutors are elected at the county level, so there's probably an easier connection between the county commission and the state's attorney. Their budget is set by their county commission. The judges are responsible to the voters in that district. The one piece I'd like addressed is that there are some pockets around the state. (Gave an example of Lake Region – high number of low income.) The state needs to say that we will put seed money in those depressed areas to help keep them from sending those into prison.

Senator Mathern: Would we have access to tribal membership? If we took everyone who is a member of Spirit Lake who is in our corrections system, and tally them all up and figure the cost of care throughout their sentence. If we had that list and went to Spirit Lake and said this is what we're going to spend. What do you say we develop a cooperative arrangement where we develop services up there, and in return, we're going to send a lot of those people out of the prison to that area where they can be close to job development or family?

LeAnn Bertsch: It is possible and we track that down. We look at where some of those minority populations come from. That's why we started the cooperative agreement with Standing Rock because a good number of our inmates come from Standing Rock. We wanted to work with that community to see if they could provide some services on Standing Rock that attend to those needs. A lot of those folks are coming from the federal system too, and not having great success when there are no services.

Senator Mathern: We should look at that list and see if its bigger than 5% of population.

Discussion was held on providing incentives.

LeAnn Bertsch: We had the incentives last session and they were ignored. Of the three that were overusing, Burleigh County was sending twice as many people into the DOCR as Cass County even though Cass County has twice as many people. A lot of counties have overbuilt jail beds. They do that because they don't just look at it that they need them, some of the jails are revenue generating monsters for these counties.

(Described pushback from the counties and whether they are aware of the incentives.)

Senator Hogue: Asked how this incentivizes the counties to spend money on local behavioral health.

LeAnn Bertsch: By giving the counties the authority to control their corrections spending on their jail, they can actually plan a budget. (Described budget uses, spending on alternatives and communications with the counties.)

Senator Wanzek: Asked Dave how this can save money – especially contract housing.

Dave Krabbenhoft:
Handed out Prison Bed Allocation - Testimony Attached # 4.
SB 2015 (63rd Legislative Assembly) – Testimony Attached # 5.
Priority Acceptance Scale-Most Severe Offenses – Testimony Attached # 6.

Dave went over the attachments and expressed that he wished this could have been brought to the Senate last session. He said it was set up with the piece. There were also pre-trial services and three other counties were going to go in on it. We had the funds to afford it and hoped they could control the growth and then give the money back. The problem is the budget hole is so big now and that needs to fill before any of this can take effect. If we were to give some incentive up front, it would be pieces of variable costs of housing someone in one of our facilities.

Senator Wanzek: Said he'd like one amendment to take before the full committee and the committee will be working with Legislative Council to finalize amendments.

Senator Mathern offered to work with corrections on language.

Senator Wanzek: Closed the sub-committee hearing on SB 2015.

2017 SENATE STANDING COMMITTEE MINUTES

Appropriations Committee
Harvest Room, State Capitol

SB 2015 sub-committee
2/6/2017
Job # 27966

☒ Subcommittee
☐ Conference Committee

Committee Clerk Signature Rose Laning

Explanation or reason for introduction of bill/resolution:

A BILL for an Act to provide an appropriation for defraying the expenses of the department of corrections and rehabilitation.

Minutes: **Testimony attached #** 1

Senator Wanzek called the sub-committee to order on SB 2015. **Senator Hogue** and **Senator Mathern** were present. **Alex Cronquist** from Legislative Council and **Becky Keller** from OMB were also present. He said we had previously discussed how the county allocation money would save us money.

Dave Krabbenhoft, Director of Administration, Dept. of Corrections & Rehabilitation, testified in support of the bill. (continuing from attachment # 4 from Feb. 1, 2017 hearing)

Senator Mathern: "This plan requires a real partnership, one of the things I'm wondering is that this is not only number of persons, but also the length of sentence and maybe even a prison determination about how long someone stays. Some of the sentences have a variable in them. Would the county be able to factual influence that? In order to make room for more people?"

LeAnn Bertsch, Director of the North Dakota Department of Corrections & Rehabilitation, answered the question.

"Once a judge sentences someone to a criminal sentence there is a period of time the judge can act within to change that sentence; that period is a 120 days. They can go beyond 120 days if it's a sentence that needs to be corrected because of some flaw in the language or a technical thing, then it doesn't apply. The judge's jurisdiction over that case ends after 120 days. We would be giving them a monthly balance sheet. They can look at their cases in the que. What do they need to reserve their resources for?"

Senator Mathern: "So maybe the counties would start to take an interest into what is going on within the parole board?"

LeAnn Bertsch: "I'm hopeful that this process would make them pay attention to the whole system. I hope it will give them a broader perspective on the resources they are utilizing."

Senator Hogue: "You mentioned that 1641 was a hard cap, I wanted to make sure I understand what the basis for that was? Also, can you give me the thought process on how you're able to project those numbers through June of 2019?"

Dave Krabbenhoft: "The 1641 is just the DOCR running at capacity for all of its facilities. It is contracted at a proportional rate as to what they were in the past. So we are not proposing to increase the number of contract housing beds we have available for treatment and transition. We're asking to keep that level proportionately to what we had before on inmate and community status. That's how we came at the 1641. We project by taking a linear projection on admissions to the prison from January 2010 to December 2016. Then we take a moving average of releases based on actual time served.

So we come up for instance, with a number of people who come into our facilities and when they are released. So let's say that 25% of people in our facility are released within a year and run that out based on a 10-year average. So if we have a 100 admissions and we'll say 25 are going to go out the first year. Then we just move that out across the 12-month period. So we just run those two together and come up with amounts. It's all Based on things continuing as they are, it's not a very sophisticated way to project, it's pretty rough, but we've been pretty close. I think our projections are right on for the women this biennium. For the men, we're about 80-100 below or above our actual projections. Parole has increased by 100 people which can account for that."

Senator Hogue: "It sounds like you do go back and see if numbers are right. It sounds like they are right for female population, and maybe within 5% for the male population?"

Dave Krabbenhoft: "It's the changing of the economy that influences these projections. It's not a shot in the dark, but its' a pretty rough way to get there. With the bills moving through session this time, some we get asked for fiscal notes, others we don't. So we try to bring that into account also."

Senator Wanzek: "You're saying there's 190 inmates that would probably get turned away?"

Dave Krabbenhoft: "Turned away is a misnomer. Without the allocation plan, we projected the admissions to the DOCR at 2,997 for the biennium. With the allocation plan and the hard cap to our population, we're estimating male admissions 2,619. So that's 378 admissions."

Senator Wanzek: "Where are you getting that number at? Are you talking about women and men?"

Dave Krabbenhoft: "That's just male admissions right now."

Senator Wanzek: "What sheets are you getting that from?"

Dave Krabbenhoft: "I can get that sheet for you on Wednesday."

Senator Wanzek: "So you're expecting a drop off in admissions?"

Dave Krabbenhoft: "Well the drop off in admissions is because of the hard cap and the releases. The admissions are going to drop off. At some point if we keep this, maybe around year three, admissions will have to equal discharges."

Senator Wanzek: "Then you come up with total bed days for the biennium, 2.5 million. Then you allocate bed days to each county which is based on population?"

Dave Krabbenhoft: "Right."

Senator Wanzek: "What formula is that now again, for the population?"

Dave Krabbenhoft: "That was published by the Department of Commerce, I believe back in December. So I just used those numbers."

Senator Wanzek: "Are there some geographical areas that may have a higher level because of the urban factor or oil impact?"

Dave Krabbenhoft: "Ramsey County has been popping out last time and this time. It exceeds theirs quite substantially compared to everybody else."

Senator Hogue: "I have a question about implementation. Is there a way if a legislature were of mind to do this on a district basis only, on a trial basis? Or do we have to go sort of all in and make sure each county has their own allocation to make this work?"

Dave Krabbenhoft: "Last session in the House it did kind of boil down to the urban counties. It's different this time because the amount we have from the revised executive recommendation for our appropriation is actually absent of the cost of those contract beds we had last time. So I'm hesitant to say if it would work, but it's something you can definitely try. But I think we'd have to estimate the impact on our budget."

Senator Wanzek: "Referenced the Base Level Funding Changes."

Senator Mathern: "I had amendments drawn which might be helpful with respect to the budget." (see attachment 1, Amendment number 17.0523.01002)

Senator Mathern: "Essentially, this Amendment is a translation of DOCR proposal into amendment form to this bill. I think there's all kinds of amendments that may still happen, but essentially, it clarifies how the counties would be asked to be a partner in the management of inmate population – in number 1. It suggests how the management plan must be considered - in number two. In number three – it outlines the different ways that counties could in fact manage the population outside the prison. Those A-I options. So these would be actual ways the locals could defer some of these people from being behind the walls of a prison. Then number 4 addressed my concerns that some of these counties might not have the skills that were displayed by DOCR, and so I suggested that we put in some sort of wording that the department would be available to provide some type of technical assistance. They assured me that they could do that without an additional appropriation, and then section 4 is sort of a summary of how the allocation plan would be accounted for. I think our challenge at this point is not just a proposal, but how we can discuss this with the counties

so they are our partners to this plan and not objectors to the plan. It's going to take some influence from the Governor's staff also. Maybe county commissioners could recognize the broader issues, which would help them recognize they are kind of like us. I think it will take a few meetings for them to partner with us.

So I just put this together so that we would have a method to clarify what we're actually talking about in terms of detail. At one point I thought, wouldn't it be nice if we could somehow take the 7 million dollars and sort of allocate some of it back to the counties, sort of like incentive payment? But as I discussed it with the department and the Governor's office and there isn't a 7 million. The budget that they've been asked to prepare has 7 million out of it already."

Alex Cronquist was asked if this Amendment was already in the Burgum budget.

"The Burgum budget took out the 7 million dollars. So, yes."

Senator Wanzek: "So they point to county allocation as a means to save that 7 million? But they did cut 7 million out of the budget?"

Dave Krabbenhoft: "That was how we got to the 7 million. We're asking other entities to work within a budget. I can't think of another Government entity that can affect another agency's budget. So we're not asking for anything to change, we are asking to start looking at how we are using our resource. We want to change how we're using resources. Without the allocation plan, our budget becomes purely advisory.
Without this authority to manage our resources and to have everyone else be aware of that resource, it seems like we are going down that path but I'm not certain that path exists anymore. So this is an opportunity in a way to really say to people we are working within limited resources here."

(**Dave Krabbenhoft** put his testimony on a projection screen and explained them and how they ran the formulas.)

"This is really just based on the population of the state and a simple projection of how many people cross the sally port at DOCR. The difference this time is that we kind of put a barrier up in front before that sally port, and we're saying that we aren't going to take those guys this time. By doing that we not only avoid the human costs of those people, it gives us the ability to not have to feed them, house them, provide them medical care, and all of those things that quickly add up for us when we are at capacity. Then it becomes a contract, $75/day is what we estimated before. But it's likely to be higher this time if we had that in our budget, but on top of that 75 dollars, the medical costs are still ours. So as an example, if we had someone in a contract bed out in the jail and the guy had a heart attack, they're going to be calling us and say you're going to have to come and get him. It could be other illnesses besides a heart attack."

Senator Mathern: "I've learned in this process that some people are in jail until a risk assessment is done on them; waiting on Corrections to interview them. They could be home with families until that is done."

Senator Wanzek: "The last few biennia's that we carried the budget – you can't put up a no vacancy sign in a sense. So we're maybe going to change that and say we're full?"

Dave Krabbenhoft: "In a sense we might be. I think we're doing it in the sense that every other agency is funded by general fund. If we don't do this, our budget becomes merely advisory. We definitely have the people that should be there. It's the other ones that need assistance."

Senator Wanzek: "If there's other offenses committed in that county and they are not violent; how does that work? How do you change that sentence?"

Dave Krabbenhoft: "Well there's always going to be credits and things so you're not going to be stuck at a certain point in time."

LeAnn Bertsch: "I handed out the Inmate Management plan last week. Basically, what happens if county caps out on allocation, they may have to wait to get a bed. There is constantly people going out. We're going to ask the counties to prioritize who they want to admit to the state level. They need to prioritize those jail beds. They may have to wait before county decides to use their allocation."

Senator Wanzek: "Right now, we don't have any ideas how to address that $7M. This is probably the best way to do that?"

Dave Krabbenhoft: "I agree. We're not talking about a lot of people. For instance,1324 people coming in to our facility every year. 70% are for drug and alcohol offenders. We're looking at probably 60 per year that we are asking for an alternative other than DOCR for them. It's scary and looks like state is shoving people down to the counties. Money wise, it would be better. We can try to have these people get their lives back in order.
It's an easy way to start and maintain public safety. We should be able to control the growth of the budget by doing this as well. It's shocking how expensive it is to lock somebody up, and it's just as beneficial to them."

Senator Wanzek: "If HB 1041 passes in current form, would that help this one?"

Dave Krabbenhoft: "Haven't seen the bill, but has jail credits. It would go a long way in meeting appropriations level."

Senator Mathern: "Shouldn't we figure out how to bring in county folks? We're going to have to sell this some way. Once we get this out on the floor, you're going to hear from counties. I encourage us to tackle this, whether it's a sub-committee, or appropriations committee, or what? Our next meeting should be a strategy session."

Senator Wanzek closed the hearing on SB 2015.

No motions were made.

2017 SENATE STANDING COMMITTEE MINUTES

Appropriations Committee
Harvest Room, State Capitol

SB 2015 sub-committee
2/8/2017
Job # 28081

☒ Subcommittee
☐ Conference Committee

Committee Clerk Signature: L Baumgartner for Rose Laning

Explanation or reason for introduction of bill/resolution:

To provide an appropriation for defraying the expenses of the department of corrections and rehabilitation.

Minutes:

Testimony Attached # 1 – 2.

Legislative Council: Levi Kinnischtzke
OMB: Becky Keller

Senator Wanzek called the sub-committee to order on SB 2015. Senator Hogue and Senator Mathern were also present.

Senator Mathern: Amendment 17.0523.01002 – this was put together with the help of the DOCR. Section 1 creates a partnership with the counties in managing the inmate days. It outlines the variable to be considered. There will be technical assistance to the counties at no charge if they want it. Section 4–narrative form. Clarifying that DOCR would be communicating with the counties. I talked to a gentlemen and thought it might have an impact on that department. It reinforces the fact that this is a systemic change. Hope this would be a good change in light of issues of salaries, health insurance, and we should take it to the full committee.

Senator Hogue: I was hoping to run into representatives of ND Assoc. of Counties and see how they view this. It's a significant dialogue between the two.

Senator Wanzek: I visited with Aaron Birst. I get where DOCR is coming from, but I don't think we can get it accomplished without help from the counties. They need to be involved.

Donnell Preskey: North Dakota Association of Counties; We just learned about it.

Senator Wanzek: Dave shared with us how the plan would work. This might affect 190 inmates. If we're going to adopt it, I'd want it in one amendment to present to the whole Appropriations Committee.

Dave Krabbenhoft: Director of Administration, Department of Correction and Rehabilitation; Fact sheet –DOCR Adult Services Inmate Population Information – Testimony Attached # 1.

Senator Mathern: Are there some that could be highlighted or that jump out?

Dave Krabbenhoft: These are numbers, but there might be characteristics that go on. HB 1041 classifies those drug and alcohol crimes. (Discussing attachment) Tomorrow you're hearing 2274, the behavioral health bill. If you want to get a handle on the growth in corrections, all 3 of those fit hand and glove. Some crimes are appropriate to be in prison. We're talking about 119 people to put back into the communities out of 719 admissions without a hard cap and 600 with a hard cap. It would save $40,000 a year to keep someone incarcerated versus $4.40 a day to supervise someone in the community.

Senator Mathern: Is there anything we can do in ND Century Code to affect people who are presently in prison? Is there authority in Century Code that would permit you to negotiate discharges earlier or something as amendment to this bill?

LeAnn Bertsch, Director, Department of Corrections and Rehabilitation: DOCR has great placement authority as long as they are on inmate status as far as their care, custody and control. I've placed some people back at home. I have placement authority. It can be a risk.

Senator Mathern: Do you want more authority?

LeAnn Bertsch: It's not the authority. It's the risk and we need to address the lack of services in the state.

Senator Wanzek: You talked about collaborating with the counties. Describe how you want this to be addressed.

LeAnn Bertsch: What's good for the state is also good for the counties. The counties can say, "This is my corrections budget", we say what we have for resources. There are different jurisdictions. Gives them all these other things. State of ND doesn't have pre-trial services. Counties should take some money and do pre-trial services. With pre-trial risk assessment, 80-85% are pre-trial detention. We also want the counties to be able to control their corrections spending. The Department of Corrections will assist the counties if they don't have the skills or technology.

Senator Wanzek: For those of us who don't spend a lot of time in the court situation, define pre-trial services.

LeAnn Bertsch: The federal system has pre-trial services. First, there is a detention hearing. In the federal system, it's reversed. The majority are released on pre-trial supervision. It's a small fraction of them that are detained in jail. Someone might be taking up a jail, but there are alternatives between releasing them on bond. If they are a flight risk, put a bracelet on them. That may actually reduce the number of people going to prison. They may have done so well on pre-trial services that the judge may say why send him to jail. You might have the reverse also, where they might have really messed up. It gives the judge a better ray of options that avoid the jail bed.

Senator Hogue: You have discretion to place them, but still have inmate status. If they have Hep-C diagnosis, do you have to pay for that?

LeAnn Bertsch: That was the case before new rules came out recently. Now he can get expanded Medicaid.

Senator Hogue: How often and when can the judge depart from those mandatory minimums?

LeAnn Bertsch: You're referring to a bill enacted last session. There was only 1 time when judge used that to "depart". I don't have problem with minimum mandatories.

Lisa Bjergaard: Director of ND Division of Juvenile Services: The difference between standards for juveniles and adults is that they put in staffing ratios, which is a ratio staff to kids that we are mandated to day and night shifts. We've never staffed the Youth Correctional Center in those specific ratios. They phased in the staffing ratios, we know that will take affect October 2017. I have to have those staffing ratios.

Senator Wanzek: The math shows it will take about 10 FTEs?

Lisa Bjergaard; We brought an auditor in to do a pre-audit to look at the figures. He went through the staffing files and based the request based on that finding.

Senator Wanzek: The staffing varies from different times of the day?

Lisa Bjergaard: The daytime staffing ratio is 1-8. Night time ratio is 1-16. There is an awake staff in each of four buildings. If a youngster has to use the bathroom, the rover will have to go there so there is 2 people there. This will require that there be 2 awake staff during the night. But this is a requirement to be in compliance. If we had a different physical plan some of this would not pose an issue. There are 19 boys in Hickory, so I have two staff on. In October, the feds expect that there will be 3 to escort boys to class across the yard.

Senator Wanzek: Could you take some to school, and come back and get rest?

Lisa Bjergaard: We will try to make it as "not silly" as possible.

Senator Wanzek: For your budget, that is important.

Lisa Bjergaard: This is a critical piece. We're being very hard about how many kids are on campus. I'm being real clear with each of the regions, and not going farther than what we're being pushed to do.

Senator Mathern: Does the passage of 2274 and 1021, do those bills affect your number of residents? If those services are in place for the adult side, less people would go to prison?

Lisa Bjergaard: I haven't gotten a solid sense of what the juvenile justice system will get to serve at-risk youth. We have a lot of hope for a resolution that will study the juvenile justice system and propose some possible changes in the next session. We want to target issues

and do training that are not expensive that will keep high risk kids out of the system by using risk assessment instruments early. We've got to get them in the right place at the right time.

Senator Mathern: Should there be a capital assessment for the building situation? Should it be designed differently? Are we adding staff and if we redesign would we be in compliance?

Lisa Bjergaard: We've not had the resources to do that sort of a plan. Our buildings have all out used their life span. It is clean and safe. At some point, if you are going to continue to run a youth facility it will have to be looked at redesigning. We have kids with mental issues and would jump the open stair well. I think we need a good physical plant for kids. At some point you're going to have to look at that. It is staff intensive to run 4 buildings instead of 1.

Senator Wanzek: When were those buildings built?

Lisa Bjergaard: Pine Cottage was in 1991, but most are in the 50's. We need something that would have living pods and live within those ratios and be flexible with the staffing ratios.

Senator Mathern: What's the cost benefit ratio over time? This could be an investment.

Lisa Bjergaard: If you took the intense staffing for kids over here, and meet the staffing ratios and put some money into the buildings, it would be something to look at for the future.

Senator Mathern: Once we go to the counties we will have to have some other information.

Travis Finck, Deputy Director, North Dakota Commission on Legal Counsel for Indigents; This might be premature of me to address this issue. It is something the commission might have to go forward on. There is a correlation between what sort of penalty someone is looking at and the risk of going to trial or not going to trial. Trial costs more that plea bargaining.

Senator Wanzek: We'd be interested in meeting and hearing if you have any ideas. I feel certain in the budget that the employee portion of the health insurance will be taken out.

Alex Cronquist: Gov. Burgum has eliminated that 1% salary increase and it shows as zero on the worksheet.

Connie Monson: Financial Administrator, Dakota Women's Correctional Rehab Center; Testimony Attached # 2. Our board wanted to emphasize that the New England facility is privately owned by 6 counties. We have contract for 126 beds. We face critical housing issues. We are right in line with staffing for wages. $121.04 is our actual daily cost per inmate per day based on 128 inmates per day and we are reimbursed from DOCR $116 per day. We are losing money in that.

Senator Mathern: Do community development people help you?

Connie Monson: We don't have those people backing us anymore. We have not received any information from Convention and Visitor Bureau or other agencies on how much economic development this facility has produced. We have about 70 employees. There was not much housing in New England and that was a huge impact of the city of New England

and outlying areas where they live now. A prison doesn't bring in business to a community. It provides jobs to the area.

Donnell Preskey: North Dakota Association of Counties: We're glad you're interested in this. There are many bills that are part of this study. We did propose a similar proposal last session. Counties don't hand out sentences. It's a district judge. Those are things we need to consider. Aaron Birst is our guy on this issue.

Senator Wanzek: We will include the counties in this discussion. Closed the hearing on SB 2015.

2017 SENATE STANDING COMMITTEE MINUTES

Appropriations Committee
Harvest Room, State Capitol

SB 2015 sub-committee
2/14/2017
Job # 28334

☒ Subcommittee
☐ Conference Committee

Committee Clerk Signature Mjwacker for Rose Laning

Explanation or reason for introduction of bill/resolution:

To provide an appropriation for defraying the expenses of the department of corrections and rehabilitation.

Minutes: Testimony Attached # 1 – 2.

Legislative Council: Alex Cronquist
OMB: Becky Keller

Senator Wanzek called the sub-committee to order on SB 2015.
Senator Hogue and Senator Mathern were present.

Senator Wanzek: Explained the changes in the bill. Major changes from the Dalrymple budget is removing the employee portion of the health care insurance and the big one is the $7M reduction in wages and contract housing. Presented a plan.

Senator Mathern: Handed out amendment 17.0523.01003 – Testimony Attached # 1.
Not sure if I want to hear more but would like feedback from counties.
The changes - $7M program in Section 4 of bill which essentially brings in the counties and local correction facilities into partnership with the State Department of Corrections. This set of amendments I shared with Terry Traynor from counties and Mr. Strinden from Morton County – they have that material. The other thing in the departure from any of the bills that came to us, is Section 6 on the amendments. Section 6 is a study that's is to be conducted of corrections and rehabilitation and they are to do that in conjunction with Human Services, the PNA (Protection and Advocacy Agency) and the Supreme court to study the potential of new facility at the Mandan Youth correctional facilities, but in conjunction with that what should be done in terms of community based treatment services for youth offenders, so we don't even get these youth offenders showing up in Mandan. That section 6 is a study, now it's not a legislative study, I just thought it would be important that we have the effected agencies communicating and come to the legislature with a plan in that regard. The study is there I believe because we are in this bill, appropriating 10 additional staff for that facility in great part it seemed like the staff were needed because of our outdated facilities. Goal is two- fold, one is how can we do a better job to keep youth from coming there. Want to work better with fewer staff. The full summary of these amendments is on page 4. This has the

full funding for the cost to continue and increases the salaries for the teachers that we needed and makes the health insurance premium change, it adds the 10 FTE's at the YC facility and does the same thing with the salaries, restores general fund programing from the reduction that was done in this last session, restores the money to the Dakota Women's Correctional and Rehabilitation Center, and then those other expense that were noted. It included the funding from the federal grants that we anticipate receiving and it includes the extraordinary repairs and it address that issue of the $7M reduction with the allocation and one- time funding that we had heard about at the beginning about the plasma cutting machine, etc. that were needed by Rough Rider Industry. Ask DOCR if these amendments to in fact address all of their considerations that they have brought to us and we might want to ask Mr. Traynor if he wants to comment on these.

Senator Wanzek: Asked about the base level budget changes. The employee portion – the extra million. Is that where the extra million dollars is coming from?

Alex Cronquist: Has Base Level Funding Changes – Testimony Attached # 2.

Dave Krabbenhoft: Director of Administrations for the Department of Corrections. We're supportive of the amendments. All key issues are addressed.

Terry Traynor: Section 4 with management plan. Good for counties. County's ability is set by what is in law or ruling of the judge. Section 5 – not sure what happens when they reach that limit. Every bill, we bring up the DAPL protest. Morton County is not reflective of their current activity. Statistics can get out of whack with the activity or changes. A little hesitant with that section and I know the counties are as well.

Senator Wanzek: There was discussion about per population. There might be some extenuating circumstances that this will provide some flexibility to adjust those number on the allocation.

LeAnn Bertsch, Department of Corrections. Room for improvement in language added whether it be section 4 or 5, that talks about "extenuating circumstances". Discussed as a department and for life sentences – we don't want that to be an allocation for counties. Makes a good issue.

Senator Wanzek: Mr Traynor, they say hands are tied according to what court orders, by sending this message, won't this send a message to court to that we need to work with these people, that we have to help them in trying to manage this situation?

LeAnn Bertsch: Section 4 gives the counties the flexibility – we have a criminal justice – requires the local players to pay attention to the resources at state and county level. The counties want your help – services other than a jail bed. On an informal basis, some is being done. This will formalize this now the jail can say this is what we do, were going to live, the county commissioner can now say, this is my budget. Instead putting all of our corrections budget into jails, put it into something that alleviates the high cost of beds.

Senator Wanzek: Subsection 4 of section 3 – not telling the counties you are on your own, but they can come to counties and request help from the Department of Corrections and will supply technical assistance.

LeAnn Bertsch: Many counties do things black & white because they are mandated.

Senator Wanzek: Amendments that talk about a study for the youth correctional center. The building itself, the way it was designed, needed more FTEs. The cost benefit – maybe there's a point where investment made into an updated facility would actually offset the cost of additional FTEs.

Senator Mathern: The reason the amendment is here – considering the 10 extra staff. Our existing facilities required us to double up on staff. Go by the new federal guidelines. We want to go by process. Could do without that staff if we had different buildings. We'd need $20M to figure out what kind of building. Talked to director of youth facility – we need to be careful if we build a building, we'll fill it up the next day and not pay attention to keeping young people out of jail. Many services available, the court is involved in sentencing process. I suggested P&A – they have proper services for our state. Most agencies are attuned. They could study this internally. I put a number in how big the facility could be, but took it out. Want to be more cost effective and are there services in community to keep young people out of there.

Senator Wanzek: Search ways to keep the young people out. Appreciate Senator Mathern's hard work. Amendments that you are working on.

Senator Hogue: The amendments by Senator Mathern have the same goal. Want to reduce the population of prison. Reduce the number of prisoners to Bismarck, and 2274 tries to do it by requiring the Department of Corrections and the Department of Human Services to collaborate on new two programs and 2274 could do both. Want to roll 2274 into DOCR budget. Don't have amendments yet, but hope they are finished soon.

Dave Krabbenhoft: Placing those in the DOCR budget, this would give DOCR some ownership. Have great working relationship with Pam Sagness and Dr. Lisa Peterson. The amendment from Mathern and Hogue all fit hand and glove. Gives the counties and judiciary some alternatives. Not only the budgets, but people's lives. Improve people's lives – is a win-win.

Senator Mathern: There is great need for both aspects here. That there is a difficult situation in terms of workforce in this area. We should consider to add an emergency clause onto the amendment to permit the department to start on some of the work so it could be up and running early. It might take a year and a half to start if we don't start Aug 1. Come back in 2 years and find it didn't work. Correct conclusion is we didn't start it soon enough.

LeAnn Bertsch: I don't think we need emergency clause to spend the money sooner. We are already meeting with people and start the work immediately. We're not going to be in a position to spend any money before the new biennium starts. We can start with some of the training. Both departments are committed to trying to have those services. A lot of groundwork to be done. Will show good results in two years.

Senator Mathern: Experience has been otherwise. If you have it covered – hallelujah!

Senator Wanzek: Thought of rolling this into the DOCR budget. Having served on Alternatives to Incarceration committee, this should work and we have to show where the savings are. We'll have Alex Cronquist work on the amendment and find consensus.

Senator Hogue: I disagree. There are sections of Senator Mathern amendment that I disagree with.

Senator Wanzek: I didn't expect this would be finished up yet. We will have to come to a point. We'll set up a hearing again.

Senator Wanzek: Closed the hearing on SB 2015.

2017 SENATE STANDING COMMITTEE MINUTES

Appropriations Committee
Harvest Room, State Capitol

SB 2015 sub-committee
2/15/2017
Job # 28399

☒ Subcommittee
☐ Conference Committee

Committee Clerk Signature MaryJo Wade for Rose Laning

Explanation or reason for introduction of bill/resolution:

A BILL for an Act to provide an appropriation for defraying the expenses of the department of corrections and rehabilitation.

Minutes:

Testimony Attached # 1 – 4.

Legislative Council: Alex Cronquist
OMB: Becky Keller

Senator Wanzek called the sub-committee to order on SB 2015. **Senator Hogue and Senator Mathern** were present.

Senator Wanzek: After last meeting, Alex Cronquist was instructed to put together an amendment. He said he's getting some push-back from the county people.

Senator Mathern: He worked on amendments with Alex Cronquist and DOCR, and spoke with Senator Judy Lee. Three main changes. Amendment 17.0523.01005 incorporates all of 2274. Testimony Attached # 1.

$7M to DOCR along with Social Services for people with substance abuse issues. Money goes to DOCR and they hold power of the purse.
Section 3, pg.1, money to Dept. to Human Services. But money goes first to DOCR program is $7M dollars.

Concerns raised by the counties – changes in section 7 and section 8 - they clarify that the prison bed allocation program has qualifiers. "This section does not apply when the offender has been convicted of a class AA felony and a sentence up to life imprisonment may be imposed." The counties were concerned for example there might be cases that totally skew their allocation. That would be taken out of allocation system.

Wording by Acts of God – pg. 3 #4. "This section does not apply where there are indigent circumstances that affect a correctional facilities operations and inmate population including acts of God, and mass arrest". Things outside the counties control and would prevent them from sending someone to prison. Those are two main changes.

Reviewing, it becomes painfully clear that we have to add another $7M. If we don't include the allocation plan – adopting the preventative program. Helps keep people out of prison, if we only adopt that portion, we have to add $7M.
If we reduce $7M to the degree we add $7M to DOCR. Often times, it's impossible challenge to meet. The DOCR, DHS, and Supreme Court are all on board to make this work.

Alex Cronquist – explaining **Base Level Funding Changes** (containing Mathern changes) – Testimony Attached # 2.
He said SB 2274 is amended into this bill.

Senator Wanzek: As far as the $7M being appropriated for general fund dollars for 2274 (behavioral health), and you have language to implement programs. Isn't it less than $7M because there is one FTE that stays with the Department of Corrections to help facilitate the program?

Alex Cronquist: It's in the numbers in the upper section. Human Services can only appropriate what they get from DHS.

Senator Hogue: Asked Alex Cronquist to compare his amendment and Senator Mathern's. I know that Section 8 of Sen. Mathern's bill is excluded from the one I asked you to prepare, but are there other differences?

Alex Cronquist: Section 6 & 8 from Sen. Mathern's are not addressed in yours. Section 11 in Mathern's is emergency allocation related to section 8 is that the department is supposed to provide the amount of bed days allocated to each county by July 1, 2017. So in order to make sure they have it ready by July 1, 2017 we wanted to have Section 11 declaring in any emergency so that Section 8 becomes effective immediately rather than later.
No $7M – relating to present bed day allocation program.

Senator Hogue: How much are you paying to counties for contract services?

Dave Krabbenhoft: –In current biennium, the amount is pretty stable. We are at capacity now. Paying for parole holds. I can get to you what we've paid this biennium, but the projections and growth. What we've paid isn't close to $6M.

LeAnn Bertsch: – Contract facilities, the ones that actually provide treatment services. The contracting dollars will actually increase, we will be warehousing these individuals and there is a great new study out of Minnesota that was just published in December 2016, that talks about the increase in recidivism by warehousing people. Warehousing can happen in a state facility as well if you don't have services like education, treatment and visitation. (20:45)
$7M – Wow, we're flush with dollars, each biennium they keep growing.

Senator Mathern: Are you saying that if we actually house people in our county jails with no services, after they complete sentences, there is actually a greater possibility that they will come back.

LeAnn Bertsch: We may be increasing recidivism. The perverse jail industrial complex

that some of the counties have gotten used to, it's interesting because I shared with some of the county administers, we could use more people, it makes money. Section 6 is such a gift for counties. We can manage our corrections budget and start investing in our services. This is a real opportunity, not only for state, but for counties. Straight incarceration is harming people.

Senator Hogue: Section 6 were going to direct the courts and counties and state have to sit down and mandate to have discussions to come up with plan, but didn't give the Department of Corrections the ability to start rationing how many beds a county could have. Do you feel that wouldn't be enough?

LeAnn Bertsch: No it wouldn't be enough. They look at it as a revenue generating piece. We get people from Lake Region. They've got plenty people to generate money for their county. They don't do any treatment up there. Cleaned up jail. They were going to build a county shop based on the money from the jail. You don't have a big scary thing by giving us this authority. In 2013, we got the language to refuse inmates based on their authority. Some judges got very upset with our authority. Some were going to test it and stick it to DOCR. There is incentive to send people to prisons. Burleigh uses the prison, to the factor of 4. It will harm us more. When the county commissioners came out, you're full, that's great, now you can send them over to our jail. We need some authority over the counties at all. You're telling us to stick within our budget. Section 6 is what's good for state is good for county. Look at criminal justice in a whole different manner. Jails at county level through a very narrow lens, is basically how many are coming in, how many going out, with not a single consideration of what would actually work to reduce those numbers coming into the county jails. This language and what's in our bill will actually drive some of those innovations at the local level, that will have great dividends for the state in years to come. This COULD be a great savings if done right. I would love to come back next session and say we don't need to grow our budget. $83M growth to $200M and what have we gotten to show for it really nothing. We've locked a lot of people up. Behavioral health would help to make people healthy. This has the ability to work with DOCR and corrections in the state going forward.

Senator Hogue: How does the county make money or have incentive to jail more people? Does it start with the young cop on the street and go up to the sheriff, tell me all the steps along the way where you feel that they have an incentive to jail more people.

LeAnn Bertsch: They say they don't have enough inmates and need money to be generated. They don't want county inmates so we have had experiences over the last decade. They know that if send those to DOCR and they are full, so then they send them back to us and pay us per diem. That is very real and happens in a number of counties. Rick Washburn, McLean county they built a new jail. There was an article in the paper basically saying we built out jail basically based on revenues from the DOCR. One woman revoked on probation, so probation officer recommends 2 weeks in jail and let her go. Don't need long sentence. States' attorney says, no why would I lose any days in my jail. I'm going to sentence her to 18 months so they have to house them in our jail. The state's attorney's budget comes from the same county commissioners that set the corrections budget. They are very aware of how those financial things work. That's really what is happening.

Senator Wanzek: There is no revenue making situation when they are housing their OWN residents. But it would open it up to per diem.

Dave Krabbenhott: Expansion project some of the opposition is coming from the counties. The counties were afraid what was happening to their jails. We're going back to that old model that we had before which is deficiencies for a department, people will be sentenced out of a county, till come to the DOCR, and we'll run them through reception and then we send someone to county jail. They get $75/day for prisoners. There was opposition on that business model. We can house those people in the county. That is kind of the financial and the flawed things, on the dollar wise, but it's also harm to people. When your ware-housing these people in a county jail, there is no services at county jail.

Senator Wanzek: How to reverse the incentive so they actually want to?

Dave Krabbenhott: By approving the allocation plan. We're seeing this in Ward county. People can stay in their county. You won't have group of people to see who can house people. They won't have those numbers.

LeAnn Bertsch: I would offer one more thing to consider, because we do have such a small state, and push-pull between county and state resources. I really think the prison debt allocation plan, gets us there. But I actually think that the State should study a unified system. Where the state manages all prisons and maintains all jails. That would take away the perverse fiscal incentive system under the auspices of the state and if the counties didn't operate jails.

Senator Mathern: There's another incentive. Sometimes a regional effort will build a jail through a common bonding process. Sometimes builds it bigger than what is needing and so there is an incentive to keep beds full in order to meet their obligation of paying off that jail. I think that happens to sometimes.

Senator Wanzek: You referenced the 2013 session? We gave DOCR authority to refuse to admit inmates sentenced to the physical custody of the department when the admission of inmates will exceed the maximum operational capacity of the penitentiary. We did do that?

LeAnn Bertsch: Yes, but never invoked it. We were funded adequately for contract housing so we never went over our appropriated amounts for contract housing. We reported on that quarterly to the budget section.

Senator Wanzek: Make call to. I don't see how we can cut $7M without giving you the tools to do it. The allocation is sensitive. We're going to have to move the bill. I don't feel comfortable seeing discussion continue. Although I want to spend some time rectifying with some of those that are opposed it, I want to take the bill to the floor and end up losing it because of that. So I think there is going to need to be another meeting. I just want to have a little more time to think about all of this and can you respond to something that county official. I got called from a local county last night, and said well you know it's nice to provide all these services but if your sending somebody to get rehabilitative services and there not ready to change, it isn't going to work. How do you respond to that?

LeAnn Bertsch: They've never put any services in jails. When someone is incarcerated, their attitude changes dramatically. It the counties weren't sending every last dime on hard jail beds, and instead have invested in some things that actually could help people before they got to the point where they are hardened and very criminal. That's how I would respond is what have they tried? They haven't tried anything, because the services aren't there. I've talked to judges and we send people to corrections, low risk none violent people just to get services.

Senator Mathern: In our culture – problems are just broken in the head, family and economy. These things can be fixed. There were times when we thought people had a demon and decided to be depressed because they didn't want to work. We have more possibilities, but we need to take advantage of what we've learned. Described situation (44.03-45.36) We train people to de-escalate. Limit all restraints and eliminating seclusion rooms. Take advantage of science and studies. Haven't seen all these departments agreeing with each other that's new. We've got to cash in on that.

Leann Bertsch: Women's population grew 600% since 1992. The people think we need to run an old catholic school to keep these women locked up to the amount of $11 M dollars to run, but all but 5 women, could be let go.

Senator Wanzek: Goes beyond department of corrections. It goes beyond the whole system, it not just the Department of Corrections, or just the county services, it's the Legislature, it's the judicial, courts. We all are trying to go through a transformation here. It takes a little bit of time. I know again we are back to 2 sets of amendments. I am confused with your amendments, Senator Hogue, you're not going to take the $7M that Burgum has in his budget, your proposing to leave that in, or did I miss understand you?

Senator Hogue: It's in there. Section 6 and 8 of Senator Mathern's. We're meeting again, but I have an open mind. I think there is a perverse incentive to jail folks. I know counties and Williams has expanded twice, but they say it is not about the money but it's about protecting people.
He handed out amendment 17.0523.01004 – Testimony Attached # 3.
Alex Cronquist handed out **Base Level Funding Changes** (containing Hogue changes) – Testimony Attached # 4.

Senator Wanzek: Meeting in Harvest room at 9:30 tomorrow. I feel pretty strongly that I just don't how we can ask the DOCR to cut without giving them some tools to do that. I think this whole discussion should go on. I would like to see it continue into the second part of the Legislative process. We can revisit this all again. I got some pushback from some county officials, but I am not completely convinced that we should give up that allocation process yet. We need to discuss it more. (ended at 51.07)

2017 SENATE STANDING COMMITTEE MINUTES

Appropriations Committee
Harvest Room, State Capitol

SB 2015, SB 2274
2/16/2017
Job # 28444

☒ Subcommittee
☐ Conference Committee

Committee Clerk Signature Mary Muender for Rose Laning

Explanation or reason for introduction of bill/resolution:

To provide an appropriation for defraying the expenses of the department of corrections and rehabilitation.

Minutes: Testimony Attached # 1.

Legislative Council: Alex Cronquist
OMB: Becky Keller

Senator Wanzek: Called the committee to order on SB 2015. Senator Hogue and Senator Mathern were present.

Senator Wanzek: Said he needed 24 hrs. to think about it. No epiphanies. DOCR, in my mind, we need to keep the discussion going of how we can help the DOCR with their limited resources in sentencing people to prison. We all have a role to play. I came prepared to support Senator Mathern's amendment. There is a lot of heartburn over prison bed allocation. I think we could remove Section 8 and still give authority to DOCR on how they manage their inmate population. In the year 2013, we gave prioritization authority to DOCR to control the number of inmates. It's referred to refusal of admissions to inmates, gives them authority when maximum capacity is full. LeAnn can you come elaborate a little more on this.

LeAnn: It's really prioritization, once we've reached maximum capacity for housing. We had lion's share of days taken up by one county. That provision spurred a lot of support. We were fully funded at that point. With all jail funding, this would give us management, for contract housing and what we consider management plan. It is like a pyramid and we prioritize the highest crime and work down and it gets us to the same point. People refer to the quota system and what it really does is divide up resources equal in all counties. It gives the DOCR the ability to manage the budget.

Senator Mathern: Is this legislation intact if we eliminated section 8?

LeAnn: I think It's questionable. Legislative Council says yes. Our council says no. We are not refusing. We would eventually take everyone but it is a matter of prioritization.
Would like just the title redone. Prioritization and not refusal.

Senator Wanzek: We'll get together with Alex Cronquist and try to get the language right. It was the allocation language.

Senator Mathern: We could finish our meeting.

Senator Wanzek: It involves taking Senator Mathern's amendment (17.0523.01005) and remove section 8. Put in language that we would re-title section 6 of 2013's SB 2015 budget bill to "Prioritization of Admission of Inmates." (page 2 of SB 2015 in the 2013 Legislative Session – Testimony Attached # 1.)

Vote # 1 -

Senator Mathern: moved that motion.
Senator Hogue: Seconded the motion.

Senator Hogue: When legislature adopted that prior language, how did that work? How did dialogue go?

LeAnn: We never got to that point because we were fully funded. We have not been deficient since I've been here. We did everything to NOT invoke that authority.

Senator Hogue: How would that communication go? Would you put counties and the courts on alert?

LeAnn: If you are keeping that section with counties and giving them that ability, I think we would start dialogue right away and let them know where we are in our appropriation. Tell them in advance, if they are looking at transports we will say, "Hey look if you have double A's, we'll take them when we have room."

Alex Cronquist: Removing section 8 and 11 which is clarification from Senator Mathern's amendment and replace it with section 6 from 2013 legislative session's SB 2015. The new section 8 there are some different opinions whether it's valid or not. Would you want it to be ND Century Code or session law?

Senator Wanzek: I personally think it should be NDCC. As we go through the Legislative process there might be additional reasoning, but we can let that play out.

Senator Mathern: I agree.

Senator Hogue: I'm ok either way and I think that will be a subject for conference committee.

Senator Wanzek: I don't know what harm it would be in re-stating it anyway.

Alex Cronquist: There is no harm in re-stating it, just whether it was necessary. In code, it's meant to be their authority.

Senator Wanzek: I just think if we are going to ask them to try and hold the line in their budget, they have to have some tools to be able to address it. The important thing is communication. I don't think we want to point fingers, but we all want to be part of the solution and need to communicate and let counties know.

LeAnn: I am hopeful that with that language, that gives the counties the ability to manage their jail population.

A Roll Call Vote was taken: 3 yeas, 0 nays, 0 absent.

Vote # :

Senator Hogue: Moved to forward the bill as amended to full committee.
Senator Mathern: Seconded the motion.

A Roll Call Vote was taken: 3 yeas, 0 nays, 0 absent.

Vote # 3:

Senator Hogue: Moved to recommend a Do Not Pass to the full Senate Appropriations Committee on SB 2274.

Senator Mathern: Seconded the motion.

A Roll Call Vote was taken: 3 yeas, 0 nays, 0 absent.

Senator Wanzek: Closed the hearing on SB 2015.

2017 SENATE STANDING COMMITTEE MINUTES

Appropriations Committee
Harvest Room, State Capitol

SB 2015
2/16/2017
Job # 28477

☐ Subcommittee
☐ Conference Committee

Committee Clerk Signature Rose Laning

Explanation or reason for introduction of bill/resolution:

To provide an appropriation for defraying the expenses of the department of corrections and rehabilitation.

Minutes: Testimony Attached # 1.

Legislative Council: Becky Keller
OMB: Alex Cronquist

Chairman Holmberg called the committee to order on SB 2021.

Senator Wanzek handed out amendment 17.0523.01006 – Testimony Attached # 1.
He explained the amendment.

He said there is a $7M reduction in the Burgum budget that was for salaries, wages and contract housing. How is DOCR going to be able to do that? In the last year, we have had the Justice Reinvestment Act and we've rolled SB 2274 into this bill which establishes a behavioral health program that the Department of Corrections and Rehabilitations will hold the purse as the work with Dept. of Human Services. This would contract with behavioral health service providers in providing services for inmates.
Also in HB 1041, it is working with reducing the sentencing levels for lower level crime offenses. That should also help. Included in this bill is an inmate population plan. This requires DOCR, in cooperation with law enforcement, state attorneys, and judiciary in the judicial district in which the correctional facility is located, to develop an inmate population plan to prioritize admissions and inmate retention based on the correctional facilities' authorized budget.
The plan must take into consideration the governing body's authorized budget and resources, the inmate's offense – whether the inmate was charged, adjudicated or sentenced, whether the inmate presents a risk of flight, the inmate's medical records and mental and behavioral health needs and whether the inmate is subject to mandatory incarceration. The plan must also include alternatives to physical custody of the individuals, placing them in a community setting, work release, home detention, electronic home detention, global positioning (GPS) monitoring, medical, psychiatric, and drug and alcohol treatment, employment and also pre-trial risk assessment with pre-trial supervision.

In section 8, we initially discussed giving the DOCR the authority in developing an allocation plan for the counties. That would be when they reach maximum capacity and are projecting around 198 inmates over and above capacity this next biennium that would need to be contract housing. With the women, it was around 20 that they would be over and would require contract housing.

That's where some of the $7M savings is and we are going to give them the right to develop this allocation plan with the counties. The counties are having a lot of heartburn over that as we are putting a lot of authority in the hands of a state agency. There was a lot of pushback from the counties, so we eliminated that allocation plan and in its place, we implemented a prioritization of admissions of inmates and a report to legislative management.

(7:59) The DOCR may refuse to admit inmates sentenced to the physical custody of the department when the admission of inmates will exceed the maximum operational capacity of the penitentiary and its affiliated facilities and resulting in the department exceeding the authorized legislative appropriation for contract housing of inmates in other correctional facilities.
We are giving them authority to say there is no room in the inn. If there is no room in the inn, we want them to work collaboratively with the counties, state's attorneys and judiciary. We can't really blame anyone group for our prison situation. We are all somewhat responsible for this and need to find an alternative for that inmate short of incarceration or having to pay for housing in a contract type situation. I'm not completely comfortable with this, but feel it needs to be passed and sent on into the session for more discussion.

We took SB 2274 which is going to help establish the behavioral health program within the department of corrections. DOCR will use that $7M to contract with the Department of Human Services to try and develop private services that can help them in assisting in that endeavor.
This increases Burgum's budget by $8.1M mostly from the employees personal health care and $7M to implement the behavioral health program or SB 2274.

Senator Wanzek: Moved a Do Pass on Amendment 17.0523.01006.
Senator Mathern: Seconded the motion.

Senator Mathern said they were concerned about adding the 10 FTEs at youth Correctional Center and found that much is related to two issues. One is that there is a bad design of the facilities and the second is that we aren't doing enough to keep people out of the facility. We have a study resolution on page 5 which basically says that human services, corrections and P&A need to look at that and come back with a recommendation on how to address that. Maybe we can figure out how to reduce FTEs if we did a better job.

Senator Hogue: There is a separate $500,000 for the Dept. of Human Services to develop a strategic plan as to how these behavioral health services are going to be delivered if we approve SB 2274. I've been hearing that you may need only a very small part of that because there are so few behavioral health specialists. I agree conceptually with what SB 2274 is trying to accomplish, we may find ourselves in a situation where we give the dept. $500,000 dollars to develop a strategic plan and deliver these services closer to where the defendant lives and find that there are not the providers out there. We're going to give it the college try, but may not be successful.

DISCUSSION on the inmate populations -

Senator Grabinger: Last interim, you asked the Alternatives Issues Committee to go with CSG, look into this and try to come up with recommendations to try and turn this prison system around and figure out what we can do to stop this overcrowding. These are measures that were brought forward. This is an effort to do that. It may not be perfect, but we're going to try. These prisons, like Jamestown, started out as the state hospital and has been taken over with the prison. We're building prisons and overcrowding them and we just keep filling them. We've got to take efforts to try and turn it around. I would hope everyone would support this and move it forward and start somewhere.

Senator Dever: I agree with everything that has been said. My concern is in section 8, it says the DOCR may refuse to admit inmates. If that paragraph started on the eighth line with "The department shall develop a prison population management plan", fine. They would then be forced to work with the counties. They couldn't just say no to the counties as I think that paragraph is currently constructed.

Senator Wanzek: This language is almost identical to what we passed in 2013 in session language. The DOCR never had to use it because we provided them with the resources and the funding so they never had to use it. This isn't the first time that it's ever been tried. There is a question as to whether they still have the authority or whether it was just session law, so we went ahead and put it in here. We're going to try it again. Now we took $7M away from them for contract housing and we're reinvesting it into behavioral health programs that might help keep some of those people out of the prison. With these tools, hopefully they can manage it better. They felt it was very important for them to save that $7M in contract housing. If they get to that point, they've got to be able to force the issue a little bit and force people to reconsider and prioritize their inmate population.

A Roll Call Vote was taken: 13 yeas, 1 nays, 0 absent.

Senator Hogue: I share **Senator Dever's** concern. This morning, we agree to put this section 8 in code. We thought we'll need to keep an eye on this because when we gave them the authority last time, there was an indication that it was in their budget and so it was temporary. The amendment does put it into code. We may want to revisit sometime and decide it should have a sunset clause on it or it should be explicit that it's not a permanent grant of authority to turn people away.

Senator Wanzek: I wouldn't disagree. We are going to end up in conference committee with this bill. There are a lot of questions and we are in new territory here and we have a lot of expectations. Knowing the House, they will thoroughly analyze this and we'll end up in conference committee. Hopefully there may be better thoughts or ideas by that time.

Senator Hogue: Moved Do Pass as Amended on SB 2015.
Senator Mathern: Seconded the motion.

A Roll Call Vote was taken: 13 yeas, 1 nays, 0 absent.

Senator Wanzek: will carry the bill.

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2/16/17
1 of 8

17.0523.01006
Title.02000
Fiscal No. 5

Prepared by the Legislative Council staff for
Senator Wanzek
February 16, 2017

PROPOSED AMENDMENTS TO SENATE BILL NO. 2015

Page 1, line 2, after "rehabilitation" insert "; to provide appropriations to the department of human services for behavioral health services; to create and enact a new section to chapter 12-44.1 and two new sections to chapter 54-23.3 of the North Dakota Century Code, relating to management of inmate population, a community behavioral health plan as a term of parole or an alternative to incarceration, and prioritization of admission of inmates; to provide for a legislative management study; and to provide for a report to the budget section"

Page 1, replace lines 12 through 17 with:

"Adult services	$205,626,019	$16,710,273	$222,336,292
Youth services	30,654,707	642,028	31,296,735
Total all funds	$236,280,726	$17,352,301	$253,633,027
Less estimated income	33,236,706	5,038,348	38,275,054
Total general fund	$203,044,020	$12,313,953	$215,357,973
Full-time equivalent positions	836.29	11.00	847.29"

Page 1, line 19, replace "as adjusted for the 2015-17 biennium" with "for the 2015-17 biennium and the 2017-19 one-time funding items included in the appropriation in section 1 of this Act"

Page 1, replace line 22 with:

"Equipment	470,400	167,000"

Page 2, replace lines 2 through 4 with:

"License plate issue	4,900,000	0
Electronic medical records system	0	935,907
Total all funds	$6,592,167	$1,102,907
Less estimated income	5,126,000	1,102,907"

Page 2, after line 5, insert:

"The 2017-19 one-time funding amounts are not a part of the entity's base budget for the 2019-21 biennium. The department of corrections and rehabilitation shall report to the appropriations committees of the sixty-sixth legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2017, and ending June 30, 2019.

SECTION 3. APPROPRIATION - DEPARTMENT OF HUMAN SERVICES. There is appropriated from special funds derived from federal funds and other income, the sum of $7,000,000, or so much of the sum as may be necessary, to the department of human services for the purposes of implementing the community behavioral health program, for the biennium beginning July 1, 2017, and ending June 30, 2019. The department is authorized six full-time equivalent positions to implement the community behavioral health program.

SECTION 4. APPROPRIATION - REPORT TO LEGISLATIVE MANAGEMENT - DEPARTMENT OF HUMAN SERVICES.

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1. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of $500,000, or so much of the sum as may be necessary, to the department of human services for the purposes of contracting with a public or private entity to create and initiate and facilitate the implementation of a strategic plan to increase the availability of all types of behavioral health services in all regions of the state, for the biennium beginning July 1, 2017, and ending June 30, 2019.

2. During the 2017-18 interim, the department of human services and the contracting entity shall make annual reports to the legislative management on the status of the creation and implementation of this strategic plan, including recommendations regarding legislation needed for full implementation.

SECTION 5. ESTIMATED INCOME - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND. The estimated income line item in section 1 of this Act includes $935,907 of one-time funding from the strategic investment and improvements fund for an electronic medical records system.

SECTION 6. A new section to chapter 12-44.1 of the North Dakota Century Code is created and enacted as follows:

Management of inmate population.

1. The governing body of a correctional facility, in cooperation with law enforcement, state's attorneys, and the judiciary in the judicial district in which the correctional facility is located, shall develop an inmate population plan to prioritize admissions and inmate retention based on the correctional facility's authorized budget.

2. The inmate population plan must take into consideration:

   a. The governing body's authorized budget;

   b. The inmate's offense;

   c. Whether the inmate has been charged, adjudicated, or sentenced;

   d. Whether the inmate presents a risk of flight or is a danger to others or self;

   e. The inmate's medical needs and mental and behavioral health needs; and

   f. Whether the inmate is subject to mandatory incarceration.

3. The inmate population plan must include alternatives to physical custody of individuals under charge or conviction of an offense, including:

   a. Placement in a community setting;

   b. Work release;

   c. Home detention;

   d. Electronic home detention;

   e. Global positioning system monitoring;

f. Medical, psychiatric, and drug and alcohol treatment;

g. Employment;

h. Pretrial risk assessment; and

i. Pretrial supervision.

4. This section does not apply when there are exigent circumstances that affect a correctional facility's operations and inmate population, including acts of God and mass arrests.

5. The department of corrections and rehabilitation shall provide technical assistance relating to the implementation of this section to the governing body of a correctional facility upon request from the governing body.

SECTION 7. A new section to chapter 54-23.3 of the North Dakota Century Code is created and enacted as follows:

Community behavioral health program - Reports to legislative management and governor.

1. The department of corrections and rehabilitation shall establish and implement a community behavioral health program to provide comprehensive community-based services for individuals who have serious behavioral health conditions, as a term and condition of parole under chapter 12-59, and as a sentencing alternative under section 12.1-32-02.

2. In developing the program under this section, the department of corrections and rehabilitation shall collaborate with the department of human services to:

   a. Establish a referral and evaluation process for access to the program.

   b. Establish eligibility criteria that includes consideration of recidivism risk and behavioral health condition severity.

   c. Establish discharge criteria and processes, with a goal of establishing a seamless transition to postprogram services to decrease recidivism.

   d. Develop program oversight, auditing, and evaluation processes that must include:

      (1) Oversight of case management services through the department of human services;

      (2) Outcome and provider reporting metrics; and

      (3) Annual reports to the legislative management and the governor on the status of the program.

   e. Establish a system through which:

      (1) The department of human services:

         (a) Contracts with and pays behavioral health service providers; and

(b) Supervises, supports, and monitors referral caseloads and the provision of services by contract behavioral health service providers.

(2) Contract behavioral health service providers accept all eligible referrals, provide individualized care delivered through integrated multidisciplinary care teams, and continue services on an ongoing basis until discharge criteria are met.

(3) Contract behavioral health service providers receive payments on a per-month per-referral basis. The payment schedule must be based on a pay-for-performance model that includes consideration of identified outcomes and the level of services required.

(4) Contract behavioral health service providers bill third-parties for services and direct payment to the general fund.

3. The department of human services may adopt rules as necessary to implement this program.

SECTION 8. A new section to chapter 54-23.3 of the North Dakota Century Code is created and enacted as follows:

Prioritization of admission of inmates - Report to legislative management.

The department of corrections and rehabilitation may refuse to admit inmates sentenced to the physical custody of the department when the admission of inmates will exceed the maximum operational capacity of the penitentiary and its affiliated facilities and result in the department exceeding its authorized legislative appropriation for contracting for housing inmates in other correctional facilities. For purposes of this section, maximum operational capacity of the department means the total number of inmates that may be imprisoned at the same time in the penitentiary and its affiliated facilities. The department shall develop a prison population management plan to prioritize admissions based on sentences and the availability of space in the penitentiary and its affiliated facilities. The department shall report annually to the legislative management on the prison population management plan and inmate admissions and the number of inmates the department has not admitted after sentencing.

SECTION 9. LEGISLATIVE MANAGEMENT STUDY - CRIMINAL JUSTICE SYSTEM BEHAVIORAL HEALTH NEEDS. During the 2017-18 interim, the legislative management shall consider continuing its study of alternatives to incarceration, with a focus on the behavioral health needs of individuals in the criminal justice system. The study must include receipt of reports on the status, effectiveness, and sustainability of the community behavioral health program for individuals in the criminal justice system which must include caseload data, any recognized savings to the department of corrections and rehabilitation, an overview of the training requirements for contract behavioral health service providers, and recommendations. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-sixth legislative assembly.

SECTION 10. DEPARTMENT OF CORRECTIONS AND REHABILITATION - YOUTH CORRECTIONAL CENTER STUDY - BUDGET SECTION REPORT. During

the 2017-18 interim, the department of corrections and rehabilitation, in consultation with the department of human services, the protection and advocacy project, and the supreme court, shall study the potential for increased community-based treatment services for youth offenders, youth correctional center staffing requirements, and the efficiency and adequacy of the youth correctional center facilities. The study must consider the potential to raze and replace the current facilities at the youth correctional center. The department of corrections and rehabilitation shall report the results of the study to the budget section of the legislative management by December 31, 2018.

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2015 - Summary of Senate Action

	Base Budget	Senate Changes	Senate Version
Department of Human Services			
Total all funds	$0	$7,500,000	$7,500,000
Less estimated income	0	7,000,000	7,000,000
General fund	$0	$500,000	$500,000
Department of Corrections and Rehab.			
Total all funds	$236,280,726	$17,352,301	$253,633,027
Less estimated income	33,236,706	5,038,348	38,275,054
General fund	$203,044,020	$12,313,953	$215,357,973
Bill total			
Total all funds	$236,280,726	$24,852,301	$261,133,027
Less estimated income	33,236,706	12,038,348	45,275,054
General fund	$203,044,020	$12,813,953	$215,857,973.00

Senate Bill No. 2015 - Department of Human Services - Senate Action

	Base Budget	Senate Changes	Senate Version
Behavioral health services		$7,500,000	$7,500,000
Total all funds	$0	$7,500,000	$7,500,000
Less estimated income	0	7,000,000	7,000,000
General fund	$0	$500,000	$500,000
FTE	0.00	6.00	6.00

Department No. 325 - Department of Human Services - Detail of Senate Changes

	Adds Funding for a Community Behavioral Health Program[1]	Adds Funding for a Strategic Plan to Increase Behavioral Health Services[2]	Total Senate Changes
Behavioral health services	$7,000,000	$500,000	$7,500,000
Total all funds	$7,000,000	$500,000	$7,500,000
Less estimated income	7,000,000	0	7,000,000
General fund	$0	$500,000	$500,000
FTE	6.00	0.00	6.00

[1] Funding of $7 million from other funds and 6 FTE positions are added for a community behavioral health program. The source of funds is funding provided by the Department of Corrections and Rehabilitation.

[2] Funding of $500,000 from the general fund is added for contracting with a public or private entity to create, initiate, and facilitate the implementation of a strategic plan to increase the availability of all types of behavioral health services in all regions of the state.

- Section 3 is added to provide an appropriation of $7 million to the Department of Human Services for a community behavioral health program.
- Section 4 is added to provide an appropriation of $500,000 to the Department of Human Services for a strategic plan to increase behavioral health services.

Senate Bill No. 2015 - Department of Corrections and Rehab. - Senate Action

	Base Budget	Senate Changes	Senate Version
Adult services	$205,626,019	$16,710,273	$222,336,292
Youth services	30,654,707	642,028	31,296,735
Total all funds	$236,280,726	$17,352,301	$253,633,027
Less estimated income	33,236,706	5,038,348	38,275,054
General fund	$203,044,020	$12,313,953	$215,357,973
FTE	836.29	11.00	847.29

Department No. 530 - Department of Corrections and Rehab. - Detail of Senate Changes

	Adds Funding for Base Payroll Changes[1]	Adds Funding for Health Insurance Premium Increases[2]	Adds New Youth Correctional Center Positions[3]	Restores Funding for Salaries and Wages[4]	Restores and Increases Funding for Contract Housing and Programming[5]	Restores Funding for Dakota Women's Correctional and Rehabilitation Center[6]
Adult services	$2,927,685	$1,931,420		$319,816	$4,689,264	$348,815
Youth services	(787,427)	398,239	1,258,076	142,119	131,250	
Total all funds	$2,140,258	$2,329,659	$1,258,076	$461,935	$4,820,514	$348,815
Less estimated income	1,296,984	150,361	0	0	0	0
General fund	$843,274	$2,179,298	$1,258,076	$461,935	$4,820,514	$348,815
FTE	0.00	0.00	10.00	0.00	0.00	0.00

	Adjusts Funding for Operating Expenses[7]	Increases Funding Relating to Federal Grant Changes[8]	Reduces Funding for Extraordinary Repairs and Capital Bond Payments[9]	Reduces Funding Relating to Prison Bed Day Allocation Program[10]	Adds Funding for a Community Behavioral Health Program[11]	Adds One-Time Funding for Equipment and a New Medical Records System[12]
Adult services	$2,681,924	$2,817,597	($360,841)	($6,748,314)	$7,000,000	$1,102,907
Youth services	(101,479)	200,000	(347,064)	(251,686)		
Total all funds	$2,580,445	$3,017,597	($707,905)	($7,000,000)	$7,000,000	$1,102,907
Less estimated income	(359,501)	3,017,597	(170,000)	0	0	1,102,907
General fund	$2,939,946	$0	($537,905)	($7,000,000)	$7,000,000	$0
FTE	0.00	0.00	0.00	0.00	1.00	0.00

	Total Senate Changes
Adult services	$16,710,273

Youth services	642,028
Total all funds	$17,352,301
Less estimated income	5,038,348
General fund	$12,313,953
FTE	11.00

[1] Funding is added for cost-to-continue 2015-17 biennium salary increases and for other base payroll changes, including increased funding for teachers' salaries.

[2] Funding is added for increases in health insurance premiums from $1,130 to $1,249 per month.

[3] Funding is added for 10 new Youth Correctional Center FTE positions to maintain compliance with the federal Prison Rape Elimination Act.

[4] Funding is restored for salaries and wages which was reduced by the Department of Corrections and Rehabilitation to meet the 2015-17 budget reductions approved by the Legislative Assembly during the August 2016 special legislative session.

[5] Funding of $4,715,073 is restored from the general fund for contract housing and programming which was reduced by the Department of Corrections and Rehabilitation to meet the 2015-17 budget reductions. In addition funding for contract housing and programming is increased by $105,441 from the general fund.

[6] Funding is restored for the Dakota Women's Correctional and Rehabilitation Center contract which was reduced by the Department of Corrections and Rehabilitation to meet the 2015-17 budget reductions.

[7] Funding for various operating expenses, including food and clothing, medical, travel, utilities, repairs, maintenance, information technology, and professional services is adjusted.

[8] Funding from federal grants, including federal Victims of Crime Act funding, is increased.

[9] Base funding for extraordinary repairs is reduced by $587,060, including $417,060 from the general fund, to provide total funding for extraordinary repairs of $946,000, including $866,000 from the general fund. Funding for capital bond payments is reduced by $120,845 from the general fund.

[10] Funding for salaries and wages and contract housing and programming is reduced by $7 million from the general fund to recognize savings from the prioritization of admission of inmates.

[11] Funding of $7 million from the general fund and 1 FTE position are added for a community behavioral health program.

[12] One-time funding of $167,000 of special funds from Roughrider Industries is added for equipment, including a metal plasma cutting table, corner machine, cutoff saw, tiger stop saw, upholstery sewing machine, metal chop saw, saw dust collector, sewing digitizer-plotter, and a sewing pattern machine. One-time funding of $935,907 from the strategic investment and improvements fund is added for a new electronic medical records system.

- This amendment also:
- Adds a section to designate $935,907 of special funds for an electronic medical records system is from the strategic investment and improvements fund.

- Creates a new section relating to management of inmate population at local and regional correctional facilities.

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- Creates a new section relating to a community behavioral health plan as a term of parole or an alternative to incarceration.
- Creates a new section relating to prioritization of admission of inmates.
- Adds a section to provide for a continuation of the Legislative Management study of alternatives to incarceration.
- Adds a section to provide for a Department of Corrections and Rehabilitation study of Youth Correctional Center facilities, staffing requirements, and community-based treatment. The department is to perform the study in consultation with the Department of Human Services, the Protection and Advocacy Project, and the Supreme Court. Results of the study are to be reported to the Budget Section.

Date: 2-16-17
Roll Call Vote #: 1

2017 SENATE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 2015

Senate Appropriations Committee

☒ Subcommittee

Amendment LC# or Description: adopt 17.0523.01005 with language changes + removing Section 8 + 11)

Recommendation: ☒ Adopt Amendment
☐ Do Pass ☐ Do Not Pass ☐ Without Committee Recommendation
☐ As Amended ☐ Rerefer to Appropriations
☐ Place on Consent Calendar

Other Actions: ☐ Reconsider ☐ _____

Motion Made By Mathern Seconded By Hogue

Senators	Yes	No	Senators	Yes	No
Chairman Holmberg			Senator Mathern	Y	
Vice Chair Krebsbach			Senator Grabinger		
Vice Chair Bowman			Senator Robinson		
Senator Erbele					
Senator Wanzek	Y				
Senator Kilzer					
Senator Lee					
Senator Dever					
Senator Sorvaag					
Senator Oehlke					
Senator Hogue	Y				

Total (Yes) 3 No 0

Absent 0

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

Date: 2-16-17
Roll Call Vote #: 2

2017 SENATE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 2015

Senate Appropriations Committee

☒ Subcommittee

Amendment LC# or Description: _____

Recommendation: ☐ Adopt Amendment
☐ Do Pass ☐ Do Not Pass ☐ Without Committee Recommendation
☐ As Amended ☐ Rerefer to Appropriations
☐ Place on Consent Calendar

Other Actions: ☐ Reconsider ☒ forward amendment to full Senate Approps. Committee

Motion Made By Hogue Seconded By Mathern

Senators	Yes	No	Senators	Yes	No
Chairman Holmberg			Senator Mathern	Y	
Vice Chair Krebsbach			Senator Grabinger		
Vice Chair Bowman			Senator Robinson		
Senator Erbele					
Senator Wanzek	Y				
Senator Kilzer					
Senator Lee					
Senator Dever					
Senator Sorvaag					
Senator Oehlke					
Senator Hogue	Y				

Total (Yes) 3 No 0

Absent 0

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

Date: 2-16-17
Roll Call Vote #: 1

2017 SENATE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 2015

Senate Appropriations Committee

☐ Subcommittee

Amendment LC# or Description: 17.0523.01006

Recommendation: ☑ Adopt Amendment
☐ Do Pass ☐ Do Not Pass ☐ Without Committee Recommendation
☐ As Amended ☐ Rerefer to Appropriations
☐ Place on Consent Calendar

Other Actions: ☐ Reconsider ☐ _____

Motion Made By Wanzek Seconded By Mathern

Senators	Yes	No	Senators	Yes	No
Chairman Holmberg	✓		Senator Mathern	✓	
Vice Chair Krebsbach	✓		Senator Grabinger	✓	
Vice Chair Bowman	✓		Senator Robinson	✓	
Senator Erbele	✓				
Senator Wanzek	✓				
Senator Kilzer	✓				
Senator Lee	✓				
Senator Dever		✓			
Senator Sorvaag	✓				
Senator Oehlke	✓				
Senator Hogue	✓				

Total (Yes) 13 No 1

Absent 0

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

Date: 2-16-17
Roll Call Vote #: #2

2017 SENATE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 2015

Senate Appropriations Committee

☐ Subcommittee

Amendment LC# or Description: _____

Recommendation: ☐ Adopt Amendment
☒ Do Pass ☐ Do Not Pass ☐ Without Committee Recommendation
☒ As Amended ☐ Rerefer to Appropriations
☐ Place on Consent Calendar

Other Actions: ☐ Reconsider ☐ _____

Motion Made By Hogue Seconded By Mathern

Senators	Yes	No	Senators	Yes	No
Chairman Holmberg	✓		Senator Mathern	✓	
Vice Chair Krebsbach	✓		Senator Grabinger	✓	
Vice Chair Bowman	✓		Senator Robinson	✓	
Senator Erbele	✓				
Senator Wanzek	✓				
Senator Kilzer	✓				
Senator Lee	✓				
Senator Dever		✓			
Senator Sorvaag	✓				
Senator Oehlke	✓				
Senator Hogue	✓				

Total (Yes) 13 No 1

Absent 0

Floor Assignment Wanzek

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

SB 2015: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). SB 2015 was placed on the Sixth order on the calendar.

Page 1, line 2, after "rehabilitation" insert "; to provide appropriations to the department of human services for behavioral health services; to create and enact a new section to chapter 12-44.1 and two new sections to chapter 54-23.3 of the North Dakota Century Code, relating to management of inmate population, a community behavioral health plan as a term of parole or an alternative to incarceration, and prioritization of admission of inmates; to provide for a legislative management study; and to provide for a report to the budget section"

Page 1, replace lines 12 through 17 with:

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Youth services	30,654,707	642,028	31,296,735
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Less estimated income	33,236,706	5,038,348	38,275,054
Total general fund	$203,044,020	$12,313,953	$215,357,973
Full-time equivalent positions	836.29	11.00	847.29"

Page 1, line 19, replace "as adjusted for the 2015-17 biennium" with "for the 2015-17 biennium and the 2017-19 one-time funding items included in the appropriation in section 1 of this Act"

Page 1, replace line 22 with:

"Equipment	470,400	167,000"

Page 2, replace lines 2 through 4 with:

"License plate issue	4,900,000	0
Electronic medical records system	0	935,907
Total all funds	$6,592,167	$1,102,907
Less estimated income	5,126,000	1,102,907"

Page 2, after line 5, insert:

"The 2017-19 one-time funding amounts are not a part of the entity's base budget for the 2019-21 biennium. The department of corrections and rehabilitation shall report to the appropriations committees of the sixty-sixth legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2017, and ending June 30, 2019.

SECTION 3. APPROPRIATION - DEPARTMENT OF HUMAN SERVICES. There is appropriated from special funds derived from federal funds and other income, the sum of $7,000,000, or so much of the sum as may be necessary, to the department of human services for the purposes of implementing the community behavioral health program, for the biennium beginning July 1, 2017, and ending June 30, 2019. The department is authorized six full-time equivalent positions to implement the community behavioral health program.

SECTION 4. APPROPRIATION - REPORT TO LEGISLATIVE MANAGEMENT - DEPARTMENT OF HUMAN SERVICES.

1. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of $500,000, or so much of the sum as may be necessary, to the department of human services for the purposes of contracting with a public or private entity to create and

initiate and facilitate the implementation of a strategic plan to increase the availability of all types of behavioral health services in all regions of the state, for the biennium beginning July 1, 2017, and ending June 30, 2019.

2. During the 2017-18 interim, the department of human services and the contracting entity shall make annual reports to the legislative management on the status of the creation and implementation of this strategic plan, including recommendations regarding legislation needed for full implementation.

SECTION 5. ESTIMATED INCOME - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND. The estimated income line item in section 1 of this Act includes $935,907 of one-time funding from the strategic investment and improvements fund for an electronic medical records system.

SECTION 6. A new section to chapter 12-44.1 of the North Dakota Century Code is created and enacted as follows:

Management of inmate population.

1. The governing body of a correctional facility, in cooperation with law enforcement, state's attorneys, and the judiciary in the judicial district in which the correctional facility is located, shall develop an inmate population plan to prioritize admissions and inmate retention based on the correctional facility's authorized budget.

2. The inmate population plan must take into consideration:

   a. The governing body's authorized budget;

   b. The inmate's offense;

   c. Whether the inmate has been charged, adjudicated, or sentenced;

   d. Whether the inmate presents a risk of flight or is a danger to others or self;

   e. The inmate's medical needs and mental and behavioral health needs; and

   f. Whether the inmate is subject to mandatory incarceration.

3. The inmate population plan must include alternatives to physical custody of individuals under charge or conviction of an offense, including:

   a. Placement in a community setting;

   b. Work release;

   c. Home detention;

   d. Electronic home detention;

   e. Global positioning system monitoring;

   f. Medical, psychiatric, and drug and alcohol treatment;

   g. Employment;

   h. Pretrial risk assessment; and

i. Pretrial supervision.

4. This section does not apply when there are exigent circumstances that affect a correctional facility's operations and inmate population, including acts of God and mass arrests.

5. The department of corrections and rehabilitation shall provide technical assistance relating to the implementation of this section to the governing body of a correctional facility upon request from the governing body.

SECTION 7. A new section to chapter 54-23.3 of the North Dakota Century Code is created and enacted as follows:

Community behavioral health program - Reports to legislative management and governor.

1. The department of corrections and rehabilitation shall establish and implement a community behavioral health program to provide comprehensive community-based services for individuals who have serious behavioral health conditions, as a term and condition of parole under chapter 12-59, and as a sentencing alternative under section 12.1-32-02.

2. In developing the program under this section, the department of corrections and rehabilitation shall collaborate with the department of human services to:

   a. Establish a referral and evaluation process for access to the program.

   b. Establish eligibility criteria that includes consideration of recidivism risk and behavioral health condition severity.

   c. Establish discharge criteria and processes, with a goal of establishing a seamless transition to postprogram services to decrease recidivism.

   d. Develop program oversight, auditing, and evaluation processes that must include:

      (1) Oversight of case management services through the department of human services;

      (2) Outcome and provider reporting metrics; and

      (3) Annual reports to the legislative management and the governor on the status of the program.

   e. Establish a system through which:

      (1) The department of human services:

         (a) Contracts with and pays behavioral health service providers; and

         (b) Supervises, supports, and monitors referral caseloads and the provision of services by contract behavioral health service providers.

      (2) Contract behavioral health service providers accept all eligible referrals, provide individualized care delivered through

integrated multidisciplinary care teams, and continue services on an ongoing basis until discharge criteria are met.

(3) Contract behavioral health service providers receive payments on a per-month per-referral basis. The payment schedule must be based on a pay-for-performance model that includes consideration of identified outcomes and the level of services required.

(4) Contract behavioral health service providers bill third-parties for services and direct payment to the general fund.

3. The department of human services may adopt rules as necessary to implement this program.

SECTION 8. A new section to chapter 54-23.3 of the North Dakota Century Code is created and enacted as follows:

Prioritization of admission of inmates - Report to legislative management.

The department of corrections and rehabilitation may refuse to admit inmates sentenced to the physical custody of the department when the admission of inmates will exceed the maximum operational capacity of the penitentiary and its affiliated facilities and result in the department exceeding its authorized legislative appropriation for contracting for housing inmates in other correctional facilities. For purposes of this section, maximum operational capacity of the department means the total number of inmates that may be imprisoned at the same time in the penitentiary and its affiliated facilities. The department shall develop a prison population management plan to prioritize admissions based on sentences and the availability of space in the penitentiary and its affiliated facilities. The department shall report annually to the legislative management on the prison population management plan and inmate admissions and the number of inmates the department has not admitted after sentencing.

SECTION 9. LEGISLATIVE MANAGEMENT STUDY - CRIMINAL JUSTICE SYSTEM BEHAVIORAL HEALTH NEEDS. During the 2017-18 interim, the legislative management shall consider continuing its study of alternatives to incarceration, with a focus on the behavioral health needs of individuals in the criminal justice system. The study must include receipt of reports on the status, effectiveness, and sustainability of the community behavioral health program for individuals in the criminal justice system which must include caseload data, any recognized savings to the department of corrections and rehabilitation, an overview of the training requirements for contract behavioral health service providers, and recommendations. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-sixth legislative assembly.

SECTION 10. DEPARTMENT OF CORRECTIONS AND REHABILITATION - YOUTH CORRECTIONAL CENTER STUDY - BUDGET SECTION REPORT. During the 2017-18 interim, the department of corrections and rehabilitation, in consultation with the department of human services, the protection and advocacy project, and the supreme court, shall study the potential for increased community-based treatment services for youth offenders, youth correctional center staffing requirements, and the efficiency and adequacy of the youth correctional center facilities. The study must consider the potential to raze and replace the current facilities at the youth correctional center. The department of corrections and rehabilitation shall report the results of the study to the budget section of the legislative management by December 31, 2018.

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2015 - Summary of Senate Action

	Base Budget	Senate Changes	Senate Version
Department of Human Services			
Total all funds	$0	$7,500,000	$7,500,000
Less estimated income	0	7,000,000	7,000,000
General fund	$0	$500,000	$500,000
Department of Corrections and Rehab.			
Total all funds	$236,280,726	$17,352,301	$253,633,027
Less estimated income	33,236,706	5,038,348	38,275,054
General fund	$203,044,020	$12,313,953	$215,357,973
Bill total			
Total all funds	$236,280,726	$24,852,301	$261,133,027
Less estimated income	33,236,706	12,038,348	45,275,054
General fund	$203,044,020	$12,813,953	$215,857,973.00

Senate Bill No. 2015 - Department of Human Services - Senate Action

	Base Budget	Senate Changes	Senate Version
Behavioral health services		$7,500,000	$7,500,000
Total all funds	$0	$7,500,000	$7,500,000
Less estimated income	0	7,000,000	7,000,000
General fund	$0	$500,000	$500,000
FTE	0.00	6.00	6.00

Department No. 325 - Department of Human Services - Detail of Senate Changes

	Adds Funding for a Community Behavioral Health Program[1]	Adds Funding for a Strategic Plan to Increase Behavioral Health Services[2]	Total Senate Changes
Behavioral health services	$7,000,000	$500,000	$7,500,000
Total all funds	$7,000,000	$500,000	$7,500,000
Less estimated income	7,000,000	0	7,000,000
General fund	$0	$500,000	$500,000
FTE	6.00	0.00	6.00

[1] Funding of $7 million from other funds and 6 FTE positions are added for a community behavioral health program. The source of funds is funding provided by the Department of Corrections and Rehabilitation.

[2] Funding of $500,000 from the general fund is added for contracting with a public or private entity to create, initiate, and facilitate the implementation of a strategic plan to increase the availability of all types of behavioral health services in all regions of the state.

- Section 3 is added to provide an appropriation of $7 million to the Department of Human Services for a community behavioral health program.
- Section 4 is added to provide an appropriation of $500,000 to the Department of Human Services for a strategic plan to increase behavioral health services.

Senate Bill No. 2015 - Department of Corrections and Rehab. - Senate Action

	Base Budget	Senate Changes	Senate Version
Adult services	$205,626,019	$16,710,273	$222,336,292
Youth services	30,654,707	642,028	31,296,735
Total all funds	$236,280,726	$17,352,301	$253,633,027
Less estimated income	33,236,706	5,038,348	38,275,054
General fund	$203,044,020	$12,313,953	$215,357,973
FTE	836.29	11.00	847.29

Department No. 530 - Department of Corrections and Rehab. - Detail of Senate Changes

	Adds Funding for Base Payroll Changes[1]	Adds Funding for Health Insurance Premium Increases[2]	Adds New Youth Correctional Center Positions[3]	Restores Funding for Salaries and Wages[4]	Restores and Increases Funding for Contract Housing and Programming[5]	Restores Funding for Dakota Women's Correctional and Rehabilitation Center[6]
Adult services	$2,927,685	$1,931,420		$319,816	$4,689,264	$348,815
Youth services	(787,427)	398,239	1,258,076	142,119	131,250	
Total all funds	$2,140,258	$2,329,659	$1,258,076	$461,935	$4,820,514	$348,815
Less estimated income	1,296,984	150,361	0	0	0	0
General fund	$843,274	$2,179,298	$1,258,076	$461,935	$4,820,514	$348,815
FTE	0.00	0.00	10.00	0.00	0.00	0.00

	Adjusts Funding for Operating Expenses[7]	Increases Funding Relating to Federal Grant Changes[8]	Reduces Funding for Extraordinary Repairs and Capital Bond Payments[9]	Reduces Funding Relating to Prison Bed Day Allocation Program[10]	Adds Funding for a Community Behavioral Health Program[11]	Adds One-Time Funding for Equipment and a New Medical Records System[12]
Adult services	$2,681,924	$2,817,597	($360,841)	($6,748,314)	$7,000,000	$1,102,907
Youth services	(101,479)	200,000	(347,064)	(251,686)		
Total all funds	$2,580,445	$3,017,597	($707,905)	($7,000,000)	$7,000,000	$1,102,907
Less estimated income	(359,501)	3,017,597	(170,000)	0	0	1,102,907
General fund	$2,939,946	$0	($537,905)	($7,000,000)	$7,000,000	$0
FTE	0.00	0.00	0.00	0.00	1.00	0.00

	Total Senate Changes
Adult services	$16,710,273
Youth services	642,028
Total all funds	$17,352,301
Less estimated income	5,038,348
General fund	$12,313,953
FTE	11.00

[1] Funding is added for cost-to-continue 2015-17 biennium salary increases and for other base payroll changes, including increased funding for teachers' salaries.

[2] Funding is added for increases in health insurance premiums from $1,130 to $1,249 per month.

[3] Funding is added for 10 new Youth Correctional Center FTE positions to maintain compliance with the federal Prison Rape Elimination Act.

[4] Funding is restored for salaries and wages which was reduced by the Department of Corrections and Rehabilitation to meet the 2015-17 budget reductions approved by the Legislative Assembly during the August 2016 special legislative session.

[5] Funding of $4,715,073 is restored from the general fund for contract housing and programming which was reduced by the Department of Corrections and Rehabilitation to meet the 2015-17 budget reductions. In addition funding for contract housing and programming is increased by $105,441 from the general fund.

[6] Funding is restored for the Dakota Women's Correctional and Rehabilitation Center contract which was reduced by the Department of Corrections and Rehabilitation to meet the 2015-17 budget reductions.

[7] Funding for various operating expenses, including food and clothing, medical, travel, utilities, repairs, maintenance, information technology, and professional services is adjusted.

[8] Funding from federal grants, including federal Victims of Crime Act funding, is increased.

[9] Base funding for extraordinary repairs is reduced by $587,060, including $417,060 from the general fund, to provide total funding for extraordinary repairs of $946,000, including $866,000 from the general fund. Funding for capital bond payments is reduced by $120,845 from the general fund.

[10] Funding for salaries and wages and contract housing and programming is reduced by $7 million from the general fund to recognize savings from the prioritization of admission of inmates.

[11] Funding of $7 million from the general fund and 1 FTE position are added for a community behavioral health program.

[12] One-time funding of $167,000 of special funds from Roughrider Industries is added for equipment, including a metal plasma cutting table, corner machine, cutoff saw, tiger stop saw, upholstery sewing machine, metal chop saw, saw dust collector, sewing digitizer-plotter, and a sewing pattern machine. One-time funding of $935,907 from the strategic investment and improvements fund is added for a new electronic medical records system.

- This amendment also:
- Adds a section to designate $935,907 of special funds for an electronic medical records system is from the strategic investment and improvements fund.

- Creates a new section relating to management of inmate population at local and regional correctional facilities.
- Creates a new section relating to a community behavioral health plan as a term of parole or an alternative to incarceration.
- Creates a new section relating to prioritization of admission of inmates.
- Adds a section to provide for a continuation of the Legislative Management study of alternatives to incarceration.
- Adds a section to provide for a Department of Corrections and Rehabilitation study of Youth Correctional Center facilities, staffing requirements, and community-based treatment. The department is to perform the study in consultation with the Department of Human Services, the Protection and Advocacy Project, and the Supreme Court. Results of the study are to be reported to the Budget Section.

2017 HOUSE APPROPRIATIONS

SB 2015

2017 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee
Roughrider Room, State Capitol

SB 2015
3/1/2017
28548

☐ Subcommittee
☐ Conference Committee

L Berggrust

Explanation or reason for introduction of bill/resolution:

Defraying the expenses of the department of corrections and rehabilitation, to provide appropriations to the department of human services for behavioral health services

Minutes: Attachments 1-3

LeAnn K. Bertsch, Director: (see attachment 1) Open-28:00

2:15 Chairman Delzer: So what happens if you are not compliant

Mrs. Bertsch: The governor every year has to certify whether or not we are compliant. We have been able to do that, we are compliant, if you are out of complaints we lose 5% of any federal fund. That's not a real big deal because we don't get that many federal funds. The bigger issue for us, is that if one division is out of compliance the whole state is out of compliance. If the whole state is out, we are not able to contract with the federal bureau of prisons or other states. The scary thing about that, we are a small correction system, we really rely on being able to transfer certain inmates to other facilities outside the state.

4:50 Chairman Delzer: Do we have any of that, sexual assaults, out at YCC?

Mrs. Bertsch: There's accusations, we do get some, it's a very safe facility. If I were to ask for 10 FTEs in our department it wouldn't be at the youth correctional center so this really the federal mandate.

5:30 Mrs. Bertsch: The project (page 3 of attachment 1)

6:50 Mrs. Bertsch: Population (page 3 of attachment 1)

8:15 Cost (page 5 of attachment 1)

16:15 Mrs. Bertsch: (Page 8-9 of attachment 1)
I want to point out that Section 7 of SB 2015, the Senate included funding for a community behavioral health program that was originally contained in SB 2274. Sections 3 and 7, of SB 2015, encompass what was SB 2274.

18:00 The Plan (page 9 of attachment 1)

28:00 Chairman Delzer: Have you talked to DHS about the electronic medical records?

Dave Krabbenhoft Director of Administration: We have tried but haven't had much success, but we keep trying. They were pretty far along when ours failed and is now in carnitine at ITD now. If fact, we are always looking for ways to help. Counties have even offered to see if there is anything to help us out.

Representative J. Nelson: Was there any recourse with the contractor for this system?

Mr. Krabbenhoft: What happened is, the company that we had were taken over by a merger. When they bought that company they no longer offered any support for the product. We were actually pretty close to having an update and all that got shelved and we couldn't get access to it anymore so we are literally using a program that is in carnitine at ITD and that is failing all the time. Our pharmacy has failed and we are using a scaled down version of it at about $2000/month.

31:00 Representative J. Nelson: What is the length of the contract with DWCRC?

Mrs. Bertsch: We do not have a contract at this time.

Representative J. Nelson: I have heard that if a parole officer revokes a parolee the parole officer gets written up, it consernces me that this may be true.

Mrs. Bertsch: We are requiring our officers to not pull the plug on everyone. We do go from officer to officer about who they are revoking probation. They actually have to be a danger in order to be sent back.

34:30 Chairman Delzer: Have you looked at the list of the bills with the changes of penalties? Do you know what that will do to the correctional system?

Mrs. Bertsch: We have looked at all the bills, HB 1041 was one of the major ones, so basically that 7 million dollars was already removed from our budget, it really isn't going to impact our budget. What it will do, over time it will decrease the number of people, not just in our system but also outing pressure on the jails as well. I think we can get something put together on paper for you.

35:45- 60:00 Dave Krabbenhoft: Director of Administration (see attachment 2)

39:10 JRCC (James River Correctional Center)

41:15 Representative Monson: Would that jump in January of 2017 have anything to do with the DAPL activity? (page 6 of attachment 2)

Mr. Krabbenhoft: It is not, we wouldn't have any of the DAPL guys coming in, they are in the county jails. We've have a pretty good increase in January and February.

Representative J. Nelson: Do you have any idea of the DUI convictions that are housed in the state pen? And if not could you bring that to committee when you come back?

Mr. Krabbenhoft: I will bring a fact sheet that lists the number of people coming in and the types of crimes. I will get that out to you.

43:05 Chairman Delzer: How many of those have come in with the oil and are from out of state, and do those guys stay here or do they go home and we pay them?

Mr. Krabbenhoft: We could look into that but we are members of the inner state compact, so we have an agreement with other states so we can transfer

those people back and forth. I am not sure right now if we are receiving more or if we are sending more out.

46:30 James River Correctional Center (Page 9 of attachment 2)

47:25 Transitional Facilities (Page 10 of attachment 2)

48:45 Representative Delmore: Slides 17 and 18 (Page 9 of attachment 2) Can you explain to me why 151 FTEs for the minimum security and 208 for the maximum security?

Mr. Krabbenhoft: The maximum security is much more modern designed and we are able to staff much more efficiently. JRCC is the old state hospital, with multiple floors, so we have to staff a lot more with people on each floor.

49:50 Transitional Facilities (page 10 of attachment 2)

50:20 Treatment and Programming (Page 11 of attachment 2)

51:25 Education (Page 12 of attachment 2)

52:10 Roughrider Industries (page 13 of attachment 2)

53:00 Central Office (page 13 of attachment 2)

54: 20 Significant Changes (page 14 of attachment 2) This is Section 8 of SB 2015; this is critical if we are going to maintain the expenditure to control contract housing. If you look at the pages of 18 and 19 (of attachment2) that's our estimated inmate population. We would be prioritizing about 85 guys per biennium until we have room.

56:55 (Page 19 of attachment 2) That is for the women, we would reach capacity in August of 2017 based on this estimate.

57:55 Juvenile Services (page 14 of attachment 2)

59:50 Representative Pollert: Did you have any turn back?

Mr. Krabbenhoft: It's hard to say, if the numbers take off like the last two months, if that continues, we won't have any turn back.

Representative Schatz: Do the reservations have a prison system or do they use our state prisons when convicted on the reservation?

Mrs. Bertsch: They are either going to be prosecuted federally or in tribal, so if they are prosecuted federally they are going to the bureau of prisons if they are prosecuted tribally they are going to be at the tribal jail level. They do not come into the state system unless the crime is committed off the reservation.

Chairman Delzer: Do they ever transfer any when they are charged? Are there any that are charged tribally or federally that are being charged state?

Mrs. Bertsch: No, I think most of that comes down to jurisdiction, if it happens off the reservation, I would say that under the interstate compact we might have some federally that get housed with us but we would have some at the federal so it's an even exchange.

Chairman Delzer: Further questions?

Attachment 3 was handed out but not referenced. It applies to SB 2274, which has been addressed.

2017 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee - Human Resources Division
Sakakawea Room, State Capitol

SB2015
3/7/2017
Job 28768

☐ Subcommittee
☐ Conference Committee

Committee Clerk Signature

Explanation or reason for introduction of bill/resolution:

A BILL for an Act to provide an appropriation for defraying the expenses of the department of corrections and rehabilitation; to provide appropriations to the department of human services for behavioral health services; to create and enact a new section to chapter 12-44.1 and two new sections to chapter 54-23.3 of the North Dakota Century Code, relating to management of inmate population, a community behavioral health plan as a term of parole or an alternative to incarceration, and prioritization of admission of inmates; to provide for a legislative management study; and to provide for a report to the budget section.

Minutes: Attachment 1

Chairman Pollert called the committee to order.

Lisa Bjergaard, Director of the Division of Juvenile Services for the ND Department of Corrections and Rehabilitation read written testimony (attachment 1).

Rep. Kading: Regarding the chart on page 4, what happened in the late 80s and early 90s to make the arrests spike up like that?

Ms. Bjergaard: There are a lot of theories on that. There were couple of specific events that triggered a national over-response. That was a bad economic period. There was a crack cocaine epidemic. A lot of this was driven by inner-city crack cocaine and drug gangs. Then we had kids trying to form gangs here too. In ND, we had two homicides related to gangs. The ND Legislature did not overreact like other states and lower the age at which kids could be moved into adult court; some as low as 10 or 12. They made very heavy criminal penalties for kids. In large part, ND's response was very measured and put us in a good position. We can't point to any one thing; no one is really sure why it has fallen and we're not sure what will happen. When the economy is poor, crime goes up.

Rep. Meier: Do you do any tracking with gangs in ND?

Ms. Bjergaard: We know the kids that we have in our system. Law enforcement has the more active groups.
Continued to read written testimony (0:21:45).

Rep. Holman: Since we are a sparsely populated state, are we seeing more enforcement with the idea of getting kids help as opposed to there being more kids doing bad stuff?

Ms. Bjergaard: I think we've always been fairly paternalistic with kids. There is some good in that. I think though if we are going to pull them in and take care of them, we probably don't want to use a youth prison for that. We should have something else we can do.

Vice Chairman Kreidt: Have we looked at comparisons of neighboring states that are rural and with similar populations? Do we see numbers like that in those states?

Ms. Bjergaard: Their systems are set up so differently that it's hard to make a comparison. When I was doing my grad school work, New Mexico had a very similar binge drinking rate in adolescents. That is a state with a similar rural population to ours. I think it's time to turn our attention to funding some things in the community.

Rep. Nelson: The issue we have in the adult population is that the courts will often times convict someone with an addiction or behavioral health need to incarceration because that's the only place they get treatment. The void of treatment options is very acute in rural ND. Is that what's building the populations in the state juvenile services areas too? Will you give us another option?

Ms. Bjergaard: Absolutely. I'm going to show you where I think some of the kids we're serving in juvenile corrections have come from and what we've had to do to accommodate taking care of those kids and some ideas about what I think we can do.
Continued to read written testimony (0:30:00).

Vice Chairman Kreidt: You follow an individual for a year after they are released, but after that, if you don't see them back, are they considered successful?

Ms. Bjergaard: After a year away from us, it's hard to say what the influence is.

Vice Chairman Kreidt: Most of the kids that are released, do you have an age? Is it usually after they've completed high school there?

Ms. Bjergaard: Over time, the age of kids coming in has gotten a little older. Most of the kids are about 17 when they come to us now. That's because juvenile court does quite a bit of work with kids before they find their way to us. The length of stay is a little over a year, maybe a year and a half is the average.

Rep. Holman: The other side is kids that probably aren't doing enough to get charged and sent to YCC. We have a number of kids in other places. Do you track those for recidivism?

Ms. Bjergaard: Some of those kids are our kids. There is a tandem foster care system in ND where the corrections system can make use of any bed that's available. Some of the

kids are in the custody of social services, some of the kids in psychiatric placements are placed by their parents, and some of those kids are under the custody of juvenile services. We try to use those lesser levels of care for any kid that's safe to place into those.

Rep. Nelson: What occurs after somebody is released from YCC? Is there a requirement for supervision?

Ms. Bjergaard: The division of juvenile services is conceptually different from the adult system in that we don't start with a commitment into the secure facility. We start with case management so we have a case manager assigned to every youth at the point the judge is considering removing them from custody. We do an assessment at YCC. We also can assess kids in the community. We don't ever lose sight of the case plan and that reunification and that goal of having kids safely placed back in the community. They may spend a couple of weeks in that assessment. But three-quarters of the kids that come to us do not stay at YCC for treatment. They go home, they go to one of the residentials, they may do some in-patient work. We conceptualize from case management, not from incarceration and parole.

Rep. Nelson: The case manager is in control of that plan until they age out?

Ms. Bjergaard: The backbone of the system is the case management. Our goal is always to serve that kid at the lowest level of care where they can safely be served.

Rep. Nelson: When they age out is there any follow up?

Ms. Bjergaard: The initial court order is 12 months. We don't want kids in the custody of the state any longer than they have to be. The idea is to get that plan in place fast, implement it, and get the kids back home. In the event that at about 9 months it's not coming together or something catastrophic has happened in the family that makes it impossible for that youth to return home, we return to court and ask for an extension of that order. If we can demonstrate that treatment and rehabilitation has not been accomplished, we continue our order and continue supervision.
Continued to read written testimony (0:47:45).

Rep. Holman: Are we a victim of federal rules that often times deal with big facilities with big numbers?

Ms. Bjergaard: We all want our kids completely safe. I understand that more eyes are better. I suggested in my written comments to them that they base it on the data. If it's a dangerous facility that's having a lot of assaults, then increase the staffing. They can't point to a place that says that this is the staffing ratio that keeps kids safe.

Rep. Nelson: What is the penalty for not meeting the audit requirements?

Ms. Bjergaard: If YCC does not meet federal standards, the Department of Corrections does not meet federal standards and the state does not meet federal standards and the Governor has to certify every year whether or not his state is in compliance. We have contracts with the Bureau of Prisons. If you're not a PREA compliant state, you cannot be in a contract with the Bureau of Prisons so it will make our prisons less safe.

Leann Bertsch, Director of the ND Department of Corrections and Rehabilitation: It's not just the Bureau of Prisons. We have about 28 inmates that we have out of custody. It might be the Bureau of Prisons or another state where we take one of their inmates and we exchange. We have a contract with each of those. Those states and the Bureau requires that we're in full compliance with PREA in order for them to contract with us. It's not just the Bureau, it's also those other states. There are that we can't keep safe and need maximum security. For example, the judge who molested a young child and is serving a long sentence. He sentenced a number of people to prison; we can't keep him safe. We have to have those contracts. We can't have those contracts if we're not in compliance with PREA.

Rep. Nelson: Are there any states that aren't?

Ms. Bertsch: Yes, there are. We're in full compliance at this point. I don't know how they'll look at other states when this standard for the juvenile systems; a lot of juvenile systems aren't tied to their state departments of corrections. There are states that are not. But those are large states that probably don't have the reliance on those contracts like ND because they might have 50 prisons or 10 prisons in their state where they can actually move people around and keep them safe.

Ms. Bjergaard continued testimony (0:57:55).

Rep. Nelson: With the current population at YCC, what's the additional FTE needs?

Ms. Bjergaard: We have 10 in our budget. I've brought the population down. If we can stay at 48, we can meet the ratios during the day but we're still going to have a problem at night. We're at 49 today. We've been working the last few months to bring that number down. Continued to review testimony.

Rep. Holman: When you start studying this situation, how far would you think that we should look at the things that formed this kid getting into the system? Would data collection look at some of those things so we can become aware of those? Would that data help?

Ms. Bjergaard: Certainly part of what we want to gather is a thorough social history so we know what's likely to have been in that youth's background. I think we're really starting to understand the role that early trauma plays in the later behavioral life of children and adolescents. One of the other opportunities that we have in the interim coming up is an initiative for dual status youth. Those are kids that start out with an abuse or neglect history, develop that behavioral overlay and gradually start moving towards the juvenile justice system. So DHS, the division of juvenile services, and the courts have pooled some money together with the juvenile justice state advisory group to bring in some technical assistance this spring on a model for better serving those dual status kids. That's going to get at exactly what you're talking about.

Vice Chairman Kreidt recessed the committee.

2017 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee - Human Resources Division
Sakakawea Room, State Capitol

SB2015
3/7/2017
Job 28797

☐ Subcommittee
☐ Conference Committee

Committee Clerk Signature

Explanation or reason for introduction of bill/resolution:

A BILL for an Act to provide an appropriation for defraying the expenses of the department of corrections and rehabilitation; to provide appropriations to the department of human services for behavioral health services; to create and enact a new section to chapter 12-44.1 and two new sections to chapter 54-23.3 of the North Dakota Century Code, relating to management of inmate population, a community behavioral health plan as a term of parole or an alternative to incarceration, and prioritization of admission of inmates; to provide for a legislative management study; and to provide for a report to the budget section.

Minutes: Attachments 1-3

Chairman Pollert called the committee to order.

Leann Bertsch, Director of the ND Department of Corrections and Rehabilitation provided testimony regarding PREA compliance and the electronic medical records system.

Rep. Nelson: From a small hospital standpoint, we were able to leverage a larger PPS hospital in the state and utilize their system. Is there any chance of incorporating Sanford's electronic health records system into your department?

Ms. Bertsch: There are some things that aren't conducive to the corrections system. On the adult services side, we are not HIPPA compliant and those medical records do. There are a lot of legal issues that go into the sharing of that data.

Dave Krabbenhoft, Director of Administration with the ND Department of Corrections and Rehabilitation: When we initially made informal enquiries, it was cost prohibitive. The difference in correctional healthcare versus traditional healthcare was problematic. With the correctional healthcare, it is unique enough that there are a lot of systems that are developed specifically for correctional healthcare. The company we have now was acquired by a bigger company that is based in Australia and they shelved that piece of their correctional healthcare. We're continually looking at ways to do this and the most cost effective way.

Rep. Nelson: The product that you're considering, are we certain that we're not going to have the same issue arise that took place with the last project?

Mr. Krabbenhoft: That's something we will do our due diligence on. We were one of the first correctional agencies in the nation to get an electronic medical records so the vendor pool was limited. The vendor pool has now expanded and the price is more reasonable, although it's still a big price tag. Hopefully we'll find a proven vendor with a proven product that can serve us well.

Chairman Pollert: How does a functioning EMR system pay for itself?

Mr. Krabbenhoft: I think that's the litigation piece. If we have poor records, where it doesn't support what we've done, one lawsuit on a medical case could greatly exceed that cost.

Chairman Pollert: How many lawsuits do you get a year or biennium?

Ms. Bertsch: I probably get sued 50 times a year, but that doesn't include all the other people in our organization that also get sued.

Rep. Meier: Out of those lawsuits, how many have gone to trial in the last two years?

Ms. Bertsch: In my whole time, we had never been to trial. The first one we will have will be in March; next week. There is another one we're going to trial on further on in this year.

Rep. Kading: Is the reason the cases don't go to trial because they are settled or dismissed?

Ms. Bertsch: We have very good attorneys working for us that get them dismissed because they deserve to be dismissed and not settled. If we do settle it, it's because the claim is less than the amount spent on attorney's fees.

Chairman Pollert: Do you have any attorneys on your staff?

Ms. Bertsch: Yes, we have a Special Assistant Attorney General. He had been with the Attorney General's office for 25 years doing our general counsel. When he retired, they replaced two in his spot. Then he came on with us and they allowed him to become a Special Assistant Attorney General.

Rep. Nelson: Because of the HIPPA compliance differences, does that EHR follow that person after release from corrections?

Ms. Bertsch: There's a process that a formally incarcerated person has to go through. They have to get a court order to have access to their medical records.

Rep. Nelson: That's in state statute?

Ms. Bertsch: Yes.
Reviewed sections of SB2015 (0:17:30).

Rep. Holman: If somebody sits in a pre-trial situation for six months or a year is there the potential for a follow-up lawsuit or is it legal to park somebody in jail for a year when they haven't been convicted of anything?

Ms. Bertsch: Yes, it is. In the height of the oil boom, there were people sitting in pre-trial detention for over a year. Right before his trial, his case was dismissed. There is a lot of work that needs to be done in our system.
Continued to review sections of the bill.

Rep. Holman: If you don't have section 8, you say that we don't have room so you have to park someone in a county facility and you have to pay for it?

Ms. Bertsch: With section 6, they're going to start prioritizing who really needs it and we're going to prioritize who needs to come in. They might be parked outside a little longer if that's someone that actually needs to be in a jail bed until they come to us, but they'll eventually come to us. It's basically going to slow things down.

Rep. Meier: How much of the inmate population is in for over five years?

Ms. Bertsch: I have a fact sheet that has that data (attachment 1).

Rep. Nelson: If we're talking about just the cost of corrections, you make a very good case. But we should be at least as concerned about public safety as we are about the cost. Nothing in section 8 creates more public safety without some of the pieces that are in 1041 and some of the work that the justice reinvestment has done. How can we do one without the other?

Ms. Bertsch: You're exactly right. They go hand in glove. We absolutely know why people get driven into our system. We know that when people are using and when they're' destabilizing that they can become violent or start committing crimes. That is why the Senate rolled 2274 into this appropriation bill, so you'll save $7 million from just warehousing people. You're really trading off something that will do a lot of good which is the behavioral health piece of this for something that will do a lot of harm which is warehousing people.

Chairman Pollert: Which section is SB2274?

Ms. Bertsch: Section 7.
Reviewed SB2274.

Dr. Lisa Peterson, Psychologist, Clinical Director for the Department of Corrections and Rehabilitation reviewed SB2274.

Rep. Nelson: What type of workforce would be necessary in this biennium and then to complete the task throughout the state?

Dr. Peterson: We want to be creative with this project. To support the continuum of care and the recovery model, we want to look at engaging people we haven't engaged in the past.

Rep. Nelson: I'm not just talking about professional psychiatrists, but the entire workforce. With the community supervision piece, these people are coming back to communities and we don't have that staff available to help in these areas.

Dr. Peterson: A portion of this funding is focused specifically on workforce development because this is looking at statewide implementation based on the need in each region.

Rep. Nelson: Do you have it broke down into FTE or dollar commitments?

Mr. Krabbenhoft: We don't really have that now. We haven't had an opportunity to sit down and work through those details.

Rep. Nelson: With the funding that's available in this biennium, does this get us started? Is this a phase-in approach? If we start down this path, we need to know the total cost.

Mr. Krabbenhoft: The bill itself does add one FTE to the DOCR and adds six FTE to DHS. It doesn't address those positions that would have to be in the communities.

Rep. Holman: Would there be coordination with human service centers as part of this?

Dr. Peterson: As we look at regional implementation there are going to be services that the human service centers need to pick up. We see this as an expansion.

Chairman Pollert: I'm having trouble tracing the $7 million. Someone has to be paying for this somewhere and I need to find out who.

Ms. Bertsch: You would be paying for it. This is an extra $7 million.

Chairman Pollert: I thought there were two $7 million in this budget somewhere?

Ms. Bertsch: No. Our plan in section 8 saves you $7 million. The $7.5 million that's attached to 2274 is new money. I don't think the sponsors of 2274 thought the full $7.5 million would get funded. That would be statewide implementation of this plan. I think the hope was that at least a portion of it gets funded so that we can start somewhere.

Chairman Pollert: Someone will need to give us a long range cost to this.

Dr. Peterson continued to review testimony.

Pam Sagness, Behavioral Health Division of the Department of Human Services: I can be available to answer some of the questions about funding because we would be contracting these services with private and public providers. Also the funding that will be reimbursed back to the state based on third party payers, Medicaid and other funding (1:00:00).

Dr. Peterson: There is one other thing that I would add. The importance of doing something like this paired with sentencing reform to stop the flow into incarceration at the front end, if we don't do those things to stop the numbers of incarcerated people from skyrocketing over the next decade, the most likely scenario is in two years is that we would have implemented

this behavioral health program effectively, but you will see the prison population continue to grow.

Chairman Pollert: Section 7 is in the bill and is going to go in conjunction with section 6 and section 8?

Dr. Peterson: Yes, I think ideally that will give us the best long-term picture.

Rep. Nelson: Section 7, as it's funded today, is a roll-out to the entire state?

Dr. Peterson: Yes, but it would need to be an incremental implementation.

Rep. Nelson: Can the juvenile population take advantage of those increased services?

Dr. Peterson: I don't know if it's feasible in the next two years to build a system that adequately serves our adult population and also our juvenile population.

Ms. Bertsch: These sections really do all go together. Sections 6 and 8 started as one plan to control correctional populations at the local and state level. This is just insurance that you will not have to spend that $7 million frivolously on contract housing to warehouse people. Section 6 incentivized counties to invest in alternatives instead of expensive jail beds.

Rep. Holman: The politics of the situation with 53 counties and 53 sheriffs is one of the dilemmas we have to deal with.

Ms. Bertsch: Section 6 gives the local jurisdictions the ability to control their correctional budget by prioritizing. I think you have to be very attune because 53 counties are all very different as far as funding.

Alex Cronquist, Legislative Council reviewed changes to the bill made by the Senate.

Chairman Pollert: For the allotments, was it a reduction of $4.7 million?

Alex Cronquist, Legislative Council: Yes. They took $4.7 million out of contract housing and programming in order to meet the allotments. That money is now back in their budget. Continued to review changes.

Steve Allen, Senior Policy Advisor, Council of State Governments Justice Center read written testimony (attachment 2).

Chairman Pollert: Are the human service centers capable of doing tier one, two or three? Or would it be with private providers?

Mr. Allen: Our understanding of the human service centers is that they are capable of providing tier 1 services but they're probably already overwhelmed with needs. This is intended to be a public-private partnership with the funding going directly to private entities with public entities providing additional services.

Dr. Peterson: I think it depends on the center in terms of the extent to which they're able to meet the existing needs in their communities and what they're able to offer. There may be some things that we are unable to serve through the private sector that they human service centers would then take on.

Mr. Allen continued to provide testimony.

Rep. Meier: Can you speak to a successful state and how long they have invested in something like this and what the positive outcomes were?

Mr. Allen: In almost all states in which we work, there is a recognition that states haven't invested enough in mental health and substance abuse care. I mentioned that ND is 43rd in terms of the ratio of behavioral health providers per population, Massachusetts is number one. They have chosen as part of their justice reinvestment package to include a further investment in behavioral health care specific to a criminal justice population because the needs and challenges of that population are so great. They're also, like ND, struggling with the current drug problems. Research shows that an investment of coordinated supports through probation and parole woven in with behavioral health care can reduce recidivism by 20-30%. Most of the states we work in are making these types of investments. There are some unique elements to this but they build on existing and forward-thinking strategies around the provision of healthcare in a way that's outcome-focused.

Rep. Meier: When an individual is going through some treatment after being paroled, what is the average time that individual will go through treatment?

Mr. Allen: The way we've traditionally thought about treatment for mental health and substance use disorders episodic, 30 days or 7 days. Based on the research, we don't think that way anymore. Many of these disorders, especially those people who have the most severe disorders, like schizophrenia, bipolar disorder, very deep addictions, these can be lifetime challenges. This system of care that's being proposed for ND takes that into account. It's available for people long after they are off probation or parole. Helping people, even when they're well to make sure that they don't decompensate, is a great investment. It's cheap to invest time, energy, and resources. Once people decompensate or return to addictions, then things get expensive, both from a healthcare perspective and from a criminal justice perspective.

Rep. Nelson: When you talk about the 60% of the cost could be billed through third-party payers, how many states reinvest that money back into additional programs?

Mr. Allen: This is partly where the model we're proposing for ND is different. We are recommending a front-end payment to providers to encourage them to do the work the way its intended and to avoid the challenge that most places have where providers don't want to treat the people that most need treatment. So when they sign on for this, they're getting a monthly payment to serve a group of challenging individuals. Once the provider signs up, they're signed up to continue to provide services even when that person doesn't show up to their appointment, even if they have a dirty UA. They're not going to have the ability to terminate that client for services. That's part of the advantage of this strategy.

Rep. Nelson: Our parole and probation staff is stretched now. I'm assuming they would be incorporated in that supervisory position. I don't believe the higher cost for more FTEs is part of this proposal. Where does the additional funding come from for the increased need?

Mr. Allen: The way this model is envisioned is the parole and probation agents are part of a team. They're already working very closely with these people. We don't see that as substantially different except that in this model more team members are at the table. We think the workload for an individual caseload won't go up over the long run.

Ms. Bertsch: We don't see this as adding; we see it as a huge benefit to our officers to be able to do their jobs. You gave us 16 new parole and probation officers last biennium. Two of those are in specialized behavioral health positions. They're dealing with a full caseload of the seriously mentally ill. They have a team at the table to deal with these really acute individuals. We envision our probation officers with these new services with private providers actually providing this level of care will actually be a huge benefit to help our people who are on supervision become successful and decrease the frustration of our officers who are trying to work with these individuals and keep them in the community. We see this plan as getting a huge tool and huge help to our officers.
Provided handout (attachment 3).

Chairman Pollert adjourned the committee.

2017 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee - Human Resources Division
Sakakawea Room, State Capitol

SB2015
3/20/2017
Job 29423

☐ Subcommittee
☐ Conference Committee

Committee Clerk Signature

Explanation or reason for introduction of bill/resolution:

A BILL for an Act to provide an appropriation for defraying the expenses of the department of corrections and rehabilitation; to provide appropriations to the department of human services for behavioral health services; to create and enact a new section to chapter 12-44.1 and two new sections to chapter 54-23.3 of the North Dakota Century Code, relating to management of inmate population, a community behavioral health plan as a term of parole or an alternative to incarceration, and prioritization of admission of inmates; to provide for a legislative management study; and to provide for a report to the budget section.

Minutes: Attachments 1-3

Chairman Pollert called the committee to order.

Dave Krabbenhoft, Director of Administration for the Department of Corrections reviewed budget detail for Youth Correctional Center (attachment 1).

Chairman Pollert: If you are out of compliance with Bureau of Prisons, what happens?

Mr. Krabbenhoft: If we're not in compliance with the PREA law, that won't allow us to contract with the federal Bureau of Prisons or with other states. We would have instances where there are people that we need to get out of our system because we can't provide appropriate custody for them. The state would also lose some federal funding as well. The biggest thing on our part would be the inability to exchange inmates with other states and the federal government.
Continued to review testimony.

Vice Chairman Kreidt: With the Bureau of Prisons, you will remain in compliance with the additional 10 FTE you're asking for. Is there a certain period of time to bring these on-line?

Mr. Krabbenhoft: October 1.

Vice Chairman Kreidt: At that point, you would be out of compliance? Would it be on a yearly basis?

Mr. Krabbenhoft: We have to pass a pre-audit every year. The Governor also has to certify that the state is in compliance with that law. If we're unable to meet the staffing ratios at YCC due to not enough FTE, the Governor would be unable to provide that certification. Also when the pre-audits come, we would be out of compliance.

Rep. Meier: What is the staff ratio?

Lisa Bjergaard, Director of the Division of Juvenile Services for the Department of Corrections: The staffing ratio during waking hours is 1:8 and during overnight hours is 1:16.

Rep. Meier: How many inmates do you currently have?

Ms. Bjergaard: Around 50.

Chairman Pollert: Is that a consistent number?

Ms. Bjergaard: No, we've been working to get that number as low as we can so we can get as close to compliance with the ratios as we can. A year ago it was around 65-70.

Chairman Pollert: What do you mean by a lesser restrictive environment?

Ms. Bjergaard: As many of those kids as we can put back in their homes, we will. Some will come back into the community; the others will go into some of the residential programs.

Rep. Meier: How many correction officers are there?

Ms. Bjergaard: There are 50.96 FTE assigned to security. We currently operate with one awake staff in each building with one float. This is going to put us in the position of needing two awake staff in each building.

Vice Chairman Kreidt: If you get up to 96 staff, what would your cap be with students?

Ms. Bjergaard: Once you add that other staff, you've got that whole 16 you can go. There's four cottages so if you take 16 times 4, you could fill the facility.

Mr. Krabbenhoft: With the security staff, those posts are 24/7, 365. It takes five bodies to fill one position so that's why the counts seem inflated. Also, it's that important for us to maintain compliance. You can see the effort that's already been made as far as brining those numbers down. That's going to put pressure on the communities and schools. We would need to have funding for day treatment to provide those resources at the schools so the schools will be able to handle these kids as well.

Chairman Pollert: Regarding recidivism, is there a percentage that will end up in the state corrections system as adults?

Ms. Bjergaard: It's been from a low of 8 to a high of 20, so the 15-year average is 12%.

Mr. Krabbenhoft continued to review testimony.

Rep. Meier: Is it challenging to find individuals to fill these correctional officer positions? If you have a vacancy, how long does it take to fill?

Mr. Krabbenhoft: We're always challenged with finding people to come in. On the adult side the turnover is higher than the juvenile side.

Rep. Meier: How long does it take to fill a position? What is the turnaround time?

Travis Engelhardt, Human Resources Director for the Department of Corrections: Regarding correctional officers, we generally get them hired within 30 days. We run open continuous job postings so we will collect as many applications as we can get, we will do different rounds of interviews so that when vacancies become open, we have applicants.

Vice Chairman Kreidt: Why is there such a reduction in temporary?

Mr. Krabbenhoft: That's related to the PREA positions. If we get those 10 positions, we wouldn't need as much for temporary.

Rep. Nelson: Looking at the spenddown, there are a number of columns where it looks like there will be money remaining in your budget at the end. Is there a timing issue?

Mr. Krabbenhoft: We could adjust our budget by these detailed line items weekly, but we wanted to leave them at a point where we get a better idea as to how that actual spend is coming. You're also going to see that the allotment forced us to manage the budget at a higher level. Though we're tracking at the detail level, we're not moving and adjusting those as we go. We're going to end up with a positive balance in some of those lines, but the negative balance is going to off-set most of that.

Rep. Nelson: You said you can adjust other places. Do you have flexibility throughout your entire budget to do that?

Mr. Krabbenhoft: We have flexibility within those two lines. We can't take juvenile money and drop it into the adult side and vice versa.

Rep. Nelson: In IT software, there is $35,000 left for the last 4 months of the biennium yet the Senate gave you an increased number in that area.

Mr. Krabbenhoft: A lot of that is due to timing issues where we have maintenance contracts. Some of the things we have in there are purposeful on the department's side because of the budget situation where we might be buying replacement monitors on a different schedule than what happened when we got the allotment. Some IT supplies where we're pushing stuff out until it fails and then replacing it. We also have some software maintenance agreements that require a payment at specific points. I think you'll see that when the reductions came along, we stopped a lot of that discretionary spending. Instead of following the usual

replacement schedule for monitors and new machines, we held off and said it will have to fail before we replace it. We've been trying to be very cognizant on what we're spending the money on. We are looking at our needs and what is needed to run YCC.

Chairman Pollert: Regarding travel, is motor pool up that much?

Mr. Krabbenhoft: We take historic use of miles by department to project out for the next biennium and then apply the new rates. Some of it is discretionary. Motor pool is based on prior usage and projected motor pool rates. For instance, if you look at repairs, we're already upside down on that budget. The flexibility you've given us is we can use some of that money from IT software and use that budgeted authority to make up that difference.

Chairman Pollert: Professional supplies and materials looks high by about $70,000. How did you come up with that?

Mr. Krabbenhoft: Professional supplies is with the school; curriculums, textbooks. We're evaluating and trying to come up with a reasonable number. If we can delay expenditures, we're going to do that. With the allotment, it's hard to look at that detail line.

Rep. Nelson: There are a number of areas where you've already overspent. Lisa said your student population is 50. Do you know what you budgeted for in the last biennium?

Mr. Krabbenhoft: We can find out.

Ms. Bjergaard: The census is at 50. The number of kids that comes through the door has not changed. Every kid that comes in gets a full assessment and then we move them somewhere else. So you have 300 kids that come in and you have to screen and work through assessment on all those kids. Then you move them on to a lesser restrictive environment. Only 50 of them stay for treatment.

Rep. Nelson: So your counts are relatively in line with the budget?

Ms. Bjergaard: I believe that they are.

Rep. Nelson: In food and clothing, there is still $190,000 left. I think it should be tracking a little closer.

Mr. Krabbenhoft: We left those to show where that spend is coming from. We could have taken the adjusted budget and manipulated it so the numbers would have shown differently. The total we have for operating is more important than those individual lines because we have that flexibility. If you take out the PREA positions, the budget has actually decreased.

Chairman Pollert: Are the teachers in here under professional services?

Mr. Krabbenhoft: They are in salaries. We have 17.91 FTE. In the Senate version, we removed the teacher composite adjustment as well. They will remain on the old composite.

Rep. Nelson: Are the 16 FTE in treatment mostly addiction counselors? What is the mix?

Ms. Bjergaard: There is mental health staff, addiction counselors, someone to oversee the treatment department. We have one person for the suicide prevention program. The other person on is a psychiatric nurse practitioner who oversees all of our medication monitoring.

Rep. Nelson: How successful are we with the suicide prevention?

Ms. Bjergaard: There was a suicide in 2004.

Rep. Meier: With the educators, is there a particular education course the students follow so that when they're released they have a good foundation?

Ms. Bjergaard: As kids are coming into corrections, they are typically about three years behind. We try to make sure every kid gets a high school diploma or GED. We need to be solid in the core classes.

Mr. Krabbenhoft reviewed the budget for juvenile community services (attachment 2).

Chairman Pollert: Where are these offices located, for example in Jamestown?

Mr. Krabbenhoft: Downtown. We need the separation from the adults.

Chairman Pollert: What is an example of why you would need temp staff?

Mr. Krabbenhoft: A lot of it is administrative assistants in those offices where we just need a few hours a day. We have case aides as well.

Chairman Pollert: Will the 50 kids that are in YCC move into this program or is this a different clientele?

Ms. Bjergaard: If there are 180 kids on the caseload and 50 of them are at YCC, the other 130 are in the community somewhere.

Vice Chairman Kreidt: On professional services, the MMIS payment, do you have kids that are on Medicaid that you run through MMIS?

Mr. Krabbenhoft: Yes.

Vice Chairman Kreidt: How is that working for you?

Mr. Krabbenhoft: It works well. We've done it for years. There are challenges that we're constantly faced with; the timing of payments. On the adult side, providers for instance optometry services, we couldn't find anybody willing to do that through the MMIS system because of the timing of payments.

Vice Chairman Kreidt: With some facilities, if they run into a payment system where they are getting into arrears, they should up-front you a payment to get you caught up. Have they given you that capability?

Mr. Krabbenhoft: I'm going to make a call today. If I understand you right, Human Services makes a payment on our behalf?

Vice Chairman Kreidt: If you're $100,000 in arrears, they should cut you a check to cover what's in arrears and then they can do the deduct back to the department.

Mr. Krabbenhoft: The timing of payments is more of an issue on the adult side. Because we're a third party to that we don't ever see. I'll make that inquiry with Human Services.

Rep. Nelson: The arrears number shouldn't have an effect on this budget. Are you paying a co-pay?

Mr. Krabbenhoft: In this one, the federal government will pick it up if the child is in the community and not under our custody. We use the MMIS to process payments. When they get to the point of making payment to those people, that's when we'll get a voucher from DHS asking us to transfer that money to them. There are timing issues in all of these things as to how those payments are being made. That's part of the challenge. We could be in a biennium and if they get caught up, we could see payments coming from previous biennia.

Chairman Pollert: Could you go over operating fees and services? Is this equivalent to the halfway houses on the adult side?

Mr. Krabbenhoft: It wouldn't be housing costs; it would be more programs to run those programs so it would be payments to school districts for day treatment, payment to intensive in-home, and any drug testing supplies.

Rep. Nelson: What is going on with the lease/rent-buildings/land? That's a sizable increase.

Mr. Krabbenhoft: The last page shows our office rents.

Rep. Nelson: Is that is existing? There are no new ones?

Mr. Krabbenhoft: That's existing. Rents are going up in spots.

Rep. Nelson: In the federal funding line, it looks like you were not getting a Title XIX grant. What is the Title XIX?

Ms. Bjergaard: For example, intensive in-home therapy is a Medicaid reimbursable service. Lutheran Social Services sees a family and does all the paperwork for us to see if that family is Medicaid eligible. If they are, they bill Medicaid. If they're not, they bill our operating line.

Mr. Krabbenhoft: But with Medicaid, we don't know what will happen.

Ms. Bjergaard: With our IV-E administrative dollars, the only one set up to bill IV-E is Department of Human Services. They take a 50% cut of what we earn as their fee.

Rep. Nelson: Of the $500,000 that you're getting, are they getting the same?

Ms. Bjergaard: Yes.

Mr. Krabbenhoft reviewed budget detail for central office – juvenile services (attachment 3).

Vice Chairman Kreidt: Under the medical payments, when a youth comes into YCC, do you assume all the medical expenses?

Mr. Krabbenhoft: When they are at YCC, we pick up that cost. When they go back into the community, then Medicaid will pay if they qualify or if they have family coverage. Continued to review testimony.

Rep. Nelson: Regarding the bond payments, where are we at on that schedule?

Mr. Krabbenhoft: The last page shows a breakout of what we have for payments. Continued to review testimony.

Rep. Nelson: How long have you been with the 340B program?

Mr. Krabbenhoft: About a year and a half. Because we do STD testing on all of our inmates, we're providing in kind services to the Health Department in a general sense and that qualifies us for the program.

Vice Chairman Kreidt: With the Hepatitis C, have you seen a substantial reduction in the cost of that with the 340B?

Mr. Krabbenhoft: Yes, we have. When we get to the adult side you'll see a specific amount.

Chairman Pollert: Is there a schedule for extraordinary repairs?

Mr. Krabbenhoft: For the juvenile side, we don't have any extraordinary repairs this time.

Vice Chairman Kreidt: With utilities, do you expect a decrease?

Mr. Krabbenhoft: This is one of those lines where we have a little cushion.

Chairman Pollert: What is the IT data processing?

Mr. Krabbenhoft: That is our payments to ITD.

Chairman Pollert: So they've gone up $180,000?

Mr. Krabbenhoft: We take their rates and apply what we're doing to come up with that.

Chairman Pollert adjourned the committee.

2017 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee - Human Resources Division
Sakakawea Room, State Capitol

SB2015
3/20/2017
Job 29439

☐ Subcommittee
☐ Conference Committee

Committee Clerk Signature

Explanation or reason for introduction of bill/resolution:

A BILL for an Act to provide an appropriation for defraying the expenses of the department of corrections and rehabilitation; to provide appropriations to the department of human services for behavioral health services; to create and enact a new section to chapter 12-44.1 and two new sections to chapter 54-23.3 of the North Dakota Century Code, relating to management of inmate population, a community behavioral health plan as a term of parole or an alternative to incarceration, and prioritization of admission of inmates; to provide for a legislative management study; and to provide for a report to the budget section.

Minutes: Attachments 1-4

Chairman Pollert called the committee to order.

Alex Cronquist, Legislative Council reviewed changes to the budget made by the Senate (attachment 1).

Dave Krabbenhoft, Director of Administration for the Department of Corrections reviewed budget information for the adult services administration (attachment 2).

Chairman Pollert: On travel, what is the increase of $103,000 due to?

Mr. Krabbenhoft: It's due to the people we have on supervision through the interstate compact. We've seen an increase in those costs so we've budgeted more for that.

Chairman Pollert: It's going to be $100,000 more?

Mr. Krabbenhoft: Yes, for the biennium.

Chairman Pollert: You're going to see a 30-40% increase there?

Mr. Krabbenhoft: Yes.

Chairman Pollert: Would it be correct that 18% of this budget is general?

Mr. Krabbenhoft: The salaries are general funded. The 18% is misleading in that sense because that grant number is so high. Every expenditure does not share that same percentage.

Rep. Nelson: Do you anticipate more inmates coming back to North Dakota? Has there been a change in our reciprocal agreements with other states that would cause that to occur?

Mr. Krabbenhoft: Yes, we're seeing more volume of people leave the state. With the oil boom, we had a lot of people from out of state that would be on supervision and as a result would apply to go back to their home state, yet they remain on supervision under North Dakota so that's part of it.

Chairman Pollert: These individuals will commit a crime in ND, then they are on supervision. Then they decide they are going to go home, and we have to pay for that?

Mr. Krabbenhoft: No.

Chairman Pollert: Do we have to pay for their supervision in a different state?

Mr. Krabbenhoft: No, it's all part of the compact.

Leann Bertsch, Director of the Department of Corrections: The interstate compact is a compact between all states and territories. For example, we might have a North Dakota citizen who gets a DUI in Moorhead. They're going to come back to ND because this is where they live but they're on supervision in Minnesota. So that person has to apply in Minnesota to be able to be supervised in North Dakota. The oil boom was a good example of this where they're here working, get in trouble, are on supervision, then want to go back home. They have to apply to go home and be supervised in that state. We have seen a significant increase in volume over the last few years. When one of our probationers is being supervised in another state and they mess up, it's our responsibility to pick them up. We have to go get them.

Mr. Krabbenhoft: The cost you see here is a combination of that and employee travel. If you look at the bars report, you'll see the probation violation transportation fund of $206,000, that's where that piece of it is funded. If it's related to interstate compact, we pay it out of that. That's funded by those probationers who apply to go to another state and pay a fee.

Rep. Nelson: If that is because of oil activity in previous years and that number has gone up, why is there less money projected in the fund?

Mr. Krabbenhoft: It's what we have projected to come out of there. It's projected based on the numbers and cost of travel. I would have to go back and look at it.

Chairman Pollert: On the grant schedule, are most of them related to domestic violence?

Ms. Bertsch: A lot of it is domestic violence related, but it goes further than that.

Chairman Pollert: What is an example of the difference between the domestic violence in the Department of Health versus the domestic violence here in Corrections?

Ms. Bertsch: It's a matter of the grants we deal with. The Health Department manages a different set of federal funds that go for different purposes.

Chairman Pollert: Would the ones from the Health Department more go towards the victims? Whereas this is more going to the law enforcement part of that?

Ms. Bertsch: Reversed. VOCA are victims of crime so this funding goes to serve victims. It has to be direct services to crimes. Whereas the grants administered by the Health Department can go for broader services. They can support auxiliary services that support the response so a lot of those grants go to law enforcement agencies and it might be for equipment or training.

Mr. Krabbenhoft reviewed budget information for parole and probation (attachment 3).

Chairman Pollert: How many probation officers did we add last biennium?

Mr. Krabbenhoft: 16.

Rep. Nelson: What's the ratio with the additional parole officers? Has it improved?

Mr. Krabbenhoft: It has improved. There is a schedule for that.
Reviewed parole and probation schedule (page 9 of attachment 3).

Chairman Pollert: What is meant by "w/o non-classified" in the last column?

Ms. Bertsch: The average caseload of a probation officer with a heterogeneous caseload is 73.7 in Bismarck. A certain number of their caseload is considered non-classified. For example, some have already gotten in trouble; they are on the caseload but they might be in the State Hospital or the person might have a probation running but serving a prison sentence at the same time. If you take out those, that is the actual number of people in the community.

Chairman Pollert: With the drug courts, explain why that caseload is lower than a sex offender caseload.

Ms. Bertsch: The drug court are the intensive ones.

Chairman Pollert: Could someone on parole & probation also be on GPS?

Ms. Bertsch: Yes.

Rep. Nelson: Looking at the ratio of 1:65, it looks like the heterogeneous population is above that in most cases and in some of the other areas, it's lower.

Ms. Bertsch: The heterogeneous is the bulk of the probationers. We're over what we consider optimal. In the rural communities, it's difficult because there may be a surge, but it doesn't make sense to put another officer there yet.

Rep. Nelson: In a perfect world, what would be the increased need in parole and probation as far as FTE?

Ms. Bertsch: I don't know that we've considered what that would be. I think we're doing pretty good. With the new Legislation, there is an emphasis to use probation more heavily and more effectively. It's not just the sheer numbers of caseload. What's really going to make probation more manageable is the behavioral health treatment and the drug treatment.

Chairman Pollert: With Section 7, are those going to be the people who are on parole and probation?

Ms. Bertsch: Yes.

Chairman Pollert: So you would be picking from the more serious of these?

Ms. Bertsch: Yes. Section 7's target is really the more difficult ones that need services.

Chairman Pollert: Regarding this list and Section 7, would most of the drug court ones be the ones that you are trying to get into that relationship?

Ms. Bertsch: Actually no because the drug court participants are already getting those services. Really it will be the ones on the heterogeneous caseloads that are struggling with a lot of addiction.

Mr. Krabbenhoft reviewed schedule of average daily counts (attachment 4).

Chairman Pollert recessed the committee.

2017 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee - Human Resources Division
Sakakawea Room, State Capitol

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☐ Subcommittee
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Committee Clerk Signature

Explanation or reason for introduction of bill/resolution:

A BILL for an Act to provide an appropriation for defraying the expenses of the department of corrections and rehabilitation; to provide appropriations to the department of human services for behavioral health services; to create and enact a new section to chapter 12-44.1 and two new sections to chapter 54-23.3 of the North Dakota Century Code, relating to management of inmate population, a community behavioral health plan as a term of parole or an alternative to incarceration, and prioritization of admission of inmates; to provide for a legislative management study; and to provide for a report to the budget section.

Minutes: Attachments 1-2

Chairman Pollert called the committee to order.

Dave Krabbenhoft, Director of Administration for the Department of Corrections continued to review testimony (attachment 3 from 03/20/2017 minutes, job 29439).

Chairman Pollert: Do you have a projected turn-back?

Mr. Krabbenhoft: If I were to guess, it might be around half a million.
Continued to review testimony.

Chairman Pollert: The bottom of the report shows no amounts for extraordinary repairs and equipment over $5,000. Is there nothing being done with that?

Mr. Krabbenhoft: Nothing in this department ID. You'll find most of the extraordinary repairs in the central office. Typically, the equipment we are buying for parole and probation is a smaller dollar amount and might fall under professional supplies.
Continued to review testimony.

Vice Chairman Kreidt: Is the MRCC temporary housing the man camp that you run?

Mr. Krabbenhoft: Yes.

Vice Chairman Kreidt: It's that $1 million for a biennium?

Mr. Krabbenhoft: Yes. That's budgeted for in the transitional facilities. We can buy it for less than that. I'll have that information when we get to transitional facilities.

Chairman Pollert: Regarding DAPL, what was your overtime used for, bringing them in?

Mr. Krabbenhoft: We had to bring a lot of people in to staff out at the site. We were bringing people in from other cities throughout the state.

Chairman Pollert: So you weren't jailing people?

Mr. Krabbenhoft: No. Well we did have some correctional officers helping out at Morton County. Our parole officers were mainly providing the transport. But we also had them on the front lines.

Rep. Nelson: That's in your budget. Is that part of the total cost in the Adjutant General's numbers?

Mr. Krabbenhoft: I believe that bill is coming forward. I think we asked for an appropriation authority increase of $500,000 to cover that cost.

Rep. Nelson: In the Department of Corrections? So you're cutting the check?

Mr. Krabbenhoft: We're being reimbursed from DEM.

Rep. Nelson: Are the special funds all court costs? What makes up the special funds?

Mr. Krabbenhoft: The source of that is mainly the correctional supervision fees.

Rep. Meier: What is SCRAM?

Mr. Krabbenhoft: That is a bracelet that detects alcohol use in people.

Chairman Pollert: Travel.

Mr. Krabbenhoft: What we estimated is 1.4 million miles driven by 94 vehicles. That is $812,157 of that amount. Then we added the new motor pool on top of that. We use actual mileage on those vehicles to project forward.

Chairman Pollert: Is that the mileage that you would have had this year?

Mr. Krabbenhoft: It's an estimate of the mileage that we had for the 2015-17 biennium. Continued to review testimony (page 11).

Chairman Pollert: Is North Dakota at an interstate compact deficit?

Leann Bertsch, Director of the Department of Corrections: We typically send out more than come in. But we have a few more coming in than going out over the past year.

Mr. Krabbenhoft: On Rep. Meier's question earlier, I asked our compact administrator how many offenders we had to go and physically take from other states. From July 1, 2015 to December 31, 2016 there were 93 people.
Reviewed budget information for the transitional planning section (attachment 1) (0:21:40).

Chairman Pollert: Under professional services, it's an assessment by an outsider to see where they're going?

Mr. Krabbenhoft: We do it to get a better understanding of what their risks are, what they need for treatment. It's called the LSIR, Level of Service Inventory. It gives an idea of what the person's targeted areas should be.

Chairman Pollert: Is this because of the number of people circulating through so there are more assessments?

Mr. Krabbenhoft: Yes, we base it on the number of admissions.

Chairman Pollert: This would be completely separate from the behavioral health portion of the $7 million because you'll still have to assess those people.

Mr. Krabbenhoft: We've had this contract with BTC for at least 10 years.

Chairman Pollert: Temp salaries.

Mr. Krabbenhoft: We have a couple positions there that work in the office as temporaries. Also the transport officers are paid as a temporary salary as well. We're expecting about 5,800 hours of temporary hours for transport officers.

Rep. Nelson: At what cost?

Mr. Krabbenhoft: For a biennium, we have about 12,000 hours for transport officers and 1,100 for overtime.

Chairman Pollert: These are just within your system, not interstate?

Mr. Krabbenhoft: Yes, this is within our system.

Chairman Pollert: Has that been consistent throughout the biennia? Have you always had that?

Mr. Krabbenhoft: The transport hours are going up. Finding the people to do it is becoming more difficult as well. I said it wrong: 14,000 for transport hours, 839 to transport overtime, and then full-time administrative temp.

Chairman Pollert: Is that why you have an increase in travel?

Mr. Krabbenhoft: Yes. They are going to be on the road. We're estimating our transport miles to be 345,000 miles and about 162,000 of that is going to be for the motor pool, then meals and lodging.

Rep. Nelson: When there's a transfer from a county to the state pen, if you have somebody that's going back to the same area, can you use that transport in a reverse role?

Mr. Krabbenhoft: When someone comes to the DOCR for the first time, that's a county expense. When we move them from facility to facility, that's our expense. When we release them from custody, we might get them a bus ticket.

Rep. Nelson: But that's not the transports we're talking about here?

Mr. Krabbenhoft: No. This is for when we have someone that's going to a half-way house or someone moving from NDSP to JRCC; things like that.

Rep. Nelson: Are the special funds in this section from supervision fees?

Mr. Krabbenhoft: Yes.

Chairman Pollert: What are supervision fees?

Mr. Krabbenhoft: That is $55 a month when someone is on probation or parole.

Chairman Pollert: Is this the one we raised?

Mr. Krabbenhoft: Yes.

Chairman Pollert: And then you go by a certain percentage?

Mr. Krabbenhoft: A certain percentage billable and then the collection as well. The collection rate has been dropping and dropping. I think we're below 40%.

Chairman Pollert: With the $55, how much, on a scale, are the collectables?

Mr. Krabbenhoft: Two biennia ago, we were at 48%. 65% were billable and 48% of the 65% were actually current of the total amount. Now we might be billable around the same amount, but we're collecting at about 38%. We're trying to make it easier for people to pay. They can now pay their fees on-line.

Chairman Pollert: What happens when they don't pay the supervision fees?

Mr. Krabbenhoft: They can be revoked.

Rep. Nelson: But you're not revoking them for that?

Mr. Krabbenhoft: No. But that isn't the only consideration.

Chairman Pollert: We raised it to help raise some money, but it looks like it's not working.

Mr. Krabbenhoft: We just instituted the electronic payment piece of it and we're starting to see an uptick in that. If we make this more convenient for people to pay, it will help. When they leave supervision, they're referred to a collection agency as well. Marsy's Law is another thing that is going to affect us. We have the possibility of losing upwards of $600,000 on that because by law, we won't be able to collect any supervision fee until restitution is paid in its entirety. When we did that impact for OMB, it was around $600,000 on that fiscal note.

Rep. Nelson: When we looked at that fiscal note for implementing Marsy's Law, was this loss of $600,000 part of that?

Mr. Krabbenhoft: I believe so.

Becky Keller, OMB: Yes.

Mr. Krabbenhoft reviewed budget information for NDSP (attachment 2) (0:43:57).

Chairman Pollert: For meals, is it 2,000 calories a day?

Ms. Bertsch: For men we try to keep it around 2,600 and for women it's about 2,000.

Rep. Meier: For snacks, do they have a stipend to purchase those?

Ms. Bertsch: No, we do not give them a stipend. They buy from commissary.

Chairman Pollert: Do the average costs per day on the last page include the meals?

Mr. Krabbenhoft: Yes. It includes everything listed there: housing, medical, education, treatment, and allocated and depreciation costs. The housing costs would include the meals. Medical is in central office. Education and treatment are stand-alone.

Chairman Pollert: You're not doing the education and treatment piece and they are higher.

Mr. Krabbenhoft: I don't know what they have allocated to housing so I'm showing that as our contract payment.

Chairman Pollert: So they are paying education and treatment within these numbers.

Mr. Krabbenhoft: Yes. It's a flat payment every month.

Rep. Nelson: On the equipment over $5,000, you spent more than you had budgeted, but in the next biennium, you don't have anything budgeted. What is in that category?

Mr. Krabbenhoft: That would be if we need a metal detector or a piece of equipment that adds to security because it failed and needs to be replaced.

Chairman Pollert: Looking at the total salaries, is this with the zero and one?

Mr. Krabbenhoft: It's zero and zero.

Chairman Pollert: Why the 5% increase there?

Becky Keller, OMB: The cost to continue.

Mr. Krabbenhoft: We also have the targeted equity for correctional officers. If you look overall for our agency, if you take out the PREA positions and the behavioral health positions, our salaries increased less than 2%. More of the targeted equity went to the Jamestown folks than the NDSP folks.

Chairman Pollert: Temp salaries. Why is there a large reduction?

Mr. Krabbenhoft: We're trying to do more with less. We challenged everybody. We have some temporary salaries built in. Overtime is a big one for us. Unfortunately, with the cost of health insurance now, it's now that simple to say that it's cheaper to hire someone than it is to pay overtime. We've found it almost impossible to recruit without offering some type of health insurance.

Chairman Pollert: So you're making the decision to spend more on overtime than on temp.

Mr. Krabbenhoft: It depends. The investment we have to make to train people. Temps we turn over constantly. If we see this as more of a short-term problem, we might go with overtime but if it's a long-term solution that we need to make and we can invest in someone in temporary salaries that we think will stay with us, we'll go that route.

Rep. Nelson: What does it cost to train a correctional officer?

Travis Engelhardt, Human Resources Director for the Department of Corrections: The number Tracy had was $17,000. I don't know how accurate that still is today.

Mr. Krabbenhoft: We've increased our correctional officer starting salary which has been helpful.

Chairman Pollert: Travel.

Mr. Krabbenhoft: It's moving people down to the hospital; we have 3-4 runs every day to the hospital and clinic.

Chairman Pollert: It looks like you're going to make the allotment of $91,000 but you're still looking at a $43,000 increase.

Mr. Krabbenhoft: It's based on that estimated mileage again.

Vice Chairman Kreidt: With the new facility, do you have a doctor on staff full-time?

Mr. Krabbenhoft: Yes. We have a physician, part of a nurse practitioner, multiple nurses, two pharmacists, two pharmacy techs, a dentist, two dental assistants. We have a complete medical staff but we need more provider hours.

Vice Chairman Kreidt: When you talk about travel and going to the hospital, what are they going in for that they can't do out there?

Mr. Krabbenhoft: It would be for colonoscopies, specialists, procedures, dialysis. We're close to where we should look at investing in some dialysis equipment.

Rep. Meier: With Medicaid expansion, the issues with the uninsured are taken care of?

Mr. Krabbenhoft: It didn't roll out as quick in ND. If we have somebody on in-patient status at the hospital for 24 hours or more, DHS will turn on Medicaid and that will be paid 97% by the federal government if they're covered by expanded Medicaid. If it's traditional Medicaid, it will be 50/50. Otherwise we pay that piece of that.

Chairman Pollert: Food and clothing. You had the allotment. Then you were down to $3.3 million. You're showing $3.8 million. I added a 3% inflator and I get $3.5 million.

Mr. Krabbenhoft: We're at about 359 so we're saying a little over $3 million at $1.64 a meal. Because it's our intake orientation facility, we budget $380 for inmate clothing and linens so that's an additional $603,000 in that line. Then staff uniforms were budgeted for 180 at $305.

Chairman Pollert: With the allotment, are you going to hold close to the $3.340 million?

Mr. Krabbenhoft: We're going to do our best. When the allotment came across, our food director at NDSP has done a wonderful job and has saved the state over $1 million.

Chairman Pollert: In buildings, what was the increase due to?

Mr. Krabbenhoft: That is mainly the janitorial things, repairing some locks, repairing radios.

Chairman Pollert: What is under repairs?

Mr. Krabbenhoft: Repairs would be electrical service, elevator maintenance contracts, janitorial contracts, plumbing, service contracts.

Chairman Pollert: What is operating fees and services? What are the 379 funds?

Mr. Krabbenhoft: It could be supervision fees, if we have an inmate break something, if people ask for copies. Inmate wages is a big one in operating fees and services. It was based on what we paid before. For NDSP, an inmate will earn $1.80 an hour but depending on the number of inmates that are working, it's going to be different so I have a set amount per inmate. For NDSP, it was $27.09. It's higher at JRCC and higher at MRCC. I have 796 inmates at $27.09 for 24 months so it's about $518,000 for inmate wages.

Chairman Pollert adjourned the committee.

2017 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee - Human Resources Division
Sakakawea Room, State Capitol

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Minutes: Attachments 1-3

Chairman Pollert called the committee to order.

Dave Krabbenhoft, Director of Administration for the Department of Corrections reviewed utilities (attachment 1) and FY2015 cost per day (attachment 2).

Vice Chairman Kreidt: On women's services, why was there a drop in medical costs?

Mr. Krabbenhoft: It could be accounting. Our medical record part crashed and the pharmacy piece crashed so we were unable to track those specific expenditures going to DWCRC so took the population and allocated it by the number of people.

Rep. Kading: With depreciation, what do you do with that money?

Mr. Krabbenhoft: It accumulates in a PeopleSoft report. It doesn't affect us appropriation-wise.
Continued to review testimony.

Rep. Nelson: Anticipating the DWCRC coming in, looking at the costs associated with that facility compared to the NDSP, it looks like they're getting reimbursed fairly well. They don't provide any education?

Mr. Krabbenhoft: That housing cost is our contract payment to them and our FTE that's assigned to run that program. With the contract payment they receive, they are required to provide education and treatment. They don't pay for pharmacy or provide for outside medical so if they need to bring an inmate to a clinic or hospital, we pay for that through the MMIS system.

Rep. Nelson: In the NDSP you allocate the education and treatment by line item. Is it the same in the women's prison or are there some outliers that throw that off?

Mr. Krabbenhoft: We don't allocate the direct education costs into the NDSP, JRCC, and MRCC. We account for those separately. But there is a portion of the central office costs that are allocated to education.

Rep. Nelson: Do we have a new contract with them?

Mr. Krabbenhoft: We don't have a signed contract this biennium. We've agreed to an amount to pay. They didn't want a signed contract because they wanted a lot more money in the biennium. Within a week of the allotment, they wanted to sign the contract but we said no because we may have gotten more allotments.

Rep. Nelson: Is there any desire on the department's staff to sign a contract now?

Mr. Krabbenhoft: If we agree to an amount this biennium, we'll pursue having the contract signed again for next biennium. The wild card is how they're going to react to the amount that's appropriated from the Legislature. They were in disagreement with that last time. They have a failing infrastructure out there as well and probably dealing with just as much turnover as we are. It's a challenge to operate a facility in rural ND. I think we are compensating them fairly. I think they're going to say that they're losing money. When this first happened, it wasn't about money they were going to invest in the facility, it was about creating jobs in western ND.

Vice Chairman Kreidt: When you received the first allotment, did you adjust the contract?

Mr. Krabbenhoft: Yes, we did. We reduced it by $454,000.

Rep. Kading: This contract facility, if you say you are going to pay them less, do they have any other options?

Mr. Krabbenhoft: If they say they are getting out of housing women inmates, then we're really in a tough spot because we don't have any place to house women inmates. We're their only customer. They depend on the state and the DOCR to provide that funding but we also depend on them to provide orientation and housing for those women. It's unique. It's a good relationship.

Rep. Holman: Where is the medical treatment?

Mr. Krabbenhoft: A lot of it is here. They have a nurse practitioner at DWCRC and they'll go into Dickinson if they can or they will come to Bismarck.

Rep. Nelson: Don't we contract for 126 inmates but the actual census is higher than that?

Mr. Krabbenhoft: That's their operating capacity. We've made efforts to control that number. One of the things we did was to contract BTC to provide secure housing for women. We have an average of 30 women at BTC. But yes, sometimes they are beyond capacity.

Leann Bertsch, Director for the Department of Corrections: While we're talking about how that contract would go with DWCRC, they have 126 beds. They're our orientation for women. So the women might come in and then we go above that 126. Immediately we're looking to see who we could move out of there into our community placements. You could solve this problem with sections 6, 7, and 8. Section 8 basically where we prioritize admissions. You could control the cost at DWCRC with that language. This could really help control the costs and pressure on that facility quite well.

Tasha Carvell, Executive Director of ThinkND read written testimony (attachment 3).

Rep. Nelson: Is the panel all behavioral health and addiction specialists?

Ms. Carvell: We have the chief of police of Bismarck on the committee, law enforcement, a judge from drug court in Fargo, Leann Bertsch, housing for recovery and treatment.

Chairman Pollert: How many members or organizations are included?

Ms. Carvell: We have seven board members but we're not a membership organization.

Chairman Pollert: There are six people out of DHS that will be case managers/auditors with section 7 and then they will be working with private industry to make sure we get the results.

Ms. Carvell: That's the performance-based metric that they'll be using.

Chairman Pollert: Will we struggle with having enough of the private industry available to do section 7?

Ms. Carvell: It would incentivize smaller communities to start adding that workforce that is necessary and isn't there now.

Aaron Birst, Association of Counties testified in support of the bill.

Rep. Holman: Is there variation from county to county on how this is handled? Also, our state cost is $42,000 to keep someone in prison. I assume the county costs aren't that high?

Mr. Birst: I can get you that answer. I think the going rate is about $100 a day.

Rep. Holman: Are there times when a judge will send someone to Bismarck because they know the person will get treatment? So they're given a higher sentence. Is that being done?

Mr. Birst: Yes, it is. We have a different philosophy on if that is a good or a bad thing. It is being done. I don't think there is anybody though who a judge would say, "There's no way

this person deserves a pen sentence but simply to get them treatment, I'll send them there." People aren't getting sent the to the pen the first time they are getting picked up for drug offenses. Judges have said that they have sentenced people to the DOCR simply for the treatment.

Rep. Nelson: You're comment about the pre-trial services is low-hanging fruit where we could begin that process sooner if we would develop a program. You mentioned there are counties and regional jails are providing some of those services. What is the array of behavioral health and addiction services that you're aware of that's offered in counties today?

Mr. Birst: The state struggles with finding qualified folks to do those services. What the counties have taken advantage of, and there are only two that I'm aware of, hire a specifically trained nurse that will act as a screener. We have employed some screeners to help; that's the extent of what we've done. We cooperate with the human service centers. But that isn't always easy either. We need to do a better job partnering with them also. Most of the large counties can do a pretty good job.

Rep. Nelson: You've seen the tiered approach that has been put forward. How do you see that working? How do you see these services being implemented in rural ND?

Mr. Birst: I see the rural areas will never get that service. It's just not cost-effective. The numbers are in the large jurisdictions. At some point, tele-medicine may address some of those needs.

Rep. Heinert, Sheriff of Burleigh County and Jail Administrator for the Burleigh and Morton County Detention Center testified on sections 6, 7, and 8 of the bill.

Rep. Nelson: We need to have a coordinated effort coordinated program. Are you working with Dr. Peterson and the Department of Corrections as you begin to develop your program?

Rep. Heinert: Yes. Dr. Peterson actually served on our hiring committee to hire our mental health professional. We are doing a lot of the mental health side. My jail administrator is working on a committee with a lot of those entities. We're trying to communicate as much as we can and trying to keep the doors open. We're still back at that same theory that county jails are holding facilities for short-term. It's a changing philosophy. We have to change the entire philosophy of all county jails.

Chairman Pollert: As far as services to the rural areas, can you discuss that?

Rep. Heinert: The deeper we get into the rural, the harder it is that it's going to be happening simple because they don't see it every day. The larger counties are seeing it every day. As we start picking the larger jails up, to start changing those philosophies and looking at these programs, it's going to start spreading itself a little bit.

Rep. Meier: What percent of your inmate population is currently receiving some type of counseling services?

Rep. Heinert: I can't tell you a percentage. We've been doing an intake evaluation. The intake officers are identifying 35-40% of the people coming into our facility with some form of mental health requirements. Now that we've added our mental health officer, we're seeing our mental health officer adding to that number. We offer volunteer programs within the facility that a lot of people are participating in, like AA, bible study.

Pam Sagness, Director of the Behavioral Health Division of the Department of Human Services: I want to clarify how services would be in rural areas. I think it's important to change the way we view services. The tiered section that is proposed in section 7 is specifically looking at having services in rural areas. I think it's important to recognize the difference between addiction programs with medical professionals and the fact that the lowest level of tier support services do not require someone who has that credentialing.

Chairman Pollert: Did you work with Senator Lee on SB2274?

Ms. Sagness: Correct. The department has been engaged in this process throughout. I participated in the DOCR behavioral health group that brings together jail administrators from around the state, DOCR, and DHS to address behavioral health issues. We have had a great partnership and collaboration that I'd like to see going forward so that services are available to individuals that need them.

Rep. Nelson: I think that in our more rural areas, we can begin to move into that level two tier. I think it's important that it is a coordinated effort. That there is a program that we begin that can work through the entire system, if that's where it ends up. As we begin that process, how do you see the Department of Human Services and your division being involved in that?

Ms. Sagness: It's important to note that although this is a DOCR program, it is a partnership with DHS. The behavioral health division of DHS is responsible for the behavioral health components of this program. This is community-based services. When we looked at the design of the tiers, when we look at the outcome measures, one of the key positives about this program is that payment is based on outcome. That's so important.

Chairman Pollert closed the hearing.

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A BILL for an Act to provide an appropriation for defraying the expenses of the department of corrections and rehabilitation; to provide appropriations to the department of human services for behavioral health services; to create and enact a new section to chapter 12-44.1 and two new sections to chapter 54-23.3 of the North Dakota Century Code, relating to management of inmate population, a community behavioral health plan as a term of parole or an alternative to incarceration, and prioritization of admission of inmates; to provide for a legislative management study; and to provide for a report to the budget section.

Minutes: Attachment 1

Chairman Pollert called the committee to order.

Dr. Lisa Peterson, Clinical Director for the Department of Corrections provided handout (attachment 1).

Leann Bertsch, Director of the Department of Corrections reviewed sections 6, 7, and 8.

Rep. Meier: Have you or your colleagues been invited to be a part of Face It Together?

Ms. Bertsch: No.

Chairman Pollert: What is it?

Pam Sagness, Director of the Behavioral Health Division of the Department of Human Services provided information on the Face It Together program.

Rep. Nelson: With the minimum standards, is there a model, from a third-party standpoint, that is available and is it doable in North Dakota?

Ms. Sagness: There are models in other states where there is statewide certification that is managed through an agency like ours. It has a minimum requirement, for example of the number of hours of training. It also creates some ethics. We are working towards that.

Rep. Nelson: Go back to the certification for the peer support. What do you envision that education or certification looking like? Do you have a model? Is this a university certification?

Ms. Sagness: There are several models. It's not credentialing in the form of licensure; it's a certification. At this time, we have not said that this is the model that will work best because we're looking for one that is both mental health and substance abuse.

Rep. Nelson: Where would you see that university setting? Which campus is best positioned to roll that out and provide some professional assistance?

Ms. Sagness: I have to clarify how this would work. There are universities that own their curriculum so we wouldn't necessarily be able to take a best practice program and have NDSU do it. It would be potentially a contract that the department would have to have with that university that created the curriculum and developed it. Or we could look at developing our own if we can't find one what meet our needs as a state.

Rep. Nelson: Is there a possibility in the next two years that we could identify that model?

Ms. Sagness: That is our goal. We'd like to see certification occurring in the next biennium.

Rep. Nelson: There are a lot of pieces that have to align and that is one of the major ones.

Rep. Holman: Is there anyone who has done work in this area and may have done preliminary research on this type of behavioral health?

Ms. Sagness: I am not aware of any of our current research or university work being specific to peer support or recovery coaches in that realm.

Rep. Kading: Peer support coaches are one of the issues where we want reimbursement. Have the insurance companies not given any guidance or requirements when they will pay?

Ms. Sagness: This is new, even for payers. There are some payers that have started to look at this. BCBS had been having conversations about the reimbursement of peer support specialists. There isn't protocols or policy; it isn't developed yet but they do recognize the cost savings of not focusing on just the highest level of reimbursement.

Rep. Kading: Why aren't the insurance companies able to determine what they need to certify? Why is the state even needed in this process?

Ms. Sagness: At this point, it's not a service that's available.

Rep. Kading: But you said that they are looking at doing it.

Ms. Sagness: In my meetings with them, they are looking at it and having discussion. I don't think it will occur within this next biennium. Part of it is because they need to see that it works.

Rep. Kading: I would be hesitant to support anything where we create a state certification. When you provide services, whether it's crop insurance or other insurance, most oftentimes the insurance company has its own certification process. I fear having a state agency require a certification is just going to drive costs up for this needed service.

Ms. Sagness: It's important to note is that it's not a requirement; it would be a certification that would create a minimum standard.

Dr. Peterson explained section 7 of the bill and reviewed handouts (attachment 1).

Chairman Pollert: What is the map telling me?

Dr. Peterson: That is the number of people who are currently on supervised release who reside within that county who would be moderate and high risk for future crime and also have behavioral health and substance abuse needs potentially.

Rep. Nelson: That would be the baseline as we go forward. That would be how we would start to score the placement from counties into the state system, correct?

Dr. Peterson: Are you asking about the decision points that would be used to guide prioritization of people coming into jail and prison?

Rep. Nelson: Yes.

Dr. Peterson: That is a separate set of data. The decisions I'm speaking about are those that would be used to refer people into the program.

Rep. Nelson: Is there an efficiency model for the size? Can you develop a program that would create the outcomes we're looking for with a model like that? Do we know how many people would have to be involved to make it cost-effective?

Dr. Peterson: We would absolutely be able to offer tier three and some elements of tier two, even in areas where there is a very small number of people engaged. It's more difficult to establish something like a residential treatment or a psychiatry provider in those areas. But I think there are ways we can use technology and use our resources wisely to make some of those things available to people living in those less populated counties.

Rep. Nelson: How do you see your role in that? Would you be in an advisory role? Would you help to develop that layout as to how the programs go forward?

Dr. Peterson: I think the DOCR's role, and potentially mine, is helping create those referral criteria to identify the people who do present a high risk for future crime based on the factors that we are very well versed in already assessing. What want to effectively address what is driving that entry into the criminal justice system. DOCR has a role in establishing best

practice community care for that aspect. I think we would have a role in discharge criteria. Also, outcome measurement and have a role in developing what we consider success.

Rep. Nelson: Are you in a confident position to begin to serve in that role today?

Dr. Peterson: Yes. We've done some things already inside the walls that very closely mirror this model.

Rep. Nelson: Regarding the 60% reimbursement of services, do you think the tier three peer support was part of that 60%? I was surprised that was reimbursable.

Dr. Peterson: My assumption would be that is not included in the reimbursable service.

Ms. Bertsch explained sections 6, 7, and 8 of the bill.

Chairman Pollert: In future biennia, do you know what this might cost?

Ms. Sagness: We had discussion that we are looking for alternative ways for pay, for example third-party payers, Medicaid. When we look at reimbursement as things like peer support become reimbursable, we would see a decrease here because we would be finding alternative ways to be able to have those services be reimbursed by the providers. I think we will see costs eventually decreasing, but not initially.

Chairman Pollert: You talk about the pre-trial risk assessment and the judge will see this. Instead of just saying they will go to jail, there is SCRAM, GPS. That's what the judge could do and then get these services provided?

Ms. Bertsch: We would hope that the counties, instead of looking at their corrections budget as pure jail budget, they would look at these things they can do instead.

Rep. Meier: Regarding the judges, do you think they would be receptive to pre-trials?

Ms. Bertsch: Absolutely.

Rep. Nelson: Is the pilot Cass and Burleigh counties?

Ms. Bertsch: The difference this time is that we're not saying that the DOCR is going to take it on and actually provide bodies to do it. We would assist in getting the pre-trial risk assessment across the state. As far as pre-trial services, we expect that to be picked up at the county level.

Rep. Nelson: What would it look like as a roll-out across the state for cost?

Ms. Bertsch: For the risk assessment, minimal. That would be done in the jail when someone is arrested. That information gets to the judge. Then it is up to the county on how robust they want those pre-trial services to be.

Rep. Nelson: Would this be 100% county cost?

Ms. Bertsch: Yes. We're saying control your corrections budget and invest in some of these alternatives.

Rep. Nelson: When you presented to us, you mentioned that 60% of the cost of the services was reimbursable. The question came up regarding the tier three support, that there are models where some of those services are reimbursable. Was that included in the 60%?

Steve Allen, Council of State Governments Justice Center: That 60% was a rough estimate so there is a lot that could change. The basic model is this: the state is paying with general fund dollars to providers to provide an array of services at the various tiers. With the expectation that providers who are delivering these services do so with that front end payment but then seek reimbursement for everything that's reimbursable and then push that money back to the state. How that 60% is arrived at can vary a lot. Right now, peer support services aren't Medicaid reimbursable services in the state. There may be services like housing that are not reimbursable at all. That 60% is not a hard number; it's based on our estimate of what is likely to be reimbursable.

Rep. Nelson: That tier three peer support is potentially included in that menu of 60% eligible for reimbursement?

Mr. Allen: Yes. There was also a question that Pam answered about the future cost to this. What we know now is that the $7 million is not enough to cover services for the 2,000 people that the DOCR has identified as likely candidates for this. It's impossible to predict how far that $7 million will go two years from now.

Rep. Nelson: Is the map that you provided us the map of the 1,400 that you've identified as being most in need of services?

Mr. Allen: That map was created in combination with DOCR and DHS. That's 2,000 people they've identified who would be good candidates.

Chairman Pollert: Are you talking about section 4 of the bill about the $500,000?

Mr. Allen: There are two $500,000 that we're talking about. The money in section 4 would be available for a two-part workforce initiative. What I was speaking of is an additional $500,000 of federal money that is ear-marked for North Dakota's justice reinvestment.

Chairman Pollert: Section 9 is to continue the study that we started last biennium. Where did those dollars come from?

Sara Friedman, Council of State Governments: If ND enacts comprehensive justice reinvestment legislation, ND will be eligible for further assistance from the Council of State Governments.

Rep. Nelson: The coordinator that you referred to, is that an on-going position?

Ms. Friedman: Since there is only $500,000 in the grant, it starts as a time-limited position.

Rep. Nelson: But most states do continue that coordination effort?

Ms. Friedman: Yes. States find it incredibly useful. When states have that position, implementation tends to be more successful.

Rep. Nelson: How do you see this working?

Ms. Friedman: It really depends on the needs of ND. That position has looked different in different states. Sometimes it's a lower level administrative position. In other states, they've chosen to have different types of positions, maybe higher level.

Rep. Holman: What agencies will you connect with while you're here to gather information?

Ms. Friedman: The majority of our meetings this time are DHS and DOCR focused.

Chairman Pollert recessed the committee.

2017 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee - Human Resources Division
Sakakawea Room, State Capitol

SB2015
3/21/2017
Job 29531

☐ Subcommittee
☐ Conference Committee

Committee Clerk Signature

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Minutes: Attachments 1-3

Chairman Pollert called the committee to order.

Loren Haid, Physical Plant Director for the Department of Corrections provided information regarding the utilities (attachment 1 from 03/21/2017 minutes, job 29495).

Vice Chairman Kreidt: How did this arrive to be part of the bill? Was it federal?

Chairman Pollert: Or is that how we decided to pass it on?

Mr. Haid: There are also a fuel & purchased power adjustments. That is based on the kilowatt hours used. That is the cost of coal. PSC requires MDU to breakdown these bills and show all the rates and tariffs.

Chairman Pollert: On the upper right, what is TCA?

Mr. Haid: That is transmission cost adjustment. That is recouping their costs for infrastructure transmission lines.

Chairman Pollert: What is the environmental cost adjustment for?

Mr. Haid: I'm not sure; I think it's an EPA requirement.

Chairman Pollert: What is the generation rider?

Mr. Haid: More tariffs. Those have been on our MDU invoices for many years. The latest one is the renewable resource adjustment and that included about a 10% increase. I have another adjustment that was recently added a month ago. They are asking the PSC for a rate increase. It's an interim adjustment of 10.32%. On top of the renewable energy, they are asking for a 10% rate increase.

Chairman Pollert: What is the interim adjustment?

Mr. Haid: That is what MDU is asking for a rate increase. It doesn't mean, at this time, they're going to be getting that. If that adjustment is less than 10%, they will show us a credit.

Chairman Pollert: What is the percentage of wind energy in our grid?

Rep. Nelson: I think the goal was 20% by 2020.

Chairman Pollert: If we were at 15%, odds are we would see a percentage jump if we go to 20%?

Rep. Nelson: I don't know. The 14,481 for kilowatt usage, is that a base charge?

Mr. Haid: That 543,600 kw was the power we used at the state pen for that 25-day period. The rest of it is all broken out costs. What used to be 6.4 cents per kilowatt hour is now at 7.2 cents per kilowatt hour.

Rep. Nelson: MDU is able to add that renewable resource adjustment to the total kilowatt hours never minding that 543,600 kilowatts, not all of that was produced by renewable sources but that's an add-on to the entire bill.

Mr. Haid: This is the way it was explained to me: The renewable resource was supposed to off-set some of those fuel and purchase adjustments. As they're using less coal to produce energy, and they're using more wind, they're shifting some of those fuel cost adjustments to the renewable resource adjustments. I haven't seen those reductions in the fuel purchase power.

Rep. Holman: I found the MDU statement. It's basically approved through the ND PSC as a way of recovering the costs of dealing with renewable energies. It says an adjustment per kilowatt hour be calculated using projected capital costs. It says 10.5% is the current.

Chairman Pollert: On the fuel and purchase power, why are there two different rates?

Mr. Haid: The first amount is charged at a certain rate and then if you go over, it's a different rate based on consumption.

Dave Krabbenhoft, Director of Administration for the Department of Corrections reviewed budget information for JRCC (attachment 1).

Rep. Meier: Do you have many individuals on a special diet?

Mr. Krabbenhoft: We have a few, whether it is soft or diabetic. It is physician ordered.

Chairman Pollert: Talk about the temp budget a little.

Mr. Krabbenhoft: It's one of those things that we need to operate. We're looking at how we're staffing and also how we're approving overtime. We had a pretty high turnover at JRCC this past biennium; it was 37% on correctional officers.

Chairman Pollert: How big is the turnover at the state pen?

Mr. Krabbenhoft: It's 20% for correctional officers.

Rep. Nelson: What was it two years ago?

Mr. Krabbenhoft: Two years ago NDSP was 29.7; JRCC was 26.6.

Chairman Pollert: Is travel the same?

Mr. Krabbenhoft: Yes. I can give you the miles. It's a little different because we're constantly moving people and have a lot of medical appointments. We have about 248,000 miles; 233,000 of those are for security and 15,700 are for administration. We do take advantage of the internet too with interactive. We do a lot of medical through that and have meetings. $160,000 of that is attributable to motor pool.

Chairman Pollert: You're full all the way so unless there's a huge increase in motor pool, your mileage is roughly going to be the same, yet all the travel is considerably higher.

Mr. Krabbenhoft: Motor pool rates went up. But when we're full, there's more movement.

Chairman Pollert: When you do food and clothing, do you figure in an inflator?

Mr. Krabbenhoft: Yes.

Chairman Pollert: But it's mostly food and what the inflator would be; it's not clothing.

Mr. Krabbenhoft: Clothing we held to what we've spent before. It includes inmate clothing and officer uniforms.

Rep. Nelson: How many of these bills lag a month in the process?

Mr. Krabbenhoft: When I project out to the end of the biennium, I take a moving average of the apply-back percentage, those that we miss. It's about 4% of the spend on some of the operating line. It's $1-1.3 million that's going to be a timing difference. That's typical.

Rep. Nelson: What's included in the operating fees and services?

Mr. Krabbenhoft: In JRCC, $507,000 is for inmate wages.

Chairman Pollert: What is under repairs?

Mr. Krabbenhoft: That would be bigger repairs like an infrastructure problem or fence repair.

Chairman Pollert: Is the 379 the supervision fees?

Mr. Krabbenhoft: That's the money for the state hospital meals. We buy it and they reimburse us so it comes back as general funds.
Reviewed budget information for MRCC (attachment 2).

Chairman Pollert: Is the money in this budget to buy the temporary unit?

Mr. Krabbenhoft: The money to rent is $919,800 and to purchase is $844,000, but we don't have authority to purchase it.

Chairman Pollert: So you need language?

Mr. Krabbenhoft: We need something saying that we can purchase that.

Vice Chairman Kreidt: Did you discuss that with the Senate?

Mr. Krabbenhoft: Yes. They adopted it and we talked a little about it.

Rep. Nelson: Is it full?

Mr. Krabbenhoft: Usually. They are also working in the community and paying a per diem of $18.50 a day.

Rep. Nelson: We don't do anything at the shop there anymore?

Mr. Krabbenhoft: We have a welding program still but we don't have the automotive shop.

Leann Bertsch, Director of the Department of Corrections: Regarding the transitional housing units, even though it was cheaper and better for the inmate to keep them in-state and use this, the fact of the matter is in the first 7 or 8 months that we had people in those units, we increased our work release by 400% because the people who live in those units have to be eligible for work release. Within the first 7 months, we collected over $250,000 that the inmates earned that went towards paying off fees and fines, as well as their per diem.

Chairman Pollert: These are for minimum security inmates?

Ms. Bertsch: Yes. Our greatest need is minimum security.

Rep. Meier: Are these beds full all the time?

Ms. Bertsch: Yes, they are in high demand. The individuals who get selected to live in those have to be on good behavior. It's preferred housing so we're seeing a lot less disciplinary. We have a lot more going out on work release. With that huge of an increase to work release, we haven't seen a big increase in contraband like we would expect. This is a huge incentive for them to maintain good behavior. It has worked very well.

Chairman Pollert: On the last page, are those contracts inflator contracts?

Mr. Krabbenhoft: What we budgeted this time, we budgeted zero increase in the per diem rate. This current biennium, we allowed each contractor one increase of 3%. These are going to be held to the level where they currently are.

Chairman Pollert: They're going to be held to the 2015-17 level besides the inflator?

Mr. Krabbenhoft: Yes, with one 3% increase.
Continued to review testimony.

Chairman Pollert: On the Tompkins salaries, what does DOCR do and what does DHS do?

Mr. Krabbenhoft: We have case managers and we provide the people. The State Hospital provides the infrastructure, security, treatment. We provide the meals directly to them.

Chairman Pollert: In your budget, it's put in at $9.166 million?

Mr. Krabbenhoft: Right now, no. With the Senate changes it's $8,737,583.

Rep. Nelson: In your IT equipment under $5,000, what is that for?

Mr. Krabbenhoft: It could be a number of things. It is most likely security related equipment.

Rep. Nelson: Explain the operating fees and services. There is $4 million that you identified in the allotment.

Mr. Krabbenhoft: Operating fees and services is where we pay for that contract housing and everything on that last page. We also pay for inmate wages out of there. We were able to reduce that amount because the projected growth of the male inmates was less than the actual growth.

Chairman Pollert: What is the cost of motor pool? How much did it go up?

Becky Keller, OMB: I will have to look into that.

Mr. Krabbenhoft: One of the things that's affecting this is that to get our folks that are working in the community, and we've increased that piece with the temporary housing, we have to get those people to work so we're transporting people as well.

Rep. Nelson: Can you give me a brief explanation of the shaded areas of the contract housing sheet?

Mr. Krabbenhoft: Those are the three areas that are budgeted for in parole and probation. Electronic monitoring is GPS. Low Risk is a reporting program that we have in Grand Forks. Faith Based is Teen Challenge in Mandan.

Chairman Pollert: In the allotment, you took out $4 million but in food and clothing you needed to readjust and put in more?

Mr. Krabbenhoft: That is because with the allotment when we brought in the temporary housing unit.
Reviewed budget information for treatment services (attachment 3).

Chairman Pollert: So your sex offender treatment is separate from DHS?

Mr. Krabbenhoft: Yes, we took that contract over last biennium because it was so ineffective.
Continued to review testimony.

Rep. Nelson: Has there been discussions as to the qualifications of that FTE?

Ms. Bertsch: I'm not sure what the qualifications are going to be. It won't be a psychologist, but probably someone who has management skills and also a behavioral health background to work with DHS to make sure that the curriculum and services being provided are in line with what we need them to do.

Rep. Nelson: You have some flexibility in that $7 million to spend that the way you need to. That's about a $75,000 a year job.

Ms. Bertsch: I would say that's in the ballpark of the qualifications we would need.

Chairman Pollert: Can you talk about changing the sex offender treatment?

Ms. Bertsch reviewed the history of the sex offender treatment.

Chairman Pollert: What is the program?

Ms. Bertsch: STAND; sex offender treatment and assessment of North Dakota. Under that contract, low-risk sex offenders are supposed to get their services through the human service centers. The human service centers want to refer all sex offenders into that program. If they want to shift that burden into the contract, then they actually need to pay for that because the $1.8 million is based on the census that we're used to referring into that program.

Chairman Pollert: So you pay STAND $1.8 million.

Ms. Bertsch: Yes, a little over $1.8 million.

Chairman Pollert: That is not for the sex offenders at the State Hospital?

Ms. Bertsch: No, it is not.

Chairman Pollert: Where would they be getting their treatment?

Ms. Bertsch: The sex offenders that are incarcerated use our counsellors, primarily at NDSP and JRCC. In addition to just those that would be on traditional parole and probation, a number of those who are receiving from STAND are also sex offenders who might have been civilly committed at the State Hospital.

Chairman Pollert: So the 55 housed at the State Hospital are doing a totally different program or are they using STAND as well?

Ms. Bertsch: Yes, the State Hospital civil commitment unit does their own program while they're housed and civilly committed. Once they're released, they are released onto supervision with our parole and probation officers and those people are accessing their treatment through STAND.

Chairman Pollert: But the State Hospital doesn't use STAND?

Ms. Bertsch: Correct.

Chairman Pollert adjourned the committee.

2017 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee - Human Resources Division
Sakakawea Room, State Capitol

SB2015
3/22/2017
Job 29545

☐ Subcommittee
☐ Conference Committee

Committee Clerk Signature

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Minutes: Attachments 1-3

Chairman Pollert called the committee to order.

Dave Krabbenhoft, Director of Administration for the Department of Corrections reviewed budget information for education services (attachment 1).

Chairman Pollert: What do you mean by discrepancies in pay?

Mr. Krabbenhoft: They can get a lot more at YCC or school districts and they would be on a nine-month contract versus a twelve-month employment.

Chairman Pollert: Is there a matrix?

Mr. Krabbenhoft: For YCC, we're on the composite schedule. For the adult side, we've never had them on the composite schedule. The Dalrymple budget had them going on the composite schedule for a total adjustment of $600,000. With the reductions, we had to move back on that one. We've had to offer the temp positions health insurance to attract them. Continued to review testimony.

Chairman Pollert: On the schedule, why is the temp up?

Mr. Krabbenhoft: We have a total of 10 temporaries, 8 instructors and 2 librarians. Last biennium we didn't have that number so we've increased the number to 10. We were around 5 or 6 last biennium.

Chairman Pollert: What's the difference between this and last biennium? Is this something you feel you need?

Mr. Krabbenhoft: Yes. Overall the increase for the department is quite reasonable. We fit this within that smaller amount because we view this as important. We think it's key. We increased the number of people on parole by over 100 this biennium. If we're going to keep that pace, treatment and education is key. If someone comes in that has a need to complete treatment, when they complete it, they are much more attractive for parole. If they come in without a high school education and we can get them some courses to help them succeed.

Chairman Pollert: These are not in the state pen or JRCC, these are on parole?

Mr. Krabbenhoft: No, these people are inmates. This is education we are providing to inmates. When they complete this education, they are more attractive for parole. They've set themselves up as well as they can leaving our facility. That's a big consideration for our parole board.

Vice Chairman Kreidt: How many people do you have coming in that don't have a high school education?

Leann Bertsch, Director of the Department of Corrections: At the beginning of the session we put that together and we can get that for you. We have the highest GED pass right in the country, not just in correctional facilities. We're seeing an increase in the number of people coming in without their GED. It's a requirement for them to get their GED. It's a requirement to have their GED before they're eligible to work at Rough Rider Industry. There is a study on prison education that talks about that is one of the critical factors in reducing recidivism is education.

Rep. Nelson: Looking at the increase in this area and those 8 temp instructors, how many current instructors do you have? Are we expanding the education opportunities?

Mr. Krabbenhoft: We have 10 temp and 9 permanent and that's for all 3 institutions. We are offering more relevant technical education than in the past. Before we had the automotive program and it wasn't preparing anybody for employment on the outside. Now we have a trades and vocational education program at JRCC. The general education, GED, piece has always been in place.

Rep. Nelson: Are you seeing more inmates? Are the class sizes getting bigger?

Ms. Bertsch: Yes, there are more people without GEDs coming in.

Rep. Nelson: It's a pretty significant increase to the budget.

Mr. Krabbenhoft: I view this as an internal prioritization. We recognized over the years that our education program was lacking; it didn't have certified teachers. We've professionalized that because we've seen the real benefits of doing so, not only to make them attractive for parole but also for their future endeavors or future on the outside.

Ms. Bertsch reviewed the education department.

Chairman Pollert: Can you show that getting your GED reduces recidivism?

Ms. Bertsch: The RAN study tells you that getting an education actually is a huge predictor of reduced recidivism. We'll get you the link to the study.

Rep. Meier: Do you have any inmates that are taking continued education on-line?

Ms. Bertsch: Yes we do. They can take correspondence courses. The inmates have to pay a portion of that. Through the North Dakota University System, we can have a master's level instructor in our system and be an adjunct of BSC and teach that college course at a reduced price. We try to have one of those college-level classes every semester.

Rep. Meier: What is your participation rate when you offer those courses?

Ms. Bertsch: At the women's prison probably six. At each of the adult prisons, probably 10 from each that are eligible to do that.

Chairman Pollert: You have 9.22 instructors. How many of those are at YCC?

Vice Chairman Kreidt: 18.

Chairman Pollert: Are all 17.9 teachers?

Mr. Krabbenhoft: Yes. Wherever we can, we share across lines. If we have someone that can help out on the adult side, we do that as well.

Chairman Pollert: Then you have 9 instructors through the adult side. Plus, you're looking for 10 temps, correct?

Mr. Krabbenhoft: Yes, 8 instructors and 2 librarians. Some of these are already there. When we started the year, we realized what we had to do and where we were short, so we reprioritized. The reason we're not busting the budget is because it's been so difficult to recruit and retain qualified teachers because of the pay and the lack of benefits.

Rep. Nelson: What is the increase in temp?

Mr. Krabbenhoft: I'll go back and look at exactly what we had in the budget. It's not an increase from what we're currently trying to do right now. If I were to tell you what we're trying to hire in the adult education, we'd have those 10 temp positions. But in the budget, what we budgeted for, we were off. When we started working in the 2015-17 biennium, it

became apparent that we needed more instructors. We've been trying to fill those positions. One of the other things we did is to start offering the health insurance.

Rep. Nelson: We have an almost $800,000 increase in the salary and fringe line?

Mr. Krabbenhoft: In that department ID.

Rep. Nelson: In the benefit line, it's a little over $200,000 and in the temp line, it's $350,000. There's still some missing revenue there.

Mr. Krabbenhoft: It's continuing the salaries going forward.

Rep. Nelson: You're trying to get to 10?

Mr. Krabbenhoft: In the current biennium, we're trying to get to 10. In the next biennium, we'd like to continue to try to get to 10 and hopefully stay there.

Rep. Nelson: It would be good for us to know what an instructor is getting for salary.

Mr. Krabbenhoft: I'll get you the list. It's been a struggle. There is federal funding in this. We try to maximize the federal funding as much as we can.

Rep. Nelson: On professional services there is a marked increase.

Mr. Krabbenhoft: That is the welding program and the emphasis on the vocational technical education out at JRCC.

Rep. Nelson: If you fill all of those slots, will there be more material needed? Is that anticipated in there?

Mr. Krabbenhoft: It would be. The professional supplies and materials increase quite a bit. It's also important to note the increase in the other funds. We maximize federal funds and we also use Rough Rider, the commissary funds.
Continued to review testimony.

Rep. Nelson: Where do the federal funds come from?

Mr. Krabbenhoft: Most of those are coming from DPI.

Rep. Nelson: Are the 379 funds the Roughrider funds?

Mr. Krabbenhoft: Yes, it's mainly the Roughrider funds.

Mr. Krabbenhoft reviewed budget information for women services (attachment 2).

Chairman Pollert: The Senate put in the section on the study of the YCC?

Mr. Krabbenhoft: Yes.

Chairman Pollert: You said if New England would ever close, but the YCC isn't even a minimum type security at all?

Ms. Bertsch: Yes, it actually has all levels of security with no fence around it.

Chairman Pollert: Do you have the same thing in New England? Or are they all medium security?

Ms. Bertsch: They are all custody levels at New England. They have the 70 bed which is minimum security. Then the other beds are medium security; those are in the basement. Then they have the special management unit of 6 beds. Those are the real secure, similar to the administrative segregation beds. Then they have one dormitory in the basement in the medium custody which is where they put the new arrivals; the orientation reception. It is not an ideal situation. If you are a female that has a 20-year sentence, think about living in the basement for the next 20 years.

Chairman Pollert: What about YCC?

Ms. Bertsch: It's not an efficient as far as staffing and that's the reason the Senate put that study in there. There is going to be a higher staff just because you have staff in all these separate buildings. The use of that facility has changed greatly from when it was built. The nature of the kids we have are really mentally ill kids that have a lot of needs. Those old cottages are not that safe anymore. They are beyond their useful life. We'll continue using them but at some point I think the state needs to look at investing in that facility.

If you are talking about study on the women's prison, we need to think about that. The women's population has grown dramatically. We have about 240 women in the system and we have 126 bed facility in New England. At some point maybe we could repurpose that facility for other needs within the department but we need a better plan for our women.

Mr. Krabbenhoft continued to review testimony.

Chairman Pollert: New England requested $11.6 million but you requested $11.1 million?

Mr. Krabbenhoft: When we got the budget guidelines, we were given specific limits. We told them that we would accept up to $11.1 million so that's what they requested. But if there was no request limit to the budget, they would have requested $11.6 million.

Rep. Nelson: With the roof repair and the heating and air conditioning, I thought we paid a contract amount and they took care of that internally?

Mr. Krabbenhoft: You're correct. There has always been that misunderstanding about what we're doing and how they're doing it. We contract with them for a specific amount and the Legislation sets that amount. Within there, if I were that person, I would be putting forth a rate with debt service because if I owned the building and I needed to do capital improvements, I would make that capital improvement and then charge over time of the lease back to the person who is using the facility. They continually put stuff in there like that where they want that cash payment up front like you do with the appropriations for state owned

buildings. They give the impression that they want no financial risk or obligation to this. They want every nickel guaranteed to be covered. They want DWCRC to show a profit every biennium.

Chairman Pollert: So not only do they want the $11.1 million, but they also want $250,000?

Mr. Krabbenhoft: They wanted $11.6 million and then their optional request is of an additional $250,000.

Rep. Nelson: Where's the leverage? This is a little different situation than most of your divisions because it's a contract. If we authorize the budget as it's printed at $10.7 million, what do they do?

Mr. Krabbenhoft: That's probably more of a question for them. One of the things that resonates with me, when this was first put in, that economic development piece and the value of those salaries being down in that part of the state. In my opinion, they ignore that. That's how this was sold. I don't think $10.7 million is an unfair amount given the nature of what's happening with the economy.

Chairman Pollert: Last biennium did they get $11.2 million?

Mr. Krabbenhoft: No.

Chairman Pollert: Looking at the original $11.6 million plus the $250,000 as their full request versus the Senate request which is basically 9% less.

Mr. Krabbenhoft: We had a little bit of other funds in the program services for DWCRC. With the allotment, we reduced them by $454,000.

Rep. Nelson: Aren't they at $10.7 million now with the allotment?

Chairman Pollert: On my notes from last time, I have that DOCR brought forward $11.2 million and DWCRC wants $12.2 million.

Rep. Nelson: When you put the handout together on the daily rate for women's services, the total was 92.57 without services.

Mr. Krabbenhoft: It's just the contract payment. I'll get that number for you.

Rep. Nelson: Is that based on $10.7 million?

Mr. Krabbenhoft: If that's FY16, you can double that and it would give us the amount.

Vice Chairman Kreidt: The counties own that facility right?

Mr. Krabbenhoft: Yes. It's a consortium.

Vice Chairman Kreidt: They had a pretty good reserve. Have they depleted that?

Mr. Krabbenhoft: I don't know. It's no surprise that the way they tend to portray what's happening is something that we don't necessarily agree with at the DOCR. We think the funding is adequate.

Vice Chairman Kreidt: Was there $400,000 last time?

Mr. Krabbenhoft: It would be interesting to see how they are computing those reserves. They keep impressing upon me that they're looking for a profit. They don't want to break even. They keep looking at this initial investment that they did in order to make all this happen as a debt that the state needs to repay. It just doesn't connect with me.

Ms. Bertsch: To answer your question about how many inmates do not have a high school diploma, in this biennium, we served 1,467 students based on a rolling enrollment per month. In January, we had 316 students being served at JRCC, NDSP, and MRCC. At intake, there are 41% that are needing an education.

Rep. Meier: Out of that 41%, how many actually obtain their GED?

Ms. Bertsch: The majority of them do before they are released.

Mr. Krabbenhoft: Back to your earlier question, they are getting a monthly payment currently, with the allotment, of $446,021.

Chairman Pollert: So it's $10.704 million. So the Senate version is holding them even when we're trying to cut everyone by 10%.

Rep. Nelson: We're really not doing that with this budget. We haven't cut their budget.

Mr. Krabbenhoft: The things we do for DWCRC includes all the medical. With section 8, we're going to be able to hold them to a specific amount. Maybe that needs a little discussion; what those operating capacities and what we would hold those numbers to. I'm not advocating for a cut; I'm advocating for what's in the budget now for this.

Chairman Pollert: Was the $10.77 million that the Senate put into their version a number that came forward from you?

Mr. Krabbenhoft: It came through the Burgum reductions.

Rep. Holman: The women's facility, per person, per day, costs more than the other facilities. You said that you take care of different things. Do you isolate those and apply them back?

Mr. Krabbenhoft: On the cost per day, you can see those items that we've isolated that we pay. We allocate them out on a basis back to them. The cost per day that we show will be different than the cost per day that they show. Ours is based on the DOCR cost; the contract cost, any medical that we provide for them, and the central office piece.
Reviewed budget information for Rough Rider Industries (attachment 3).

Rep. Meier: What are the four vacant positions?

Travis Engelhardt, Human Resources Director for the Department of Corrections: I'm only aware that we have two current vacant positions; one is the sales manager position and the other is an HR/business manager position. The director of Rough Rider Industries is leaving those two positions open because he did some reorganization and he may need those again.

Rep. Meier: There are four vacant listed though.

Mr. Krabbenhoft: That report was done in September and those have since been filled.

Chairman Pollert: What are the carryover funds?

Mr. Krabbenhoft: It's unexpended authority. We've always been generous in how we budget this because we want the ability to pursue new business opportunities.

Chairman Pollert: Is IT software the cyclical replacement of computers?

Mr. Krabbenhoft: That's timing. That's some maintenance agreements on software.

Chairman Pollert: Insurance is about half. Is that timing?

Mr. Krabbenhoft: That's a timing issue as well. Those are paid on the anniversary dates of the policy.

Rep. Nelson: At the end of the biennium, if they don't spend everything, doesn't that stay in their account?

Mr. Krabbenhoft: The appropriation expires but the money in their industry account stays.

Rep. Nelson: As you're looking for new opportunities, what do they have planned?

Ms. Bertsch: They have the Cut and Sew project at JRCC. We do work for the Minnesota Department of Corrections. We can also sell to private non-profits. They've done a lot of work with nursing homes. They're doing work with some universities that are replacing locker systems. We can work with the private sector as a wholesaler. We do all the garbage bags for the state. They're doing some office furniture for the new jail. They also do work for the metal shop for DOT and Parks & Rec. They do sandbagging at MRCC and cattle panels.

Rep. Nelson: Do they do waste containers too?

Ms. Bertsch: That's a huge business.

Rep. Holman: Do you do any work with the hotels?

Ms. Bertsch: We can't do that because it's private sector. We can't compete in the private sector.

Chairman Pollert recessed the committee.

2017 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee - Human Resources Division
Sakakawea Room, State Capitol

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A BILL for an Act to provide an appropriation for defraying the expenses of the department of corrections and rehabilitation; to provide appropriations to the department of human services for behavioral health services; to create and enact a new section to chapter 12-44.1 and two new sections to chapter 54-23.3 of the North Dakota Century Code, relating to management of inmate population, a community behavioral health plan as a term of parole or an alternative to incarceration, and prioritization of admission of inmates; to provide for a legislative management study; and to provide for a report to the budget section.

Minutes: Attachment 1

Chairman Pollert called the committee to order.

Dave Krabbenhoft, Director of Administration for the Department of Corrections reviewed budget information for central office – adult (attachment 1).

Chairman Pollert: Temp salaries.

Mr. Krabbenhoft: We are seeing an increase there mainly because of the number of inmates that we have and the medical needs that we have.

Chairman Pollert: Is the increase due to increased usage or increased paying?

Mr. Krabbenhoft: It would be increased numbers and increased usage more than pay.

Rep. Nelson: Is the IT contractual services because of the MMIS?

Mr. Krabbenhoft: Some of it.

Rep. Nelson: You were talking about the providers in the medical. But in the medical, dental, optical line item you're not spending the money.

Mr. Krabbenhoft: What comes under that account code is mainly pharmacy and medical supplies so it's the actual drugs that we're buying. With the decrease we got with 340B pricing, that's what you're seeing there.

Alex Cronquist, Legislative Council: I was able to look the pharmacy system replacement. IT data processing was $41,880, IT contractual services is $157,527, and IT equipment over $5,000 is $736,500.

Chairman Pollert: Is that all pharmacy?

Mr. Krabbenhoft: No, it's the EMR replacement.

Chairman Pollert: What is included in professional services?

Mr. Krabbenhoft: The majority of that is those MMIS medical payments.
Continued to review testimony.

Rep. Meier: Under medical, dental, and optical your budget is down quite a bit.

Mr. Krabbenhoft: That's the 340B pricing effect. There is a schedule on page 7.

Chairman Pollert: You have $3.3 million and the amount expended $2.1 million. Can you explain the difference?

Mr. Krabbenhoft: I think it has a little to do with the timing of payments from MMIS. We're able to capture some savings from the in-patient folks in the hospital. When we first did the allotment, we had $800,000 that we were deducting from MMIS. If I were to do it today, all of that $800,000 and $900,000 would be in the 340B pricing line. We're not needing our revised budget in MMIS, we're about $800,000-900,000 over after that adjusted budget but we're able to make that up with the 340B pricing. We were too generous with the allotment with MMIS and we weren't generous enough with the drugs.

Vice Chairman Kreidt: With the Hepatitis C treatment down to $50,758, is that a cure or just controlling it?

Mr. Krabbenhoft: It's a cure. With conversations with Dr. Hagen, he says this is a real opportunity for the U.S. to eliminate Hepatitis C.

Vice Chairman Kreidt: Is that the same drug you were using two years ago?

Mr. Krabbenhoft: It's not. We had success with the first drug as well but there were too many side effects versus the new drug.

Rep. Nelson: Going to the EHR system replacement, what is the risk listed on the handout?

Mr. Krabbenhoft: I believe it's more of a contingency that ITD requires.

Rep. Nelson: Do we have an assurance that this system will perform?

Mr. Krabbenhoft: I like to look at our track record at DOCR for IT projects and we are pretty good. As far as saying will we have a functioning EMR system that we will use for biennia to come, I will guarantee that if you give us that funding, we'll do it. We'll make it work within our budget. I can promise you that by the end of the next biennium, when we come back, we will have a functioning EMR.
Continued to review testimony.

Rep. Nelson: Can you give a short explanation of extraordinary repairs?

Mr. Krabbenhoft reviewed NDSP extraordinary repairs schedule (page 12)

Vice Chairman Kreidt: Are you just moving the fence or putting up a new fence?

Mr. Krabbenhoft: To do that, we have to keep the existing fence in place, then build a new portion of the fence 15 feet back and then once that is complete, tear down the old fence.
Continued to review testimony.

Rep. Nelson: I'd like to visit with Leann. Rep. Heinert visited with some people in the regional facilities to see if there was any angst over Section 6. One of the questions he had was in the pre-trial risk assessment area, could that be handled with existing staff?

Ms. Bertsch: Yes, you could easily handle that with existing jail staff.

Rep. Nelson: I think there was agreement from him that it could be done too. When we moved on to the pre-trial supervision aspect, there may be some hiring needed.

Ms. Bertsch: Section 6 gives the authority to the county to control their budget. None of those things listed are mandatory. Those are things where we're saying to the county they can do all these things to cut down people in their jail. But if they don't want to do any of those, they don't have to.

Rep. Nelson: Their question was about the mandate.

Ms. Bertsch: It's not a mandate.

Rep. Nelson: In some of the smaller jails, they may not be able to.

Ms. Bertsch: For some small jails that don't have any capacity issues, there's probably nothing they would want to do on that list. It's saying to the county that we're going to give you the authority to control your budget, here's some things that are going to help you do it.

Rep. Nelson: In section 8, the only thing they had was if they were holding an inmate that needed to be sentenced to the department and you didn't have room at the present time and they would hold that person, there was some angst about the delay getting excessive.

Ms. Bertsch: Dave could look at what the numbers are based on our historical admissions. We're going to prioritize the most serious to get in.

Mr. Krabbenhoft: Right now, we get about 110 people in the doors and 100 out. On the overview to full committee, it has the population projections. For males for the biennium, we're saying 85 people, on average, will be on the waiting list to come in to DOCR. It's 5-6 people a month that we think will be held up in the county jails as a general guess.

Rep. Nelson: I'll read it. "I don't see any language pertaining to reimbursements for those who are lawfully sentenced, paperwork in hand, but they refuse to take them or any language on how long they can deny for". Would there be room for an exception to define a delay? I think they want some reassurance that a period of time that goes by isn't unduly long.

Ms. Bertsch: If you start degrading that, you won't get a $7 million savings. No, there will not be any reimbursement to the county. That's why Section 6 is important because we want the counties to control their population. If you're going to put any limit on it, I would say that since our grade 1 jails can only hold people up to a year, is that any delay would have to be less than 1 year.

Rep. Nelson: Is that understood now?

Ms. Bertsch: No. There's no delays at all; they get sentenced, we take them. This is where section 6 is; to control their population at the county level because on a state level there may be delays coming in. If you're going to change the language at all, the word "refusal" should never be used in there. We're never going to refuse admission. There will be a delay, but it's not going to be a lot of delays because this is a very dynamic system. There might be a holdup of 5-6 inmates per month but if they're not taken in the first month that they're sentenced, they'll probably come in the next month. I wouldn't put any timing on that or no expectation of payment because there is no money. We're not going to be paying for overflow housing because there's an incentive on behalf of some counties, knowing that we're full, to sentence them to the DOCR and then we send them back to the county jail for overflow and pay a per diem. That's what we don't want to do and need to get away from doing in our state.

Rep. Holman: What would be your median length of stay?

Mr. Krabbenhoft: It's less than two years.

Ms. Bertsch: And for women, that turnover is quick. They were just cycling through. This is going to help slow down that cycling. When we start helping the counties to get those things in place, they're going to realize that they'll be able to do things much more efficiently.

Rep. Nelson: How do we give the people that don't have that confidence that assurance without doing it in writing?

Ms. Bertsch: Those sections go together. The reason that section 6 is so important is because it gives the county the same ability as the state to control their population. If they think they don't have the skill set to do that, they can contact the DOCR for help.

Rep. Nelson: From the situation that they refer to, the one inmate they're talking about is sentenced to the DOCR. So whether they're housing him in a county jail at their cost and

there's room for that; the capacity isn't the issue. It's the responsibility of who should be in charge of the programs and the cost of that inmate.

Ms. Bertsch: Some of the costs are going to be at the county level but we're going to off-set those costs by saying the county can control their costs too. Everyone needs to prioritize. If that person is a high-risk, dangerous individual, there isn't going to be any wait. If it's a lower level, less dangerous individual, there may be some wait. The county should be able to off-set the cost of having that person in their system waiting to come into the DOCR by managing all those other people in their jail.

Chairman Pollert: I see the judges have to have a paradigm shift whereas they aren't looking at sentencing into a jail as much as GPS and saying those offensive will have a lesser sentence to help off-set that. That judge has to be willing to look at that differently.

Rep. Meier: Would it be fair to say that pertaining to Section 6, that Burleigh County should budget more in their budget?

Ms. Bertsch: This should only save the counties money.

Rep. Meier: I think there is a little bit of concern with the pre-sentencing and those individuals with the tracking. That will now be the county's responsibility.

Ms. Bertsch: We know that the best bang for our buck is community supervision. What we're encouraging to the counties is that there are a number of people who could be on some level of supervision pre-trial rather than taking up that jail bed. That's going to take collaboration with the state's attorneys and the judges.

Rep. Holman: You've implied that our system is a little unconnected. With the CSG survey, do we expect that they're going to evaluate that aspect?

Ms. Bertsch: The study phase happened over this interim. They looked at a lot of data and thought that pre-trial services could really help. The next phase is implementation and to track the data on what is going on to make sure we're getting the best impact.

Rep. Holman: Is there an ultimate authority or isn't there the structure that allows for that?

Ms. Bertsch: It is very piecemeal. There is no unified body. Some of the states have put together a body with people from the Legislature, Corrections, law enforcement, prosecution, judiciary to look at and work on these things together. That might be something you consider.

Chairman Pollert adjourned the committee.

2017 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee - Human Resources Division
Sakakawea Room, State Capitol

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Explanation or reason for introduction of bill/resolution:

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Minutes: Attachment 1

Chairman Pollert called the committee to order.

Connie Monson, Financial Administrator for Southwest Multi-County Correction Center reviewed testimony (attachment 1).

Rep. Holman: Is your depreciation part of your costs when you calculate cost of operation so the cost of the building is figured into the cost?

Ms. Monson: No, we do not include depreciation in that.
Continued to review testimony (0:07:47).

Vice Chairman Kreidt: On the vehicle line is that transportation?

Ms. Monson: Yes, that is the area where we are reducing a lot with our traveling. We also eliminated the purchase of one vehicle.

Vice Chairman Kreidt: On debt services, why didn't you budget anything in this biennium?

Ms. Monson: We originally had a loan and the final payment was made in 2015 so we have no debt at this point.

Continued to review testimony (0:26:42).

Chairman Pollert: What is industries? Is that similar to Rough Rider?

Ms. Monson: Our Prairie Industries program is similar to Rough Rider Industries. We have a sewing program in which we sew jumpsuits. We provide t-shirts for DOCR and other correctional facilities. That was initially what the Prairie Industries program was developed for. As time went on, we wanted to expose our females to get better skills to prepare them when they leave the facility. We did have contracts with some manufacturing companies. At one point we had individuals going off-site to Baker Boy to do factory line work. The sole purpose of the program was to give these females some job experience they can use later.

Rep. Holman: Do most of them come in without a high school diploma?

Rachelle Juntunen, Warden for Southwest Multi-County Correction Center: About 50%.

Rep. Holman: Do you work with them to get them a GED?

Ms. Juntunen: Yes, it's required.

Chairman Pollert: They're working on their GED. Is that through your own program or the education services provided by DOCR?

Ms. Juntunen: We have our own education department so we have teachers on-site. There is oversight by the DOCR.

Rep. Holman: You listed job training that tended to be for more physical types of jobs. Do you do other job training, like clerical?

Ms. Juntunen: There are college education classes available. In 2016 when we looked at the intakes we got, over 60% were gone within 90 days. We have a rapid turnover. They are required to be in GED while they're there. Then the longer term can go through the welding program.

Rep. Nelson: On the extraordinary repairs, you requested $40,000 for heating and air conditioning and $42,000 for roof repair. Do we generally fund repairs at the campus? Shouldn't that be part of the contract?

Ms. Monson: Yes, generally repairs are requested for reimbursement through DOCR. One of the concerns of our board of directors is with these types of capital improvements if we were to face a huge cost, would we be able to get the emergency funds to pay for that. That's the reason why we set aside those dollar amounts for capital improvements.

Rep. Nelson: The department talked about the challenge in moving people in and out of the facility because of the overcrowding. That there is a continuous exchange of individuals. That's not part of the vehicle line item. Does the department handle those transfers?

Ms. Monson: Yes. That is not a cost that is covered by DWCRC. As inmates are brought into our facility, it's the arresting county that brings the inmates into the facility. As far as transporting out, that's DOCR.

Vice Chairman Kreidt: Do you still have a reserve on-hand?

Ms. Monson: We currently have $1,244,000 in reserves.

Chairman Pollert: How do you get the reserves? Is there a mill levy?

Ms. Monson: There were two biennia where the budget request was high and the expenditures were low so that's when that money was set aside.

Chairman Pollert: But that's what you're probably trying to do.

Ms. Monson: Initially the total amount set aside in reserves was $2.4 million. With the addition of the control room and visitation area of $1.3 million, that money came from the reserve funds. Regarding replacing our heating and cooling system for $450,000, we have projects that we're hoping we don't have to use these funds for but we would like to maintain that $1.2 million in a capital improvements fund in the case we have expenses like that.

Vice Chairman Kreidt: With your debt service payment in 2015-17, was that a smaller payment than normal? What was your debt service up until that point?

Ms. Monson: That was our final payment. Our typical payment was $45,000 a year.

Vice Chairman Kreidt: So facility-wise you are debt free?

Ms. Monson: Yes.
Continued to review testimony.

Chairman Pollert: Do you have a capital projects wish list?

Ms. Monson: I can get that for you. We have a list of projects that may come up in the future. We were using a convent building for storage and it is getting old and the board has decided to have that building destroyed. We would need to set up some type of storage building in its place. We haven't received estimates yet. With cameras, we have a lot through the facility that are old and need to be replaced. A huge one is replacing the heating and cooling system.

Chairman Pollert: Is this amount of dollars over a ten-year period to pay it?

Ms. Monson: When we put the schedule together, we were looking at a five-year period.

Chairman Pollert: But since then it's $476,000?

Ms. Monson: No, the $476,000 was just part of this number. The $476,000 was listed on the original budget we submitted.

Chairman Pollert: General maintenance, plumbing and electrical is not included in your regular expenditures? Or is this over and above your regular operating expense?

Ms. Monson: This is over and above in the event that we had some major breakdown.

Chairman Pollert: Did you have this discussion with the Senate?

Ms. Monson: No, we did not have any discussion. I had 5 minutes to present. The board is always concerned about the shortfalls and how we're going to meet our day to day budget. Our budget was cut a lot last biennium. We work with what we have. We always would like to see more but so would every other agency.

Chairman Pollert: Let's say oil takes off and you have some emergency problems going on. Did you have that in the past and bring forward or does it always wait until the next biennium for us to address? Your communication with the DOCR explaining things are open?

Ms. Monson: Fortunately, we have not had to request any emergency funds. Any time it comes to talking money and negotiating rates, the department is awesome to work with and the communications have been good there.

Chairman Pollert closed the hearing.

2017 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee - Human Resources Division
Sakakawea Room, State Capitol

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Minutes: Attachments 1-10

Chairman Pollert called the committee to order.

Becky Keller, OMB: You had asked for some information regarding the value of the buildings and the state fleet rate (attachments 1 and 2).

Dave Krabbenhoft, Director of Administration for the Department of Corrections reviewed motor pool schedule (attachment 3).

Chairman Pollert: Is there a cost to doing section 10 of the bill for the study of YCC?

Mr. Krabbenhoft: No, there's no appropriation on it. I think it directs Legislative Council to do the study.
Reviewed the recidivism report (attachment 4).

Rep. Meier: What would encompass a technical violation?

Leann Bertsch, Director of the Department of Corrections: Technical violations are anything that is not a new crime. The big one is absconding, where they just stop reporting and disappear. Usage is another. By the time they come in for technical violations, they probably have quite a few that we've done.

Rep. Kading: How many times does someone have to abscond before they're sent back?

Ms. Bertsch: Absconding isn't just failing to report in; it's that we don't know where they are. Our officers do due diligence to make sure that we don't know where they are. The biggest population where we really have a problem with absconding is the Native American population. With that population, we probably do know where they're but we can't get them off the reservation because we have no jurisdiction.

Rep. Nelson: The generalization I would make is that we're either doing a much better job recently or the farther out we get, the more violations or the higher the recidivism rate.

Ms. Bertsch: In year 2015, you'll see that in one year, that's the number that have not returned to prison. The likelihood is most people who mess up will do it within the first year.

Rep. Nelson: So you find out sooner rather than later?

Ms. Bertsch: Yes. The most dangerous time for a person coming out of prison is within the first few weeks. They are likely to die within that first period. The likelihood for an overdose is extremely high for those who are in on drug crimes.

Rep. Nelson: If section 7 goes through, those 1,400 inmates that you've identified as being part of the behavioral health and addiction services, that would be this group?

Ms. Bertsch: There is certainly a cohort, especially in the technical violations, that we hope to be able to make an impact on those returning to prison that are often due to relapse for their chemical addiction issues and behavioral health issues where their behavior is spiraling out of control.

Rep. Holman: When you can't find somebody, but you have a good idea where they are, do you need a warrant?

Ms. Bertsch: If we don't know where they are, we automatically get a warrant. We have to have a warrant out there so they are in the system and if law enforcement has contact that they're arrested. It's the situation where I was talking about when we do know they are on the reservation, but we don't have jurisdiction to go there. We have had some success for them to at least turn over the ones that they consider violent.

Rep. Kading: When someone goes on the reservation, if they are not part of the tribe, can you go get them or are reservation lands off-limits for you?

Ms. Bertsch: We can usually get them. The tribe is not going to protect nontribal members, so they will turn them over. They don't want criminals hiding out either.

Chairman Pollert: The dollars for the economic development that's being forwarded for the tribal college, do you ever have someone on parole trying to get into the tribal college?

Ms. Bertsch: We have a re-entry taskforce. We refer people into that that are high-risk and likely to fail. One of the best things you can do is make sure they have good employment or

if they are enrolled in some training or education to better themselves. The college is certainly a resource.

Mr. Krabbenhoft reviewed the fact sheet (attachment 5).

Rep. Kading: In your opinion are minimum mandatories and truth in sentencing good or bad?

Ms. Bertsch: The Department's position on minimum mandatories and 85% is that they serve no public safety mechanism. Minimum mandatories take away the discretion of the judge. If you ask the judiciary, they don't really care for minimum mandatories either. They have some fairly significant, unintended consequences.

Vice Chairman Kreidt: On page two under the number of fiscal year admissions by crime type, there is a significant increase in the drug and alcohol offenders. Then in the next box, it seems like there is a slow decline across the board in those offenses. Would the new alcohol laws be the reason for the increase there?

Ms. Bertsch: The increase in the DUI crimes was certainly a portion of that. We are being hit by the opioid epidemic. People are being sent to prison and their parents are begging their parole officers to revoke them because they're actually believing prison is a safer alternative than to have them using out on the streets because they're so scared their loved one is going to overdose. They are more likely to die when they are first coming out of prison. The opioid and the DUI increased penalties have had a major impact on those numbers.

Rep. Nelson: The definition of delivery, manufacture or intent is changing from time to time. In those six years you use, is that part of the reason for the increase?

Ms. Bertsch: There is some Legislation to lessen some crimes for what is still considered delivery. When you deal with some of the people who are in here on delivery, manufacture, or intent to deliver, they are just addicts. They are not big kingpin drug dealers. Some of them are, but the majority are addicts trying to support their behavior.

Rep. Nelson: Explain the public order offenders.

Ms. Bertsch: You might have disorderly conduct in there. It's a catch-all. It's such a broad category that gets caught in that disorderly conduct.

Rep. Meier: What percent of inmates in the last few years are from out of state?

Ms. Bertsch: That has increased. It used to be that it was a fairly insignificant number. It's probably about 50%. They are probably considered residents, but they aren't native North Dakotans. A lot of that increased with the oil traffic and people coming in from out of state.

Rep. Meier: Would a lot of that be drug and alcohol?

Ms. Bertsch: During the height of the oil, we had an uptick in the violent crimes as well.

Mr. Krabbenhoft reviewed the budgeted office rents (attachment 6) and IT contractual services (attachment 7).

Rep. Nelson: On the EMR project, is the $157,527 in addition to the $950,000?

Mr. Krabbenhoft: No, that's part of the cost.

Rep. Nelson: Will that be on-going?

Mr. Krabbenhoft: That $157,000 won't be but what you'll see next time is probably a maintenance and support item in there.
Reviewed the itemized list of the IT data processing (attachment 8).

Mr. Krabbenhoft: You asked about GED testing. The GED exam is $160 per test and we budgeted for 500 students each year of the 2017-19 biennium. That was in the education budget. There is also a GED ready test which is four tests which are $10 a test.

Chairman Pollert: If someone takes the GED while incarcerated, does the state pay for it?

Mr. Krabbenhoft: In that cost center, we use all three funding sources. The state is paying for a portion of that.

Chairman Pollert: Is there an out-of-pocket cost to the individual?

Mr. Krabbenhoft: No, because we're requiring that.

Chairman Pollert: On PREA and the 10 FTE, on the numbers you used for the 10 FTE, are those always consistent with the number of juveniles that are at YCC? Do you need 10?

Mr. Krabbenhoft: Regardless of the funding we're getting, we're not going to fall out of compliance with PREA.

Chairman Pollert: It's not my intention to pull them all out.

Mr. Krabbenhoft: Any would help. If we're not given authority for those positions, more responsibility is going to fall back on the community and you'll have those kids in the schools.

Chairman Pollert: Does it put pressure on the Boys Ranch?

Mr. Krabbenhoft: It puts more pressure on our staff. A lot of these kids will be remaining in their home so you might hear some feedback from the local school districts. That's where the day treatment program and intensive in-home becomes so important because it provides some of those resources to those school districts. The 10 is a minimal amount.

Rep. Nelson: Section 8 doesn't apply to juvenile so if the court orders a placement at YCC, how can you say no?

Ms. Bertsch: The juvenile system is vastly different than the adult side. On the juvenile side, we decide where they are placed. The court commits them to the division of juvenile services. That kid will be at YCC for at least the first three weeks and then we'll decide where that child is actually going to be placed.

Mr. Krabbenhoft reviewed the language for a study of Tompkins (attachment 9).

Rep. Holman: What is the male/female breakdown at YCC?

Ms. Bertsch: It's similar to adults. There are probably 12-13 girls and the rest are boys.

Mr. Krabbenhoft reviewed the Bars schedule for the education program (attachment 10).

Chairman Pollert adjourned the committee.

2017 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee - Human Resources Division
Sakakawea Room, State Capitol

SB2015
3/29/2017
Job 29777

☐ Subcommittee
☐ Conference Committee

Committee Clerk Signature

Explanation or reason for introduction of bill/resolution:

A BILL for an Act to provide an appropriation for defraying the expenses of the department of corrections and rehabilitation; to provide appropriations to the department of human services for behavioral health services; to create and enact a new section to chapter 12-44.1 and two new sections to chapter 54-23.3 of the North Dakota Century Code, relating to management of inmate population, a community behavioral health plan as a term of parole or an alternative to incarceration, and prioritization of admission of inmates; to provide for a legislative management study; and to provide for a report to the budget section.

Minutes: Attachment 1

Chairman Pollert called the committee to order.

Alex Cronquist, Legislative Council provided proposed changes (attachment 1).

Chairman Pollert reviewed proposed changes.

Chairman Pollert: I would like to have an amendment dealing with the study to transfer the TRCC to the DOCR from the DHS. I would ask to reduce operating expenses by $446,000 department-wide. I went through it and thought there was $110,000 in the juvenile division and $336,000 in operating.

Rep. Nelson: I would ask that we reduce the PREA compliant FTE at the YCC from 10 to 6. That would be a savings of $503,234.

Chairman Pollert reviewed potential amendments.

Chairman Pollert closed the hearing.

2017 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee - Human Resources Division
Sakakawea Room, State Capitol

SB2015
3/31/2017
Job 29861

☐ Subcommittee
☐ Conference Committee

Committee Clerk Signature

Explanation or reason for introduction of bill/resolution:

A BILL for an Act to provide an appropriation for defraying the expenses of the department of corrections and rehabilitation; to provide appropriations to the department of human services for behavioral health services; to create and enact a new section to chapter 12-44.1 and two new sections to chapter 54-23.3 of the North Dakota Century Code, relating to management of inmate population, a community behavioral health plan as a term of parole or an alternative to incarceration, and prioritization of admission of inmates; to provide for a legislative management study; and to provide for a report to the budget section.

Minutes: Attachment 1

Chairman Pollert called the committee to order.

Alex Cronquist, Legislative Council provided funding changes handout (attachment 1).

Rep. Nelson reviewed amendment 17.0523.02001.

Rep. Nelson: I move amendment .02001.

Rep. Holman: Second.

Roll Call Vote: Yes – 5, No – 0, Absent – 1.

Rep. Nelson: I would a move a Do Pass as Amended.

Vice Chairman Kreidt: Second.

Roll Call Vote: Yes – 5, No – 0, Absent – 1. Rep. Nelson will carry the bill.

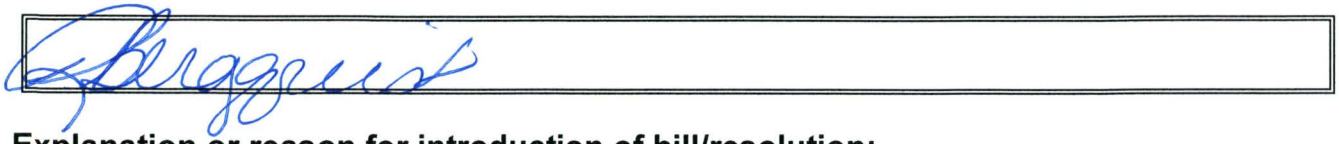
Chairman Pollert closed the hearing.

2017 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee
Roughrider Room, State Capitol

SB 2015
March 31, 2017
29876

☐ Subcommittee
☐ Conference Committee



Explanation or reason for introduction of bill/resolution:

A BILL for an Act to provide an appropriation for defraying the expenses of the department of corrections and rehabilitation; relating to management of inmate population, a community behavioral health plan as a term of parole or an alternative to incarceration, and prioritization of admission of inmates

Minutes:

Representative J. Nelson: You should have the amendment 17.0523.02001 this is the budget for the department of corrections. The base budget there were 836.29 FTEs and 236 million appropriations. We made some small changes, health insurance obviously is in there. They have put in 10 FTEs, that was for PREA compliance, (Prison Rape Elimination Act) If we are not compliant we can't transfer or accept prisoners from other state. We removed 4, we also adjusted the operating expenses in the adult services; 336 thousand dollars and in the youth services it was 110 thousand dollars in direct operational costs. In the ITD budget there was a mistake and we found another 160 thousand dollars there.

We also added spending authority for the next phase of the bureau of justice assistance grant and in phase two they will come back into the state and administrate the implication of the justice reinvestment process that we are currently under. That 500 thousand is federal money. The reduction from the house action is 1 million 278 thousand dollars and 4 less FTEs I would **Move amendment 17.0523.02001.**

Representative Pollert: Second

Chairman Delzer: What kind of discussion did you guys have about the 1-time funding?

Representative J. Nelson We provided them with a company that was sold and they no longer support that program, they need to have a system and there was no recourse for the former vender. We looked at joining with a local provider but the systems differences are too different so it is funded to get that into place.

Chairman Delzer Is that an off the shelf purchase?

R**epresentative Pollert:** We have argued about the man camp that we have we leasing for 900 and some thousand dollars and now we are buying it for 844 thousand. So that's why this language is in there.

Chairman Delzer: Does it have kitchen facilities in it?

Representative Brandenburg: Is IT part of this or does it go out to the local venders?

Alex Conquest, Legislative Council: It did receive the number 1 recommendation from SyTech.

Chairman Delzer: Further discussion?

Voice vote, all in favor, motion carries

Chairman Delzer: Any other discussion?

Representative J. Nelson I would move Do Pass as Amended

Representative Kreidt: Second

Representative J. Nelson: There's some significant changes in this bill. Sections 6,7, and 8 are about the prisoner management. We want to provide them the mental health and treatment so they are better prepared to come back into society.

Chairman Delzer This issue really shouldn't be in conferences because it came from the senate.

Representative J. Nelson: Just that changes that we made.

Chairman Delzer: The way bill is set up it's appropriated to the department of human services so that doesn't show up on the dollar figures for the department of corrections.

Mr. Conquest, LC: The 7 million dollars form the general fund goes to the department of correction first and the flow through to the department of human services.

Chairman Delzer: Why dose section 3 say appropriation to the department of human services?

Representative Pollert: Section 7 was HB 1041 this is actually SB 2274 which was defeated on the senate floor because they amended this into 2015

Chairman Delzer: What about the 167 thousand in equipment one-time funding? And you figured the 6 FTEs would cover what they needed?

Representative J. Nelson: We feel that will cover the three shifts.

Chairman Delzer: Further discussion?

A Roll Call vote was taken. Yea: 19 Nay: 0 Absent: 2

Representative J. Nelson will carry the bill

Chairman Delzer We will adjourn

3/31/17 DA
1 of 3

17.0523.02001
Title.03000

Prepared by the Legislative Council staff for
House Appropriations - Human Resources
Division Committee

Fiscal No. 1

March 30, 2017

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2015

Page 1, line 6, remove "a"

Page 1, line 7, replace "study" with "studies"

Page 1, replace lines 17 through 22 with:

"Adult services	$205,626,019	$16,734,336	$222,360,355
Youth services	30,654,707	(171,110)	30,483,597
Total all funds	$236,280,726	$16,563,226	$252,843,952
Less estimated income	33,236,706	5,527,454	38,764,160
Total general fund	$203,044,020	$11,035,772	$214,079,792
Full-time equivalent positions	836.29	7.00	843.29

SECTION 2. HEALTH INSURANCE INCREASE. The appropriation in section 1 of this Act includes the sum of $2,150,275, of which $2,010,808 is from the general fund, for increases in employee health insurance premiums from $1,130 to $1,241 per month."

Page 2, line 1, after "**FUNDING**" insert "**- EFFECT ON BASE BUDGET - REPORT TO THE SIXTY-SIXTH LEGISLATIVE ASSEMBLY**"

Page 2, line 3, after "2017-19" insert "biennium"

Page 2, replace lines 12 through 14 with:

"Justice reinvestment initiative	0	500,000
Total all funds	$6,592,167	$1,602,907
Less estimated income	5,126,000	1,602,907
Total general fund	$1,466,167	$0"

Page 2, line 15, after "2017-19" insert "biennium"

Page 3, after line 10, insert:

"**SECTION 7. MISSOURI RIVER CORRECTIONAL CENTER - HOUSING UNIT PURCHASE.** The appropriation in section 1 of this Act includes the sum of $844,000 for the purchase of a thirty-six bed housing unit at the Missouri River correctional center."

Page 3, line 26, replace ", including" with ". Potential alternatives to physical custody include"

Page 6, after line 12, insert:

"**SECTION 12. LEGISLATIVE MANAGEMENT STUDY - TOMPKINS REHABILITATION CENTER.** During the 2017-18 interim, the legislative management shall consider studying the operation, management, conditions, caseload, and physical plant of the Tompkins rehabilitation center at the state hospital. The study must include the potential transition of the Tompkins rehabilitation center, including the transfer of the building, employees, and supervision and management of all operations and caseload of the Tompkins rehabilitation center, from the department of human services and the

state hospital to the department of corrections and rehabilitation. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-sixth legislative assembly."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2015 - Summary of House Action

	Base Budget	Senate Version	House Changes	House Version
DHS - Other				
Total all funds	$0	$7,500,000	$0	$7,500,000
Less estimated income	0	7,000,000	0	7,000,000
General fund	$0	$500,000	$0	$500,000
Department of Corrections and Rehab.				
Total all funds	$236,280,726	$253,633,027	($789,075)	$252,843,952
Less estimated income	33,236,706	38,275,054	489,106	38,764,160
General fund	$203,044,020	$215,357,973	($1,278,181)	$214,079,792
Bill total				
Total all funds	$236,280,726	$261,133,027	($789,075)	$260,343,952
Less estimated income	33,236,706	45,275,054	489,106	45,764,160
General fund	$203,044,020	$215,857,973	($1,278,181)	$214,579,792

Senate Bill No. 2015 - Department of Corrections and Rehab. - House Action

	Base Budget	Senate Version	House Changes	House Version
Adult services	$205,626,019	$222,336,292	$24,063	$222,360,355
Youth services	30,654,707	31,296,735	(813,138)	30,483,597
Total all funds	$236,280,726	$253,633,027	($789,075)	$252,843,952
Less estimated income	33,236,706	38,275,054	489,106	38,764,160
General fund	$203,044,020	$215,357,973	($1,278,181)	$214,079,792
FTE	836.29	847.29	(4.00)	843.29

Department No. 530 - Department of Corrections and Rehab. - Detail of House Changes

	Adjusts Funding for Health Insurance Increases[1]	Reduces New Youth Correctional Center Positions[2]	Reduces Funding for Operating Expenses[3]	Adds One-Time Funding for Justice Reinvestment[4]	Total House Changes
Adult services	($139,937)		($336,000)	$500,000	$24,063
Youth services	(39,447)	(503,230)	(270,461)		(813,138)
Total all funds	($179,384)	($503,230)	($606,461)	$500,000	($789,075)
Less estimated income	(10,894)	0	0	500,000	489,106
General fund	($168,490)	($503,230)	($606,461)	$0	($1,278,181)
FTE	0.00	(4.00)	0.00	0.00	(4.00)

[1] Funding for employee health insurance is adjusted to reflect the updated premium amount of $1,241 per month.

[2] Funding from the general fund is reduced and 4 new FTE Youth Correctional Center positions are removed providing 6 new FTE positions relating to maintaining compliance with the federal Prison Rape Elimination Act. The Senate added 10 new FTE positions and $1,258,076 from the general fund to maintain compliance with the federal Prison Rape Elimination Act.

[3] Funding from the general fund for operating expenses is reduced by $606,461, including $160,461 for youth services information technology data processing.

[4] One-time funding of $500,000 from other funds is added for implementing justice reinvestment initiatives.

This amendment also:

- Adds a new section to identify the amount appropriated relating to increases in employee health insurance premiums from $1,130 to $1,241 per month.
- Adds a new section to designate $844,000 for the purchase of a 36-bed housing unit at the Missouri River Correctional Center.
- Adds a new section to provide for a Legislative Management study of the Tompkins Rehabilitation Center.
- Amends a section added by the Senate relating to management of inmate population at local and regional correctional facilities.

Date: 3/31/2017
Roll Call Vote #: 1

2017 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. SB2015

House Appropriations - Human Resources Division Committee

☐ Subcommittee

Amendment LC# or Description: 17.0523.02001

Recommendation: ☒ Adopt Amendment
☐ Do Pass ☐ Do Not Pass ☐ Without Committee Recommendation
☐ As Amended ☐ Rerefer to Appropriations
☐ Place on Consent Calendar

Other Actions: ☐ Reconsider ☐ _____

Motion Made By Rep. Nelson Seconded By Rep. Holman

Representatives	Yes	No	Representatives	Yes	No
Chairman Pollert	X		Representative Holman	X	
Vice Chairman Kreidt	X				
Representative Kading					
Representative Meier	X				
Representative Nelson	X				

Total (Yes) 5 No 0

Absent 1

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

Date: 3/31/2017
Roll Call Vote #: 2

2017 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. SB2015

House Appropriations - Human Resources Division Committee

☐ Subcommittee

Amendment LC# or Description: _____

Recommendation: ☐ Adopt Amendment
☒ Do Pass ☐ Do Not Pass ☐ Without Committee Recommendation
☒ As Amended ☐ Rerefer to Appropriations
☐ Place on Consent Calendar

Other Actions: ☐ Reconsider ☐ _____

Motion Made By Rep. Nelson Seconded By Vice Chairman Kreidt:

Representatives	Yes	No	Representatives	Yes	No
Chairman Pollert	X		Representative Holman	X	
Vice Chairman Kreidt	X				
Representative Kading					
Representative Meier	X				
Representative Nelson	X				

Total (Yes) 5 No 0

Absent 1

Floor Assignment Rep. Nelson

If the vote is on an amendment, briefly indicate intent:

Date: 3/31/2017
Roll Call Vote #: 1

2017 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. SB 2015

House Appropriations Committee

☐ Subcommittee

Amendment LC# or Description: **17.0523.02001**

Recommendation: ☒ Adopt Amendment
☐ Do Pass ☐ Do Not Pass ☐ Without Committee Recommendation
☐ As Amended ☐ Rerefer to Appropriations
☐ Place on Consent Calendar

Other Actions: ☐ Reconsider ☐ _____

Motion Made By **Representative J. Nelson** Seconded By **Representative Pollert**

Representatives	Yes	No	Representatives	Yes	No
Chairman Delzer					
Representative Kempenich			Representative Streyle		
Representative: Boehning			Representative Vigesaa		
Representative: Brabandt					
Representative Brandenburg					
Representative Kading			Representative Boe		
Representative Kreidt			Representative Delmore		
Representative Martinson			Representative Holman		
Representative Meier					
Representative Monson					
Representative Nathe					
Representative J. Nelson					
Representative Pollert					
Representative Sanford					
Representative Schatz					
Representative Schmidt					

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

Motion Carries

Date: 3/31/2017
Roll Call Vote #: 2

2017 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. SB 2015

House Appropriations Committee

☐ Subcommittee

Amendment LC# or Description: _____

Recommendation: ☐ Adopt Amendment
☒ Do Pass ☐ Do Not Pass ☐ Without Committee Recommendation
☒ As Amended ☐ Rerefer to Appropriations
☐ Place on Consent Calendar

Other Actions: ☐ Reconsider ☐ _____

Motion Made By **Representative J. Nelson** Seconded By **Representative Kreidt**

Representatives	Yes	No	Representatives	Yes	No
Chairman Delzer	X				
Representative Kempenich	X		Representative Streyle	X	
Representative: Boehning	X		Representative Vigesaa	X	
Representative: Brabandt	X				
Representative Brandenburg	X				
Representative Kading	A		Representative Boe	X	
Representative Kreidt	X		Representative Delmore	X	
Representative Martinson	X		Representative Holman	X	
Representative Meier	X				
Representative Monson	X				
Representative Nathe	X				
Representative J. Nelson	X				
Representative Pollert	X				
Representative Sanford	X				
Representative Schatz	X				
Representative Schmidt	A				

Total (Yes) 19 No 0

Absent 2

Floor Assignment **Representative J. Nelson**

If the vote is on an amendment, briefly indicate intent:

MOTION CARRIES

REPORT OF STANDING COMMITTEE

SB 2015, as engrossed: Appropriations Committee (Rep. Delzer, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (19 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2015 was placed on the Sixth order on the calendar.

Page 1, line 6, remove "a"

Page 1, line 7, replace "study" with "studies"

Page 1, replace lines 17 through 22 with:

"Adult services	$205,626,019	$16,734,336	$222,360,355
Youth services	30,654,707	(171,110)	30,483,597
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Renumber accordingly

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General fund	$203,044,020	$215,857,973	($1,278,181)	$214,579,792

Senate Bill No. 2015 - Department of Corrections and Rehab. - House Action

	Base Budget	Senate Version	House Changes	House Version
Adult services	$205,626,019	$222,336,292	$24,063	$222,360,355
Youth services	30,654,707	31,296,735	(813,138)	30,483,597
Total all funds	$236,280,726	$253,633,027	($789,075)	$252,843,952
Less estimated income	33,236,706	38,275,054	489,106	38,764,160
General fund	$203,044,020	$215,357,973	($1,278,181)	$214,079,792
FTE	836.29	847.29	(4.00)	843.29

Department No. 530 - Department of Corrections and Rehab. - Detail of House Changes

	Adjusts Funding for Health Insurance Increases[1]	Reduces New Youth Correctional Center Positions[2]	Reduces Funding for Operating Expenses[3]	Adds One-Time Funding for Justice Reinvestment[4]	Total House Changes
Adult services	($139,937)		($336,000)	$500,000	$24,063
Youth services	(39,447)	(503,230)	(270,461)		(813,138)
Total all funds	($179,384)	($503,230)	($606,461)	$500,000	($789,075)
Less estimated income	(10,894)	0	0	500,000	489,106
General fund	($168,490)	($503,230)	($606,461)	$0	($1,278,181)
FTE	0.00	(4.00)	0.00	0.00	(4.00)

[1] Funding for employee health insurance is adjusted to reflect the updated premium amount of $1,241 per month.

[2] Funding from the general fund is reduced and 4 new FTE Youth Correctional Center positions are removed providing 6 new FTE positions relating to maintaining compliance with the federal Prison Rape Elimination Act. The Senate added 10 new FTE positions and $1,258,076 from the general fund to maintain compliance with the federal Prison Rape Elimination Act.

[3] Funding from the general fund for operating expenses is reduced by $606,461, including $160,461 for youth services information technology data processing.

[4] One-time funding of $500,000 from other funds is added for implementing justice

reinvestment initiatives.

This amendment also:

- Adds a new section to identify the amount appropriated relating to increases in employee health insurance premiums from $1,130 to $1,241 per month.
- Adds a new section to designate $844,000 for the purchase of a 36-bed housing unit at the Missouri River Correctional Center.
- Adds a new section to provide for a Legislative Management study of the Tompkins Rehabilitation Center.
- Amends a section added by the Senate relating to management of inmate population at local and regional correctional facilities.

2017 CONFERENCE COMMITTEE

SB 2015

2017 SENATE STANDING COMMITTEE MINUTES

Appropriations Committee
Harvest Room, State Capitol

SB 2015
4/10/2017
JOB # 30003

☐ Subcommittee
☒ Conference Committee

Committee Clerk Signature Pam Dever for Alice Delzer

Explanation or reason for introduction of bill/resolution:

A conference Committee hearing for the Department of Corrections and Rehabilitation (DOCR)

Minutes: 1.Base Level Funding Changes

Senator Wanzek: called the Conference Committee hearing to order at 9:30 am in the Harvest Room in reference to SB 2015. Let the record show that all conferees are present: **Senators Wanzek, Chair; David Hogue, Tim Mathern, Representatives Jon Nelson, Chet Pollert, Richard G. Holman.** Becky J. Keller, OMB and Alex Cronquist, Legislative Council were also present.

Chairman Wanzek: This is our first conference committee. What did you do and we'll have the House explain that for us?

Rep Nelson: I will go through the House changes. If you are working out the long copy that Alex handed out Testimony attached #1, is the health insurance decrease that we see in all budgets. That is the first change. The second change, is the 10 FTE that the department asked for, for YCC. We reduced 4 of those to 6. That was a change of $503,230. That was the most significant change that the House made. For operating expenses for the Dept., we reduced their budget by $660,461. We added language that would allow the Dept. to purchase that housing unit at the Missouri River Correctional Center that they are renting now. It is a 36 bed man camp that they moved in last session. They were renting that now for over $900,000. We were able to buy it for $844,000. It's working out very well for the residents of MRCC. So that is in section 7. We also added a study to consider the changing administration of Tompkins Rehab Center from the Dept. of Human Services to the Dept. of Corrections. That was requested by the Dept. for efficiency sake and better outcomes. We hope administration would create a better outcome. I didn't mention the phase 2 funding for the Justice Center Reinvestment. They needed spending authority for $500,000 to continue the work they have done, that was included as well. From the amendments, that's it. I don't think we are that far apart in this budget. We are absolutely committed to the sections that deal with the management of the prison population in the state and the behavioral health, to provide some programs and reduce our prison populations.

Chairman Wanzek: Did they indicate to you that they are able to meet the PRIA staffing requirements with 4 less FTE's then what they told us about? (6.04)

Rep. Nelson: They needed 2 people on a twenty-four-hour basis to meet PRIA requirement. That is how we came up with 6. That doesn't account for accrued time for sick leave. Our thoughts were that those additional hours could be made up with the existing staff. We feel we fully funding those 2 positions for that time period. (7.13)

Chairman Wanzek: We left the study in as far as studying the youth correctional facilities and ow they might be improved.

Rep. Nelson: We looked at that and thought the Senate did a good job on that. (7.33)

Sentor Mathern: I think there are fine things in here. I think we should have some input from the Correctional Center staff person meeting those staffing needs. That would help me accept this amendment.

Chairman Wanzek: We trust but we want to verify what has been proposed here.

Lisa Bjergaard, Director of the Division of Juvenile Services: The 6 positions are the biggest bridge that I have to get across is the staffing at night. Those positions will get us there. There are just problems moving kids back and forth during the day. Back and forth from school, back and forth to meals, etc. The buildings as so separate from the school and gym. We thought of going to a system of feeding the kids in the buildings. We will get where we need to be. We have to be PRIA compliant. Whatever you settle on, we aill comply. (10.05)

Chairman Wanzek: The six will help, then. That will make a difference.

Lisa: Yes, sir.

Senator Mathern: One of the ways to address this, is just don't move the kids; move the food.

Lisa: Yes.

Senator Mathern: What does that do for the programing? What happens if you move the food, what happens to the program?

Lisa; I don't know if it will impact programing. I agree with you, it is nice to move them around the kids around some and get going. I don't think it is ideal because there is such distance from our kitchen. What we have is a golf cart we move food. We have not worked the bugs out yet of how it would look to get all the way over to where we need to go when it's -20. We can figure that out. It is just one of the suggestions as we had when we sat around the table. You so generously included an amendment for us to really have the opportunity to take a look at the operation sat MRCC. Some of that will be a nice window for us to see how that full facility is organized. (12.07)

Chairman Wanzek: Thank you, Lisa. I have a question on the 36 bed housing. We are now purchasing for $844,000. We were leasing it for $900,000? Did I hear you right?

Rep. Nelson: That's correct. There was overcrowding at the MRCC in the current biennium. One of the staff had a discussion because of the slowdown in the energy sector, if some of that housing in western ND could be utilized. They had discussions with Target Lagistics was the company they leased the unit from. For those that have been out there, the current situation is a bunk situation at MRCC. As this has turned out, it basically a bonus to be able to have this. It is a reward to be moved to the housing units. If they behave and earn the right to move and live there, it's worked out better than what they originally thought. It makes more sense; they have a commons area. It is just this 36 beds, and a common hallway between the rooms. Each of the doors has a window in it, so correctional officers can look in and see what is going on. When we were out there, there are people working during the day or sleeping in there. They have the ability to be by themselves and be quite. It's worked out better than the expectation. (15.10)

Chairman Wanzek: Was the $900,000 in the budget for operating for lease payments.? We are actually buying it cheaper than leasing it?

Rep. Nelson: That's correct. They found the lease money within their existing appropriation in this biennium. We have not put a lot of money into MRCC. (15.50)

Chairman Wanzek: That's my first thought. If we are buying it for $800,000; where is money coming from?

Dave Krabbenhoft, Director of Administration of DOCR: When we first inquired about this unit, we required a lease price and purchase price. They made it clear to us that they were not in business to sell these. We asked a few times, if they would be interest in selling it to us. They said, no. We made an inquiry in Nov. or Dec., and we asked again. That's when they said they would sell for $844,000 instead of leasing. The budget as it was, we had this line item. We were short on the past governor's recommendation. When Gov. Burgum came in, we were challenged again to find funds. We were able to fit the $844,000 within the Burgum budget. It came around.

Chairman Wanzek: It appears to be a no brainer.

Dave: yes. It turned out better than we thought. A lot of them are working and paying room and board while they are down there in the units. (18.00)

Chairman Wanzek: Rep. Nelson said something about the Tompkins Rehabilitation Center. We were going to have that we part of corrections budget now? That is a study. I see now it is a study.

Dave: We have that budgeted in with our contract housing and programing that is now fit within amount recommended by Gov. Burgum.

Chairman Wanzek: Something we are considering for the future?

Dave: We like that idea. It's is our folks. We have case managers assigned over there. It would make sense to look at because it is a correctional program.

Rep. Pollert: We found out that DHS gets about a 10% administration fee for doing this. The contract is $8.8M. We should take a look at this because it is correctional folks. We need to study this to see if there could be better outcomes. I did bring it up with Ms. Anderson at DHS. She was aware that it's in the budget to study. That is why studies come out; to see if there are inefficiencies. I think in this case, there would be. (20.23)

Chairman Wanzek: I thought he said it was being done in the amendments. Any other questions? One final questions; the reduced funding for operating expenses of $606,000. Is that all part of these changes or what's that relate to?

Rep. Nelson: That is department wide. We generally go through the line items in operations. I think we identified in the juvenile services area. We had identified about $110,000 of reductions. $344,000 was in adult. Then there was $160,000 reduction, that we started to discuss, if it was an error. Mr. Krabbenhoft agreed with that right off the bat that it was a duplication. That could be taken out of the budget. So $160,000 of the $607,000 in not in dispute from the Dept.

Dave: That's correct. When we are going through the detail in the budget, I saw where I had a duplicate.in the juvenile side. The $160,000 is correct. No dispute on that. (22.33)

Chairman Wanzek: Any further questions or comments? I would have to agree that we are not all that far apart. I have to sleep on it one night. We will meet one more time. I would like to visit with our conferees. We will adjourn our conference committee meeting until further notice.

2017 SENATE STANDING COMMITTEE MINUTES

Appropriations Committee
Harvest Room, State Capitol

SB 2015
4/11/2017
JOB # 30065

☐ Subcommittee
☒ Conference Committee

Committee Clerk Signature Eva Lubbert for Alice Delzer

Explanation or reason for introduction of bill/resolution:

A Conference Committee hearing for DOCR

Minutes: 1.Biennial Cost of YCC PREA Position

Chairman Wanzek: Called the Conference Committee to order on SB 2015 at 3:00 pm in the Harvest Room. All conferees were present: Chairman Wanzek, Senator Hogue, Senator Mathern; Representatives: Jon Nelson, Chet Pollert, Richard Holman. Becky J. Keller, OMB and Alex Cronquist, Legislative Council were also present.

Chairman Wanzek: If I remember right the major difference that we had was the FTE's to comply with Prison Rape Elimination Act (PREA) at the YCC center. We had restored the 10 which we were told they were necessary to be in compliance with PREA. The House took four out and we are currently sitting with six. I visited with Lisa Bjergaard on the phone and her only concern is when we put the ten in there were funds in there for temporary employees that were helping in this area. We replaced it with the ten FTE's, so if we take any away, she had mentioned concern about whether we restore funding for temporary or we address the FTE. Is there any room to compromise and help them out with complying with PREA?

Representative Nelson: I agree that is the only difference that we really have to resolve. I think we are prepared to make a motion.

Representative Pollert: We would move one FTE to go to 7. I would bring that forward.

Chairman Wanzek: Is there a second?

Representative Nelson: I second the motion.

Chairman Wanzek: There is a sheet that was handed out by the DOCR that references what the temporary FTE status as far as salary and benefits would be. I think we can go ahead with that vote. I am not quite settled in my mind to agree with that position. Thinking we could do a little bit more to help them get into compliance. Department of Corrections and Rehabilitation, Biennial Cost of YCC PREA Position, see attachment #1.

Representative Pollert: It is currently at 7 so that would increase it to 8.

Representative Nelson: There was an FTE in the behavioral health area, we are talking 10 FTE's from a PREA compliance position.

Representative Pollert: If we are only talking about the PREA, that is correct but if you are talking about the budget as a whole, I am just talking about putting one in from the four we reduced.

Chairman Wanzek: As I look at it that one was in when it came from the Senate. We increased by 11, one for the behavioral health program. We are talking about 10 that were designated to YCC for PREA compliance and you guys went to six and you are proposing to put one back, so we would be at 7.

Representative Nelson: That is correct at the YCC it would be instead of six it would be seven.

Chairman Wanzek: Asked for the roll on the previous motion.

Representative Pollert made the motion to move one FTE to go to 7.

Representative Nelson seconded the motion.

Roll Call Vote:
Yea: Representatives Pollert, Nelson and Holman.
Nay: Chairman Wanzek, Senators Hogue and Mathern.
Absent: 0.

Chairman Wanzek: The motion fails.

Senator Hogue: One of the debates that we had when we had the bill over on our side, relates to section 10. The House will recall we previously, several sessions ago had authorized the department of corrections to actually refuse inmates that were referred to the department. We got it back in section 10 and my proposal is to put a sunset on that section. For two reasons. One of them involves the fundamental balance of powers between the Judicial Branch and the Executive Branch. We expect our judges to sentence criminal defendants and have the discretion to do that and we just don't let our Executive Branch say no, we are not going to take these inmates. That is what we are doing here in section 10. I think it is a fundamental shift of policy and rather than leave it as permanent policy, I would like to see us sunset that and see if we are comfortable in two years. I think it is the Department of Corrections that should be coming back to us and saying, this shift is working and you can leave it in place legislature. I am concerned that this a dramatic shift in policy that we should not be doing.

Representative Nelson: We looked at this in our session as well. There was certainly concern about this and I think going into this, the significant changes that are taking place in the corrections design that I don't feel comfortable myself that we would piece meal this process to a two-year trial. I think that every legislative session has the opportunity to do

exactly what Senator Hogue is suggesting if it doesn't work but I think we have to make an effort to go forward and continue this program because we aren't going to have the results that we want in two years. If we start carving out sections of this bill in this area there are other pieces that are of concern as well. I think we need to go forward with both feet in and make the leap of faith that it is going to work. The Department has given their word that they are going to manage the inmates in a responsible fashion. If it works like it is designed the capacity should hold those inmates that truly should go to the state penitentiary. I am going to resist it myself.

Senator Mathern: I appreciate Senator Hogue's concern. I do believe it is addressed, in section 10, lines 10,11,12. I think this is really making it clear that we are very closely watching this. With that reporting mechanism not only the Department of Corrections and Rehabilitation (DOCR) being communicating with the other branches of government but will be giving us data before we come back. If we see concerns, we will actually know about it even before the next legislative session. I appreciate his concerns but I don't think we need to put in a sunset clause.

Representative Holman: I like what has been worked on by both groups. I think this is a good plan. I think Section 10 doesn't impose any danger. The whole package here, they work together to create a new type of environment. We'll be back in two years to take a good hard look at it and if we see things wrong and with the annual reporting, I agree, I think that are worth looking at. The sunset is probably already there because we will have the authority to change it.

Chairman Wanzek: I understand what his concern his but I would tend to agree, some of us have spent time on the alternatives to incarcerations committee and we are making a full attempt to try to redirect some of the funding from DOCR into addressing behavioral health and addiction problems. There are other bills in this legislature that are actually reducing the criminal offences in some of those situations. I do believe this is a fundamental change. We always used to say the DOCR can't hang out a no vacancy sign. In a sense we are giving them some latitude to do that. If that is going to be abused and doesn't work, we will hear about it in two years. I think it is important that we stick to this plan and give it two years to work. Try to encourage everyone involved to help cooperate and try to achieve what our final goal is and what we are hoping to happen after this session with DOCR and behavioral health issues.

Senator Pollert: I think what the Senate did adding Section 8,9, and 10 was very good work. The way we have it here, I like it. I think we have an agreement on the operating expense if not I know we are really close and I think it is just a matter of the employees. What you did on the Senate side was very good work in the first period. I would like to see us going in that direction and see if we can get something on the FTE's.

Representative Nelson: One of the notes I made before I carried this bill on the floor was in the admissions in 2016 to the state penitentiary of the 1657 admissions, 76% of those admissions were either property crimes or drug and alcohol. Female it was higher than that, it was 84%. These 3 sections allow for community supervision to take place back in the communities where the offense took place. With that section ten, that is the services that we need to implement across the state and that is where the savings come from. It isn't a piece

meal approach that we can forward with. It's not strictly economics but economics is a part of this process but the real crux of what we are trying to do is to provide that program, that effort not only from the state's standpoint but in the communities so that we can get better outcomes for the people that are offending. That starts with behavioral health and addiction counseling and having those services available in every judicial district of the state. Without this latitude I think we hamper the ability to do that. It works hand and hand.

Chairman Wanzek: You made the motion.

Senator Hogue: I might defer that motion until next meeting.

Senator Mathern: I think we need to come back.

Chairman Wanzek: We know where we are hung up. We will have to adjourn for now. We adjourn the conference committee for 2015.

2017 SENATE STANDING COMMITTEE MINUTES

Appropriations Committee
Harvest Room, State Capitol

SB 2015
4/13/2017
JOB # 30124

☐ Subcommittee
☒ Conference Committee

Committee Clerk Signature Mary Muendel for Alice Delzer

Explanation or reason for introduction of bill/resolution:

A Conference Committee hearing for the Department of Corrections and Rehabilitation (DOCR)

Minutes:

1.Proposed Amendment # 17.0523.02002 submitted by Rep. J. Nelson

Chairman Wanzek: Called the Conference Committee to order on SB 2015 at 2:30 pm in the Harvest Room. All conferees were present: Chairman Wanzek, Senator Hogue, Senator Mathern; Representatives: Jon Nelson, Chet Pollert, Richard Holman. Becky J. Keller, OMB and Alex Cronquist, Legislative Council were also present.

Senator Wanzek: I think the only difference in the FTE's was we had wanted ten and the House proposed 6.

Rep. Nelson: I did hand out an Amendment # 17.0523.02002. (See Attachment # 1.) (:43)

Senator Wanzek: We will go with your amendment proposal first.

Rep. Nelson: Ok, if you look at amendment .02002. I was at a meeting yesterday and I believe there was an oversight in HB 1041 and SB 2015 as far as on the behavioral health piece. We got together the 3 branches of government, and put together a committee structure for review. DOCR, Director of Human Services, Chief Justice, Atty. General, one member from the House and one member from the Senate, selected by the majority leader from each chamber. There will be some other committees that will be segregated to the areas in behavioral health. This will be the general oversight committee that is necessary to collect the data in the measurements of what this change in policy is providing as far as outcomes and cost benefit ratios. I would move the amendment to create this committee.

Rep Nelson: Moved the amendment # 17.0523.02002.
Rep. Pollert: Seconded.

Senator Wanzek: Further discussion. As I read this amendment, it says the House would recede from its amendments. I probably wouldn't be ready to vote for this without some other issues that I would want added to this.

Rep. Nelson: I rescind my motion.

Rep. Pollert: I will rescind my 2nd.

Senator Wanzek: I am not saying I would vote against this concept but just the way this amendment is being proposed to us I would take it we are settling the conference committee.

Senator Mathern: I have 2 questions that really relate to internal inconsistency. I note that some of the members would have a designee, some would not have a designee, so I am concerned about that and then I am also wondering why there are two people from one department and only one person from all the other departments.

Rep. Nelson: This meeting was put together rather hastily and I think it was basically an agreement among the individuals as to the designee or part of it, I really can't answer that question, and I don't think that's a hang up necessarily with the make-up. If you feel strongly about that, I don't think that's a deal breaker. As far as the Human Services, because the behavioral health end of it is so important and the new director is part of the committee. We truly need Pam Sagness, her expertise is absolutely essential to the success of this program. The importance of the behavioral piece is the reason for the inclusion of both director and division directors.

Senator Mathern: If you've had discussion with these groups, I understand that. I just think the DOCR would be in charge of the money, and they have less members on this committee. I also am wondering about some of these members without a designee not being able to participate. This is important that there be coordination, and I would hate to see meeting not happen because someone is not able to have a designee. I think all high level officials like this should be able to have a designee to make sure the meetings go on. These are just my concerns. I don't have a problem with this program.

Rep. Nelson: I would reiterate the individuals were all present at the meeting yesterday. I am assured that they will be productive members. Maybe Ms. Oliver would have a perspective that I am missing here in this regard. There wasn't any opposition to this.

Senator Hogue: One question I have for the House is when I look at this amendment, we've got the standing committee, the alternatives to incarceration which is a standing statuary committee, and we created one for the justice reinvestment program. Is this your thought that this proposed committee would have some distinct mission that would be different from alternatives to incarceration and secondly, it was my impression that we had difficulty finding enough legislators to serve on these two committees and is that your perception on that as well or do you think I am mistaken on that.

Rep. Nelson: My understanding is that the statutory committee from last interim has gone away. The legislative management has gone away too. The only committee that would deal with this issue is probably Judicial. That was the oversight that we caught.

Senator Wanzek: We will make sure of this and with this added we probably won't establish this budget today.

Leann Birch, Director of DOCR: This isn't really meant to be like an incarceration issue. This is an oversight committee that is not going to be a formal legislative committee that has other members. This is really needed for the second part of the implementation so that $500,000., the money in our budget, and in order to get that money they require an oversight structure that all 3 branches of government are represented. This committee is really more of a working group that is going to decide how to spend that $500,000. The first meeting, I hope, will take place the beginning of May, and we would select a chairman and maybe 2 co-chairs, and talk about the coordinators. This is really necessary for us to get the $500,000. It basically will monitor the expenditure and the implementation of the bill that currently passed in 1041 and is required for CSG to make sure that we have the structure required by them in order for them to commit the remaining $500,000 to the state for the implementation.

Senator Wanzek: If I might read from our current bill, the $500,000 that is appropriated to the Dept. of Human Services for the purpose of contracting the public or private entity to create and initiate and facilitate the implementation of a strategic plan. Is this the committee that the dept of Human Services would contact?

Ms. Birch: NO. That $500,000 is actually from the general fund that can actually be spent, through the DOCR budget, in order to implement and basically keep track of expenditures.

Senator Wanzek: That money is from a special fund account?

Ms. Birch: (14.48) Through the bureau of Justices system. That authority is in 2015 right now and there will be a letter that will go out signed by the 3 branches of government how these dollars are being spent, a big part of that is data collection, from the oversight group, so that we can come back in two years and show you if what you implemented is working or not and how it might need to be modified. I imagine the Behavioral Health piece would also report up and give oversight committee the information they need. This is really a fluid committee that would be making those decisions.

Senator Wanzek: What kind of authority will they have and are they going to cooperate together? Is it just for studying and observing and providing the data?

Ms. Birch: No, actually they will be making some decisions. That is why we need all 3 branches of government. There will be training and education to go along with some of the policies, too. So that committee will be saying nay or yea on the expenditure of that money. It will be in our budget but we certainly need in-put, from all 3 branches for everything after this session.

Senator Mathern: I see the DOCR taking the lead on this rather than DHS. In this committee I see the department having 2 staff members and corrections only having 1 staff member. Is this an oversight? For example, in Human Services they have an executive, like you would be, and then they have their behavioral health specialist, which you would have too; are you comfortable with that?

Ms. Birch: I am very comfortable with that. We have a new director at DHS and it is good for them to be in that committee.

Senator Wanzek: Part of the puzzle is to get participation by JSC, and they want to see this done?

Ms. Birch: Yes. It would be nice to be able to point out the language in a bill that basically puts out the structure of the oversight committee.

Senator Wanzek: When I see the policies, does that include them all?

Ms. Birch: It is all of them, yes.

Senator Wanzek: This oversight committee, will it involve cooperation in the counties?

Ms. Birch: They are going to focus on how they are going to use that $500,000. This is a high level group and they will make sure it is best used over the next biennium.

Rep. Nelson: For Senator Mathern's concern, when we look at this $500,000, Leann has graciously allowed one of her staff to be a coordinator of this effort in this committee. There is another individual from DOCR in a leadership position. I apologize for not stating that.

Senator Wanzek: How will we know that?

Rep. Nelson: If this is authorized, that would be one of the first duties to appoint that person. This is rather quick but it's important that we get the letter authorized as soon as possible, the money authorized as soon as possible, and begin this exercise because it is important to get the people from the council state governments in the process as they won't be able to get engaged until they get the letter. That is the effort that is taking place in the governor's office and in the two chambers and in the supreme court as well.

Senator Wanzek: To do that, should that be authorized in this language or can it be done automatically by this committee?

Alex Cronquist, Legislative Council: It doesn't have to be authorized.

Rep. Nelson: We've been working with Samatha Cramer; she'll continue in that role as we go forward. We had a meeting with her this morning. There was no concern about that.

Senator Wanzek: Any further discussion on that. Both Senators said they were fine. That leaves us with the issue of the FTE's. I visited with Lisa and Dave, and I am going to suggest we add two. That would definitely help them.

Rep. Nelson: As usual we give up. We would agree. I would personally agree with that, and let's move on and get this stage over, so we can begin to implement this important task.

Rep. Pollert: We are in a conciliatory note. I would be in favor of doing the two, if we could meld these things together.

Senator Wanzek: I was suggesting getting the amendment prepared of the house recede and we further amend with these two issues. It sounds like the senate is fine with it.

Senator Mathern: Moved that the House recede from its amendments and further amend to include adding the additional two staff members and that we include the section 9 material that we have discussed today.

Rep. Holman: Seconded.

Senator Wanzek: Any further discussion?

A Roll Call Vote was taken:
Chairman Wanzek: Yea.
Senator Hogue: Yea.
Senator Mathern: Yea.
Representative Nelson: Yea.
Representative Pollert: Yea.
Representative Holman: Yea.
Motion passes.
Senator Wanzek will carry the bill on the Senate Floor. Representative Jon Nelson will carry the bill on the House Floor.

Senator Wanzek: Thank you everybody. It will be real interesting to see how things go in two years. With that I will adjourn the meeting.

SB 2017 4-13-17

17.0523.02002
Title.

Prepared by the Legislative Council staff for
Representative J. Nelson
April 13, 2017

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2015

That the House recede from its amendments as printed on pages 1203-1205 of the Senate Journal and page 1342-1344 and of the House Journal and that Engrossed Senate Bill No. 2015 be amended as follows:

Page 1, line 6, after the semicolon insert "to provide for a legislative management justice reinvestment oversight committee;"

Page 6, after line 2, insert:

"SECTION 9. JUSTICE REINVESTMENT OVERSIGHT COMMITTEE - REPORT TO THE LEGISLATIVE MANAGEMENT.

1. During the 2017-18 interim, the justice reinvestment oversight committee is created and composed of eight members as follows:

   a. The governor's general counsel;

   b. The director of the department of human services;

   c. The director of behavioral health of the department of human services;

   d. The director of the department of corrections and rehabilitation;

   e. The chief justice of the supreme court, or a designee of the chief justice;

   f. The attorney general, or a designee of the attorney general;

   g. One member of the house of representatives, appointed by the majority leader of the house of representatives; and

   h. One member of the senate, appointed by the majority leader of the senate.

2. The committee shall study the implementation of justice reinvestment policies in the state and periodically report to the legislative management. The office of the governor shall provide staff services to the committee.

3. Before July 1, 2018, the committee shall report its findings and recommendations, together with any legislation required to implement those recommendations, to the legislative management."

Renumber accordingly

Prepared by the Legislative Council staff for
Conference Committee
April 13, 2017

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PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2015

That the House recede from its amendments as printed on pages 1203-1205 of the Senate Journal and pages 1342-1344 of the House Journal and that Engrossed Senate Bill No. 2015 be amended as follows:

Page 1, line 6, remove "a"

Page 1, line 7, replace "study" with "studies"

Page 1, line 7, after the semicolon insert "to provide for a legislative management justice reinvestment oversight committee;"

Page 1, line 7, replace "a report to the budget section" with "reports"

Page 1, replace lines 17 through 22 with:

"Adult services	$205,626,019	$16,734,336	$222,360,355
Youth services	30,654,707	85,802	30,740,509
Total all funds	$236,280,726	$16,820,138	$253,100,864
Less estimated income	33,236,706	5,527,454	38,764,160
Total general fund	$203,044,020	$11,292,684	$214,336,704
Full-time equivalent positions	836.29	9.00	845.29

SECTION 2. HEALTH INSURANCE INCREASE. The appropriation in section 1 of this Act includes the sum of $2,155,572, of which $2,016,105 is from the general fund, for increases in employee health insurance premiums from $1,130 to $1,241 per month."

Page 2, line 1, after "**FUNDING**" insert "**- EFFECT ON BASE BUDGET - REPORT TO THE SIXTY-SIXTH LEGISLATIVE ASSEMBLY**"

Page 2, line 3, after "2017-19" insert "biennium"

Page 2, replace lines 12 through 14 with:

"Justice reinvestment initiative	0	500,000
Total all funds	$6,592,167	$1,602,907
Less estimated income	5,126,000	1,602,907
Total general fund	$1,466,167	$0"

Page 2, line 15, after "2017-19" insert "biennium"

Page 3, after line 10, insert:

"SECTION 7. MISSOURI RIVER CORRECTIONAL CENTER - HOUSING UNIT PURCHASE. The appropriation in section 1 of this Act includes the sum of $844,000 for the purchase of a thirty-six bed housing unit at the Missouri River correctional center."

Page 3, line 26, replace ", including" with ". Potential alternatives to physical custody include"

Page 6, after line 12, insert:

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4/14/17
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"SECTION 12. LEGISLATIVE MANAGEMENT STUDY - TOMPKINS REHABILITATION CENTER. During the 2017-18 interim, the legislative management shall consider studying the operation, management, conditions, caseload, and physical plant of the Tompkins rehabilitation center at the state hospital. The study must include the potential transition of the Tompkins rehabilitation center, including the transfer of the building, employees, and supervision and management of all operations and caseload of the Tompkins rehabilitation center, from the department of human services and the state hospital to the department of corrections and rehabilitation. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-sixth legislative assembly."

Page 6, after line 22, insert:

"SECTION 14. JUSTICE REINVESTMENT OVERSIGHT COMMITTEE - REPORT TO THE LEGISLATIVE MANAGEMENT.

1. During the 2017-18 interim, the justice reinvestment oversight committee is created and composed of eight members as follows:
   a. The governor's general counsel;
   b. The director of the department of human services;
   c. The director of the behavioral health division of the department of human services;
   d. The director of the department of corrections and rehabilitation;
   e. The chief justice of the supreme court, or a designee of the chief justice;
   f. The attorney general, or a designee of the attorney general;
   g. One member of the house of representatives, appointed by the majority leader of the house of representatives; and
   h. One member of the senate, appointed by the majority leader of the senate.
2. The committee shall study the implementation of justice reinvestment policies in the state and periodically report to the legislative management. The governor's office shall provide staff services to the committee.
3. Before July 1, 2018, the committee shall report its findings and recommendations, together with any legislation required to implement those recommendations, to the legislative management."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2015 - Summary of Conference Committee Action

	Base Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
DHS - Other Total all funds	$0	$7,500,000	$0	$7,500,000	$7,500,000	$0

CRL
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Less estimated income	0	7,000,000	0	7,000,000	7,000,000	0
General fund	$0	$500,000	$0	$500,000	$500,000	$0
Department of Corrections and Rehab.						
Total all funds	$236,280,726	$253,633,027	($532,163)	$253,100,864	$252,843,952	$256,912
Less estimated income	33,236,706	38,275,054	489,106	38,764,160	38,764,160	0
General fund	$203,044,020	$215,357,973	($1,021,269)	$214,336,704	$214,079,792	$256,912
Bill total						
Total all funds	$236,280,726	$261,133,027	($532,163)	$260,600,864	$260,343,952	$256,912
Less estimated income	33,236,706	45,275,054	489,106	45,764,160	45,764,160	0
General fund	$203,044,020	$215,857,973	($1,021,269)	$214,836,704	$214,579,792	$256,912

Senate Bill No. 2015 - DHS - Other - Conference Committee Action

The conference committee did not change the funding for the Department of Human Services provided by the Senate and the House.

Senate Bill No. 2015 - Department of Corrections and Rehab. - Conference Committee Action

	Base Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Adult services	$205,626,019	$222,336,292	$24,063	$222,360,355	$222,360,355	
Youth services	30,654,707	31,296,735	(556,226)	30,740,509	30,483,597	256,912
Total all funds	$236,280,726	$253,633,027	($532,163)	$253,100,864	$252,843,952	$256,912
Less estimated income	33,236,706	38,275,054	489,106	38,764,160	38,764,160	0
General fund	$203,044,020	$215,357,973	($1,021,269)	$214,336,704	$214,079,792	$256,912
FTE	836.29	847.29	(2.00)	845.29	843.29	2.00

Department No. 530 - Department of Corrections and Rehab. - Detail of Conference Committee Changes

	Adjusts Funding for Health Insurance Increases[1]	Reduces New Youth Correctional Center Positions[2]	Reduces Funding for Operating Expenses[3]	Adds One-Time Funding for Justice Reinvestment[4]	Total Conference Committee Changes
Adult services	($139,937)		($336,000)	$500,000	$24,063
Youth services	(34,150)	(251,615)	(270,461)		(556,226)
Total all funds	($174,087)	($251,615)	($606,461)	$500,000	($532,163)
Less estimated income	(10,894)	0	0	500,000	489,106
General fund	($163,193)	($251,615)	($606,461)	$0	($1,021,269)
FTE	0.00	(2.00)	0.00	0.00	(2.00)

[1] Funding for employee health insurance is adjusted to reflect the updated premium amount of $1,241 per month. This amount was adjusted from the House version to recognize the health insurance increase associated with the 2 additional FTE positions.

[2] Funding from the general fund is reduced and 2 new FTE Youth Correctional Center positions are removed, providing 8 new FTE positions and $1,006,461 from the general fund to maintain compliance with the federal Prison Rape Elimination Act. The Senate added 10 new FTE positions and $1,258,076 from the general fund to maintain compliance with the federal Prison Rape Elimination Act. The House provided for 6 new FTE positions and $754,846 from the general fund to maintain compliance with the federal Prison Rape Elimination Act.

[3] Funding from the general fund for operating expenses is reduced by $606,461, including $160,461 for youth services information technology data processing, the same as the House version.

[4] One-time funding of $500,000 from other funds is added for implementing justice reinvestment initiatives, the same as the House version.

4/14/17
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This amendment also:

- Adds a new section to identify the amount appropriated relating to increases in employee health insurance premiums from $1,130 to $1,241 per month. This section was updated from the House version to recognize the health insurance increase associated with the 2 additional FTE positions.
- Adds a new section to designate $844,000 for the purchase of a 36-bed housing unit at the Missouri River Correctional Center, the same as the House version.
- Adds a new section to provide for a Legislative Management study of the Tompkins Rehabilitation Center, the same as the House version.
- Amends a section added by the Senate relating to management of inmate population at local and regional correctional facilities, the same as the House version.
- Adds a new section to provide for a Justice Reinvestment Oversight Committee, which is to study the implementation of justice reinvestment policies and report to the Legislative Management. This section was not included in the House or the Senate version.

Date: 4-11-17
Roll Call Vote #: 1

2017 SENATE CONFERENCE COMMITTEE
ROLL CALL VOTES

BILL/RESOLUTION NO. 2015 as (re) engrossed

Senate Appropriations Committee

Action Taken
- ☐ **SENATE accede to House Amendments**
- ☐ **SENATE accede to House Amendments and further amend**
- ☐ **HOUSE recede from House amendments**
- ☐ **HOUSE recede from House amendments and amend as follows**

- ☐ **Unable to agree**, recommends that the committee be discharged and a new committee be appointed

Motion Made by: Pollert Seconded by: Nelson

Senators	4/10	4/11		Yes	No	Representatives	4/10	4/11		Yes	No
Senator Wanzek	✓	✓			✓	Rep. Nelson	✓	✓		✓	
Senator Hogue	✓	✓			✓	Rep. Pollert	✓	✓		✓	
Senator Mathern	✓	✓			✓	Rep. Holman	✓	✓		✓	
Total Senate Vote					3	Total Rep. Vote				3	

Vote Count Yes: 3 No: 3 Absent: 0

Senate Carrier _____ House Carrier _____

LC Number _____ . _____ of amendment

LC Title # _____ . _____ of engrossment

Emergency clause added or deleted

Statement of purpose of amendment Motion fails.

Motion is: to move one FTE to go to 7 by Representative Pollert.
2nd by Representative Nelson.

Date: 4-13-17
Roll Call Vote #: 1

2017 SENATE CONFERENCE COMMITTEE
ROLL CALL VOTES

BILL/RESOLUTION NO. SB 2015 as (re) engrossed

Senate Appropriations Committee

Action Taken
- ☐ **SENATE accede to House Amendments**
- ☐ **SENATE accede to House Amendments and further amend**
- ☐ **HOUSE recede from House amendments**
- ☑ **HOUSE recede from House amendments and amend as follows**

☐ **Unable to agree**, recommends that the committee be discharged and a new committee be appointed

Motion Made by: Mathern Seconded by: Holman

Senators	4/13			Yes	No	Representatives	4/13			Yes	No
Wanzek	✓			✓		Nelson	✓			✓	
Hogue	✓			✓		Roiers	✓			✓	
Mathern	✓			✓		Holman	✓			✓	
Total Senate Vote				3		Total Rep. Vote				3	

Vote Count Yes: 6 No: 0 Absent: 0

Senate Carrier Wanzek House Carrier Jon Nelson

LC Number 17.0523 . 02002 of amendment

LC Title # 04000 . 17.0523.02002 of engrossment

Emergency clause added or deleted

Statement of purpose of amendment

Insert LC: 17.0523.02003
Senate Carrier: Wanzek
House Carrier: J. Nelson

REPORT OF CONFERENCE COMMITTEE

SB 2015, as engrossed: Your conference committee (Sens. Wanzek, Hogue, Mathern and Reps. J. Nelson, Pollert, Holman) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ pages 1203-1205, adopt amendments as follows, and place SB 2015 on the Seventh order:

That the House recede from its amendments as printed on pages 1203-1205 of the Senate Journal and pages 1342-1344 of the House Journal and that Engrossed Senate Bill No. 2015 be amended as follows:

Page 1, line 6, remove "a"

Page 1, line 7, replace "study" with "studies"

Page 1, line 7, after the semicolon insert "to provide for a legislative management justice reinvestment oversight committee;"

Page 1, line 7, replace "a report to the budget section" with "reports"

Page 1, replace lines 17 through 22 with:

"Adult services	$205,626,019	$16,734,336	$222,360,355
Youth services	30,654,707	85,802	30,740,509
Total all funds	$236,280,726	$16,820,138	$253,100,864
Less estimated income	33,236,706	5,527,454	38,764,160
Total general fund	$203,044,020	$11,292,684	$214,336,704
Full-time equivalent positions	836.29	9.00	845.29

SECTION 2. HEALTH INSURANCE INCREASE. The appropriation in section 1 of this Act includes the sum of $2,155,572, of which $2,016,105 is from the general fund, for increases in employee health insurance premiums from $1,130 to $1,241 per month."

Page 2, line 1, after "**FUNDING**" insert "**- EFFECT ON BASE BUDGET - REPORT TO THE SIXTY-SIXTH LEGISLATIVE ASSEMBLY**"

Page 2, line 3, after "2017-19" insert "biennium"

Page 2, replace lines 12 through 14 with:

"Justice reinvestment initiative	0	500,000
Total all funds	$6,592,167	$1,602,907
Less estimated income	5,126,000	1,602,907
Total general fund	$1,466,167	$0"

Page 2, line 15, after "2017-19" insert "biennium"

Page 3, after line 10, insert:

"**SECTION 7. MISSOURI RIVER CORRECTIONAL CENTER - HOUSING UNIT PURCHASE.** The appropriation in section 1 of this Act includes the sum of $844,000 for the purchase of a thirty-six bed housing unit at the Missouri River correctional center."

Page 3, line 26, replace ", including" with ". Potential alternatives to physical custody include"

Page 6, after line 12, insert:

Insert LC: 17.0523.02003
Senate Carrier: Wanzek
House Carrier: J. Nelson

"**SECTION 12. LEGISLATIVE MANAGEMENT STUDY - TOMPKINS REHABILITATION CENTER.** During the 2017-18 interim, the legislative management shall consider studying the operation, management, conditions, caseload, and physical plant of the Tompkins rehabilitation center at the state hospital. The study must include the potential transition of the Tompkins rehabilitation center, including the transfer of the building, employees, and supervision and management of all operations and caseload of the Tompkins rehabilitation center, from the department of human services and the state hospital to the department of corrections and rehabilitation. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-sixth legislative assembly."

Page 6, after line 22, insert:

"**SECTION 14. JUSTICE REINVESTMENT OVERSIGHT COMMITTEE - REPORT TO THE LEGISLATIVE MANAGEMENT.**

1. During the 2017-18 interim, the justice reinvestment oversight committee is created and composed of eight members as follows:
   a. The governor's general counsel;
   b. The director of the department of human services;
   c. The director of the behavioral health division of the department of human services;
   d. The director of the department of corrections and rehabilitation;
   e. The chief justice of the supreme court, or a designee of the chief justice;
   f. The attorney general, or a designee of the attorney general;
   g. One member of the house of representatives, appointed by the majority leader of the house of representatives; and
   h. One member of the senate, appointed by the majority leader of the senate.
2. The committee shall study the implementation of justice reinvestment policies in the state and periodically report to the legislative management. The governor's office shall provide staff services to the committee.
3. Before July 1, 2018, the committee shall report its findings and recommendations, together with any legislation required to implement those recommendations, to the legislative management."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2015 - Summary of Conference Committee Action

	Base Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
DHS - Other						
Total all funds	$0	$7,500,000	$0	$7,500,000	$7,500,000	$0
Less estimated income	0	7,000,000	0	7,000,000	7,000,000	0

General fund	$0	$500,000	$0	$500,000	$500,000	$0
Department of Corrections and Rehab.						
Total all funds	$236,280,726	$253,633,027	($532,163)	$253,100,864	$252,843,952	$256,912
Less estimated income	33,236,706	38,275,054	489,106	38,764,160	38,764,160	0
General fund	$203,044,020	$215,357,973	($1,021,269)	$214,336,704	$214,079,792	$256,912
Bill total						
Total all funds	$236,280,726	$261,133,027	($532,163)	$260,600,864	$260,343,952	$256,912
Less estimated income	33,236,706	45,275,054	489,106	45,764,160	45,764,160	0
General fund	$203,044,020	$215,857,973	($1,021,269)	$214,836,704	$214,579,792	$256,912

Senate Bill No. 2015 - DHS - Other - Conference Committee Action

The conference committee did not change the funding for the Department of Human Services provided by the Senate and the House.

Senate Bill No. 2015 - Department of Corrections and Rehab. - Conference Committee Action

	Base Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Adult services	$205,626,019	$222,336,292	$24,063	$222,360,355	$222,360,355	
Youth services	30,654,707	31,296,735	(556,226)	30,740,509	30,483,597	256,912
Total all funds	$236,280,726	$253,633,027	($532,163)	$253,100,864	$252,843,952	$256,912
Less estimated income	33,236,706	38,275,054	489,106	38,764,160	38,764,160	0
General fund	$203,044,020	$215,357,973	($1,021,269)	$214,336,704	$214,079,792	$256,912
FTE	836.29	847.29	(2.00)	845.29	843.29	2.00

Department No. 530 - Department of Corrections and Rehab. - Detail of Conference Committee Changes

	Adjusts Funding for Health Insurance Increases[1]	Reduces New Youth Correctional Center Positions[2]	Reduces Funding for Operating Expenses[3]	Adds One-Time Funding for Justice Reinvestment[4]	Total Conference Committee Changes
Adult services	($139,937)		($336,000)	$500,000	$24,063
Youth services	(34,150)	(251,615)	(270,461)		(556,226)
Total all funds	($174,087)	($251,615)	($606,461)	$500,000	($532,163)
Less estimated income	(10,894)	0	0	500,000	489,106
General fund	($163,193)	($251,615)	($606,461)	$0	($1,021,269)
FTE	0.00	(2.00)	0.00	0.00	(2.00)

[1] Funding for employee health insurance is adjusted to reflect the updated premium amount of $1,241 per month. This amount was adjusted from the House version to recognize the health insurance increase associated with the 2 additional FTE positions.

[2] Funding from the general fund is reduced and 2 new FTE Youth Correctional Center positions are removed, providing 8 new FTE positions and $1,006,461 from the general fund to maintain compliance with the federal Prison Rape Elimination Act. The Senate added 10 new FTE positions and $1,258,076 from the general fund to maintain compliance with the federal Prison Rape Elimination Act. The House provided for 6 new FTE positions and $754,846 from the general fund to maintain compliance with the federal Prison Rape Elimination Act.

[3] Funding from the general fund for operating expenses is reduced by $606,461, including

$160,461 for youth services information technology data processing, the same as the House version.
[4] One-time funding of $500,000 from other funds is added for implementing justice reinvestment initiatives, the same as the House version.

This amendment also:

- Adds a new section to identify the amount appropriated relating to increases in employee health insurance premiums from $1,130 to $1,241 per month. This section was updated from the House version to recognize the health insurance increase associated with the 2 additional FTE positions.
- Adds a new section to designate $844,000 for the purchase of a 36-bed housing unit at the Missouri River Correctional Center, the same as the House version.
- Adds a new section to provide for a Legislative Management study of the Tompkins Rehabilitation Center, the same as the House version.
- Amends a section added by the Senate relating to management of inmate population at local and regional correctional facilities, the same as the House version.
- Adds a new section to provide for a Justice Reinvestment Oversight Committee, which is to study the implementation of justice reinvestment policies and report to the Legislative Management. This section was not included in the House or the Senate version.

Engrossed SB 2015 was placed on the Seventh order of business on the calendar.

2017 TESTIMONY

SB 2015

Department 530 - Department of Corrections and Rehabilitation
Senate Bill Nos. 2015 and 2075

Executive Budget Comparison to Prior Biennium Appropriations

	FTE Positions	General Fund	Other Funds	Total
2017-19 Executive Budget	846.29	$215,839,290	$38,308,262	$254,147,552
2015-17 Adjusted Legislative Appropriations[1]	836.29	204,510,187	38,362,706	242,872,893
Increase (Decrease)	10.00	$11,329,103	($54,444)	$11,274,659

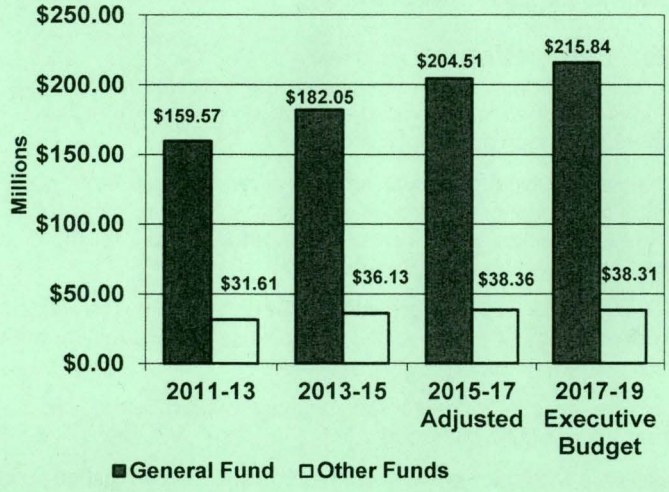
[1]The 2015-17 biennium agency appropriation amounts reflect general fund budget reductions made in August 2016, but do not include the following:

- General fund ($168,612) allocations to the agency from the state agency energy impact funding pool for temporary salary adjustments and rental assistance payments for agency employees located in areas of the state affected by energy development.
- Additional special funds authority of $297,300 resulting from Emergency Commission action during the 2015-17 biennium.

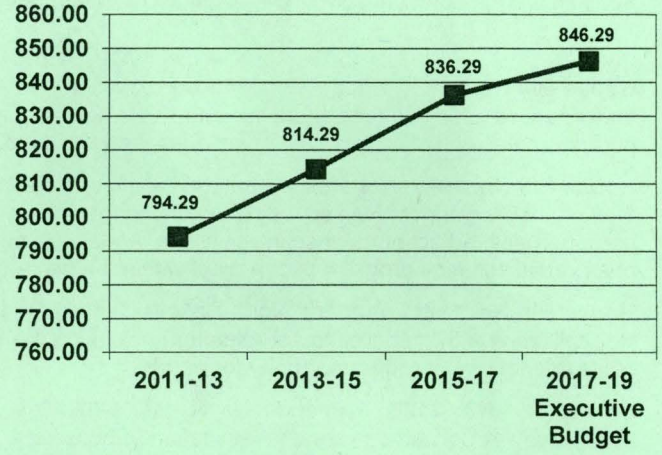
Ongoing and One-Time General Fund Appropriations

	Ongoing General Fund Appropriation	One-Time General Fund Appropriation	Total General Fund Appropriation
2017-19 Executive Budget	$215,839,290	$0	$215,839,290
2015-17 Adjusted Legislative Appropriations	203,044,020	1,466,167	204,510,187
Increase (Decrease)	$12,795,270	($1,466,167)	$11,329,103

Agency Funding



FTE Positions



Executive Budget Comparison to Base Level

	General Fund	Other Funds	Total
2017-19 Executive Budget	$215,839,290	$38,308,262	$254,147,552
2017-19 Base Level	203,044,020	33,236,706	236,280,726
Increase (Decrease)	$12,795,270	$5,071,556	$17,866,826

Executive Budget Highlights

	General Fund	Other Funds	Total
Agencywide			
1. Provides funding for state employee salary and benefit increases, of which $514,525 is for salary increases and $2,329,659 is for health insurance increases	$2,660,615	$183,569	$2,844,184
Juvenile Services			
2. Adds 10 FTE positions to maintain compliance with the federal Prison Rape Elimination Act (PREA)	$1,258,076	$0	$1,258,076
3. Restores funding for salaries and wages	$142,119	$0	$142,119

4. Restores funding for contract housing and programs	$131,250	$0	$131,250
5. Increases funding for federal grants changes	$0	$200,000	$200,000
6. Reduces base funding for extraordinary repairs	($224,000)	$0	($224,000)
Adult Services			
7. Restores funding for salaries and wages	$319,816	$0	$319,816
8. Restores funding for contract housing and programs	$4,583,823	$0	$4,583,823
9. Restores funding for the Dakota Women's Correctional and Rehabilitation Center contract	$348,815	$0	$348,815
10. Adjusts funding for various expenses, including food and clothing, medical, travel, utilities, repairs, maintenance, information technology, and professional services	$2,841,293	($159,369)	$2,681,924
11. Increases funding for federal grant changes	$0	$2,817,597	$2,817,597
12. Reduces base funding for extraordinary repairs	($193,060)	($170,000)	($363,060)

Other Bill Sections Recommended to be Added in the Executive Budget (As Detailed in Senate Bill No. 2075)

Special funds transfer - Strategic investment and improvements fund - Section 3 designates $935,907 from the strategic investment and improvements fund for an electronic medical records system.

Continuing Appropriations

No continuing appropriations for this agency.

Significant Audit Findings

The State Auditor's office reported the Department of Corrections and Rehabilitation did not have an inventory system that enables the agency to accurately account for returned medication and inventory balances.

Major Related Legislation

House Bill No. 1041 - Relates to sentence reduction credit, medical paroles, domestic violence offender treatment, grading of theft offenses, credit for time spent in custody, terms and conditions of probation, controlled substances and controlled substance paraphernalia, addiction counseling services, and the supplemental nutrition assistance program.

House Bill No. 1042 - Relates to sentence reduction credit, medical paroles, domestic violence offender treatment, grading of theft offenses, credit for time spent in custody, terms and conditions of probation, controlled substances and controlled substance paraphernalia, addiction counseling services, and the supplemental nutrition assistance program and provides for the creation of a pretrial services program pilot project within the Department of Corrections and Rehabilitation.

House Bill No. 1121 - Amends North Dakota Century Code Section 12.1-32-01 to provide the Department of Corrections and Rehabilitation with authority to set rules for calculating the life expectancy of offenders for the purpose of determining the term of life imprisonment with opportunity for parole.

Senate Bill No. 2125 - Amends Section 62.1-02-05 to provide an exemption for correctional officers employed by the Department of Corrections and Rehabilitation to possess a firearm at a public gathering.

Senate Concurrent Resolution No. 4003 - Requests the Legislative Management to study the current juvenile justice process, levels of collaboration among various service systems, implementation of dispositional alternatives, and methods for improving outcomes for juveniles involved in the process.

Department of Corrections and Rehabilitation - Budget No. 530
Senate Bill Nos. 2015 and 2075
Base Level Funding Changes

	Executive Budget Recommendation			
	FTE Positions	General Fund	Other Funds	Total
2017-19 Biennium Base Level	836.29	$203,044,020	$33,236,706	$236,280,726
2017-19 Ongoing Funding Changes				
Base payroll changes		$843,274	$1,296,984	$2,140,258
Salary increase		481,317	33,208	514,525
Health insurance increase		2,179,298	150,361	2,329,659
Add new Youth Correctional Center FTE positions (PREA)	10.00	1,258,076		1,258,076
Restore funding for salaries and wages		461,935		461,935
Reduce funding for temporary employee operating expenses		(31,100)		(31,100)
Restore funding for contract housing and programs		4,715,073		4,715,073
Increase funding for contract housing and programs		105,441		105,441
Restore funding for the Dakota Women's Correctional and Rehabilitation Center contract		348,815		348,815
Adjust funding for various expenses, including food and clothing, medical, travel, utilities, repairs, maintenance, information technology, and professional services		2,971,046	(359,501)	2,611,545
Adjust funding for federal grant changes			3,017,597	3,017,597
Reduce funding for extraordinary repairs		(417,060)	(170,000)	(587,060)
Adjust funding for bond payments		(120,845)		(120,845)
Total ongoing funding changes	10.00	$12,795,270	$3,968,649	$16,763,919
One-time funding items				
Add funding for equipment			$167,000	$167,000
Add funding for electronic medical records system			935,907	935,907
Total one-time funding changes	0.00	$0	$1,102,907	$1,102,907
Total Changes to Base Level Funding	10.00	$12,795,270	$5,071,556	$17,866,826
2017-19 Total Funding	846.29	$215,839,290	$38,308,262	$254,147,552

Other Sections in Department of Corrections and Rehabilitation - Budget No. 530

	Executive Budget Recommendation
Special funds transfer - Strategic investment and improvements fund	Section 3 designates $935,907 from the strategic investment and improvements fund for an electronic medical records system.

Department 530 - Department of Corrections and Rehabilitation

Appropriations Comparisons to the Original and Adjusted Base Budgets

General Fund Appropriations Adjustments

(As a result of the August 2016 General Fund Budget Reductions)

	Ongoing	One-Time	Total
2015-17 original general fund appropriations	$212,748,931	$2,638,311	$215,387,242
General fund reductions	(9,704,911)	(1,172,144)	(10,877,055)
Adjusted 2015-17 appropriations	$203,044,020	$1,466,167	$204,510,187
Executive Budget changes	12,795,270	(1,466,167)	11,329,103
2017-19 Executive Budget	$215,839,290	$0	$215,839,290

Summary of August 2016 General Fund Budget Reductions

	Ongoing	One-Time	Total
Reduced funding for salaries and wages	($461,935)	$0	($461,935)
Reduced funding for contract housing and programming	(4,715,073)	0	(4,715,073)
Reduced funding for the Dakota Women's Correctional and Rehabilitation Center contract	(454,256)	0	(454,256)
Reduced funding for food and clothing	(989,074)	0	(989,074)
Reduced funding for medical, dental, and optical expenses	(1,810,656)	0	(1,810,656)
Reduced funding for travel	(269,992)	0	(269,992)
Reduced funding for utilities, repairs, and building maintenance	(600,000)	0	(600,000)
Reduced funding for extraordinary repairs	(100,000)	(706,000)	(806,000)
Reduced funding for information technology upgrades	0	(466,144)	(466,144)
Reduced funding for other expenses	(303,925)	0	(303,925)
Total reductions	($9,704,911)	($1,172,144)	($10,877,055)
Percentage reduction to ongoing and one-time general fund appropriations	4.56%	44.43%	5.05%

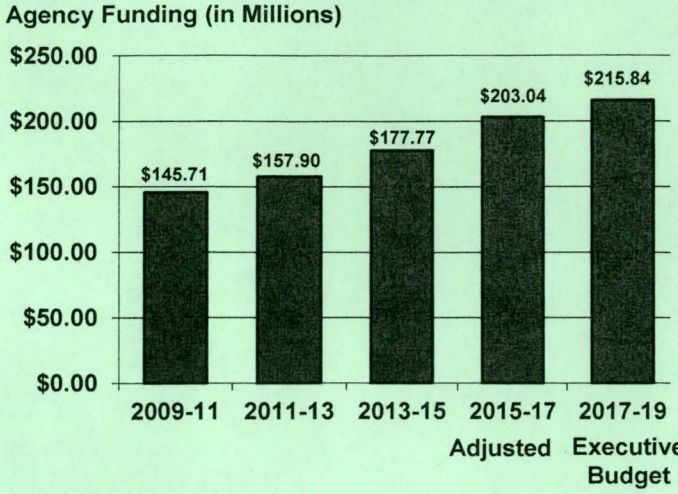
2017-19 Executive Budget Changes to the Original and Adjusted Base Budgets

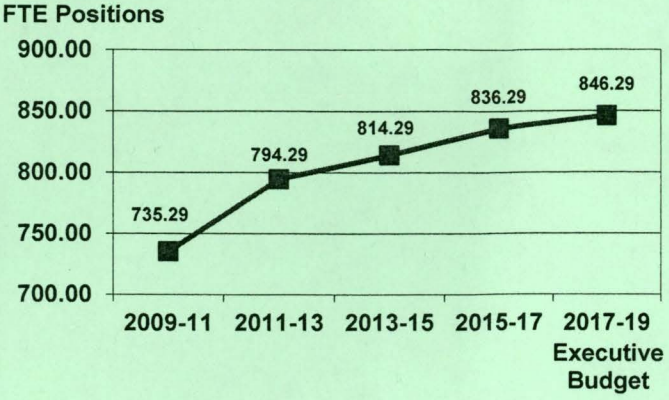
	Changes to Original Budget	Budget Reduction Adjustments	Changes to Adjusted Budget
Adds funding for base payroll changes	$843,274	$0	$843,274
Adds funding for recommended salary and benefits increases	2,660,615	0	2,660,615
Adds funding for 10 new Youth Correctional Center FTE positions to maintain compliance with PREA	1,258,076	0	1,258,076
Restores funding for salaries and wages	0	461,935	461,935
Reduces funding for temporary employee operating expenses	(31,100)	0	(31,100)
Restores funding for contract housing and programming	0	4,715,073	4,715,073
Increases funding for contract housing and programming	105,441	0	105,441
Restores funding for the Dakota Women's Correctional and Rehabilitation Center contract	(105,441)	454,256	348,815
Adjusts funding for various expenses, including food and clothing, medical, dental, optical, travel, utilities, repairs, maintenance, information technology, and professional services	(1,002,601)	3,973,647	2,971,046
Reduces funding for extraordinary repairs	(517,060)	100,000	(417,060)
Adjusts funding for bond payments	(120,845)	0	(120,845)
Total	$3,090,359	$9,704,911	$12,795,270

Department 530 - Department of Corrections and Rehabilitation

Historical Appropriations Information

Ongoing General Fund Appropriations Since 2009-11





Ongoing General Fund Appropriations					
	2009-11	2011-13	2013-15	2015-17 Adjusted	2017-19 Executive Budget
Ongoing general fund appropriations	$145,707,006	$157,901,861	$177,774,343	$203,044,020	$215,839,290
Increase (decrease) from previous biennium	N/A	$12,194,855	$19,872,482	$25,269,677	$12,795,270
Percentage increase (decrease) from previous biennium	N/A	8.4%	12.6%	14.2%	6.3%
Cumulative percentage increase (decrease) from 2009-11 biennium	N/A	8.4%	22.0%	39.4%	48.1%

Major Increases (Decreases) in Ongoing General Fund Appropriations

2011-13 Biennium

1. Added funding for 58 new FTE positions relating to the State Penitentiary expansion	$2,459,364
2. Increased funding for contract housing and programming	$2,441,611

2013-15 Biennium

1. Added 11 correctional officer FTE positions and 3 correctional caseworker FTE positions	$1,537,144
2. Added funding for increased probation and incarceration requirements due to provisions of 2013 House Bill No. 1302 relating to driving under the influence laws	$3,000,000
3. Increased funding for transitional housing and programs	$1,106,678

2015-17 Biennium (Original Amounts)

1. Added funding for targeted equity salary increases for correctional officer positions	$2,126,442
2. Added funding for 22 new FTE positions, including 16 parole and probation officers, 1 juvenile corrections specialist, 1 Youth Correctional Center position, 2 adult services treatment positions, and 2 James River Correctional Center central receiving positions	$3,624,413
3. Added funding to transfer community sex offender treatment from the Department of Human Services	$1,865,810
4. Added funding for contract housing and programming (this item was affected by agency budget reductions)	$9,243,102
5. Increased funding for the Dakota Women's Correctional and Rehabilitation Center contract (this item was affected by agency budget reductions)	$2,250,000

2017-19 Biennium (Executive Budget Recommendation)

1. Adds 10 new Youth Correctional Center FTE positions to maintain compliance with PREA	$1,258,076

2. Restores funding for contract housing and programming	$4,715,073
3. Adjusts funding for various expenses, including food and clothing, medical, dental, optical, travel, utilities, repairs, maintenance, information technology, and professional services	$2,971,046

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SENATE APPROPRIATIONS COMMITTEE
Senator Ray Holmberg, Chairman
January 11, 2017

North Dakota Department of Corrections and Rehabilitation
Leann K. Bertsch, Director

Presenting Testimony concerning Senate Bills 2015 and 2075

The Department of Corrections and Rehabilitation's mission is to enhance public safety, to reduce the risk of future criminal behavior by holding adult and juvenile offenders accountable, and to provide opportunities for change. The Department of Corrections and Rehabilitation (DOCR) accomplishes this mission through the hard work and dedication of its staff. Meeting this mission is a challenge, requiring the DOCR to find a balance between our immediate need of managing the increased inmate population and maintaining outcomes through evidence-based programs while managing correctional costs.

I will highlight some of the key components of the executive budget, some of the challenges facing corrections as our state grows and social problems increase, with an emphasis on Adult Services. Our Director of Administration, Dave Krabbenhoft, will address budget specific information relating to the 2017-2017 appropriations and expenditures, and the significant items in our budget request for the 2017-2019 biennium that are critical for the DOCR to continue to meet its mission. Lisa Bjergaard, Director of the Division of Juvenile Services will provide an overview of Juvenile Services.

The Pay

During the last session you responded to our greatest need which was to provide targeted equity for our correctional officers. We experience the highest turnover rates within the correctional officer classification. The targeted market equity pay adjustments have assisted the DOCR in maintaining a competitive position in the

local labor market. Our officers are very grateful for your support in providing this much needed pay.

Although I realize there is little room to address salary inequities in this budget climate, I think it is important to bring to your attention in hopes, that if not this session perhaps, the next, that we can address the salary structure for our teachers serving our adult populations. Providing education and vocational skills to incarcerated individuals is one of the best investments you can make to reduce recidivism. Our education department, under the direction of Dr. Penny Veit-Hetletved, leads the nation in passing success rate as calculate by the GED Testing Services. Our education staff do some amazing work with challenging students. However, the higher turnover rates for those educators serving adult population is alarming. Of the twenty educators necessary for serving the adult populations, half of these faculty are FTEs and the other half are full time temps with limited benefits. Pay equity in comparison with the educators at the North Dakota Youth Correctional Center (NDYCC) is deficient by $10,00-$14,000 for Division of Adult Services (DAS) instructors who work twelve months versus nine months; are required to hold the same licensures, credentials, and trainings; are governed by the same teacher handbook; and are supervised by the same administrator. In the past three years, we have turned over 81% of our DAS faculty. Through exit surveys, we have learned that 98% of those DAS faculty left for a public school position that paid them in nine months what the DOCR DAS position pays in twelve. The DAS educators do not need to go to the contracted system that NDYCC follows, but a pay comparison equity raise would allow DAS education to continue to operate on the same level. The executive budget in its current form includes funding to put the DAS educators on the same composite scheduled as our NDYCC educators. We would appreciate your consideration of this request.

The Positions

I have talked about the pay. Now I will talk about the positions. The 10 new FTEs that are included in the executive budget are necessary to maintain compliance with the Prison Rape Elimination Act (PREA). The National Standards to Prevent, Detect and Respond to Prison Rape ("Standards") created pursuant to PREA require every federal, state, and local corrections facility to develop and document a staffing plan that provides supervision and monitoring adequate to prevent the sexual abuse of those confined in the facility based on facility type. Under PREA Standards, there is no set staffing ration for adult facilities. In juvenile facilities, however, there are staffing ratio requirements for secure facilities that must be included into a staffing plan. These ratios include 1:8 during resident waking hours and 1:16 during resident sleeping hours. Although the PREA Standards are not supposed to impose a substantial fiscal impact on agencies, the Department of Justice's position is that the costs to victims of sexual violence are so great that they offset any investments required to comply with the staffing ratio standard. Director Lisa Bjergaard will talk more extensively about the need for the positions and the possible consequences should we not receive the additional positions.

The Project

The executive budget includes $935,907 for a new electronic medical records (EMR) system. This system is critical to our department. Currently, our EMR system is deteriorating and it does not have a backup vendor in case of total failure. The system is on its last leg and needs to be replaced in the very near future. The majority of the patients we serve within the DOCR tend to be poor, have higher rates of medical, mental health, and substance abuse challenges. In addition to their pre-existing conditions, incarceration brings with it new health risks of injury from violence and mental health stressors. As in other community health settings, EMRs are critical in the correctional health system to bolster safe and productive care by coordinating between providers, reducing unnecessary tests and procedures, integrating mental health, and decreasing errors. Access

to records for incarcerated individuals is critical for tracking trends. Our patients also have a lot of time on their hands and tend file lawsuits more often than patients in the free world. A functioning EMR system is will pay for itself in the long run.

The Population

North Dakota's "tough on crime" policies and over-reliance on the use of incarceration over the last 25 years have created an overburdened and inefficient justice system. The DOCR has 1800 individuals incarcerated with another 1700 incarcerated around the state in county or regional jails. Another 7300 people are under parole or probation supervision. The enormous growth is grossly disproportionate to the increase in our state's population. The most disturbing increase is in the number of women being sent to prison. Since 1990 when the DOCR had 33 incarcerated women to our current population of 240, we have seen over a 600 percent increase. The majority of the women who are incarcerated at the DOCR are serving sentences for non-violent offenses. A recent study estimated the annual economic burden of incarceration that our DOCR budget does not capture. For every dollar in corrections cost, incarceration generates an additional ten dollars in social costs. More than half of the costs are borne by families, children, and community members who have committed no crime. Those individuals who get incarcerated – even if only for a short period – have severe collateral consequences; it could mean loss of a job or increased difficulty in finding a job. It could make it more challenging to find housing, or nearly impossible to get a student loan. The collateral consequences of incarceration also include trauma for children and families. (79% of women prisoners in the DOCR have children). Children of incarcerated parents are five times more likely to go to prison. It is critical that criminal justice reforms are enacted this session. The women's prison in New England is a 126-bed facility. The Dakota Women's Correctional Rehabilitation Center (DWCRC) is a contract facility run by the Southwest Multi-County Correctional Center (SWMCC) and owned by a consortium of six southwest counties. Between July 2015 and

December 31, 2016, the facility was over their capacity 74% of the time. It has been a constant challenge to find space for the growing number of incarcerated women. Although all DOCR-sentenced women go through orientation and reception in New England, many of them are then transferred to community-based facilities for residential treatment and work release programs. Although the staff at DWCRC work hard to address the needs of the incarcerated women, it is very challenging to meet the needs of this population in a remote rural location away from their children and other family members. The facility is deteriorating and SWMCC is understandably reluctant to invest money into the structure when they are not funded at the amount they request from the state. The state should consider a different and more comprehensive approach to best serve women in our criminal justice system.

During the last session you heard that we would be out of places to house the growing number of inmates in our system and that we were expecting to have to house inmates in a private prison out of state. The consequences of housing inmates so far away from their communities and families are real. Research shows that warehousing (i.e, the absence of involvement in any programming) significantly increases the odds of recidivism by 13 percent. Through innovation and determination, the DOCR was able to avoid having to send inmates out of state. We have increased capacity in all of our facilities above the design capacity. This has put additional strain on the staff and on the inmate population. It increases tension and limits or delays inmates' access to treatment and programming which potentially delays their parole opportunities. More inmates require more staff, and overtime has increased significantly to meet the needs of the prisons. One of the more innovative ways we dealt with the demand for prison beds without sending inmates out of state was to place a 36-bed modular transitional housing unit (THU) on the grounds of the Missouri River Correctional Center (MRCC). The greatest demand for housing is for minimum security beds. Rather than warehousing individuals in more expensive higher custody beds and limiting their access to work release and programming, we were able to increase work release opportunities by 400%. The THU has been very successful in

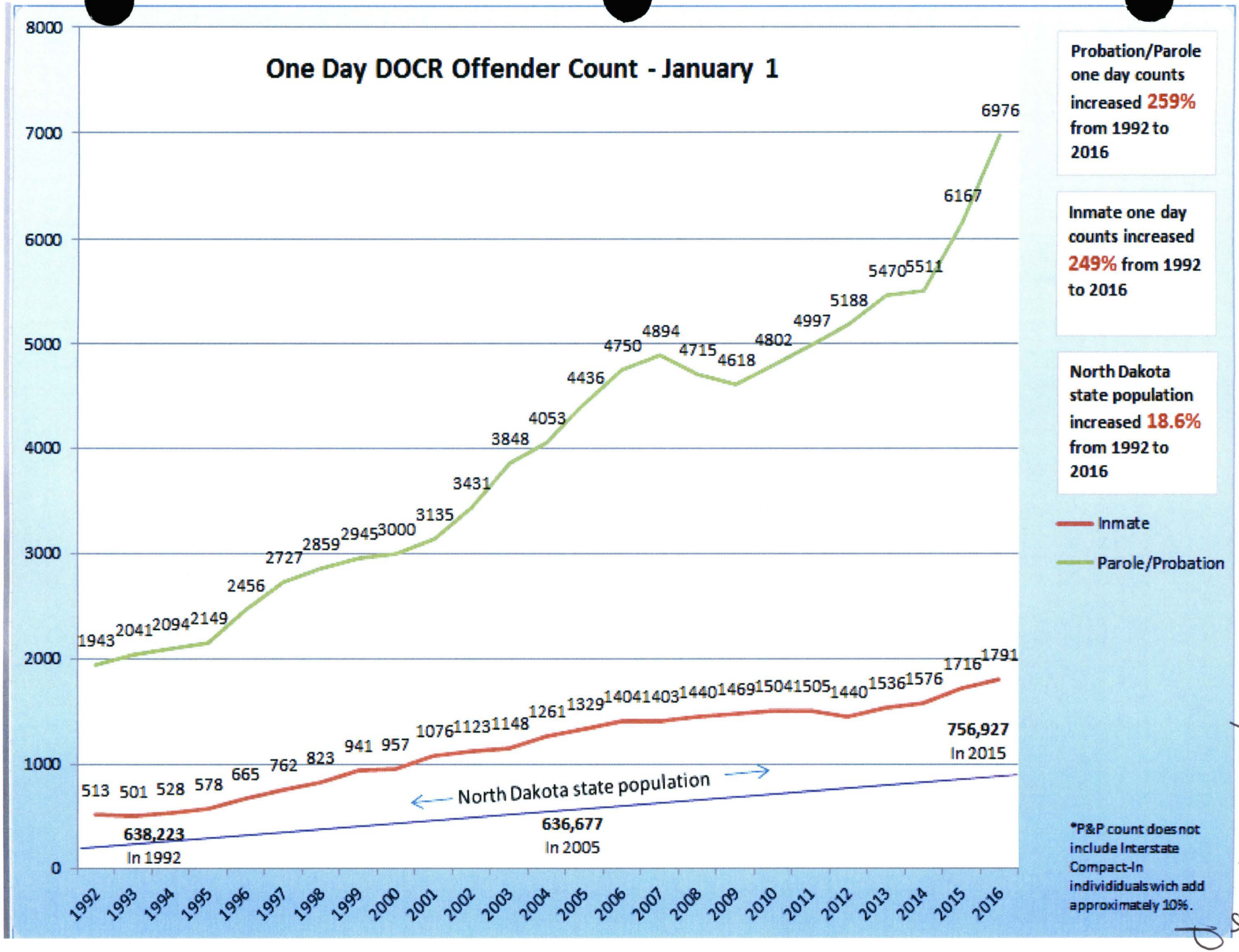
transitioning inmates successfully. They are able to have a more normal living environment, work and earn prevailing wages. They pay towards their room and board, fines, fees, restitution and child support. In the nine months this unit was operating, inmates had net earnings of over $255,000 in total compensation. Even though these units were meant to be temporary, there is nothing more permanent than a temporary bed. We plan on continuing to use these units during the next biennium. The unfortunate reality is that these modular housing units are in better shape than the permanent MRCC structures. As you may recall, $30 million was requested during the last session to replace the MRCC on site. That funding was not approved, but the need to address the physical plant deficiency remains. Another way the DOCR has managed the demands on its finite resources is through increased paroles. The DOCR was able to manage a 30% increase in the state's parole population over just one year while reducing the revocation rate from 30% to 22%. This is no small feat when considering the increased needs and acuity of the individuals in our system. The continued criminalization and incarceration of individual with mental health problems and inadequate access to quality community and residential based treatment resources put undue stress on a system not meant or staffed to manage this intensive population. The corrections system in North Dakota has become the default provider of behavioral health services. A survey by the Council of State Governments Justice Center noted that 70% of responding judges stated they had sentence someone to prison in order to receive a behavioral health service, regardless of that person's risk to the community. Although the DOCR is proud of the work that we have accomplished to provide effective behavioral health services, individuals should not have to enter prison to receive such services. Prisons sometimes do good, but they always do harm. The most effective way to turn a nonviolent person into a violent one is to send them to prison. Whether or not a person is mentally ill, prisons provoke violence.

The continued criminalization and incarceration of individuals with chemical addition problems and inadequate access to quality community and residential

based treatment resources is costly. In January 2015 the DOCR supervised approximately 6600 people on probation and parole and today, we have over 7300. Last biennium you wisely invested in 16 new Parole and Probation Officers. The additional officers helped to bring the caseloads down to more manageable numbers. Two of the new positions are being utilized as Mental Health Specialists who carry a specialized caseload that focuses on those probationers and parolees with serious mental illness. Although the caseloads are more manageable, community supervision is only effective if our officers have the necessary treatment and recovery services readily available to the individuals they are supervising. Relapse with substance use remains a key contributing factor in noncompliance with probation and return to prison. The majority of parole violators surveyed cited access to treatment as a key factor that could have helped them be successful. To this end, a licensed addiction counselor employed at the North Dakota State Penitentiary (NDSP) will begin offering aftercare group in the Bismarck Parole and Probation Office for male probationers and parolees beginning this month to see if we can decrease the number of people returning to prison because of their addiction issues.

The 2017-2019 biennium will be a biennium of many challenges and changes for the DOCR. When DOCR resources lag behind the demand for correctional services, our appropriation becomes merely advisory. Even if the executive budget in its current form was fully funded, the DOCR will not have sufficient funding to manage the inmates committed to its custody. The DOCR does not want to manage its budget or operations in that manner. Each piece of this budget is critical and interdependent, including adequate staffing to supervise the increasing numbers of probationers and parolees, provide effective treatment and rehabilitation programs during incarceration and manage the increasing demands on the department due to the sheer numbers of offenders, as well as the increasingly sick and mentally ill individuals in our care and custody. It is designed as an integrated approach to ensure that the DOCR meets its goals of

protecting the public, protecting staff, and maintaining safe, secure and humane supervision of offenders, both in the facilities and the community.



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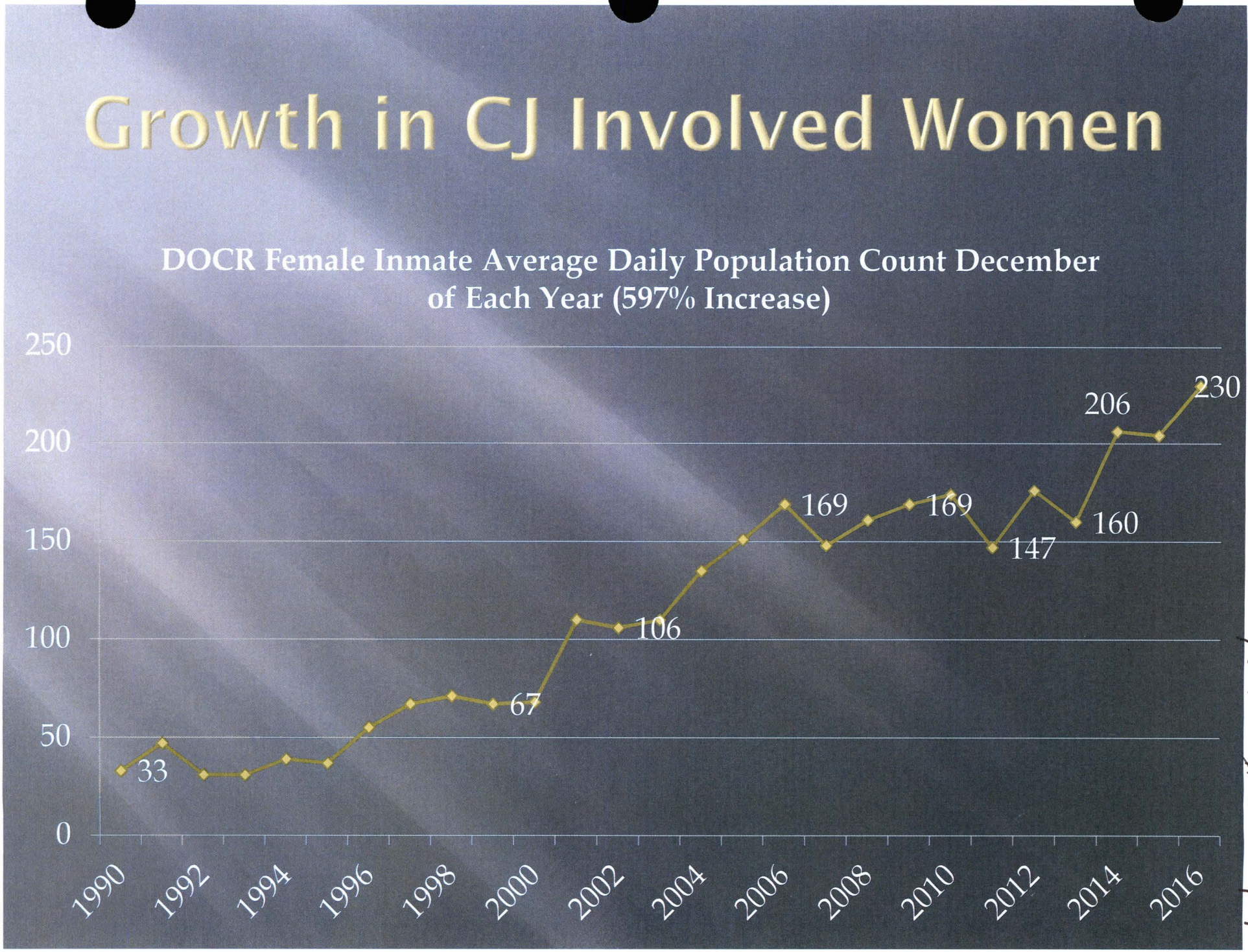
Growth in CJ Involved Women



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NORTH DAKOTA

Department of Corrections & Rehabilitation

North Dakota State Penitentiary

Overview

The North Dakota State Penitentiary (NDSP) is the maximum custody prison housing male inmates and is part of the North Dakota Department of Corrections and Rehabilitation. The facility was first established in 1885 and has gone through several major construction projects during its existence. The most recent project was completed in 2013 increasing capacity by nearly 250 beds and providing a modern prison design creating a safer environment for inmates and staff. NDSP continues in its mission to protect the public by maintaining proper custody of the inmates sentenced by the courts and providing inmates with the opportunity to change by addressing criminal thinking and holding them accountable.

The facility is comprised of seven housing units to include four general housing units: East (221 beds), West (120 beds), North (71 beds) and South (107 beds) units. The medium custody transition unit is a 60 bed unit for inmates who have less than four years remaining on their sentence. Due to an ever increasing inmate population, NDSP has re-opened the Overflow Unit (41 beds). This unit had to be utilized due to the demand for male prison beds. The people living in the Overflow unit are waiting for transfer to either a medium or minimum custody facility.

NDSP has three specialty housing units that provide a safe and secure setting for new inmates to the DOCR, chronic illnesses and behavior problems. The administrative segregation unit (108 beds) is designed to assess, separate and equip inmates who have major behavioral issues in general housing and their continued presence poses a significant risk to the orderly running of the facility. The unit plan is for short placements with heavy dosages of behavioral skill learning. Prior to construction in 2013, the orientation unit consisted of 68 beds and did not include an intake unit. The unit has a capacity of 148 inmates as well as an intake unit with several holding cells, an area for booking, assessments and classrooms. The chronic care unit includes four observation cells, one detoxification cell, and fifteen chronic care rooms for housing and a clinic area.

NDSP has approximately 238 staff with diversified backgrounds focusing on maintaining a secure environment as well as promoting offender change. All staff complete the correctional officer basic training course prior to being assigned a specific post. Approximately 185 staff are assigned to the security operations of the facility.

Statistics

- 3,845 inmates received, assessed and provided orientation at NDSP from July 1, 2014 – November 30, 2016.
- 743 - Average daily inmate population at NDSP from July 1, 2014 – November 30, 2016 compared to 540 in FY 2013 and 690 in FY 2014.
- 746 – NDSP count on December 16, 2016.
- 20,567 inmate visitors processed through NDSP for inmate visitation.

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- 132 staff were newly hired and trained as correctional officers from July 1, 2014 to November 30, 2016.
- 7 staff were honored with a life saving award for their dedicated and immediate response to critical situations.
- 79% increase from 2010 – 2015 on the inmates residing at NDSP with 20+ year sentence (144 in 2010 – 182 in 2015).
- The average length of sentence for all inmates sentenced to the DOCR has increased from 5.27 years in 2010 to 6.69 years in 2015.
- The average length of stay for inmates sentenced to the DOCR in 2010 was 1.31 years compared to 1.09 years in 2015.

Successes

- The use of long-term restrictive housing has decreased during this biennium. The guiding principle in the unit has been that people will "behavior their way in and behavior their way out" of restrictive housing. This has been the foundation for NDSP as we shift philosophies for the operations within the unit. Inmates are assessed within the first 24 hours of arrival, a behavior plan is developed based on this assessment, programming is provided by behavioral health staff and all staff working in the unit are trained to enhance those identified skills needed for an inmate to be successful in general population. Through these changes we have incorporated a transition unit, which allows inmates to spend time in general population during meals and recreation. On December 30, 2016, there were 13 inmates residing in the administrative segregation unit and 10 inmates in the transitional unit.
- In November 2016, the West cell house construction project was completed. The old wheel and cable style lock system was replaced with an electronic lock system. In addition, a climate control, sally port and cameras were installed during this project.
- NDSP was audited to ensure compliance with the federally mandated standards of the Prison Rape Elimination Act (PREA) in July 2015 and again in December 2016. NDSP is fully compliant with the standards associated with PREA, but received recommendations to increase video monitoring coverage throughout the facility.
- NDSP continues to enhance security practices through a vulnerability assessment tool. During the assessment process, staff identify areas of risk and provide solutions to mediate these risks as much as possible. As a result NDSP has updated policies and procedures, as well as operational changes to ensure safety and security of maximum security facility is maintained.
- NDSP continues to incorporate philosophies of humanity into the prison operations. These ideals focus on normality, dynamic security, progression and importation of community support.
    - NDSP partnered with community organizations to enhance visitation with children and training for suicide prevention.
    - Improved recreation programs to better meet the needs of our diverse population to include art programs, music and competitive sports leagues.
    - Incorporated more family friendly activities in our visitation rooms for children and fathers such as family movie nights and craft projects.
    - Enhanced training for staff focusing on communication and being mentors.
    - Increased privileges for inmates who are meeting very specific criteria focusing on work, education, treatment and behavioral choices.
- A new facility schedule was developed and implemented in May of 2016. The new schedule increased overall time for recreation for all inmates at NDSP. As a result, NDSP staff presence increased in areas with higher inmate concentrations, ultimately improving facility safety and security.

- The Food Services department provides nutritious, cost effective meals while continuing to assess menus to meet the needs of the facility. Annually there are approximately 850,000 meals served at NDSP for both staff and inmates.
- In the spring of 2015, with assistance from the National Institute of Corrections, NDSP adjusted the response to facility emergencies by implementing Incident Command Systems. All staff were trained on assessment, communication and response to an emergency situation.
- There were significant improvements made on perimeter security to include fence detection and ensuring the perimeter fence meets maximum security prison standards.

Concerns & Issues

- Staff retention has improved during this biennium, but continues to be a major concern for the security operations at NDSP. The Correctional Officer position has the highest turnover rate. Staff are professionally trained to maintain a safe and secure environment and to reinforce inmates as they learn new skills and reduce criminal thinking. Each correctional officer is provided with up to six weeks of training prior to being assigned a post. It takes job experience to acquire and develop the skills needed by the correctional officers to become proficient. As a result of the turnover rate, newly trained staff may have to take on added responsibility and work in areas with minimal familiarity. Tenured staff are denied leave and asked to work additional hours to cover required posts to meet the needs of facility operations. This creates significant facility and public safety concerns.
- NDSP continues to operate near or at budgeted bed capacity. NDSP added 20 beds by double bunking cells in two of the housing units during this biennium. The increased population puts strain on the inmates and staff alike. Most areas of the prison have been able to accommodate to the increased numbers, but due to physical plant constraints NDSP can only employ a certain number of inmates. Many inmates are not able to find a job in the prison for up to six months. The inmate dining room will seat up to 210 inmates, which isn't large enough for the East Cell House meals. NDSP staff will continue to work on developing different schedules and work programs to ease some of the tension created by the demand on prison services.
- The East Unit emergency intercoms in the cells have been failing due to high moisture levels in the wiring conduit. NDSP initiated a plan to pull new wire that meets the rating for wet conditions.
- Inmates with serious mental health issues continue to exhaust correctional resources and it has been very challenging to meet their needs in this setting. These inmates often struggle to live in general housing and their mental health is a major obstacle to their success. Managing the seriously mentally ill will continue to challenge staff and resources.
- The number of inmates with chronic medical issues creates a significant burden on security staffing. In 2013 the NDSP expansion project included a state of the art chronic care unit and clinic. However, the increased medical needs of an aging and medically neglected population creates many clinic and hospital transports. This increased number of transports creates safety and security risks to the community. We must ensure well trained and an adequate number of staff are assigned to these transports, which reduces the security staffing on site at the prison.

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NORTH DAKOTA

Department of Corrections & Rehabilitation

James River Correctional Center

Overview

The James River Correctional Center (JRCC) is the medium security prison of the North Dakota Department of Corrections and Rehabilitation housing male inmates. JRCC is located adjacent to the North Dakota State Hospital (NDSH) in Jamestown, North Dakota.

The JRCC began operation in 1998 with the renovation of buildings formerly utilized by the NDSH. The main building of JRCC is the former medical hospital for NDSH. It is a six story building built in 1936 that has been converted to housing units on floors two through six with the medical department and infirmary, segregation cells, and other staff offices on first floor. When JRCC opened, first floor through fourth floor of this building were utilized. The fifth and sixth floors were renovated in 2001 adding two housing units. JRCC has an average daily count of 438 inmates.

Additional buildings have since been transferred from NDSH to JRCC including the Laundry, Food Service, and Administrative buildings. JRCC currently uses and maintains 10 buildings.

In addition to the general housing units, JRCC operates the Special Assistance Unit (SAU). This is a 24 bed housing unit for inmates with serious mental illness or other special needs who are unable to function in the general inmate population. These people may pose a higher risk to themselves or others. The SAU provides a higher staff to inmate ratio in a more structured environment. The SAU affords specialized programming to meet the needs of those housed there and includes psychiatry, psychology and other counseling services. The SAU programming focuses on skill building, cognitive behavioral interventions, and behavior modification strategies.

The JRCC has 198 FTE's which includes Correctional Officers and Correctional Supervisors, Case Management, Behavioral Health, Education, Medical, Plant Services, Food Service, and Administrative Staff.

The mission of JRCC is to provide a safe, pro-social environment to learn and practice skills necessary to be successful in the community. This is accomplished through effective interactions with staff as well as by providing treatment, education and work programming.

The JRCC and the NDSH share services in an effort to reduce operating costs. The NDSH provides grounds keeping outside of the perimeter, dietary, and radiology service and the JRCC provides meal service, laundry service, warehouse service, and emergency security support.

Successes

- JRCC has maintained no escapes or attempted escapes from custody.
- There were no in custody deaths at JRCC during the last biennium.

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- The Correctional Officer position vacancies have decreased during the last biennium. There continues to be elevated turnover but retention has improved and the applicant pool has increased.
- JRCC assumed control of the Central Receiving warehouse and its operations from the NDSH in the last biennium. This transfer was initiated due to the building being within the perimeter of JRCC which compromised security and limited the usage of adjacent space.
- Motion detection sensors have been installed at critical points of the exterior perimeter to increase detection of a possible security breach.
- A Construction and Maintenance class was initiated within the education department at JRCC. This class provides students with basic construction and building maintenance skills in an effort to improve employability upon release from prison.
- JRCC was audited to ensure compliance with the federally mandated standards of the Prison Rape Elimination Act (PREA). JRCC was found to be fully compliant but received recommendations to increase video monitoring coverage throughout the facility.
- With assistance from the National Institute of Corrections, JRCC adjusted the response to facility emergencies by implementing Incident Command Systems. All staff were trained on assessment, communication and response to an emergency situation.
- JRCC staff have continued to be trained in effective, evidence based correctional practices designed to change inmate behavior and reduce recidivism. This training occurs with all staff members in regularly scheduled classroom settings as well as during varied staff meetings.
- JRCC staff have continued to increase the use of positive reinforcement in each year of the last biennium.
- JRCC continues to partner with Service Dogs for America (SDA). Master trainers from the Jud campus work with the inmates to give them skills in training dogs in basic commands and socialization. The dogs receive advanced training at the SDA campus before being placed with a person with a disability. This past year SDA has been focused on providing service dogs with veterans suffering from PTSD. Several ND veterans have benefited from this program. To date, nearly 65 canines have received training from a DOCR facility.
- JRCC employees continue to maintain involvement in the local community by volunteering their time and resources to help others. The JRCC employees maintain the cleanliness of a three mile stretch of Interstate 94 with the Adopt a Highway program. The employees participate in food drives and other fund raising for charitable agencies and also participate in local parades.

Concerns & Issues

- The Correctional Officer class received substantial equity money to improve pay for this class. The increase in pay afforded to the Correctional Officer class has created some inequity among the other positions at JRCC. The majority of positions outside of the Correctional Officer class are in a lower range within their pay grade than their years of experience would suggest.
- Serious mental health issues continue to exhaust correctional resources. The Special Assistance Unit (SAU) has been consistently full over the last biennium. The people housed in SAU present with an ever increasing array of challenges. The major challenge for staff is ensuring that these mentally ill people have as much out-of-cell time as possible and doing so in a safe and therapeutic manner. Maintaining experienced, specialized staff who have the expertise to carry out the required programing continues to be a challenge.

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- There is a need for increased camera coverage throughout the facility to more effectively monitor behavior and deter rule breaking and violent incidences. This was also a recommendation that came out of the PREA audit. #4 p6
- The age, condition, and design of the JRCC buildings necessitate extensive upkeep and retrofitting to maintain acceptable standards. Some of the buildings, including the main housing unit building, were not initially designed to be used as a correctional facility and therefore create disadvantages in carrying out the duties of a prison when compared to a modern correctional facility.

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Department of Corrections & Rehabilitation

Transitional Facilities

Overview

Transitional Facilities oversee all minimum custody housing facilities for the state's inmate population. This includes the operation of the Missouri River Correctional Center, a minimum custody prison in Burleigh County, the Tompkins Rehabilitative Correctional Center, a treatment unit in Jamestown, and the oversight of all contracted transitional facilities across the state.

Minimum custody inmates must be within four years of release and determined to be a low risk for escape and low risk to commit institutional misconduct. Each inmate is screened for their appropriateness for minimum custody placement.

The mission of Transitional Facilities is to provide a safe environment to learn and practice skills necessary to be successful in the community. We accomplish this through a T.E.A.M. approach of Treatment, Education, Accountability and Motivation. We strive for an overall atmosphere to encourage inmates to change the way they think and to adopt new prosocial ways to view the world around them. The facilities are:

- **The Missouri River Correctional Center (MRCC):**
  - MRCC is a 196 bed prison located in Burleigh County. It is staffed with 43 DOCR staff. Services to build skills offered at MRCC include chemical dependency treatment, cognitive restructuring, Thinking for Change, GED, Read Right, basic computers, career readiness, work and education release, conflict resolution, alternatives to violence program, welding, and self-help groups.

- **Tompkins Rehabilitation and Corrections Center (TRCC):**
  - TRCC is a residential treatment program providing services to 60 male offenders and 30 female offenders. It is staffed by DOCR and ND State Hospital employees.

- **Bismarck Transition Center (BTC):**
  - The DOCR contracts with the Bismarck Transition Center to house minimum custody inmates. They provide transitional services and treatment programming for male and female offenders. BTC has an assessment center located on-site providing assessment services and recommending plans of care for individuals in violation of conditions of parole and probation.

- **Centre, Inc.:**
  - Centre provides transitional services and treatment programming in Fargo, Grand Forks and Mandan. Mandan and Fargo facilities have assessment centers located on-site and offer chemical dependency treatment and Thinking for Change.

- **Lake Region Residential Reentry Center (LRRRC):**
  - The LRRRC opened in March 2010 through a joint community effort. LRRRC provides transitional services to offenders in the Devils Lake area.

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Statistics

In 2016, inmates at MRCC took part in the work release program that had net earnings of over $255,000 in total compensation. Work release inmates are housed in portable housing called the "Transitional Housing Unit." Because of this program, inmates were able to make payments towards room and board, child support, court ordered fines, restitution as well as save money for release.

86% of all inmates who enter a transitional facility successfully discharge to a lower level of supervision or into the community.

Transitional Housing Unit Earnings	2016 Totals
Compensation	$255,570.66
Room and Board	$54,939.00
Child Support	$7,303.09
Restitution	$28,865.79
Probation Fees	$4,625.31
Release Aid Posting	$41,328.03
Account Posting	$118,992.39

Successes

- The Missouri River Correctional Center operates a safe and rehabilitative atmosphere in its current location. Transitional facilities hold a very low escape rate even though inmates are not held on campus by the use of perimeter fences.
- The Missouri River Correctional Center achieved full compliance with its audit on the Prison Rape Elimination Act standards.
- The Department of Corrections and Rehabilitation completed a land use and planning study for the property of the Missouri River Correctional Study.
- Transitional facilities trained all staff in Core Correctional Practices, a cognitive-behavioral approach to corrections.
- The Inmate Canine Assistance Program (ICAP) started in July 2015. The ICAP benefits Service Dogs for America (SDA) by providing socialization and foundation training for their dogs allowing them to place more dogs with people in need, and it benefits the inmates by teaching responsibility through meaningful, rewarding work and helps the development of empathy.

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Concerns and Issues

The Missouri River Correctional Center is in dire need of a new building. This has been apparent for several years. During the 2013 legislative assembly a land use and planning study was requested in Senate Bill No. 2015. The object of the study was to review the feasibility and desirability of relocation MRCC to a site adjacent to the Youth Correctional Center in Mandan. The study conclusions were clear that moving MRCC to the new site was "not desirable due to the significant risk associated with maintaining strict separation of the two distinct populations." The report goes on to say, "The study also finds that the existing MRCC land is well suited for a public day park, and that there are opportunities for both full utilization of the site and partial utilization that would allow MRCC to occupy a portion of the site.

As the study indicates, MRCC and a day park can both successfully operate and be located on the current site. The Department of Corrections and Rehabilitation support this plan. We also agree with the findings stated in the report that state, "Due to the age of its buildings, maintenance concerns, flood damage, and recent maintenance issues, including mold, considerable upgrades are required to keep the existing MRCC operational." Due to the issues below, the Missouri River Correctional Center is in need of a new building that would support all its rehabilitative functions and support the room and board of its inmates.

Summary of building issues:

Main Building:

Current Physical Plant Problems:

1. Electrical upgrades needed in the form of lighting, security electronics and live safety lighting system.
2. Roof:
    a. There is no insulation or ventilation which contributes to the gross amount of condensation build up, which contributes to the mold development.
3. Mold:
    a. Has been identified in numerous areas of the main building to include the dorms, east evacuation route and throughout the bathrooms.
4. Dorm Temps:
    a. Drastic temperature differences in the dorms. One dorm is so hot we need a fan to circulate the air and the next dorm is so cold we have to give the inmates a third blanket to stay warm.
    b. This is most likely exasperated due to drafts created by the windows.
5. Emergency exit doors:
    a. Freeze over in winter and rain comes in during the spring and summer.
    b. Replacement parts are becoming out dated
6. Hot water boiler:
    a. This was replaced at MRCC, but there is no backup system if the boiler stops functioning.
7. Intercom system:
    a. The system is antiquated. The current system is not functioning properly and the replacement parts are becoming hard to obtain due to being outdated.
8. Rain gutters have been found to run through interior walls.
9. The simplex (fire detection) and sprinkler systems are becoming outdated.

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Security Issues:

1. The poor design of the building has created poor visibility to monitor inmates.
2. Due to the design, visitors who access the facility have to park in the middle of the facility grounds which inmates cross on their way to recreation and employment. P10
3. False ceilings which are accessible to inmates, have contributed to security and contraband issues.

Lacking:

1. There is no indoor multipurpose room. This causes excessive down time for inmates in the winter and does not support rehabilitation.
2. The outdoor basketball court becomes unusable in the winter. The current building used as; a weight room, arts and craft room, music room, pool table and cardio room is not of sufficient size to meet the needs of the current population.
3. Insufficient space for staff offices and meeting rooms.
4. No detention cells to be utilized for short term discipline.

Kitchen Building:

1. Floor sinking and hollow floor.
2. Existing electrical systems need to be upgraded to include lighting, life safety lighting, fire alarms, security controls, and camera systems.
3. The building which is used for the kitchen, dining room, education services, and maintenance has mold. This is an unsafe environment for both staff and inmates that use these facilities multiple times per day.
4. There is not central air which creates uncomfortable conditions.
5. The kitchen is not supported by a back-up generator.

General Grounds:

1. Parking lot
    a. There is no grade to allow water drainage.
    b. Holes frequently form which have to be patched. The parking lot has not been resurfaced in 22 years.
2. The out building used for community service projects has mold damage and needs exhaust, ventilation and mold removal.

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NORTH DAKOTA

Department of Corrections & Rehabilitation

Women's Services

Overview

The 2003 Legislative Assembly passed House Bill No. 1271, which directed the North Dakota Department of Corrections and Rehabilitation to contract with the county entities for the housing of female inmates sentenced to the DOCR. The Southwest Multi-County Correctional Center was awarded the contract and has been housing female inmates at their facility in New England (Dakota Women's Correctional Rehabilitation Center) since November 2003. DWCRC is a 126-bed women's prison located in New England consisting of a 70-bed minimum unit, a 40-bed medium unit, a 16-bed orientation unit, and a 5-bed Special Management Unit (high security unit). Between July 2015 and December 31, 2016, DWCRC was over their 126-bed capacity, 74% of the time. In order to accommodate the high numbers, DWCRC converted a chapel in the minimum security housing unit to an 8-person dorm and a small dayroom in the medium security unit to a 4-person dorm, adding a total of 12 beds. DWCRC has 58 full-time and 15 part-time employees. There are an additional 4 staff shared with the Southwest Multi-County Correctional Center in Dickinson.

DWCRC offers a variety of services to address the needs of the female inmates. Included in their current offerings are the following: A cognitive behavioral substance abuse treatment program, mental health services (medication monitoring, case management, therapy), individual counseling, psychiatric services, sex offender assessment and treatment, and RRRW (Risk Responsivity Reduction for Women). RRRW is a treatment program that was developed by DOCR staff in 2015 that incorporated elements from Thinking for a Change (a cognitive behavioral skill building program that targets criminal thinking), coping skills, conflict resolution, and trauma group into a single manualized program.

The DWCRC Education Department offers the following: GED/ABE classes, Read Right program, computer classes, a welding program, parenting classes, college correspondence courses, and a pre-release program. Female inmates at DWCRC also have an opportunity to take college classes for credit via interactive television through cooperative agreements with Dickinson State University and Bismarck State College. Work release and community service programs are available for eligible inmates. An industries program is operating at DWCRC (Prairie Industries). At present, there are 14 female inmates employed in the industry program. DWCRC's industry program is primarily a cut and sew operation. Prairie Industries also provides services to a number of local businesses.

Although all DOCR-sentenced female inmates are initially received at and serve a portion of their sentence at DWCRC, many female inmates transfer to community-based facilities when they are close to release in order to participate in residential treatment and work release programs. The community programs accessed for minimum custody level female inmates are a thirty-bed unit at the Tompkins Rehabilitation and Corrections Center in Jamestown for chemical dependency treatment and halfway houses in Bismarck, Mandan, Devils Lake and Fargo for transitional services. Halfway house placements provide alternatives to direct release from correctional institutions so inmates can secure employment and housing, accrue savings, and remain involved in treatment programs while residing in a structured living environment.

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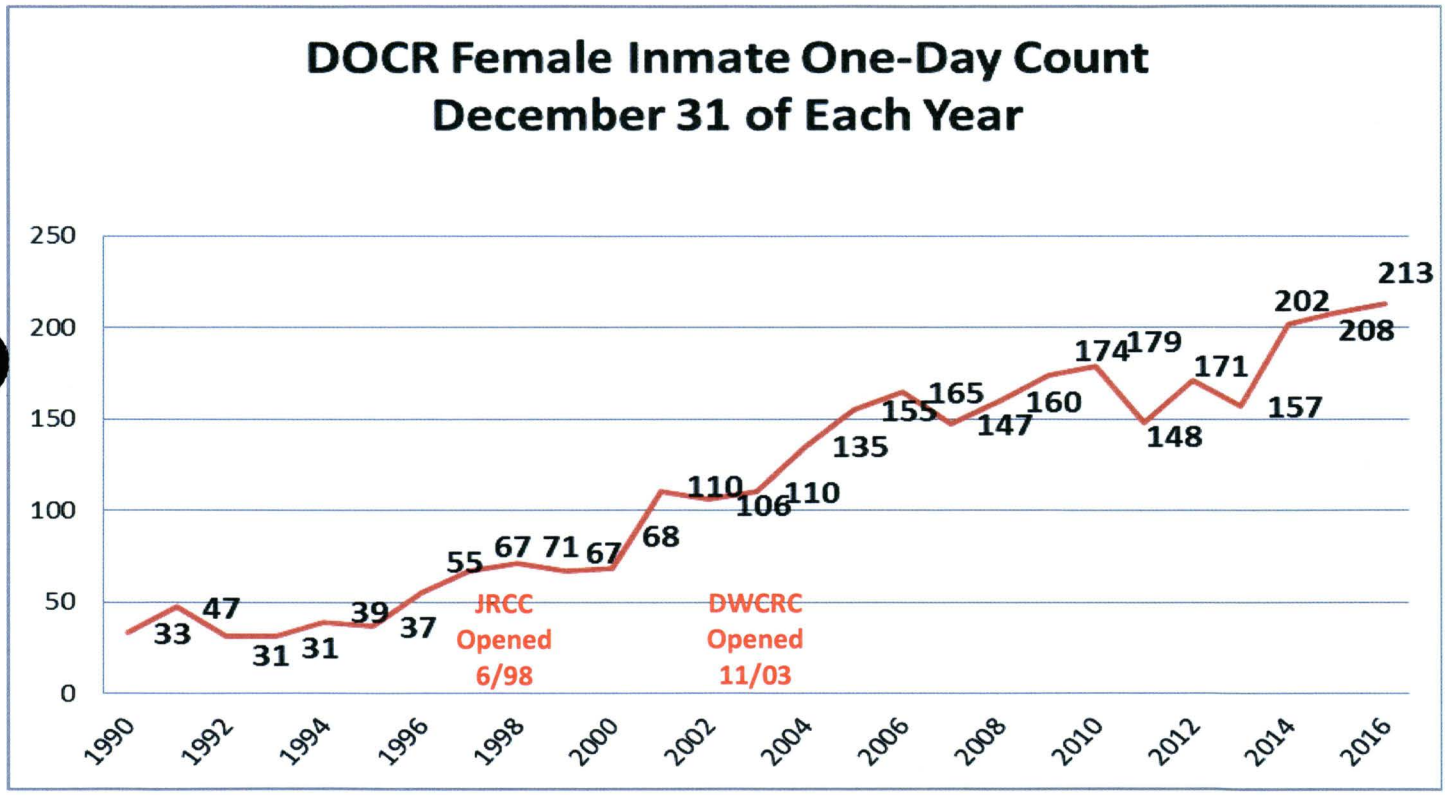
Statistics

The average age of the female inmates is 35. 60% of our female inmates are Caucasian, 33% are Native American, and 7% African American, Hispanic, Asian, or mulatto. 79% reported they have children. 70% reported they had been subjected to sexual or physical abuse as an adult or child.

11% of the female inmates are serving sentences for serious violent felonies (aggravated assault, robbery, gross sexual imposition, murder). 17% of the female inmates are serving sentences for other violent offenses (assault, contact by bodily fluids, child abuse, negligent homicide, preventing arrest, reckless endangerment, sexual assault, simple assault, terrorizing). 17% are serving sentences for property crimes, 51% for drug offenses, and 4% for public order offenses (actual physical control, DUI, DUS, escape, bail jumping, fleeing). The average length of sentence imposed by the court is 3.98 years. The average length of stay is under one year. There were 332 admissions in FY 2016. There were 310 releases in FY 2016.



Concerns & Issues

Over the past several decades, there has been a dramatic increase in our female inmate population. On November 30, 2016, there were 235 female offenders under the control of the Department of Corrections and Rehabilitation. 129 female inmates were housed at DWCRC, 30 at TRCC, and 36 in female transition programs (halfway houses) in Devils Lake, Bismarck, Mandan, and Fargo. Additionally, another 36 inmates were housed in an overflow unit at the Bismarck Transition Center. This is in sharp contrast to female inmate counts of 105-110 when DWCRC opened in 2003/2004 (DWCRC started operations with just the classified minimum custody level inmates in November of 2003, as the unclassified new arrivals and medium custody level inmates remained at the James River Correctional Center until DWCRC opened their orientation and medium level units in August of 2004).

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As the female inmate count has continued to rise, halfway houses have provided additional housing for the DOCR female inmate population as follows: On October 1, 2015, the DOCR contracted with the Bismarck Transition Center to provide housing for up to 40 female inmates in a secure unit at the halfway house and in January of 2016, Centre, Inc. opened a 72-bed halfway house for female offenders in Fargo (their former women's unit had a capacity of 36). #4 p13

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NORTH DAKOTA

Department of Corrections & Rehabilitation

Medical Services

Structure 2015-16

Central Office
Director of Administration: Dave Krabbenhoft

Chief Nursing Officer: Beth Taghon, RN, BSN	Medical Director: Jeff Hostetter, MD

- Physician: John Hagan, MD
- Physician Assistant: Deb Houdek, PA
- Dentist: Thomas Ehrhardt, DDS
- Director of Pharmacy: Val Sturlaugson, RPh

ND Youth Correctional Center	North Dakota State Penitentiary	James River Correctional Center	Missouri River Correctional Center	Dakota Women's Correctional and Rehabilitation Center
Director of Nursing	Director of Nursing & Infirmary Nurse Manager	Director of Nursing	Director of Nursing	Director of Nursing
• Primary Care • Nursing Care • Dental Care • Optometry Clinic	• Infirmary Care • Primary Care • Nursing Care • Dental Care • Psychiatric Care • Optometry Clinic • Orthopedic Clinic • Radiology Clinic • Infectious Disease Clinic • Physical Therapy Clinic	• Infirmary Care • Primary Care • Nursing Care • Dental Care • Psychiatric Care • Optometry Clinic • Infectious Disease Clinic • Physical Therapy Clinic	• Primary Care • Nursing Care • Dental Care at NDSP • Psychiatric Care	• Infirmary Care • Primary Care • Nursing Care • Psychiatric Care via telemedicine

The Chief Nursing Officer is also responsible for approving medical services for DOCR inmate offenders housed in county and regional facilities as well as direct care of females housed in secure units in transitional facilities.

The mission of Medical Services is to provide a constitutional standard of health care to offenders who are sentenced to our facilities through nursing care, medical care, pharmaceutical care, dental care, and mental health care.

The mission is accomplished by utilizing staff cooperation and team work. Health care practices will continue to be upgraded and improved through a quality review process with a commitment to accountability, professionalism, and respect for the offenders and juveniles in our care. Health Services are provided to offenders and juveniles while maintaining safety and security for staff, offenders, juveniles, and the public.

Overview

The DOCR Medical Departments deliver a constitutional standard of health care to offenders sentenced to adult facilities and to students at the North Dakota Youth Correctional Center (NDYCC). Care is delivered utilizing state employed providers and contract providers on site. Additionally, medical subspecialists hold clinics on site and also see inmates in regional clinics and hospital settings.

Inmates and NDYCC students arrive with a broad spectrum of illnesses which are both acute and chronic. Tuberculosis, Hepatitis C, HIV, diabetes, heart disease, hypertension and long term liver diseases are common diagnoses. Fifty percent of DOCR inmates have a diagnosed psychiatric illness, with a disturbingly high rate of schizophrenia, bipolar disorder and psychosis. Additionally, unintended pregnancies and sexually transmitted illnesses are diagnosed and treated frequently. Chronic illnesses resulting from drug and alcohol abuse are common.

The DOCR medical departments' focus is on stabilization of acute illness, control of chronic illness and promotion of self sufficiency in health care and wellness. Nurse-driven chronic care clinics are held and center on diseases such as hypertension, diabetes, respiratory illnesses, and infectious disease (HIV and hepatitis). These chronic care clinics also focus on monitoring for side effects of psychiatric medications, tuberculosis medications and anticoagulants. The DOCR has an active adult and adolescent immunization program.

Successes

- Utilization of a policy with respect to end of life decisions and caring for hospice patients in a humanized fashion. Operation of a larger infirmary at the North Dakota State Penitentiary to perform more intensive nursing functions on-site.
- Utilization of a protocol to treat hepatitis C patients who demonstrate the most advanced hepatic disease with the current recommended hepatitis C treatment medications.
- Full time psychiatric providers at the North Dakota State Penitentiary and the James River Correctional Center providing on-site services and off-site psychiatric services via telemedicine at other DOCR facilities.
- Full time dentist for the DOCR providing increased specialized dental services on-site and decreased transportation of inmates to off-site facilities for oral surgery care.
- Transitional status inmates having the ability to apply for Medicaid services for coverage of their medical needs while in community settings.

Challenges

- A deteriorating DOCR electronic medical record system which does not have a backup vendor in case of total failure. The current electronic medical record system will require complete replacement in the very near future.
- The DOCR facilities and population continue to grow rapidly. Many of these inmates continue to have chronic medical conditions such as diabetes, heart disease, cancer, kidney failure, dementia and psychiatric issues. With these medical conditions comes increasing medical costs, housing/security concerns, and challenges with transitional and parole plans. This is especially true with the female inmate population.

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- Elderly inmates arriving to the DOCR with acute and chronic medical conditions. Imperative that the DOCR develop a long term plan-of-care for these elderly inmates.
- Increasing use of alcohol, opiates, hypnotics, and other stimulant or sedative hypnotic drugs is a concern within the inmate population. A new protocol addressing detoxification in the event of an inmate overdose within the DOCR facilities and transitional facilities has been initiated.

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Statistics

Average MONTHLY Onsite statistics per Facility

Facility	Doctor Call	Nurse Sick Call	Dental	Psych	Eye
NDSP	295	771	145	127	36
JRCC	180	172	42	84	13
MRCC	62	58	15	9	3
DWCRC	114	302	29	24	5
YCC	44	36	12	21	3
Monthly Total:	695	1,399	244	265	60

Average YEARLY Onsite Statistics per Facility

Facility	Doctor Call	Nurse Sick Call	Dental	Psych	Eye
NDSP	3,539	9,249	1,745	1,524	436
JRCC	2,158	2,062	506	1,010	161
MRCC	742	691	174	110	33
DWCRC	1,372	3,618	351	284	64
YCC	525	432	147	246	37
Yearly Total:	8,336	16,052	2,923	3,174	731

Chronic Care Clinics (Operated by Registered Nurses) Yearly Averages:

Diabetes (yearly average seen by nurses in clinic):

NDSP: 62

JRCC: 118

MRCC: 29

DWCRC: 39

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Hypertension (yearly average seen by nurses in clinic):

NDSP: 67

JRCC: 216

MRCC: 56

DWCRC: 48

HIV

Number of inmates infected with HIV throughout all DOCR facilities: 12

Number of inmates treated for HIV: 11 (one inmate declined treatment for HIV)

Diagnosed with AIDS: 0

Immunizations (flu, hepatitis B, tetanus, etc.)	**2015**	**2016**
Total doses administered throughout all adult facilities:	1,126	1,234

Pharmacy:

2015

Total prescriptions dispensed throughout all DOCR facilities: 52,532

Average monthly total prescriptions dispensed throughout all DOCR facilities: 4,378

2016

Total prescriptions dispensed throughout all DOCR facilities: 36,527 *(through the end of September 2016 only as electronic medical record pharmacy system broke down)*

Average monthly total prescriptions dispensed throughout all DOCR facilities: 4,059 *(through the end of September 2016 only)*

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Department of Corrections & Rehabilitation

Behavioral Health Services

"Provide effective behavioral health services in an environment that fosters respect, growth, and opportunity for change while assisting with community integration and reducing recidivism."

Overview

The Behavioral Health Services Department (Formerly Programs and Treatment Services) provides interventions to affect change and reduce the risk of recidivism in the criminal offender population. This is accomplished through high fidelity implementation of evidence-based correctional practices targeting each individual's identified criminogenic risk and need areas. During the 2011-2013 interim, the department began a comprehensive program redesign focused on implementation of the Risk-Need-Responsivity Model (RNR). One of the main tenets of RNR is reserving high-level incarcerated treatment resources for those people at highest risk for criminal recidivism. Over the last six years, we have completed a phased implementation of RNR principles and are grateful for the opportunities this has brought, as well as the challenges in continuing to grow and change to best meet the needs of our residents and communities.

Our work during the 2015-2017 interim focused on the application of behavioral principles with some of our most difficult clients. We have also emphasized the importance of staff honing their relationship and rapport-building skills with all of our residents, but particularly our most challenging residents, with the goal of reducing the instance of disruptive behaviors and improving facility safety. Additional goals for 2017-2018 include building on existing projects and formalizing our continuous quality assurance practices through policy and procedure development. Improving the safety of our state by improving the ability of our clients to live as productive citizens remains our top priority.

Summary

Behavioral Health Services include clinical and administrative staff that delivers a comprehensive range of behavioral healthcare at the three male prison facilities, as well as provides consultation and oversight with several contractors. These include transitional facilities, the Dakota Women's Correctional Rehabilitation Center, and STAND, Inc., a community sex offender treatment provider. At each prison site, the facility Warden and a Clinical Supervisor collaborate in overseeing the clinical staff, with the DOCR Clinical Director (Dr. Lisa Peterson, a licensed clinical psychologist) managing clinical supervision and program development across the DOCR. Recently, Shelly Paul of NDSP was named Lead Clinical Supervisor and will assist Dr. Peterson in program and policy development.

Additionally, NDSP and JRCC each employ a licensed psychologist under the direct supervision of the Clinical Director to provide psychological evaluation and individualized intervention services. The JRCC psychologist, Dr. Shannon Alexander, serves as the Unit Director for the Special Assistance Unit, a residential mental health care setting within the prison. The NDSP psychologist, Dr. Sara Durbin, has been involved with our administrative segregation reform project over the past year.

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New arrivals participate in a four-week orientation and assessment process and are referred for individual therapy, psychiatric, and group services based on their needs. Seventy-eight percent of our incoming residents are referred for some level of substance abuse programming. The number below reflects only those referred to Level 2.1 Intensive Outpatient or Level 3.5 Residential Treatment. The average number of substance abuse evaluations completed monthly at NDSP has risen to 91 per month in 2015 and 2016, up from 79 per month in 2014.

Relapse with substance use remains a key contributing factor in noncompliance with probation and return to prison. The majority of parole violators surveyed cited access to treatment as a key factor that could have helped them be successful. To this end, a Licensed Addiction Counselor employed at NDSP will begin offering aftercare group in the Bismarck Parole and Probation Office for male probationers beginning in early 2017.

The DOCR utilizes five core group intervention programs to reduce risk for criminal recidivism. There were 1,345 program completions in 2016, 832 if which were substance abuse treatment completions. Thinking for a Change and Cognitive-Behavioral Interventions for Substance Abuse have undergone Correctional Program Checklist audits and scored "highly effective", placing them in the top 18% of correctional programs nationwide. More information regarding each program is provided below:

Program	Target	Length	Referrals*
Thinking for a Change	Criminal thinking and behavior	13 weeks	62%
Cognitive-Behavioral Interventions for Substance Abuse	Substance abuse	14 weeks	72%
Conflict Resolution Program	Aggression and violence	16 weeks	10%
Alternatives to Violence in Relationships	Domestic violence	16 weeks	18%
Cognitive-Behavioral Interventions for Sexual Offending	Sexual offense recidivism	28 weeks	10%

*Denotes the average percentage of new admissions per month referred for the program during 2015 and 2016.

Mental health status continues to be a key Responsivity issue for offenders in targeting criminogenic risk in that it influences the effect of evidence-based interventions on an individual level. NDSP started a coping skills group for people in orientation to assist in their adjustment to prison and reduce psychiatry referrals. DOCR and DHS hold collaborative monthly meetings in order to provide specialized transitional services to people releasing from prison with serious mental health concerns. Currently, there are 130 people residing in DOCR prison facilities recommended for this service.

Successes

The most notable success of 2016 is the Administrative Segregation Unit (AS) reform project. In early 2016, we took steps to limit the types of rule violations that could lead to a person being placed in AS. We limited AS placement to those who present a serious risk to the safety of others or the security of the institution and developed other sanctions for less serious offenses in custody. This resulted in a reduction in the AS population from over 100 in the fall of 2015 to an average of 30 for much of 2016. We prioritized reducing the AS population because of consistent research showing the damaging effects of segregation on people's mental health and risk for violence and other criminal behaviors. We have not seen a decline in institutional safety and security with the reduction of the population in segregated housing.

The reduced AS population has allowed us to provide more intensive interventions for those who do need to be placed in AS. Upon entry, an individual is placed on the assessment wing, where they are seen by a psychologist for an Intervention Needs Assessment. Based on the person's behaviors, motivation level, and mental health functioning, the psychologist makes further housing recommendations. Individuals with serious mental illness (SMI) should not, as a rule, be placed in segregated housing. We make referrals to the Special Assistance Unit at the James River

Correctional Center as needed in order to facilitate mental health services and increased out of cell time for individuals with SMI.

Those who continue to display aggressive behaviors while in AS or have low motivation for program participation can be placed on an intensive intervention wing. There they participate in the development of a specialized behavior modification plan to help them earn reinforcement for practicing new skills. Those people who are motivated and display no major behavioral difficulties in AS are referred to participate in a cognitive-behavioral group program. This program focuses on applying skill use to reducing aggression and violence. They also complete skill practice worksheets with the correctional security staff and receive reinforcement for skill practice and displaying positive behavioral changes.

Those who are ready to leave AS and transition back to general population now reside on the Administrative Transition Unit (ATU), which allows for a more graduated introduction to general prison population activities. This step-down model helps staff more closely monitor those in transition and intervene with additional skills practice and support when needed. We would like to see this program associated with decreased institutional violence in the future, as well as reductions in criminal recidivism for those who participate. Some key positive outcomes of this project at this time include:

- 70% reduction in the use of segregated housing
- Increased out of cell time for those living in segregated housing
- Increased positive interactions with staff
- Decreased use of force and use of the Special Operations Response Team within the unit
- Decreased length of stay in AS

Continued use of CBT interventions in the Special Assistance Unit have led to increased out of cell time, decreased use of force, increased medication compliance, decreased psychiatric symptoms, and improved staff interactions for individuals with serious mental health needs, as well.

Concerns & Issues

The present state of behavioral health services in North Dakota presents some important challenges to the process of criminal justice reform and preventing the costs of corrections from skyrocketing over the next ten years.

- Behavioral health workforce shortages exist in our state. The DOCR would like to see an expansion of the types of behavioral health professionals that can deliver substance abuse evaluation and treatment. We would also like to see an APPIC-funded psychology pre-doctoral internship in the Western portion of our state.

- Rates of opioid use continue to rise. About 50% of women residents and 25% of male residents reported prescription drug use and/or heroin use upon admission in 2016. The DOCR will take steps to make naloxone (Narcan) available to its staff and explore the use of medication-assisted treatment in its facilities in addition to existing programming.

- A survey by the Council of State Governments Justice Center noted that 70% of responding judges stated they had sentenced someone to prison in order to receive a behavioral health service, regardless of that person's risk to the community. The DOCR would like to work with stakeholders to ensure effective, efficient, RNR-adherent interventions are available on an outpatient basis in local communities.

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NORTH DAKOTA

Department of Corrections & Rehabilitation

Education

Overview

The Department of Corrections and Rehabilitation (DOCR) Education Department is responsible for oversight, development, and management of education activities within the DOCR. Forty-two staff within the DOCR delivers education programing to four facilities in three cities. The educators for the two diverse populations, youth and adult, are one education department; while the framework continues to evolve, the sharing of resources, strategies, best practices, and supervisors are robust. The department has a Director of Education that oversees all operations as a parallel to public school superintendents as well as three principals who are tasked with youth and adult education day-to-day operations.

A distance learning model was implemented to use the highly qualified teachers of ND YCC to provide instruction to those adult students between the ages of 18-20 who had transcripts reflecting one or two subjects away from a high school diploma. In this effort, twelve students received their high school diploma while incarcerated at the Missouri River Correctional Center, ND State Penitentiary, and James River Correctional Center.

All four facilities are accredited Adult Learning Centers, GED Testing Sites, and have the ability of offering high school diploma opportunities to those that would qualify through the North Dakota Youth Correctional Center. The diploma from ND YCC is issued through the approval of the ND Department of Public Instruction as Marmot High School. Marmot School, located at ND YCC, is a full accredited elementary, middle, and high school.

Statistics

Mandated Programming: GED, Adult Basic Education, and High School Diploma Earners

- 171 GED Graduates for adults located at JRCC, MRCC, and NDSP
  - 8 GED Graduates were with Honors
- 308 Adult Students increased their educational functioning level
- 32 GED Graduates for juveniles located at ND YCC
- 32 High School Diploma earners for juveniles located at ND YCC
- 12 High School Diploma earners for adults located at JRCC, MRCC, and NDSP
- 1016 Total High School Credits earned for juveniles at ND YCC

Read Right Program Since Implementation:

- 902 youth have been served
  - Showing an average gain of 3.0 grade levels.
  - Average tutoring hours per grade-level gain was 4.9
  - Percentage of Special Education students was 35%
- 878 adults have been served
  - Showing an average gain of 2.8 grade levels.
  - Average tutoring hours per grade-level gain was 6.2
  - Percentage of Special Education students was 13%

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Special Education and Accommodations

- ND YCC Students arrive on average 2.9 grades behind their age group
  - Approximately 37% of students have special education needs
    - Compared to the statewide average of 18%

Specialty Statistics

- ND YCC
  - 127 ND School Districts were served of 181 total at ND YCC
  - 465 ND YCC students enrolled in elective job training courses
  - 112 ND YCC students enrolled in post-secondary education
  - Average Length of Stay = 106.2 days
  - Average age of student = 17.3 years old
  - Average grade levels behind age equivalency = 2.9 grade levels
- **Division of Adult Services**
  - 502 students were enrolled in elective job training courses
  - 104 students enrolled in post-secondary education
  - Average grade level functioning = 3.4 grade level
- **Libraries**
  - ND YCC total patrons per year 12,974
  - DAS (3 libraries) total patrons per year 37,692

Total Students Served in Education

- ND YCC ~~738~~ students
  - 223 Native American
  - 2 Asian
  - 70 Black, non-Hispanic
  - 59 Hispanic
  - 368 White, non-Hispanic
  - 16 Two or More Races
  - 203 female; 535 male
- Adult Services ~~1467~~ Students
  - 444 Native American
  - 5 Asian
  - 71 Black, non-Hispanic
  - 186 Hispanic
  - 761 White, non-Hispanic

Successes

Programming Enhancements and Successes

- Continued a Memorandum of Understanding with a university to permit our faculty to become adjunct faculty through the college to offer post-secondary education classes to our students at a discounted rate. In addition, a welding training program is offered at the Missouri River Correctional Center.
- Teacher resources and time was shared across the DOCR more than ever before to include teaching courses, offering services, team teaching, and sharing curriculum.
- ND DOCR currently leads the nation in passing success rate as calculated by the GED Testing Services.

- Through retirements, career and technical programming has maintained its fidelity to include a new program of construction education at the James River Correctional Center.
- The ND YCC student garden project continues to grow. This biennium, 2.6 tons of vegetables were harvested.
- Teaching and library staff has empowered knowledge through reading with ND YCC book study opportunities as well as Division of Adult Services (DAS) TED talks.
- ND DOCR Education Department provides educational programming in four facilities in separate locations. All four facilities are accredited Adult Learning Centers, GED Testing Sites, and have the ability of offering high school diploma opportunities to those that would qualify through the North Dakota Youth Correctional Center. The diploma from ND YCC is issued through the approval of the ND Department of Public Instruction as Marmot High School. Though the approved testing centers are technically four facilities, ALL locations within those facilities must be separately certified for GED testing to include: MRCC, NDSP, NDSP's AS, JRCC, JRCC's SAU, TASC, TRC, YCC, YCC's Pine Cottage, and DWCRC. That is ten total testing sites.
- All quality assurance visits from governing agencies of accreditation (Department of Public Instruction: Title 1, Adult Ed, Neglected & Delinquent: Career and Technical Education, Office of Civil Rights, and AdvancED) have been passed with commendations.
- Technologies have been implemented with top of the line security features to ensure that we are mirroring public school requirements as well as computer based testing for GED.
- The welding program has served our MRCC population very well. For this upcoming biennium, DOCR Education has coordinated where this training will tie into Rough Rider Industry employment upon completion as well as be part of the apprenticeship program we maintain through the Department of Career and Technical Education and the Department of Labor.
- Implemented the required civics literacy education throughout all ND DOCR schools.
- Education took over and enhanced the law library services at NDSP, MRCC, and JRCC.

Concerns & Issues

- Higher turnover rates for those faculty serving adult populations is alarming. Vacated positions have proven to be hard to fill with two positions being vacant for close to a year's time. Of the twenty faculty necessary for serving the adult populations, half of these faculty are FTEs and the other half are full time temps with limited benefits. Pay equity in comparison with the educators of NDYCC is deficient by $10,000-$14,000 for the DAS instructors who:
    - Work 12 months versus 9 months
    - Are required to hold the same licensures, credentials, and trainings
    - Are governed by the same teacher handbook
    - Are supervised by the same administrator
- In the past three years, we have turned over 81% of our Division of Adult Services faculty. Through exit surveys, we have learned that 98% of those DAS faculty left for a public school position that paid them in nine months what the DOCR DAS position pays in twelve. The DAS educators do not need to go to the contracted system that ND YCC follows, but a pay comparison equity raise would allow DAS education to continue to operate on the same level. DAS Educators are required to have the same professional

degrees and licensure as their ND YCC cohort as well as same performance review accountability, professional development, and content specialty skills.

- Adult Services Educators who left shared within their exit surveys that:
  - They enjoyed working for ND DOCR Education and would return to work for this department if:
    - Pay was better (99%)
    - There was an academic calendar similar to public school (89%)
- Consideration needs to be given to request general fund dollars to fully fund the Tech Education and Engineering teacher (CTE Incarcerated Funds); the GED teacher (DPI Adult Ed Funds); and the transition coordinator (WIA and Title 1 Funds).
- The varied population at ND YCC impacts the formula for funding immensely within our state and federal funding. Title 1 and Carl Perkins formulates allocations based on enrollment. Incarcerated funds have stayed the same at $20,000.00 for years; however, remains a soft fiscal source for salaries. Adult Ed funds have declined due to the state receiving fewer funds to distribute. As predicted, the Workforce Investment Act (WIA) is no longer available. In addition, the Department of Public Instruction is predicting an 10-15% decrease in Neglected and Delinquent funding via Title 1.
- There are nine teachers at YCC and two teachers for DAS eligible for retirement in the next biennium.
- Personnel Needs: Currently there are ten positions that are unfunded temporary positions: eight teachers JRCC and NDSP and the other two are the librarians serving both the NDSP, MRCC, and JRCC libraries.

Rough Rider Industries

Overview

Rough Rider Industries (RRI) was established in 1975 and is a self-funded State Agency within the North Dakota Department of Corrections and Rehabilitation (DOCR) providing work for approximately 200 inmates. This represents approximately 15% of the total inmate population housed at the NDSP, JRCC, and MRCC locations and compares favorably to the national average of 7.9% of inmates employed in a correctional industries program. The program objective for Rough Rider Industries is to provide inmates who demonstrate proper behavior and meet eligibility requirements while incarcerated, the opportunity to develop work skills which increase their chances of obtaining meaningful employment upon their release from prison. Successful implementations of these program objectives aid RRI in meeting their industry program goal of reducing recidivism through successful re-entry strategies. All correctional industry programs are sustained by the revenue generated from the sale of their products and services. This revenue helps defray costs to the State of North Dakota for programs that provide inmates opportunities for change, and allows for a safer prison environment.

With an emphasis on successful re-entry, RRI provides training and learning opportunities in a variety of skill sets and trades, while utilizing the latest manufacturing technology and production equipment. Products manufactured at RRI include: furniture, upholstered products, signage, license plates, metal fabricated products with wet or powder paint, clothing worn by the inmates, military garments, industrial sewing products, plastic bags, and cattle panels. Rough Rider Industries in conjunction with the DOCR Education Department work closely with many collaborating partners to meet the department's goals and objectives. These partners include but are not limited to: Job Service of ND, Higher Ed (BSC, NDSCS), ND Department of Commerce-Workforce Development, Department of Public Instruction, and ND Career & Technical Education.

In addition to Rough Rider Industries manufacturing operations, the prison's commissary functions are managed by RRI. The commissary provides non-essential goods to the offender population in a secure fashion and the profits generated from these operations are used to create a permanent revenue stream for funding institutional vocation and education programs as well as funding for the Inmate Betterment Fund. Inmate employees are taught skills similar to those used in the retail sector which include order picking and processing, packaging, product rotation, delivery, and inventory management. Commissary services are provided to all three male prison institutions along with the Dakota Women's Correctional and Rehabilitation Center in New England, the Tompkins Rehabilitation and Correctional Center in Jamestown, and the Bismarck Transition Center. Fifteen inmate workers are used to process and deliver over 1,300 offender orders each week.

Successes

RRI began working on the license plate reissue project in 2014 and will continue production into 2017. This was a very large undertaking for both RRI and the Department of Motor Vehicle with both agencies working closely together on this project. The reissue featured a change from the traditional embossed license plates which North Dakota has always displayed, to a flat digital license plate which was mandated during the 2013 legislative session. Equipment was procured in 2014 and actual production began in August of 2015. RRI has produced in excess of 2.2 million plates and counting, and will easily meet the completion deadline set by the legislature of June 30, 2017.

RRI completed many other projects during this past biennium. Listed below are a few notable projects that were unique in nature and presented learning opportunities for both inmates and staff alike:

- The MINNCOR t-shirt project is an ongoing collaboration with Minnesota's Correctional Industries program (MINNCOR) where RRI manufactures white t-shirts for MINNCOR and they in turn sell to their Minnesota DOC. This has proved to be a very good partnership for both entities and helps keep RRI's sewing division busy year around.
- The State of South Dakota recently remodeled office areas within their State Capitol and RRI was one of the benefactors of this project by being commissioned to build office furniture for these remodeled areas. This was RRI's first exposure to completing any work for South Dakota's state government. The project was a success and the customer was very pleased with the work that was completed. RRI is hoping more work from their state will soon follow.
- Wilson M. Laird Core & Sample Library located on the campus of the University of ND (Grand Forks). This building was expanded to provide additional core sample storage for the oil and gas industry and update the building's office and laboratory space. RRI manufactured and installed the furniture for this addition which consisted of tables, desks, bookcases, custom storage cabinets and seating for the various offices, conference and breakrooms, front lobby, and miscellaneous microscope and viewing labs.

Concerns & Issues

The population for the State of North Dakota continues to rise which has led to an increasing inmate population for the Department of Corrections and Rehabilitation. RRI faces many challenges to employ more inmates from this growth while continuing to maintain a safe and secure work environment. To meet the goal of lower inmate unemployment while still increasing RRI's overall business portfolio, manufacturing space has become a need and concern at each manufacturing location. The addition of the plastic bag operation which was incorporated into existing space at the James River Correctional Center, and the additional space requirements necessary for manufacturing the new style license plates at the North Dakota State Penitentiary, has restricted RRI in reaching their stated goals of offering more worker jobs. Additional manufacturing space at the North Dakota State Penitentiary would allow RRI to safely and securely employ more inmates, allow for the opportunity to expand industries training programs and provide the ability to consolidate existing programs into a closer proximity, and would enhance overall institutional security.

In the market place it is vital to remain price competitive. All successful companies search to find the lowest material costs to use in the manufacturing process without sacrificing product quality. RRI is no different and to help them meet this goal, purchases are made in truckload quantities

whenever possible to receive this lowest pricing. Receiving these larger quantities presents storage space issues and highlights the need for additional raw material storage space. This is an area RRI will need to address in the future in order to remain competitive in the market place.

RRI is a self-funded state agency and relies on the revenue received from business orders from other governmental agencies and nonprofits to finance their daily operations. With the recent state budget cuts, agencies aren't able to spend money on seating and furniture products which is the backbone for financing RRI's operations. RRI could see the largest cut in funding of any state agency due to this lost business. This lack of business not only affects RRI's finances but also has an impact on the number of workers RRI is able to employ. Fewer prison jobs and fewer income earning opportunities creates fewer resident opportunities within the institutions and has a negative overall impact.

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Department of Corrections & Rehabilitation

Parole and Probation Services

#4 p28

Overview

Parole and Probation Services provides supervision for offenders on parole or supervised probation in the community. We consist of one hundred twelve (112) staff that work from sixteen (16) district offices located throughout the state. Parole and Probation Services is also responsible to complete Pre-Sentence Investigations as ordered by the state district courts. The purpose of these investigations is to provide background information to the courts, assess risk, and provide recommendations for appropriate sentences for the offender.

Parole and Probation Services supervises approximately 7,300 community offenders.

- 6,538 on probation
- 810 on parole

Parole and Probation Officers use the Levels of Service Inventory-Revised (LSI-R) to identify the risk factors for each offender and to formulate case supervision plans. Supervision levels and frequency of contact are determined by the LSI-R, and whether the offense involves violence. Case plans focus on the top criminogenic risk factors for the offender and reducing those risks. Community safety is top priority, but every effort is made to work with offenders in the community. Parole and Probation Officers are unique in that they are sworn Peace Officers with law enforcement skills to enforce the terms of supervision, while also working to positively change offender behavior. Officers are trained to use Core Correctional Practices that research has shown to positively change offender behavior, and lead to a reduction in recidivism.

In order to provide maximum effectiveness in supervision, Parole and Probation Services utilizes several specialized caseloads. We currently have five Parole Specialists, two Re-Entry Officers, five Drug Court Officers, eleven Sex Offender Specialists, two Mental Health Specialists, one Female Transition Officer, and four officers who focus on Domestic Violence cases. One officer is also assigned to the Fugitive Task Force to concentrate on apprehending offenders who abscond supervision.

Statistics

- 112 total staff, 91 sworn law enforcement officers
- 16 district offices in the state
- Supervise 7,348 offenders as of 12/28/16 – 5,489 males and 1,859 females
- Supervise 80-85 sex offenders daily with GPS technology
- Supervise 50-60 offenders daily with SCRAM technology
- Collected $2,232,181 in restitution in 2015-2016
- Collected $57,549 in Court Costs in 2015-2016
- Collected $637,078 in fines in 2015-2016
- Collected $1,946,241 in court administration fees in 2015-2016
- Completed 358 Pre-Sentence Investigations in 2015-2016

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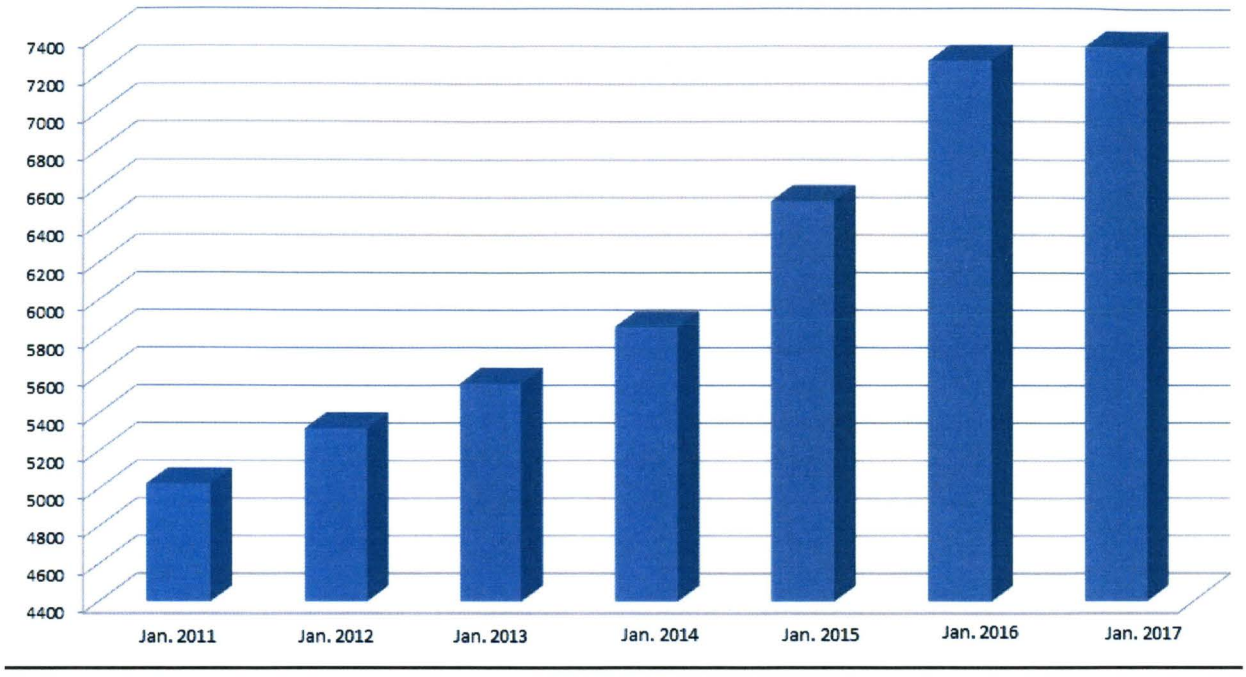
Offenders Supervised by Parole and Probation



Successes

- Managed an increase of over 800 people supervised in the community, and did so while continuing to provide effective, evidence-based supervision.
- We revalidated the STATIC-99R, the primary tool used to assess risk of our sex offender population.
- Parole and Probation has continued training all officers in the use of Core Correctional Practices. These skills have been proven effective to positively impact offender behavior change.
- Staff worked many hours to provide an upgrade to the IT data management system used by Parole and Probation.
- We provide daily supervision for approximately 85 high risk sex offenders using global positioning system (GPS).
- Provided advanced training to our Sex Offender Specialists to conduct computer and cell phone forensic searches.
- Developed an early termination supervision matrix to assist with identifying those cases that may be considered for early discharge. This can be a valuable tool to reduce caseloads and concentrate supervision on our higher risk population.
- Started a program in Fargo where moderate and high risk youthful offenders are placed into Thinking for Change program when placed on supervision. This is a very high risk population and the goal is getting to change behavior before violations occur.
- Created positions in Fargo and Bismarck that specialize in the supervision of people with serious mental health issues. They have established community groups that work cooperatively to provide services for this very high risk group.
- Developed an orientation program in the Grand Forks office for all new people placed on supervision.
- Started a cooperative program with Job Service in Minot to provide services to our people struggling to find or maintain employment.
- Assisted in planning and sponsoring the Annual Career Fair that is held in Fargo. It is a great opportunity for offenders to prepare for and meet with potential employers.
- Collected over 4.8 million dollars in court ordered financial obligations in 2015-2016.
- Provided many hours of assistance to the Dakota Access Pipeline protest.

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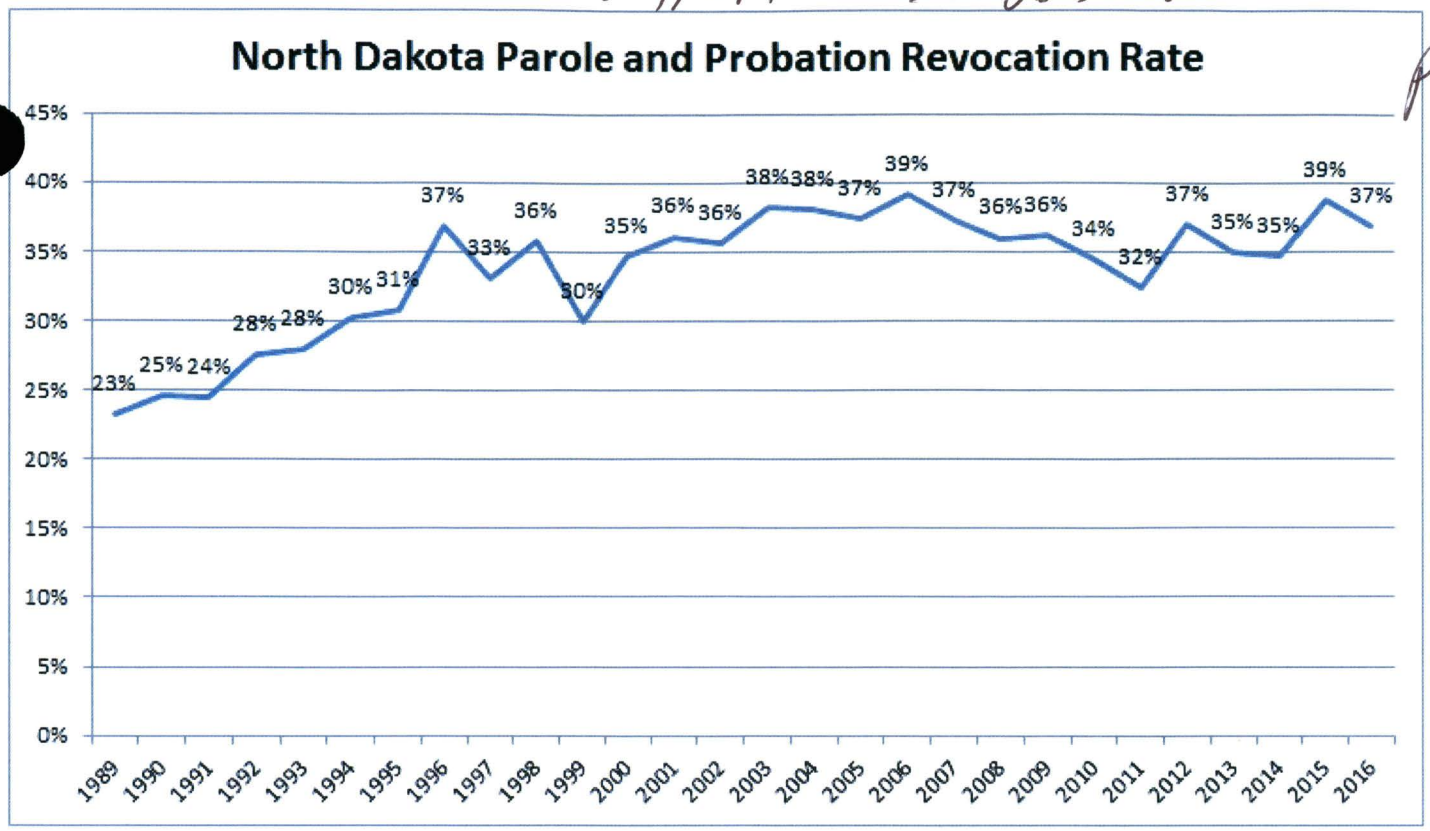

Challenges

- The increase use of the opioid drugs, especially heroin and fentanyl, has caused many challenges for the department. These highly addictive drugs are often associated with an increase in aggressive and violent behavior, and the availability of resources to treat these individuals is lacking throughout the state.
- The implementation of a new data management system will require time and additional training as we move into full implementation.
- Housing for those convicted of criminal offenses is difficult, especially if the crime is a sexual offense.
- With the loss of the Drug Court in Grand Forks, we must develop an evidence-based program to deal with these people who would otherwise benefit from a Drug Court.
- Officer caseloads continue to be high making it difficult to maintain the level of contact necessary to provide effective supervision.
- Offenders have exhibited behavior that is increasingly violent. These high risk cases often have mental health and/or addiction issues that require considerable staff resources.
- Assisting with the Dakota Access Pipeline protest takes considerable hours and draws from the time spent with the people we supervise. In addition, working the protest causes considerable stress for the officers and their families.

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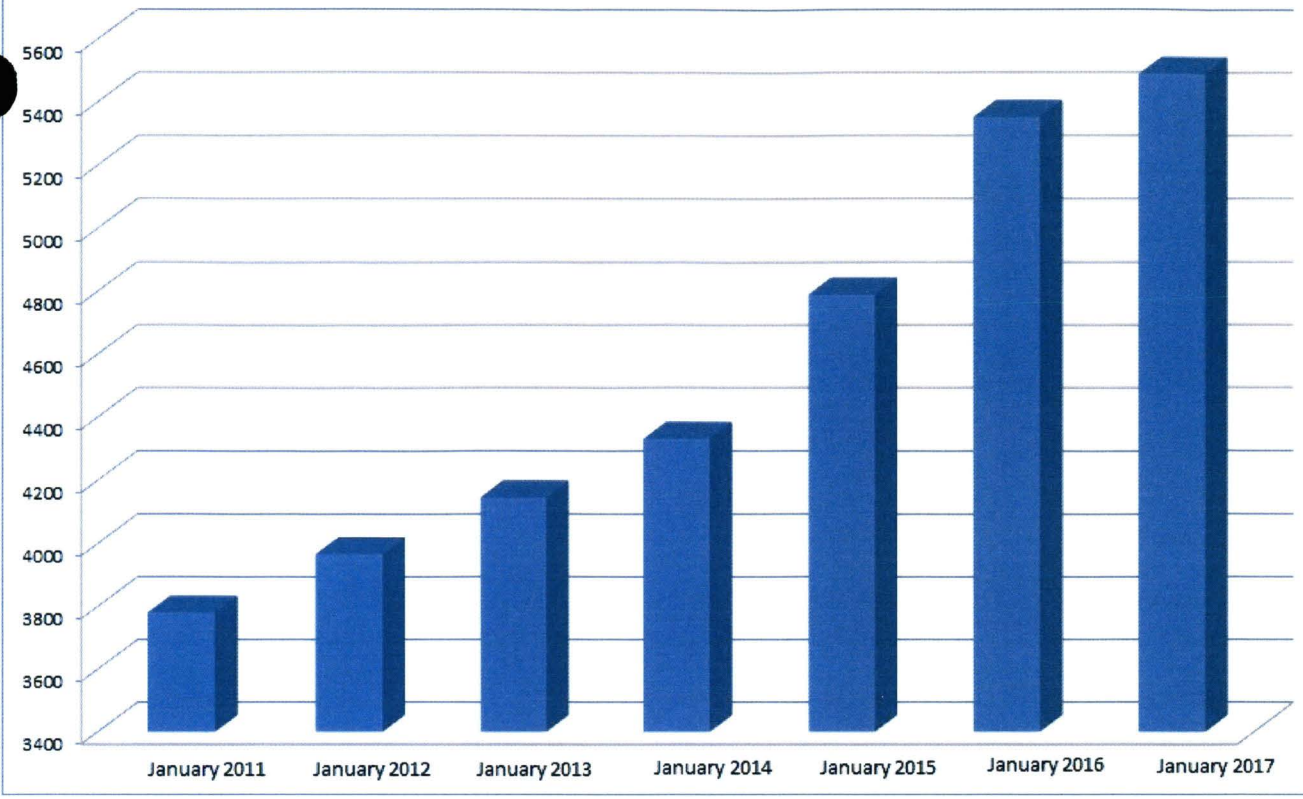
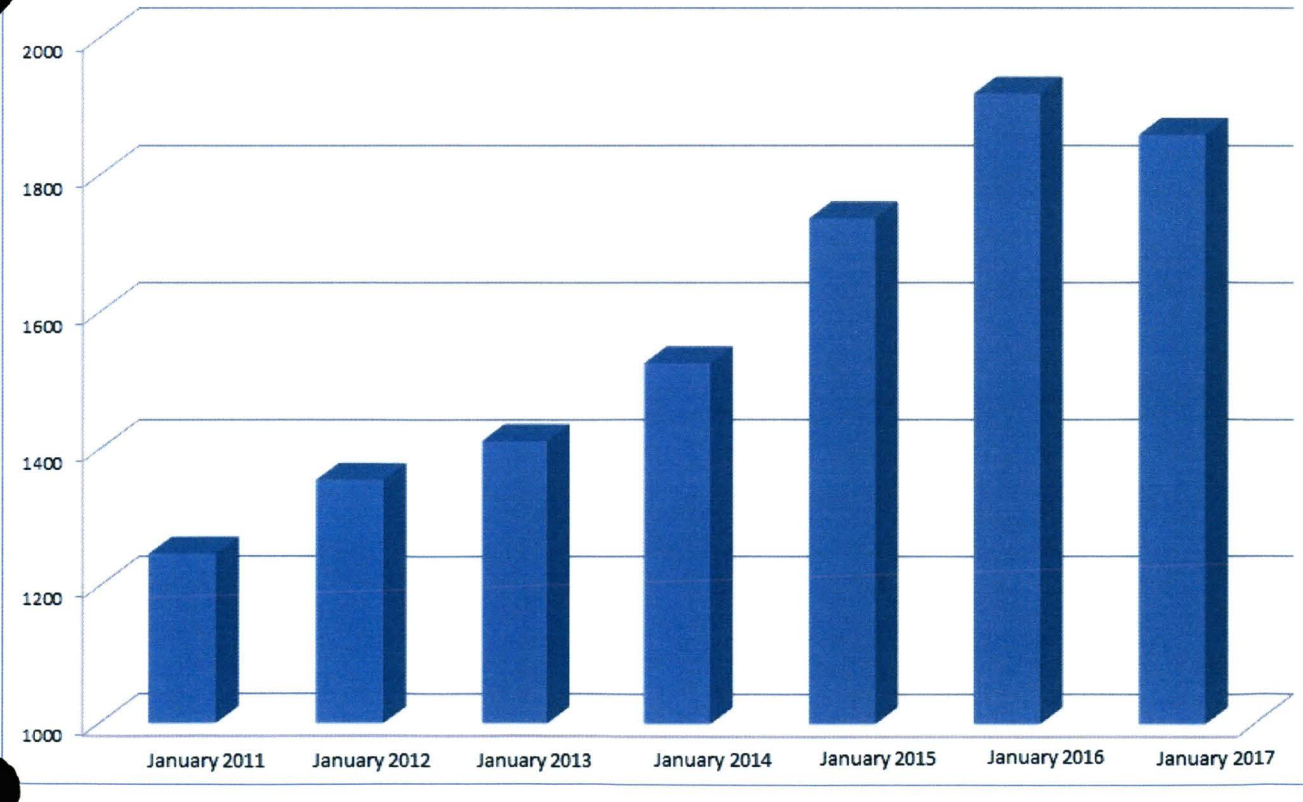
Male Offenders Supervised by Parole and Probation



Female Offenders Supervised by Parole and Probation



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NORTH DAKOTA

Department of Corrections & Rehabilitation

Transitional Planning Services (TPS)

Overview

Transitional Planning Service's role in supporting the DOCR's mission is to research, develop, coordinate and implement strategies and functions that leverage the DOCR's resources in order to safely, legally and effectively manage over 9,100 people in custody or on supervision in North Dakota with the goal of reducing recidivism to 25%. These activities are premised on a recidivism reduction model that emphasizes the use of evidence-based practices that is heavily laden in research.

North Dakota Prison Recidivism Rate

North Dakota Prison Recidivism Rate				
Year	Cohort	New Crime	Technical Only	Recidivism Rate
2004	845	16.2%	23.4%	39.6%
2005	924	15.6%	25.1%	40.7%
2006	987	13.6%	25.8%	39.4%
2007	910	13.6%	26.2%	39.8%
2008	952	9.8%	25.2%	35.0%
2009	898	12.9%	24.6%	37.5%
2010	920	14.2%	24.6%	38.8%
2011	904	12.4%	26.8%	39.2%
2012	951	11.3%	28.7%	**40.0%**
2013*	1052	10.8%	23.3%	34.1%
2014**	1119	6.5%	19.3%	25.8%

* Indicates recidivism rate for 2 years post-release.
** Indicates recidivism rate for 1 year post-release.

- Administrative support for Parole Board and Pardon Advisory Board
- Development of Sentencing Report based on Levels of Service Inventory-Revised
- Male Classification
- Central coordination of all offender transportation
- Victim Services
- Prison discharge coordination
- Sex offender pre-release screening
- Effective and consistent management of parole and probation violations
- Provide support planning for implementation of revised or new correctional programs, policies and services
- Legal records

TPS Mission:

Transitional Planning Services is a team collaboration whose mission is to effectively plan, monitor and advance department's efforts to reduce individuals' risk of recidivism as they transition throughout our correctional system in order to ensure public safety and preserve the rights of victims.

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Statistics

- Complete approximately 1,700 sentencing reports.
- Conduct over 1,700 initial classifications and development of case plans.
- Coordinate discharge of over 1,400 inmates.
- Prepare over 2,000 cases for action by the Parole Board and execute the board's actions.
- Approximately 9 out of 10 inmates discharged receive some transition services through a transitional facility or parole and probation supervision.
- Prepare over 1,700 cases for review and action by the Parole Board.
- Prepare approximately 80 cases for review and action by the Pardon Advisory Board.
- Assist in developing interventions for over 2,000 instances where offenders committed violations of parole or probation.
- Transport over 1,000 offenders annually throughout ND and the United States.

Successes

In addition to the aforementioned statistical information and accomplishments stemming from the Transition from Prison to Community Initiative there have been a number of other noteworthy successful endeavors in which TPS staff engaged including:

- Completed a thorough revision and validation study of the classification instrument. This included gender specific analysis and resulting in distinct gender instruments.
- Developed and implemented the next generation victim services database which will help meet the department's reporting requirements to the Victim of Crime Act (VOCA).
- Signed a memorandum of agreement with the Standing Rock Tribe to develop a Reentry Council for the Standing Rock Reservation.
- Managed a 30% increase in the state's parole population over just one year while reducing the revocation rate from 30% to 22%.

Concerns and Issues

- The continued criminalization and incarceration of individuals with chemical addiction problems and inadequate access to quality community and residential based treatment resources.
- The continued criminalization and incarceration of individuals with mental health problems and inadequate access to quality community and residential based treatment resources. PEW found that prison health care spending in 44 states totaled $6.5 billion in 2008, out of $36.8 billion in overall institutional correctional expenditures. One of the leading reasons: Mental Illness.
- Difficulty in executing discharge coordination for offenders, especially sex offenders and offenders with mental health issues, primarily driven by the lack of housing options throughout the state.
- Transportation complexities as a result of multiple correctional facilities and service providers distributed throughout the state and increasing transportation needs spurred by the growth in our prison, parole and probation populations.
- Effectively responding to the growing number of violations associated with the growth in our community supervision population.
- The need to change the prevailing culture regarding crime and punishment and many of the ensuing ineffective and expensive policies permeating the system.

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NORTH DAKOTA

Department of Corrections & Rehabilitation

Human Resources

Overview

The Department of Corrections and Rehabilitation (DOCR) Human Resources Division is responsible for oversight, development and management of human resources activities within the DOCR. Five FTE within the DOCR manage the human resource and payroll functions for all the various divisional units within the DOCR.

Responsibilities include:

- Assist and consult with managers in interpreting federal and state labor and employment law.
- Create and maintain all DOCR human resource and employment related policies.
- Address leave requests based on employee medical situations as related to the Family Medical Leave Act guidelines and provide employee accommodations per guidelines of the American Disabilities Act.
- Assist managers in updating job descriptions and when appropriate, work with HRMS to reclassify updated or newly created job description questionnaires.
- Assist managers with employee disciplinary processes including any grievance procedure associated with a disciplinary action.
- Monitor employment metrics to determine workforce trends.
- Recruit applicants internally and externally for vacant positions.
- Document statistical information for the Department of Labor.
- Manage employee compensation and develop pay plans for the DOCR.
- Train personnel on various federal and state labor and employment laws.
- Maintain DOCR personnel and medical files for all employees.
- Investigate personnel matters in regards to employee behavior.

Statistics

As of November 2016, the Department of Corrections and Rehabilitation has approximately 816 authorized fulltime equivalent (FTE) positions spread throughout the Division of Adult Services, Division of Juvenile Services, and Roughrider Industries. The department has positions in over 90 job classifications that are assigned to those 816 positions. In addition, as of November 2016, there were 123 temporary employees providing services for the DOCR working a varying range of hours in a month. The correctional officer classification has the largest number of employees, which spreads across three correctional facilities and totals approximately 350 employees including temporary status correctional officers.

Human Resource personnel were responsible for filling 276 vacancies throughout the DOCR from December 2015 through December 2016. The process of filling those vacancies included developing nearly 200 vacancy announcements through the PeopleSoft Recruiting Solutions module; screening and ranking over 1,600 applicants, setting up the interview process with DOCR managers and applicants; contacting applicants confirming oral interview schedules and drafting the documentation for the process of hiring an applicant.

The DOCR continues to develop strategies on staff development for succession planning as key DOCR employees in the "baby boom" generation retire from state employment. P35

Successes

The DOCR Human Resources Division itself experienced turnover with four of the five Division employees hired within the last two years. Three of those staff, including the Director of Human Resources, have been hired to the DOCR within the last six months. Despite this drastic turnover and losing over 70 years of combined DOCR HR experience, the DOCR Human Resources Division continues to provide quality and timely human resources consultation and services to the DOCR.

In July 2015 and July 2016, the DOCR provided for targeted market equity pay adjustments to Correctional Officers to maintain a competitive position in the local labor market.

DOCR Human Resources has made changes to the new hire orientation process to make the entire process more efficient and provide more information and training to new DOCR employees. The DOCR will realize cost savings once the process is finalized.

HR processed those temporary employees that qualify for partial monthly premium health insurance coverage by the employer based on the Affordable Care Act requirements. Coverage went into effect in January 2016.

HR personnel continue recruiting efforts by posting on various external websites and utilizing depending upon the position vacancy. The use of advertising positions through the media such as radio and local newspapers allows the DOCR to recruit from a larger region and has worked very well in finding applicants for various positions. HR continues attending various career fairs hosted by many Universities in North Dakota and Minnesota and Job Service ND.

Concerns & Issues

High turnover rates for those employees working in the correctional officer classification. With the targeted market equity increases implemented in 2015 and 2016, the DOCR increased the hiring rates for Correctional Officers, which helps the DOCR remain competitive in the local labor market. The DOCR is competing with regional jails and law enforcement agencies for the same employees. Human Resources will turn its focus to recruitment practices, to ensure the DOCR hires the right person, for the right job, at the right time, every time.

Turnover rates in the Juvenile Institutional Resident Specialists classification have been increasing within the Division of Juveniles Services at the Youth Correctional Center.

Increase salaries for key employees and classifications to keep pace with the market and remain competitive. Work on alleviating internal compression for several classifications, including Parole and Probation Program Manager, Unit Manager, Case Manager, and several others.

Continue to recruit individuals for positions in hard to fill areas such as addiction counselors by "growing our own" and allowing personnel to complete their internship programs within the DOCR for specific licensures, such as the ND Certified Addiction Counselor License.

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Continue enhancing the internal management and key position training courses so personnel can learn additional skills to improve their competency level and promote to higher levels of job responsibilities. The DOCR has several key positions that will likely retire within the next two years.

As the DOCR workforce experiences relatively high turnover rates for several key classifications, human resources will provide employee and manager development training, to ensure our employees are always educated on labor and employment law and workplace practices.

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NORTH DAKOTA

Department of Corrections & Rehabilitation

Administrative Services

Overview

Administrative Services provides administrative support for the Division of Adult Services (DAS) and is comprised of 4 FTEs. This work unit also provides administration for several statewide programs. The Interstate Compact for Adult Offenders manages offenders on supervision who wish to relocate to another state. The Crime Victims Compensation (CVC) Program assists eligible crime victims with payment of medical and death benefits of up to $25,000. The Victim of Crime Act (VOCA) and Crime Victim Assistance (CVA) grants distribute to sub-recipients throughout the state to assist victims of violent crime with needed services. Along with management of these statewide programs this work unit also provides management of the DOCR's Case Planning Committee who is responsible to create initial case plans for new arrival inmates.

Statistics

CVC & Grant Stats:	**FY 14/15**	**FY 15/16**
• Number of applications for Crime Victim Compensation:	534	456
• Number of approved CVC applications:	426	378
• Average amount paid for a crime victim application:	$1,857	$2,092
• Number of VOCA/CVA applications for pass through grants:	63	65

Interstate Compact Stats:	**2015**	**2016**
• Average monthly incoming (to ND) case load:	682	790
• Average monthly outgoing (from ND) case load:	789	788
• Interstate Compact Retaking Transports:	51	62

Case Planning Stats: Coordinated and assisted the Case Planning Committee to develop and update over 2,000 case plans annually.

Successes

- ND was again over 90% compliance in all Interstate Compact audit standards.
- The Victim Compensation Administrative Rules were completed and approved by the Administrative Rules Committee. These rules have an effective date of January 1, 2017.

Concerns & Issues

Historically ND has more individuals leaving the state on Interstate Compact than coming into ND, however, over the past couple years these numbers started to even out and in 2016 there were more individuals coming into ND on Interstate Compact than going out. This creates concern for increases in caseload size and training needs for the complex and ever-changing rules associated with Interstate Compact cases.

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NORTH DAKOTA

Department of Corrections & Rehabilitation

Information Technology Services

Overview

The agency utilizes much of ITD's hosting services for its daily operations. The agency uses Oracle and Open Source Databases to conduct its daily business. The Agency relies on a number of external venders to insure operational readiness in the areas of Inmate Management Systems, Inmate Banking and Commissary, Electronic Medical Records and Electronic File Management. The Agencies I.T. Division provides "state-wide support" for day-to-day tasking in supporting the operational readiness of numerous systems including: Offender Debt Collection Systems, Victims Notification Systems, Closed Circuit Video Surveillance and numerous interfaces. We also provide Help Desk Support and Troubleshooting, Equipment Installation and Repair, Procurement Services, Staff Training, Video Conferencing Support, Application Development and Database Support and Administration. All prison security systems including closed circuit cameras, video recording servers, internal cell door controls, intercoms and security fence alarm systems are managed and supported by the DOCR I.T. department.

Statistics

- Service an average of 1,700 Help Desk Support Tickets per year
- Provide equipment asset management for over 1,500 LRU's (Line Replaceable Units)
- Maintain and manage over 700 security cameras in all DOCR facilities.

Successes

Successes occur daily as the challenge of keeping all facilities secured and systems operational. It is a dynamic challenge that changes hourly.

- Developed a custom application to insure facility audit standards are enforced. (FACTS system)
- Redesigned Victims tracking system.
- Upgraded agency inmate management system.
- Redesigned a number of key interface systems into more current technology.
- Developed a system to report on daily batch processing of agency business. (SCP)

Concerns & Issues

The lack of HR resources to ensure continued operation of key positions within the department. Highly skilled staff are always in demand and the ability to retain key staff is always a challenge and provides the greatest threat to continued operational viability of agency operations.

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NORTH DAKOTA

Department of Corrections & Rehabilitation

Physical Plant Services

Overview

The Department of Corrections and Rehabilitation Physical Plant is responsible to provide a safe and secure living environment for all of the individuals that have been committed into any one of the four state funded facilities. North Dakota State Penitentiary, Bismarck; James River Correctional Center, Jamestown; Missouri River Correctional Center, Bismarck; and the Youth Correctional Center, Mandan. The Physical Plant Division has a total of 23 FTE's who are qualified tradesmen in their fields of expertise and are responsible for the installation, operation, maintenance and repair of the equipment at the DOCR facilities. It is also our responsibility to provide the recommendations for the short term and long term building needs for the Department of Corrections and Rehabilitation.

Statistics

The DOCR Maintenance Staff are assigned daily work orders through the DOCR Maintenance Request System. There is an average of 700 work orders issued each month and the work could be in any one of the 69 buildings that make up the Physical Plant of the DOCR. The maintenance staff also supervises juvenile residents and inmates on a daily basis to assist in building maintenance, laundry operations, grounds care, small remodeling projects and heating plant operations. This program gives the worker the opportunity to learn a trade or to spark an interest into what they would like to do for a living after their release.

Successes

The DOCR Maintenance Division continues to expand on the Preventative Maintenance Program that addresses the many pieces of equipment that is under its care. This equipment is serviced on a daily, weekly or monthly schedule.

There have been numerous Physical Plant Improvements which include: The West Cell House Renovation that included updating the cell door mechanical locking system with electronic locks; New and efficient heating and ventilation system that meet the needs of the building; Additional security cameras; Office and dayroom renovations.

The mold remediation that included shower remodels, roof repair, new gutters and weatherproofing the main dorm building have been completed at MRCC. Additional improvements at MRCC include: demolition of the warden's house and north barracks; updating the sewer lift station; relocating and increasing the laundry facility; replacing the heat pumps in the dorm building for better heating and cooling.

The Missouri River Correctional Center Flood Control project is under construction with a completion date of late summer 2017. Inmates and staff at MRCC were instrumental in removing over 250 large cotton wood trees for the project to help reduce costs to taxpayers.

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Concerns & Issues

The request for additional maintenance staff to provide the services necessary to keep the facilities operating at peak performance. The DOCR has many older buildings and the upkeep of maintenance and repair of these building require a lot of attention. The additional square footage and equipment that has been installed in the new construction has doubled the work load for the division.

There are areas of the exterior perimeter fence at NDSP and JRCC that need to be replaced with a heavier gauge fencing material. The exterior security lighting and security camera and fence detection systems around the fence perimeter needs enhancement to help deter an escape from the facility and put the public at risk.

Costs for perimeter fence detection, updates and repairs are increasing as the fence and equipment is aging. This is putting extra burdens on budgets but must be maintained as it's the last defense in preventing an escape.

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Staff Development and Facility Inspections

Overview

The Staff Development and Facility Inspections division is concerned with preparing staff for duty, providing staff with pertinent in-service training, and providing our state's county correctional facilities inspections services. It involves the research, design, presentation, and evaluation of training programs to provide a safe and secure environment for staff and those we serve. The Department of Corrections and Rehabilitation (DOCR) is responsible to assure that all county facilities in our state are staffed with properly trained staff and are managed and operated in compliance with state and federal laws and guidelines.

The division strives to continually improve services and add value to all staff through effective evidence based training techniques.

The division provides information and recommendations to respond to the legislative process in determining the potential future and long-term training and inspection needs of the DOCR.

The division provides technical assistance to county facilities in order to achieve compliance and has enforcement authority to assure a safe and secure environment for those incarcerated in county facilities

The division exists to provide training and inspection services to staff at the following sites:

- North Dakota State Penitentiary, Bismarck, ND
- James River Correctional Center, Jamestown, ND
- Missouri River Correctional Center, Bismarck, ND
- 32 county operated Adult Correctional Facilities

- Design of training programs and systems.
- Analysis of training programs and systems.
- Provide pre-service training to all DOCR staff.
- Provide in-service training to all DOCR staff.
- Serve as State PREA (Prison Rape Elimination Act) Coordinator.
- Provide pre-service and in-service training of North Dakota State Hospital (NDSH) Secure Services Staff.
- Inspection of facilities.
- Provide technical assistance to county correctional facilities.
- Provide security audits.
- Provide Risk Management assessments.
- Provide compliance monitoring of federally mandated programs in state and county and city facilities.

The training needs of staff served by the department include:

- Provide up to 40 hours of orientation training to all DOCR staff.
- Provide 56-160 hours of pre-service training to all DOCR institutional staff.
- Provide 16-75 hours of annual in-service training to all DOCR staff.
- Provide training support to all county, state correctional, and law enforcement agencies throughout our state.

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The division accomplishes its goals through the efforts of three full-time training professionals. These training officers coordinate the schedules of over 100 practitioner instructors across all departments in the division.

During the 2015-17 biennium the division has:

- Provided initial training to 184 new DOCR staff and 120 county jail employees
- Provided 788 classroom based training sessions for DOCR staff.
- Utilized 2578.5 person-hours of instructor time to date to deliver those training session, with a projection of 4,146 hours by the end of the biennium.
- Increased the number of web-based training classes offered by 200%.
- Provided 200 classroom-hours of training for NDSH Secure Services staff. Projections through the end of the biennium are at 248 hours.

County Facilities and Inspections:

The DOCR awarded full compliance to 31 of 32 county adult correctional facilities in North Dakota. One county facility is currently under an order of non-compliance for violations of the North Dakota Century Code and North Dakota Correctional Facility Rules. Nearly all county correctional facilities in North Dakota are near or at capacity. The DOCR encourages administrators to consider alternatives to incarceration to manage inmate populations in order to avoid possible DOCR sanctions for exceeding rated capacity. The DOCR inspections unit has responded to 7 major incidents this far in the 2015-2017 biennium. These incidents include in- custody deaths, escapes, and escape attempts. Correctional Facilities in North Dakota are defined by North Dakota Century Code in the following manner.

Currently there are 32 multi-county, county or city operated secure correctional facilities in North Dakota. Correctional facilities in North Dakota are classified as:

- Grade One.
- Grade Two.
- Grade Three
- Grade Four.

A Grade One facility may hold an adult inmate sentenced or presentenced for not more than one year.

- Grade One facilities must provide an outdoor recreation area that allows a minimum of 15 square feet of space per inmate. Grade One facilities may utilize opening louvered vented rooms that allow outside air in as outdoor recreation.
- Grade One facilities must provide an indoor recreation made up of a minimum of 100 square feet with a minimum of 15 square feet per inmate using the area at the same time. Inmates using this area may not have access to other inmates in their cells.
- Grade One facilities must provide secure visitation areas, including attorney-client visitation.
- There are 15 grade one facilities in North Dakota.

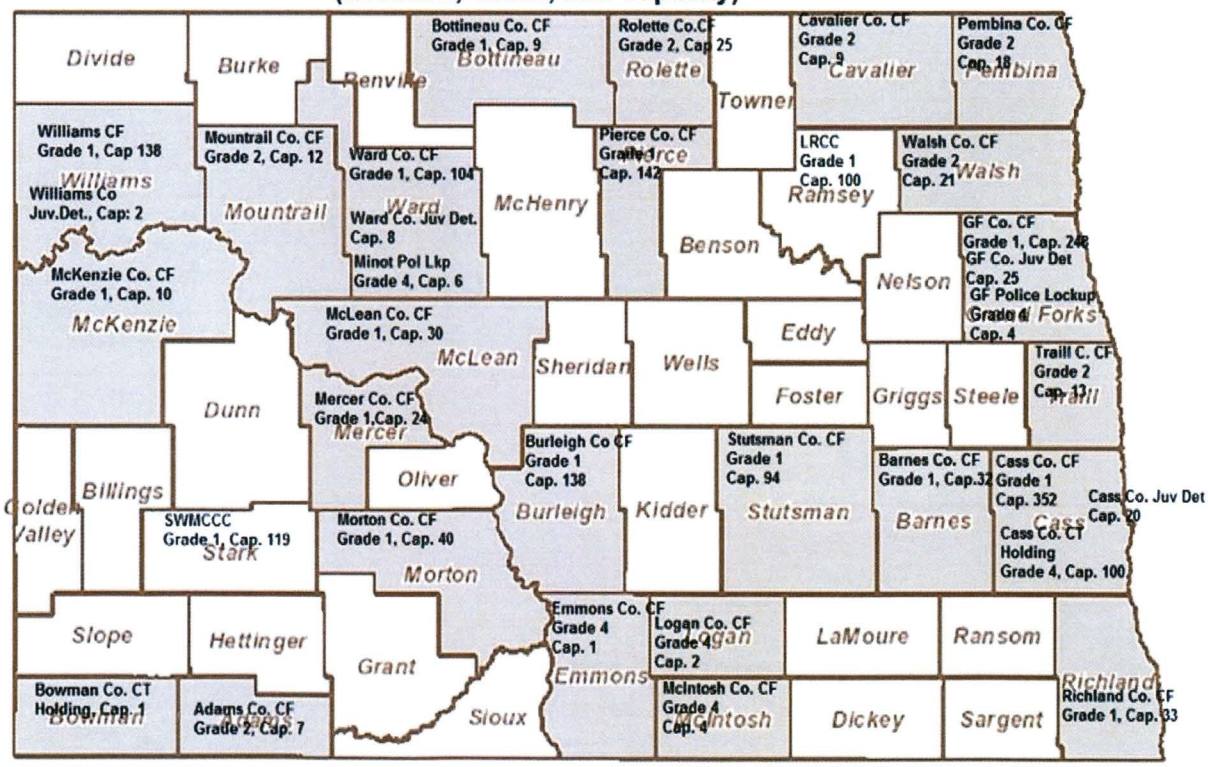
A Grade Two facility may hold an adult inmate sentenced or presentenced for not more than 90 days.

- Grade Two facilities must provide an indoor recreation made up of a minimum of 100 square feet with a minimum of 15 square feet per inmate using the area at the same time. Inmates using this area may not have access to other inmates in their cells.
- Grade Two facilities must provide secure visitation areas, including attorney-client visitation.
- There are eight grade two facilities in North Dakota.

A Grade Three facility may hold an adult inmate, sentence or presentenced for not more than 96 hours. There is currently one Grade Three facilities operating in North Dakota at this time.

A Grade Four facility may hold an adult arrestee for not more than eight hours. These non-residential facilities are defined as court holding and police lockup facilities. These facilities are designed for the processing of arrestees prior to transfer to a Grade One or Two facilities or temporary holding during court proceedings. There are eight Grade Four facilities in North Dakota.

Counties with Single-County Operated Correctional Facilities and Counties without Correctional Facilities (Location, Grade, and Capacity)



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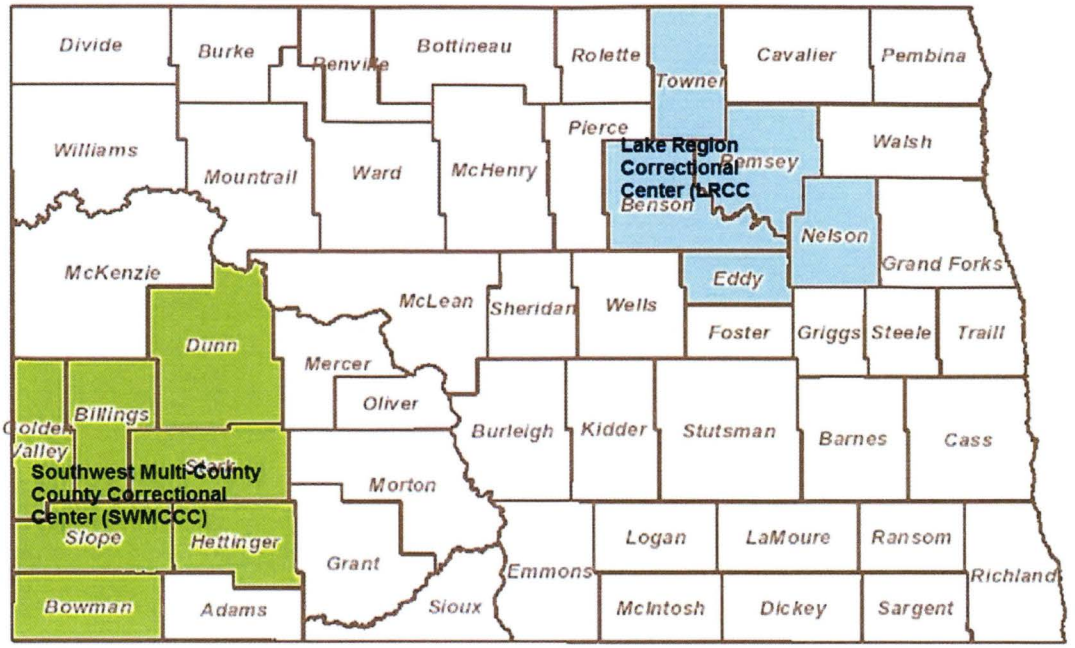
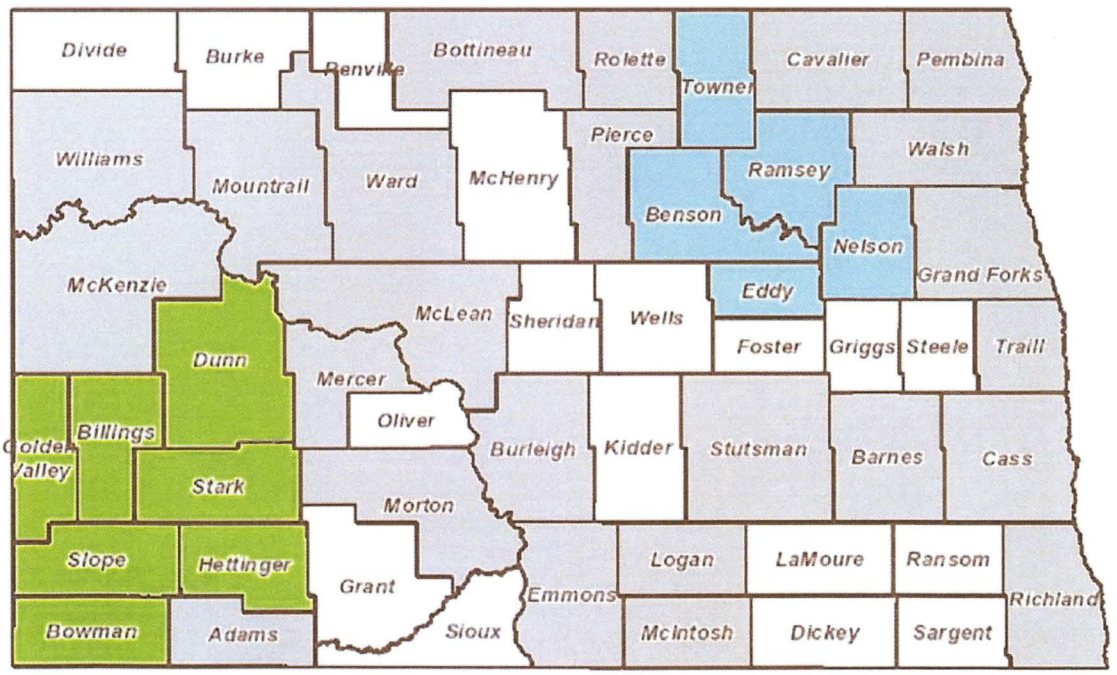
Regional Correctional Facilities

Multi-County Regional Correctional Facilites



Counties with Single-County Operated Facilities and Multi-County Regional Facilities



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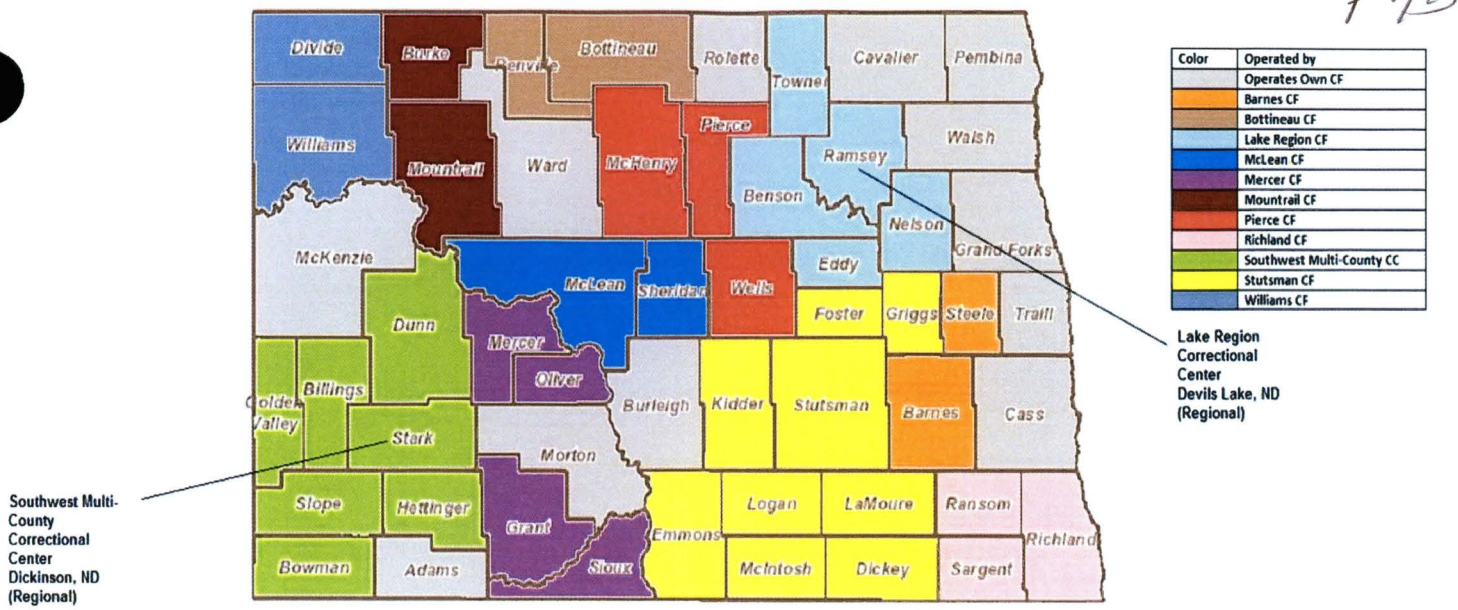
County-Operated Facilities, Multi-County Regional Facilities, and Counties Served by Contract



Total overnight bed capacity:

- Grade One
  - 1569 beds.
- Grade Two
  - 100 beds.
- Grade Three
  - 5 beds.
- Grade Four
  - No overnight capacity.
- Total adult bed space available statewide
  - 1674

Correctional facilities in North Dakota are experiencing increased populations and many are operating at or near capacity. Some sheriffs and administrators have developed alternatives to reduce this increased population. By utilizing electronic monitoring, diversion programs, and alternative housing many sheriffs and administrators have successfully dealt with this reality. County facilities currently under construction include Williams, Mountrail, Ward, McKenzie, Mercer, Bottineau, and Burleigh.

Prison Rape Elimination Act of 2003 (PREA):

In the 2015-2017 biennium, the DOCR achieved full compliance, both for the first and the second time, with the requirements of the Prison Rape Elimination Act of 2003 (PREA). Since being signed into law in 2003 the DOCR has prepared to be compliant with the law. The final rules were released in 2012 and the first round of audits began August 2013. Each facility must be audited every three years by a Department of Justice Certified Auditor and all audits of the first round were completed by August 20, 2016. The DOCR facilities, North Dakota Youth Correctional Center (YCC), the Missouri River Correctional Center (MRCC), the North Dakota State Penitentiary (NDSP), and the James River Correctional Center (JRCC) have completed PREA Audits and are in full compliance with the act. This will ensure that all DOCR facilities are in full compliance with PREA within the first two years of the three year cycle. Copies of the PREA audits for the MRCC

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and YCC are available on the DOCR website. While the DOCR has experienced very few substantiated PREA allegation every allegation is thoroughly investigated and appropriate follow-up is provided. In addition, the DOCR facilities, North Dakota Youth Correctional Center (YCC), the Missouri River Correctional Center (MRCC), the North Dakota State Penitentiary (NDSP), and the James River Correctional Center (JRCC) have completed PREA Audits for the second three year audit cycle as well. All DOCR facilities continue to be in compliance with the act. The DOCR is committed to a policy of zero tolerance toward all forms of sexual abuse and sexual harassment on inmates and youth by other inmates, youth, staff contractors or volunteers.

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Successes

The Staff Development and Facility Inspections division initiated use of the Developing A Curriculum (DACUM) model of task analysis to determine the content of job specific training. The DOCR applied for and was granted technical assistance through the National Institute of Corrections to have seven staff trained to facilitate the DACUM Panels. During this biennium the division has completed 7 DACUM panels and is working to incorporate the findings into training curriculum for those job positions.

Using the results of the DACUM for the Correctional Officer job tasks, the division has undertaken a re-design of the initial training. The new training model incorporates four phases; Orientation, Correctional Officer Basic, Field Training, and On-The-Job Training. As part of the re-design the division has been conducting complete content reviews for each class and is integrating experiential learning to enhance information retention.

The Staff Development and Facility Inspections Division worked with the National Institute of Corrections to get a DOCR specific Learn Center created. This allows staff to access over 300 e-learning courses developed by the National Institute of Corrections which cover a wide variety of topics from leadership, team building, writing and grammar, corrections topics, and many more. Division staff acts as administrators on this site and are able to download information on the training which has been completed and then upload that information to the agency training system.

The Division undertook research, development, and implementation of Leadership Development training during the 2015-2017 biennium. The training was presented several times and received positive reviews, however we have encountered difficulties in sustaining the program due to lack of personnel resources and have had to suspend the program.

The division has been working to improve the overall efficiency and effectiveness of the training delivered.

- We have been able to achieve a 200% increase in the number of web-based, training-on-demand type classes. These classes allow our staff to access training as their schedule allows either from their work environment or via the internet from any location.
- We have successfully launched a training model that integrates web-based, classroom, and experiential simulation-based training. This model has been specifically targeted for training staff working our high risk/high liability posts.
- We have consolidated the core curriculum for the Correctional Officer Basic Training and have implemented this core across the adult institutions.
- DOCR usage of National Institute of Corrections On-Line Training.
  - 2014: 51 users for a total of 206.5 hours of training
  - 2015: 581 users for a total of 1516 hours of training
  - 2016: 422 users for a total of 1337.5 hours of training

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Concerns & Issues 1-11-17 SB 2015 + 2075 #4

Without doubt, the future will present challenges and concerns for the division. However it is through these challenges that this division has grown stronger and more creative in the past. While there is concern, there is optimism and commitment towards the endless pursuit to of delivering a quality product at a reasonable cost.

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ND Department of Corrections and Rehabilitation

2017 – 2019 Executive Budget Recommendation Overview

Prepared for Senate Appropriations
Senator Ray Holmberg, Chairman
January 11, 2017

Dave Krabbenhoft
Director of Administration

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DOCR

- Vision Statement

  A safer North Dakota through effective correctional services.

- Mission Statement

  To enhance public safety, to reduce the risk of future criminal behavior by holding adult and juvenile offenders accountable, and to provide opportunities for change.

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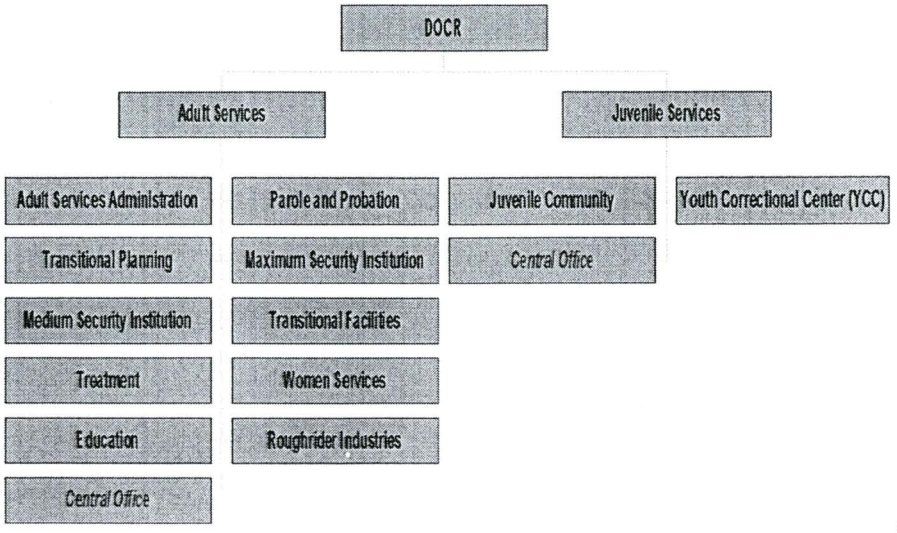
DOCR

Budget Structure



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DOCR

Adult Services

- Responsible for the care, custody, and supervision of adult offenders committed to the DOCR by the State's district courts or accepted under the interstate compact.
  - December 31 One Day Counts:

Status	2016	2014	2012
Inmate	1,791	1,716	1,536
Community	7,334	6,492	5,560

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DOCR
Adult Services

- Prison Facilities
  - DOCR Operated
    - ND State Penitentiary (NDSP) – Bismarck
      - Male Facility
        - Maximum Security Prison
        - Male Orientation Facility
        - Budgeted Bed Capacity - 796

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DOCR
Adult Services

- Prison Facilities
  - DOCR Operated
    - James River Correctional Center (JRCC) – Jamestown
      - Male Facility
        - Medium Security Prison
        - Special Assistance Unit (SAU)
        - Budgeted Bed Capacity - 437

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DOCR
Adult Services

- Prison Facilities
  - DOCR Operated
    - Missouri River Correctional Center (MRCC) - Bismarck
      - Male Facility

        Minimum Security Prison / Transition Facility

        Budgeted Bed Capacity - 187

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DOCR
Adult Services

- Prison Facilities
  - Contract Operated
    - Dakota Women's Correctional and Rehabilitation Center (DWCRC) – New England
      - Female Facility

        All Custody Levels

        Female Orientation Facility

        Budgeted Bed Capacity - 126

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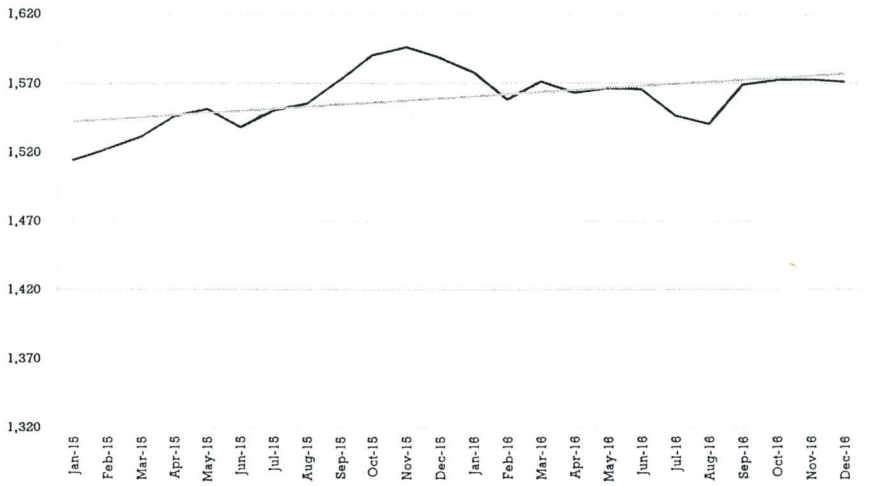
DOCR
Adult Services
Male Inmates



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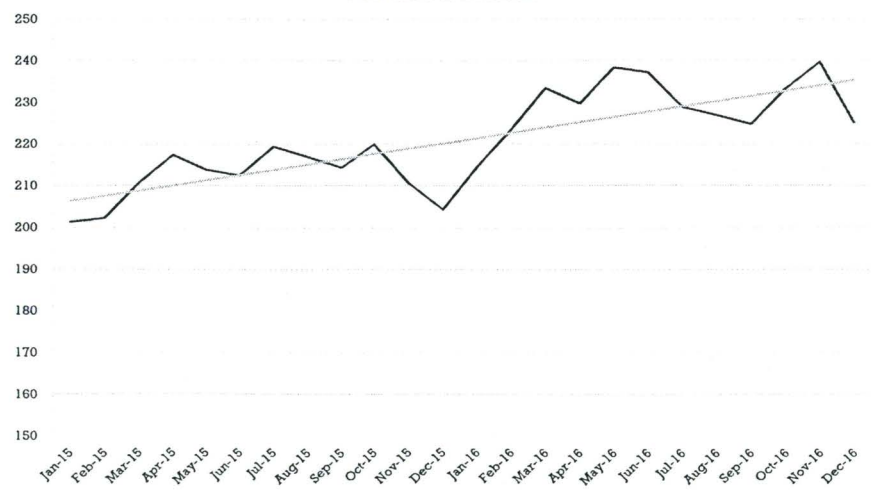
DOCR
Adult Services
Female Inmates



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DOCR

Adult Services

- Community Supervision of Adult Offenders
  - Provide supervision of adult offenders that are sentenced to probation by the district court, that are released on parole by the ND Parole Board, or accepted under the interstate compact
  - Sixteen regional offices located throughout the State
    - Beulah, Bismarck, Bottineau, Devils Lake, Dickinson, Fargo, Grafton, Grand Forks, Jamestown, Mandan, Minot, Oakes, Rolla, Wahpeton, Washburn, Williston

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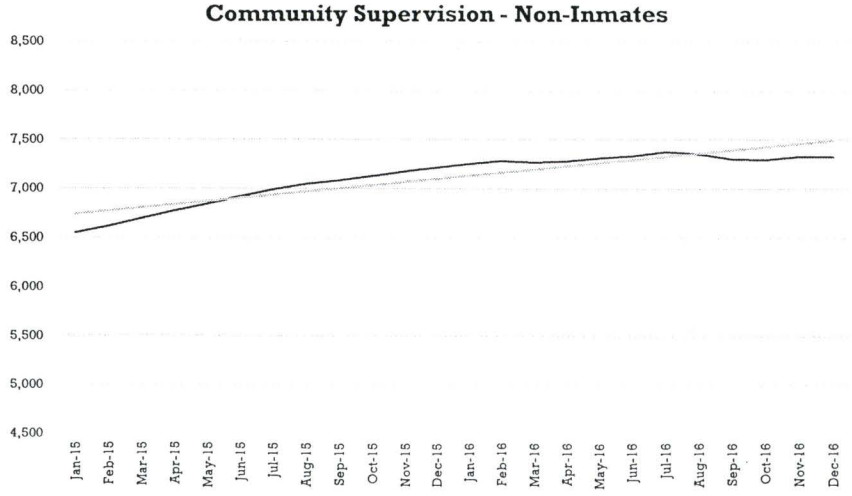
DOCR

Adult Services



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DOCR
Adult Services

- Community Based Programs
  - Divert offenders from prison
  - Assist offenders after release from incarceration
  - Contract Operated - Housing / Transition / Treatment
    - Bismarck, Mandan, Jamestown, Fargo, Grand Forks, and Devils Lake
- Administrative Support to the ND Parole Board and the ND Pardon Advisory Board

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DOCR
Adult Services

- Victim Programs and Victim Compensation
  - Crime Victim Compensation (CVC)
  - Victims of Crime Act (VOCA)
- Roughrider Industries
  - Metal and Wood Fabrication, Cut and Sew, Commissary, and DOCR Land Management
    - NDSP
    - JRCC
    - MRCC

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DOCR

Juvenile Services

- Responsible for the care, custody, and supervision of juvenile offenders committed to the DOCR by the State's juvenile courts.
  - December 31 One Day Counts:

Status	2016	2014	2012
YCC	51	60	84
Community	111	129	107

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DOCR

Juvenile Services

- Youth Correctional Center (YCC)
  - Secure residential coed correctional facility located in Mandan
  - Provide appropriate educational, treatment, and comprehensive assessment programing to address specific needs of each youth in residence

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DOCR

Juvenile Services

- Community Services
  - Eight regional offices located throughout the State
    - Bismarck, Devils Lake, Dickinson, Fargo, Grand Forks, Jamestown, Minot, Williston
  - Provide comprehensive assessment, treatment planning and case management for youth committed to its care, custody and control by state district court.

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DOCR

Budget Information

Line Item	2015 – 2017 Original Approp	2015 – 2017 Reductions	2015 – 2017 Adjusted Approp
Adult Services	$222,233,841	($10,077,055)	$212,156,786
Juvenile Services	31,516,107	(800,000)	30,716,107
Total	$253,749,948	($10,877,055)	$242,872,893
General Fund	$215,387,242	($10,877,055)	$204,510,187
Other Fund	$38,362,706	($0)	$38,362,706
FTE	836.29	(0.00)	836.29

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DOCR

Budget Information

2015-17 Reductions	Adult Services	Juvenile Services
Salary & Fringe	($319,816)	($142,119)
Contract Housing & Programming	(5,038,079)	(131,250)
Food & Clothing	(989,074)	
Medical	(1,793,873)	(16,783)
Travel	(230,344)	(39,648)
Utilities	(400,000)	(200,000)
Extraordinary Repairs	(606,000)	(200,000)
IT Upgrades	(466,144)	
Other	($233,725)	($70,200)
Total Reductions - General Fund	($10,077,055)	($800,000)

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DOCR

Budget Information

- 2015-17 General Fund Reduction
  - Salary & Fringe
    - July 2016 general increase limited to 2%
  - Contract Housing & Programming
    - Inmate population less than originally estimated = reduced need
      - 1,894 (original est.) vs. 1,796 (Dec. 2016 est.)
    - Adjustment to contractor daily per diem rates
      - 3% & 3% vs. 3% & 0%
      - 4.05% DWCRC reduction
    - MRCC Temporary Housing – 36 bed unit

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DOCR

Budget Information

- 2015-17 General Fund Reduction
  - Food & Clothing
    - Food cost per meal
      - $1.78 vs. $1.67
  - Medical
    - Expanded Medicaid
      - Inmate inpatient hospital stays > 24hrs covered
      - 340B Drug Pricing Program – 10/1/15
  - Travel
    - Motor pool
    - Restrict out-of-state travel

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DOCR

Budget Information

- 2015-17 General Fund Reduction
  - Utilities
    - Favorable energy prices
  - Extraordinary Repairs
    - Reduced scope of planned projects
      - JRCC Central Receiving
      - YCC Security Upgrades
  - IT Upgrades
    - Piggyback on OMB / PeopleSoft time and attendance module
    - Limit scope of project to workforce scheduler

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DOCR

Budget Information

Line Item	2015 – 2017 Base Level Approp	2017 – 2019 Change	2017– 2019 Exec Rec
Adult Services	$205,626,019	$16,897,138	$222,523,157
Juvenile Services	30,654,707	969,688	31,624,395
Total	$236,280,726	$17,866,826	$254,147,552
General Fund	$203,044,022	$12,795,270	$215,839,290
Other Fund	$33,236,706	$5,071,556	$38,308,262
FTE	836.29	10.00	846.29

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DOCR

Adult Services

- 2017 – 2019 Executive Recommendation:
  - Adult Services Administration - $8,859,428
    - Planning, leadership, administrative services, and program management
    - Administration of the federal interstate compact
      - Management of parole and probationers that cross state lines (to and from North Dakota)
    - Administration of crime victim programs
      - Victims of Crime Act (VOCA)
      - Crime Victims Compensation (CVC)
    - 4.0 FTE
    - 3.9% of adult services executive recommendation

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DOCR
Adult Services

- 2017 – 2019 Executive Recommendation:
  - Parole and Probation - $22,953,342
    - Provide for the supervision of adult offenders on parole and/or probation status
      - Needs based
      - Risk reduction
    - 16 regional offices
    - Specialized caseloads
      - Drug Court: Fargo(2), Bismarck, Minot
      - Re-entry
      - Transition
      - Sex offender

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DOCR
Adult Services

- 2017 – 2019 Executive Recommendation:
  - Parole and Probation
    - 7,334 – 12/31/16 one day count of adult offenders on community supervision
    - 110.35 FTE
    - 10.3% of adult services executive budget recommendation

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DOCR
Adult Services

- 2017 – 2019 Executive Recommendation:
  - Transitional Planning - $3,381,350
    - Plan, coordinate and implement strategies that best utilize resources to manage offender movement throughout the DOCR
    - Male inmate classification
    - Transition from prison to community (TPC)
      - Victim notification
      - Offender reporting instructions
      - Legal documentation
      - Transportation
    - Inmate legal records

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DOCR
Adult Services

- 2017 – 2019 Executive Recommendation:
  - Transitional Planning
    - Inmate / offender transportation (DOCR and contract facilities, parole revocation)
    - Administrative support to the ND Parole Board and the ND Pardon Advisory Board
    - 12.0 FTE
    - 1.7% of adult services executive budget recommendation

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DOCR
Adult Services

- 2017 – 2019 Executive Recommendation:
  - ND State Penitentiary (NDSP) - $36,605,970
    - Maximum security institution responsible for the management and housing of adult male offenders with the greatest risk (highest custody level) within the DOCR.
    - Reception and orientation for all male admissions into the prison system
    - Administrative segregation (AS) unit
    - 759 – FY2016 average daily population
    - 753 – 12/31/16 one day count
    - 796 – 2017-19 budgeted bed capacity

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DOCR
Adult Services

- 2017 – 2019 Executive Recommendation:
  - ND State Penitentiary (NDSP)
    - Facility administration
    - Food services – Prepare and serve three nutritious well-balanced meals daily
      - $1.64 – average budgeted food cost per meal
      - 1.85 million – 2017-19 estimated number of prepared meals
    - Security / Supervision – Provide for a safe and secure environment for public, staff and inmates
    - Work programs – reduce prison idleness by providing work opportunities and by teaching job skills and work ethic

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DOCR
Adult Services

- 2017 – 2019 Executive Recommendation:
  - ND State Penitentiary (NDSP)
    - 208.95 FTE
    - 16.5% of adult services executive budget recommendation

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DOCR
Adult Services

- 2017 – 2019 Executive Recommendation:
  - James River Correctional Center (JRCC) - $28,856,537
    - Medium security institution responsible for the management and housing of medium security adult male offenders within the DOCR.
    - Special assistance unit (SAU)
    - Inmate canine assistance program (ICAP)
    - Provide food and laundry service to ND State Hospital
    - 437 – FY2016 average daily population
    - 439 – 12/31/16 one day count
    - 437 – 2017-19 budgeted bed capacity

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DOCR
Adult Services

- 2017 – 2019 Executive Recommendation:
  - James River Correctional Center - (JRCC)
    - Facility administration
    - Food services – Prepare and serve three nutritious well-balanced meals daily
      - $1.82 – JRCC / TRCC average budgeted food cost per meal
      - 1.28 million – 2017-19 JRCC / TRCC estimated number of prepared meals
      - $1.2 million – 2015-17 NDSH budgeted food cost
    - Security / Supervision – Provide for a safe and secure environment for public, staff and inmates

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DOCR
Adult Services

- 2017 – 2019 Executive Recommendation:
  - James River Correctional Center - (JRCC)
    - Work programs – reduce prison idleness by providing work opportunities and by teaching job skills and work ethic
    - 151.0 FTE
    - 10.4% of adult services executive budget recommendation

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DOCR
Adult Services

- 2017 – 2019 Executive Recommendation:
  - Transitional Facilities - $39,789,856
    - Encompasses the management and operation of the Missouri River Correctional Center (MRCC) and the contract management of treatment and community beds
    - MRCC is a minimum security institution responsible for the management and housing of minimum security adult male offenders within the DOCR
    - MRCC Temporary Housing Unit (36 beds; former man-camp unit)
    - 165 - FY2016 average daily population
    - 187 – 12/31/16 one day count
    - 187 – 2015-17 budgeted bed capacity

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DOCR
Adult Services

- 2017 – 2019 Executive Recommendation:
  - Transitional Facilities
    - Contract facilities include:
      - Tompkins Rehabilitation and Corrections Center (TRCC) – NDSH / Jamestown
      - Bismarck Transition Center (BTC)
      - Centre, Inc. – Mandan, Fargo, Grand Forks
      - Teen Challenge – Mandan
      - Lake Region Transition – Devils Lake
      - Redemption Road – Fargo, Jamestown

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DOCR
Adult Services

- 2017 – 2019 Executive Recommendation:
  - Transitional Facilities
    - Facility administration
    - Food service - – Prepare and serve three nutritious well-balanced meals daily
      - $1.77 – average budgeted food cost per meal
      - 426,000 – 2017-19 JRCC / TRCC estimated number of prepared meals
    - Security / Supervision - Provide for a safe and secure environment for public, staff and inmates
    - Work programs – reduce prison idleness by providing work opportunities and by teaching job skills and work ethic

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DOCR
Adult Services

- 2017 – 2019 Executive Recommendation:
  - Transitional Facilities
    - Contract community / treatment beds – provide housing, transition and treatment services to adult offenders
    - Overflow housing – contracted prison beds necessary due to inmate population exceeding prison bed capacity
    - 39.05 FTE
    - 17.9% of adult services executive budget recommendation

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DOCR
Adult Services

- 2017 – 2019 Executive Recommendation:
  - Treatment and Programming - $8,941,920
    - Development, coordination, oversight and delivery of treatment and programs to adult offenders
    - Individualized assessment, treatment programming and case management services
    - Services and programs:
      - Administering and managing offender assessments
      - Variety of curriculums targeting criminal thinking
      - Substance abuse treatment
      - Sex offender treatment – institutional and community
      - Mental health and crisis intervention programs

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DOCR
Adult Services

- 2017 – 2019 Executive Recommendation:
  - Treatment and Programming
    - Services and programs:
      - Conflict resolution / anger management
      - Pastoral services
    - 39.0 FTE
    - 4.0% of adult services executive budget recommendation

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DOCR
Adult Services

- 2017 – 2019 Executive Recommendation:
  - Education - $4,478,074
    - Academic and career and technical education – course work in academic core content, elective and CTE areas that lead to certifications and prepare offenders for employment once released
      - Educational assessment
      - Special education
      - Basic skills (YCC collaboration)
        - Read Right
        - GED / high school diploma
        - Career counseling
        - Library services

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DOCR
Adult Services

- 2017 – 2019 Executive Recommendation:
  - Education
    - Career and technical education
      - Welding
      - Trade Industry and Construction
    - 10.1 FTE
    - 2.0% of adult services executive budget recommendation

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DOCR
Adult Services

- 2017 – 2019 Executive Recommendation:
  - Women Services - $11,340,512
    - Contract management of female inmate housing contract
    - Dakota Women's Correctional and Rehabilitation Center (DWCRC) – New England, ND
      - 131 – FY2016 average daily population
      - 113 – 12/31/2016 one day count
      - 126 – Budgeted bed capacity
    - 1.0 FTE
    - 5.1% of adult services executive budget recommendation

43

DOCR
Adult Services

- 2017 – 2019 Executive Recommendation:
  - Roughrider Industries - $14,788,006
    - Employment of approximately 170 inmates
    - Manufactured products include:
      - Furniture
      - Upholstered products
      - Signage
      - License plates
      - Metal fabricated products
      - Inmate clothing
      - Military garments
      - Plastic bags
      - Cattle Panels

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DOCR
Adult Services

- 2017 – 2019 Executive Recommendation:
  - Roughrider Industries
    - Prison commissary operations
      - Profits support educational programming
    - No general funds
    - 33.0 FTE
    - 6.6% of adult services executive budget recommendation

45

DOCR
Adult Services

- 2017 – 2019 Executive Recommendation:
  - Central Office – Adult (DOCR Administration) - $42,528,162
    - Administration
    - Human resources
    - Information technology
    - Fiscal operations
    - Training and Inspections

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DOCR
Adult Services

- 2017 – 2019 Executive Recommendation:
  - Central Office – Adult (DOCR Administration)
    - Medical Services
      - Medical, dental, and mental health care services provided at a constitutional standard of health care (on-site and off-site services)
      - Pharmacy
    - Plant Services
      - Daily operation and maintenance of all DOCR facilities, grounds and equipment.
      - Manages to completion all capital and extraordinary repair projects

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DOCR
Adult Services

- 2017 – 2019 Executive Recommendation:
  - Central Office – Adult (DOCR Administration)
    - 97.17 FTE
    - 19.1% of adult services executive budget recommendation

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DOCR
Adult Services

- 2017 – 2019 Executive Recommendation:
  - Total Adult Services recommendation - $222,523,157
    - Total general fund - $189.4 million
    - Total FTE – 705.62

49

DOCR
Adult Services

- 2017 – 2019 Significant Budget Changes:
  - Employee Compensation - $3.0 million
    - General salary adjustment - $366,121
    - Fringe benefits – $72,430
    - Health insurance - $1,931,420
    - Teacher Composite – Adult - $617,637
  - Federal Grant Funding - $2.8 million
    - Victim of Crime Act grant funding increase
  - One-time Funding – 935,907
    - Electronic Medical Record replacement
      - Current application no longer supported, quarantined and failing
      - Strategic Investment and Improvement fund

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DOCR
Juvenile Services

- 2017 – 2019 Executive Recommendation:
  - Juvenile Community - $9,105,244
    - Supervision and treatment programming
      - Develop and implement individualized treatment and rehabilitation plans, based on comprehensive needs / risk assessments
    - Administration and management of community based treatment programs
      - Day Treatment
        - 6 sites
      - Intensive In-home
        - 8 sites

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DOCR
Juvenile Services

- 2017 – 2019 Executive Recommendation:
  - Juvenile Community
    - Sheriff transportation fees (juvenile transports)
    - Administration of interstate compact for juveniles
    - 31.47 FTE
    - 28.8% of juvenile services executive budget recommendation

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DOCR
Juvenile Services

- 2017 – 2019 Executive Recommendation:
  - Youth Correctional Center (YCC) - $17,209,416
    - Facility administration
    - Food services
      - Serve and prepare three nutritious meals and an evening snack to YCC residents and on-duty staff on a daily basis
    - Treatment services
      - Assessment, individualized treatment programming and case management services
        - Cognitive-behavioral counseling
        - Drug and alcohol programming
        - Family day sessions

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DOCR
Juvenile Services

- 2017 – 2019 Executive Recommendation:
  - Youth Correctional Center (YCC)
    - Treatment services
      - Effective communication motivational strategies (ECMS)
      - Mental health services
      - Victim impact programming
    - Education services
      - Fully accredited junior / senior high school – Marmot Schools and adult education program
        - Academic education – course work towards eighth grade and high school diploma
        - Career and technical education – entry level vocational skills

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DOCR
Juvenile Services

- 2015 – 2017 Executive Recommendation:
  - Youth Correctional Center (YCC)
    - Education services
      - Adult education – alternative education for those 16 years of age or older
      - Special education
      - Assessment and counseling
      - Adult services collaboration
    - Security / Supervision
      - Public safety
      - Quality care and supervision of juveniles in residence
        - Brown, Hickory, Maple, and Pine cottages

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DOCR
Juvenile Services

- 2017 – 2019 Executive Recommendation:
  - Youth Correctional Center (YCC)
    - 95.87 FTE (10.0 new)
    - 54.4% of juvenile services executive budget recommendation

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DOCR
Juvenile Services

- 2017 – 2019 Executive Recommendation:
  - Central Office – Juvenile (DOCR Administration) - $5,309,735
    - Administration
    - Human resources
    - Information technology
    - Fiscal operations
    - Training and Inspections

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DOCR
Juvenile Services

- 2017 – 2019 Executive Recommendation:
  - Central Office – Juvenile (DOCR Administration)
    - Medical Services
      - Medical, dental, and mental health care services provided at a constitutional standard of health care (on-site and off-site services)
      - Pharmacy
    - Plant Services
      - Daily operation and maintenance of all DOCR facilities, grounds and equipment.
      - Manages to completion all capital and extraordinary repair projects

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DOCR
Juvenile Services

- 2017 – 2019 Executive Recommendation:
  - Central Office – Juvenile (DOCR Administration)
    - 13.33 FTE
    - 16.8% of juvenile services executive budget recommendation

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DOCR
Juvenile Services

- 2017 – 2019 Executive Recommendation:
  - Total Juvenile Services recommendation - $31,624,395
    - Total general fund - $26.5 million
      - Total FTE – 140.67
      - 10.00 new

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DOCR

Juvenile Services

- 2017 – 2019 Significant Budget Changes:
  - Employee Compensation - $725,899
    - General salary adjustment - $63,366
    - Fringe benefits - $12,608
    - Health Insurance - $398,239
    - YCC teacher composite - $251,686
  - 10.0 FTE Youth Correctional Center - $1,258,076
    - Positions necessary to maintain compliance with the Prison Rape Elimination Act (PREA)

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ND DOCR

17-19 Estimated Contract Housing and Programming

Program / Facility	17-19 Est Computed Average Daily Count	17-19 Estimated Average Daily Rate	17-19 Estimated Cost
BTC	96	63.04	4,414,344
BTC - Secure Female	34	75.54	1,866,172
Centre - Female Trans	67	70.14	3,414,904
Centre - Male Trans	60	73.18	3,213,459
Centre - 1/2 way	48	70.12	2,449,852
Centre - 1/4 way	-	-	-
DUI Treatment	7	66.98	351,587
Electronic Montioring	81	4.25	251,714
Low Risk	9	1.40	9,608
Faith Based	13	40.51	388,288
Lake Region Trans	12	58.20	491,727
SCRAM	60	4.07	179,169
Sex Offender	12	20.00	176,052
TRCC (106 total beds)	105	119.42	9,166,152
PH / County / BOP / Out State	111	75.00	6,051,017
MRCC Temp Housing	36	35.00	919,800
		2017-19 Estimated Total	**33,343,846**

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DOCR Adult Services Inmate Population Information

Inmate Population on December 31, 2016 (Male Only)

TOTAL COUNT: 1578

NDSP **753**, JRCC **439**, MRCC **187**, DWCRC **0**, Non Traditional Beds **199**

Non-Traditional Bed Breakdown:

Correctional Centers (Jails) **13**, Interstate Compact **21**, TRCC **72**, BTC **44**, GFC **18**, MTPFAR **23**, MTPMDN **5**, LRRP **3**

Year	2011	2012	2013	2014	2015	2016
Admissions - Calendar Year	813	965	1036	1147	1304	1298
Releases - Calendar Year	847	892	982	1052	1231	1307
Inmate Count on December 31	1292	1365	1419	1514	1587	1578

Inmate Count on December 31 (Crime Type)

Offense	2011	2012	2013	2014	2015	2016
Violent Offenders (Excluding Sexual)	423	459	494	516	513	535
Sex Offenders	271	277	268	290	286	297
Property and Other Public Order Offenders	295	298	308	308	335	287
Drug & Alcohol Offenders	303	331	349	400	453	459
Drug - Deliver, Manufacture or Intent	202	222	210	214	248	266
Drug - Possession Only	77	84	109	120	154	166
Alcohol - DUI, APC	24	25	30	66	52	27

Inmate Count on December 31 (Minimum Mandatory)

Offense	2011	2012	2013	2014	2015	2016
Breaking/Unlawful Entry Into a Motor Vehicle	0	0	0	1	1	2
DUI/Actual Physical Control	20	21	9	1	0	11
Driving Under Suspension	0	0	0	0	0	0
Refusing to Submit to Chemical Testing	0	0	0	0	0	1
Drug Offenses (Not Alcohol)	31	32	25	21	19	20
Reckless Endangerment	2	0	0	3	1	2
Assault	13	9	8	5	3	5
Burglary With Weapon	0	0	0	0	1	3
Felonious Restraint	0	0	0	0	0	1
Kidnapping	1	1	1	0	0	0
Sex Offense	9	8	10	11	9	21
Terrorizing	8	10	14	6	1	10
Robbery	6	5	8	10	10	13
Criminal Vehicular Injury	0	0	0	0	0	0
Negligent Homicide/Criminal Vehicular Homicide	2	1	1	1	1	2
Manslaughter	0	0	0	0	0	0
Murder *	13	14	14	16	17	19
Felon in Possession of a Firearm	1	0	0	0	1	0
Offender Registration Violation	3	3	0	0	0	2
Total	109	104	90	75	64	112

* There are **73** males with a Life sentence (not all are minimum mandatory sentences)

7.1% of the male inmate population on December 31, 2016 had a minimum mandatory sentence.

Inmate Count on December 31 (85% Truth-In-Sentencing)

	2011	2012	2013	2014	2015	2016
Number of Inmates Having 85% TIS	256	260	292	297	282	278
Average Sentence In Months (excludes Life)	100	112	101	99	123	126

DOCR Adult Services Inmate Population Information (Male Only)

Average Inmate Population, Admissions, Releases by Fiscal Year

	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
Average Daily Population	1305.72	1305.35	1356.10	1397.72	1497.09	1562.20
Admissions	838	885	994	1077	1244	1325

Releases	850	881	942	1012	1137	1299

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Fiscal Year Admissions Of 85% Truth-In-Sentencing Inmates						
	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
Number of Inmates	88	81	101	93	102	88
Average Sentence In Months	45.07	51.83	40.91	53.19	44.70	56.38
Average Sentence Does Not Include Inmates With Life Sentences						

Number Of Fiscal Year Admissions by Crime Type						
	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
All Inmates	838	885	994	1077	1244	1325
Violent Offenders (Non-Sexual)	193	214	252	239	272	273
Sex Offenders	78	84	77	82	81	72
Drug & Alcohol Offenders	280	271	325	408	549	576
Property and Other Public Order Offenders	287	316	340	348	342	404

Average Sentence Imposed By Court (Fiscal Year, Crime Type, In Months, Excludes Life Sentences)						
	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
All Inmates	35.42	31.96	32.27	36.25	33.20	31.74
Violent (Non-Sexual)	46.48	34.73	29.65	46.16	35.54	38.72
Sex Offenders	68.92	64.42	81.30	75.48	73.46	67.29
Drug & Alcohol Offenders	32.26	29.95	29.57	30.96	28.86	29.14
Property and Other Public Order Offenders	22.15	23.39	26.20	26.51	28.11	24.55

Number Of Fiscal Year Admissions By Length Of Court Imposed Sentence						
	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
Less Than One Year	41	50	34	18	29	35
One Year to Less Than Five Years	676	743	840	916	1035	1138
Five Years to Less Than Ten Years	84	62	86	95	128	112
Ten Years to Less Than Twenty Years	22	20	16	26	30	27
Twenty Years or More	15	10	18	22	22	13

NOTE: The average sentence is that sentence imposed by the court. It does not take into account such things as good time, credit for time served, parole relief or any other method of shortening the sentence except Pardon Advisory Board recommendations adopted by the Governor (which can actually change the sentence). The average sentence is reported in months to two decimal points.

Data is based on the "controlling sentence" for offenders who are admitted for multiple crimes. Controlling sentence is the longest sentence ordered by the court that has not expired.

NDSP - North Dakota State Penitentiary. **JRCC -** James River Correctional Center. **MRCC** - Missouri River Correctional Center. DWCRC - Dakota Women's Correctional Rehabilitation Center (New England), TRCC - Tompkins Rehabilitation Correctional Center (Jamestown). BTC - Bismarck Transition Center. MTP - Male Transition Program (Fargo & Mandan). FTP - Female Transition Program (Fargo & Mandan). GFC - Grand Forks Centre. LRRP - Lake Region Re-entry Program (Devils Lake).

North Dakota Department of Corrections and Rehabilitation

2017 - 2019 Estimated Inmate Population

6.9% Estimated Annual Growth Rate

Based on actuals thru 12/31/16

Date	Estimated Average Inmate Population	|---- Traditional Prison Beds -----| DOCR Facilities \1	Interstate Compact \2	|---- Nontraditional Prison Beds -----| Contract Treatment \3	Transition \4	Overflow Housing \5	Total
July-17	1,616	1,411	21	73	111	0	1,616
August-17	1,623	1,417	21	73	112	-	1,623
September-17	1,631	1,420	21	73	112	4	1,631
October-17	1,639	1,420	21	74	113	11	1,639
November-17	1,648	1,420	22	74	113	19	1,648
December-17	1,657	1,420	22	74	114	27	1,657
January-18	1,668	1,420	22	75	115	36	1,668
February-18	1,678	1,420	22	75	115	46	1,678
March-18	1,689	1,420	22	76	116	55	1,689
April-18	1,701	1,420	22	76	117	66	1,701
May-18	1,714	1,420	22	76	118	78	1,714
June-18	1,727	1,420	23	76	119	90	1,727
July-18	1,737	1,420	23	76	119	98	1,737
August-18	1,743	1,420	23	76	120	104	1,743
September-18	1,750	1,420	23	76	120	111	1,750
October-18	1,757	1,420	23	76	121	117	1,757
November-18	1,765	1,420	23	76	121	125	1,765
December-18	1,774	1,420	23	76	122	133	1,774
January-19	1,784	1,420	23	76	123	142	1,784
February-19	1,793	1,420	23	76	123	150	1,793
March-19	1,803	1,420	24	76	124	160	1,803
April-19	1,814	1,420	24	76	125	170	1,814
May-19	1,826	1,420	24	76	125	181	1,826
June-19	1,839	1,420	24	76	126	192	1,839
2017-19 Estimated Ave Total	**1,724**	**1,419.51**	**23**	**75**	**118**	**88**	**1,724**

NOTES:

\1 - DOCR facilities consist of ND State Penitentiary (NDSP), James River Correctional Center (JRCC), and Missouri River Correctional Center (MRCC). The budgeted 2017-19 budgeted capacity at each facility is as follows: NDSP - 796, JRCC - 437, MRCC - 187

\2 - Male inmates housed either out-of-state with the Bureau of Prisons or with other states on an even exchange basis.

\3 - Contract treatment provided the North Dakota State Hospital which operates the Tompkins Rehabilitation and Corrections Center (TRCC).

\4 - Transition services are currently provided by CCCS which operates the Bismarck Transition Center (BTC); Centre, Inc. which operates male transition programs in Fargo, Mandan, and Grand Forks; Lake Region Law Enforcement Center which operates a male transition program in Devils Lake.

\5 - Overflow housing expected to be provided through a contractual agreement with county and / or regional jail facilities.

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North Dakota Department of Corrections and Rehabilitation

2017 - 2019 Est. Female Inmate Population

11.4% Estimated Annual Growth Rate — Based on actuals thru 12/31/16

Date	Estimated Average Inmate Population	Traditional Beds: Interstate Compact	Traditional Beds: DWCRC \1	Nontraditional Beds: Contract Treatment \2	Nontraditional Beds: BTC Secure	Nontraditional Beds: Community Placement / Transition \3	Nontraditional Beds: Contract Housing \4	Total
July-17	224	-	126	29	30	36	3	224
August-17	226	-	126	29	31	36	4	226
September-17	227	-	126	29	31	36	5	227
October-17	229	-	126	30	31	37	6	229
November-17	232	-	126	30	31	37	7	232
December-17	234	-	126	30	32	37	9	234
January-18	236	-	126	30	32	38	11	236
February-18	239	-	126	30	32	38	12	239
March-18	242	-	126	30	33	39	14	242
April-18	245	-	126	30	33	39	17	245
May-18	248	-	126	30	34	40	19	248
June-18	252	-	126	30	34	40	21	252
July-18	254	-	126	30	34	41	23	254
August-18	255	-	126	30	35	41	24	255
September-18	256	-	126	30	35	41	24	256
October-18	258	-	126	30	35	41	25	258
November-18	259	-	126	30	35	41	27	259
December-18	261	-	126	30	35	42	28	261
January-19	263	-	126	30	36	42	29	263
February-19	265	-	126	30	36	42	31	265
March-19	267	-	126	30	36	43	32	267
April-19	270	-	126	30	37	43	34	270
May-19	272	-	126	30	37	44	36	272
June-19	275	-	126	30	37	44	38	275
2017-19 Estimated Ave Total	**250**	**-**	**126**	**30**	**34**	**40**	**20**	**250**

NOTES:

\1 - Dakota Women's Correctional and Rehabilitation Center (DWCRClocated in located in New England, ND. Facility is owned and operated by Southwest Multi County Correctional Center (SWMCCC)

\2 - Contract treatment currently provided by the North Dakota State Hospital which operates the Tompkins Rehabilitation and Corrections Center (TRCC).

\3 - Transition services currently provided by Centre, Inc. which operates transition programs in Fargo, and Mandan; and Lake Region Law Enforcement Center which operates a transition program in Devils Lake.

\4 - Overflow housing to be provided via a contractual agreement

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SENATE APPROPRIATIONS COMMITTEE
Senator Holmberg, Chairman
January 11, 2017

North Dakota Department of Corrections and Rehabilitation
Division of Juvenile Services
Lisa Bjergaard, Director

TESTIMONY IN SUPPORT OF SENATE BILLS 2015 AND 2075

For the record, I am Lisa Bjergaard, Director of the Division of Juvenile Services. I present this testimony in support of Senate Bills 2015 and 2075, relating to the operation of the Department of Corrections and Rehabilitation, which includes the Division of Juvenile Services.

Division of Juvenile Services

Better Choices, Brighter Future

JUVENILE JUSTICE

The Division of Juvenile Services (DJS) is North Dakota's youth corrections agency. An overview of North Dakota's entire juvenile justice system provides necessary background information in order to engage in a meaningful examination of the issues that impact juvenile corrections. The North Dakota Juvenile Justice System is largely defined through the role of the Juvenile Court under Chapter 27-20 of the North Dakota Century Code (NDCC) which is titled the Uniform Juvenile Court Act. The Uniform Juvenile Court Act established the Juvenile Court as a division of the District Court.

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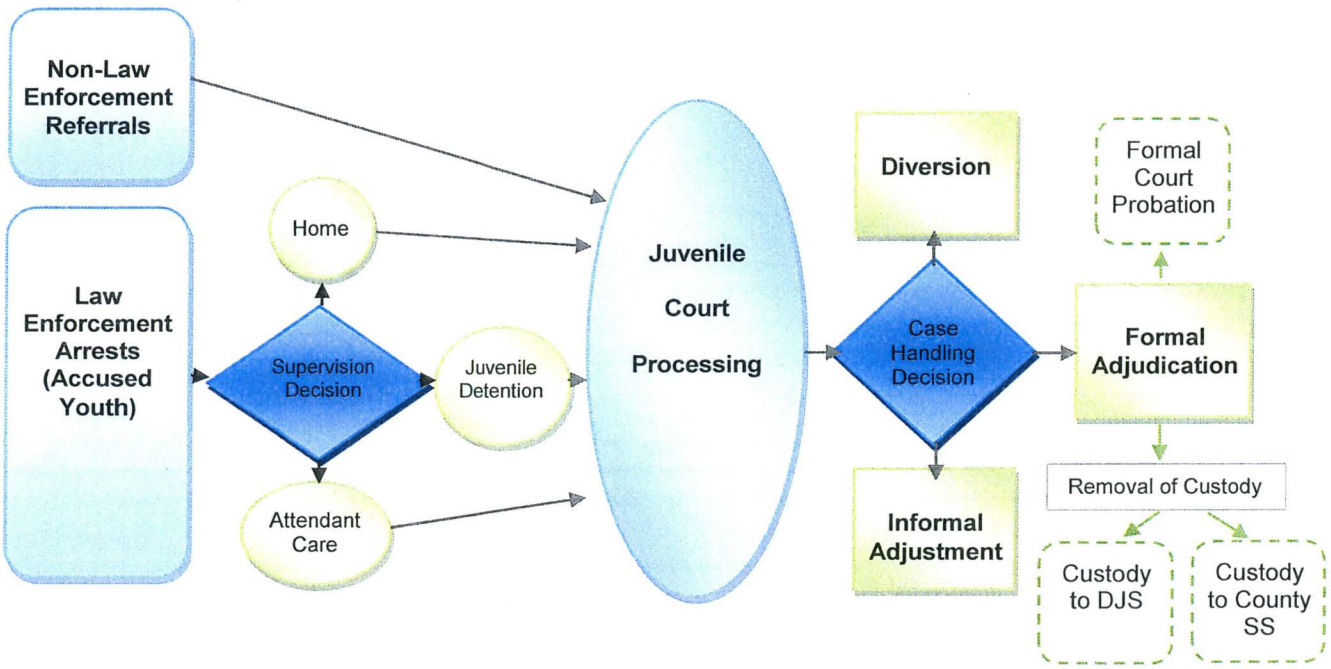
The Juvenile Court has exclusive and original jurisdiction over any child who is alleged to be deprived, delinquent and/or unruly. In North Dakota, youth ages seven up to age eighteen who are alleged to have committed a delinquent or unruly act fall under the jurisdiction of the Juvenile Court. The following diagram illustrates the flow of youth through the juvenile justice system in North Dakota:



The juvenile justice system includes law enforcement, the juvenile court, probation, child welfare, and the Division of Juvenile Services. *Juvenile court processing* in this diagram includes the activities of the juvenile court directors, as well as the judges and referees. The juvenile court directors are key positions in the operation of the juvenile justice system.

The diagram helps envision the process. But, what about volume? A good place to start is with a snapshot of all youth who might someday find their way into the juvenile justice system, in other words, who and how many youth might make up

the possible universe. A reliable source of youth population data comes from the school districts as they record actual enrollment and report it at least annually.

Juvenile Population

Change in ND School Enrollment Over Last 5 Years

Grade	2011-12	2016-17	% Change
PK-K	11,132	13,089	18%
Grades 1-5	39,822	47,349	19%
Grades 6-8	23,186	25,901	12%
Grades 9-12	31,386	32,047	2%
Grand Total	**105,526**	**118,386**	**12%**

Based on school enrollment data, North Dakota's youth population has increased by 12% over the last five years. However, the increase is primary attributable to the growth in the pre-adolescent age groups. Given these numbers, a significant increase in adolescent population can be expected over the next five years. This predicts an increase the number of youth at risk of entering the juvenile justice system.

Law Enforcement

As previously stated, the Juvenile Justice System includes law enforcement at the local, county and state level. Law enforcement officers interact with youth every day as they perform their duties in our communities, schools, and as a part of traffic safety enforcement. Law enforcement may divert youth from formal processes by warning, counselling, or making a referral for services. Youth who are suspected of being deprived, neglected or abused may be taken into custody

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by law enforcement. Youth who are accused of committing a delinquent or unruly act can also be cited or taken into custody (arrested).

Because it can be a critical entry point for the juvenile justice system, it is important to understand arrest data. Nationally, there has been a significant drop in juvenile arrest rates in recent years. The National violent crime arrest rates of juveniles between 2001 and 2012 fell 42%. The overall national violent index crime arrest for juvenile rate is lower that it was in the 1970's.

The chart below compares arrest rates for North Dakota with those nationally, for the most recent year where data is available. As indicated, North Dakota has a very low violent crime rate, particularly in comparison to the rest of the country. However, North Dakota does have a higher rate of property crime among youth, and drug use and underage drinking account for a large number of juvenile arrests. Disorderly conduct is a something of a catch-all category, and it is also a

discretionary category of arrest. Some of these arrests are related to the presence of school resource officers in our schools. Other times, more serious offenses are commonly "pled down" to disorderly conduct in order to expedite the court process.

Juvenile Arrest Rates for Selected Offenses Per 100,000 Youth, Ages 10-17		
Offense Category	ND 2014	US 2014
Violent Crime Index	0.55	157.8
Property Crime Index	***991.1***	***693.0***
Weapon Violations	30.4	60.0
Vandalism	215.6	131.1
Drug Use Violations	***571.5***	***332.4***
Disorderly Conduct	***757.6***	***236.7***
Liquor Law Violations	***847.5***	***156.6***
Total Arrests	5291.0	3008.1

Juvenile Court

All citations issued upon arrest are referred to the Juvenile Court. In addition, referrals to Juvenile Court are made by schools and parents. As discussed above, cases that are referred are processed in one of three ways: 1) diversion; 2) informal adjustment; and 3) formal adjudication. Based on the most recent three-year average of juvenile court dispositions, the majority of cases are diverted, either through direct referral to diversion programs or through the informal process in which no formal petition is filed. Three-fourths of all youth referred never enter the formal courtroom and one-third never entered the courthouse at all because they were diverted to appropriate community programs.

In a case where serious delinquent behavior has jeopardized the safety of the public, a judge or referee can place legal custody with the Division of Juvenile Services (DJS). Once under state custody, youth are placed in consideration of their best interests and the safety of themselves and the public. DJS, like the county, has the authority to place youth into any of the settings that can be used for treatment purposes by county social services. In addition, if the safety of the public warrants the confinement of the youth, DJS may place youth at the North Dakota Youth Correctional Center.

Youth Corrections (Division of Juvenile Services)

The Division of Juvenile Services sits at the end of the juvenile justice system continuum. After all of the opportunities for prevention, diversion, and early intervention have been exhausted, a youth has the final safety net of juvenile corrections as the last "back stop".

Over time, the numbers of these youth and their characteristics of this select group has changed in ways that are worth discussing. Over a relatively short period of time, the DJS population shifted from a largely seriously delinquent and antisocial profile to one of predominantly mental health, substance abusing, and behaviorally disturbed youth. The population changed so fast that the DJS system needed to retool itself very quickly. By the end of 2010, the characteristics of the youth had changed enough to prompt a change in the way I reported data to the Legislature in the 2011 session. Coincidentally, the adolescent unit of the State Hospital closed in 2010.

Since that time, the youth corrections population has continued to move towards the more complex, traumatized and mentally ill group of youth. As an example, the percent of youth with a mental health diagnosis who further met the criteria for a "serious emotional disturbance" was an alarming 45% when I reported it in 2011. In 2017, when the numbers were recalculated for this testimony, that percentage rose to 79%.

At a time when juvenile crime rates were falling, here in North Dakota and nationally, commitment rates to youth corrections in North Dakota were not. This is because seriously mentally ill and addicted youth marched steadily through the front door of juvenile corrections. Often, these youth brought with them multiple prescriptions for psychotropic medications, need for psychiatric oversight, complicated Individualized Educational Plans, and other complex needs the likes of which a correctional center is ill-equipped to manage.

There is a distinction here that is important to understand. The actual numbers of youth committed did decline because the number of youth in the appropriate age range declined, however; the **rate** at which youth were committed to juvenile corrections fell very little, as indicated by the chart below. The declining number of youth in the typical at-risk adolescent age range of 10-17 mask what has happened within the North Dakota juvenile justice system.

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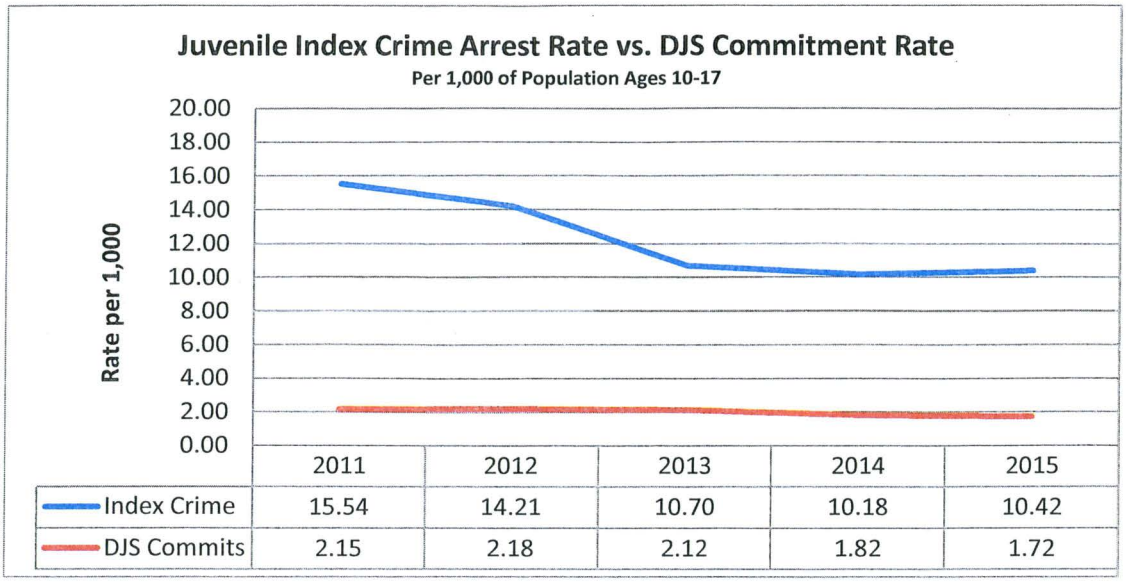

	2011	2012	2013	2014	2015
Index Crime	15.54	14.21	10.70	10.18	10.42
DJS Commits	2.15	2.18	2.12	1.82	1.72

The Division of Juvenile Services is built on a case management model, and utilizes a developmental approach. The internal goals of the Division of Juvenile Services are to reduce the risks posed by delinquent and troubled youth: criminogenic risk to the community and risk of harm to self, and to effect the development of skills that steer youth towards a productive and successful transition to adulthood. There are external goals as well. As a part of the overall juvenile justice system in North Dakota, the Division of Juvenile Services shares collaborative goals with other agencies of state and local government. The Division of Juvenile Services works closely with the juvenile courts, child welfare, and schools to identify and target relevant issues, provide appropriate services, and build the capacity for youth to succeed. Risk reduction services are provided across the juvenile justice system, balancing the principles of least restrictive, most appropriate placement with the need to ensure public safety. Youth correctional services are provided in the Division of Juvenile Services (DJS)

system which includes the community-based division of case management and the Youth Correctional Center (YCC) facility.

Even just a few years ago, there was little in the way of research that pointed to effective strategies, practices and programs for delinquent youth. As the research unfolds, it supports all of the practices that North Dakota has funded, both in terms of the structure of service delivery system and in the specific programs delivered. Prominent in the research is evidence that long stays in institutions do not decrease recidivism. Furthermore, community-based supervision is as effective as incarceration for youth who have committed serious offenses. The Division of Juvenile Services has always emphasized a system of community-based case management, where delinquent youth are served in the least restrictive and most appropriate environment available.

On January 1, 2017, almost 27% of the youth in DJS custody were being served in their parent's homes. Another 12% were also placed elsewhere in the community, most of them in the homes of relatives. 4% were in treatment foster homes. These youth are receiving close correctional supervision and receive their treatment services from out-patient providers in their local communities. This means that roughly 40% of the youth committed to DJS are living in a family setting, which is the most developmentally appropriate and the most cost effective level of placement available. Another 23% were receiving services in the group home network, meaning that they lived at the group home and received education and treatment services there. The group homes are non-secure, use public schools, and in many cases community-based treatment

providers. They are considered a community based resource. 3% were placed in psychiatric residential centers. 5% were new to the caseload and were in our assessment status; their treatment plans were not yet developed. This means only about 27% of the youth correctional caseload required secure placement at the Youth Correctional Center, which would be considered "incarceration".

Thus, there is evidence in the distribution of the caseload for the principles noted in research regarding community based supervision. The research also supports the types of interventions that DJS has utilized for the past many years, namely Intensive-In-Home family therapy and school-based Day Treatment. DJS has supported Intensive-In-Home family therapy for 28 years. Now, research analyses of family-based programs and family strengthening initiatives demonstrate consistently that these programs produce positive results. Here in North Dakota, Intensive-In-Home is used as a mechanism to strengthen families whose youth are exhibiting behaviors that put them at high risk for being placed outside of their home. During the last year of the current biennium, our Intensive-In-Home model has resulted in 83% of the youth served successfully remaining with their families.

Day Treatment, our school based intervention, is currently in its 24th year. In the last full school year, 152 students were served in five sites. The Day Treatment programs successfully prevented 86% of the students served from receiving further legal citations. Day Treatment programs operated in Beach, Dickinson, Dunseith, Grand Forks, and Jamestown.

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DIVISION OF JUVENILE SERVICES SYSTEM OVERVIEW

Youth who enter state custody receive formal correctional assessment, case planning and case management services. Most youth have a lengthy history of delinquency adjudications prior to their commitment to the Division of Juvenile Services. In addition, we know a great deal about the general profile of youth who are committed to DJS custody. The profile is detailed on page one of the Division of Juvenile Services document (labeled "Appendix A") that was distributed with this testimony.

As you can see, the appendix shows how mental health and substance involved youth have penetrated into the corrections system. It is important to frame this discussion in terms of the national conversation, as the over representation of youth with mental health disorders has reached epidemic proportions in other states as well. Approximately 70% of juvenile justice youth nationally meet the criteria for at least one mental health disorder. Evidence suggests that 27% of juvenile justice youth nationally have a serious mental health disorder, and more than half meet the criteria for at least two diagnoses. Rates of mental health disorders amongst youth in the juvenile justice system are three times higher than that of the general youth population.

In our population, like the population of juvenile justice youth in other states, we find youth most commonly diagnosed with disruptive, impulse control, and conduct disorders. Secondly, they have substance abuse and addictive disorders. Many have trauma and stress-related disorders, and are anxious and depressed. There is a growing group of youth who are beginning to exhibit

schizophrenia spectrum and other psychotic disorders, as well as neurodevelopmental disorders.

In addition to all of the normal problems of adolescence (the lack of impulse control, poor judgment and decision making), the youth in our system also have significant behavioral health problems that stem directly from their very poor mental health. When they arrive, they are explosive, assaultive, and demonstrate very poor self -management. Generally, we find these youth have experienced multiple traumatic events, significant child neglect and abuse, and have elevated levels of suicidal thoughts coupled with significant histories of suicide attempts. Although there have always been large of numbers of youth with mental health disorders present in our population, the past few years have brought us an influx of incredibly broken and damaged kids.

The presence of these youth puts enormous strain on the service delivery system. We have concentrated on training our staff on adolescent development and mental health, as well as strategies for intervening with youth who have significant mental and behavioral health challenges.

Operational Overview

I have included an operational overview, and a summary of the youth served on an annual basis on page 2 of Appendix A. The information it contains is derived from service numbers during the past 12 to 24 months, as we have programs that operate over the school year and over the calendar year. The full year of this recent biennium; July 1, 2015 through June 30, 2016 accounts for the source

of most of the numbers. During this time, the Division of Juvenile Services provided services to approximately 1,100 at-risk youth who were involved at some level of the juvenile justice system.

Youth Assessment Process

All youth complete assessment immediately following their commitment to the Division of Juvenile Services. The Division of Juvenile Services must hold youth accountable for their actions while doing all it can to ensure that the youth do not re-offend. Accomplishing those goals requires a deeper understanding of each youth's needs and issues. The assessment process provides staff with that information.

The tool used in the assessment process measures a combination of static and dynamic risk factors, and creates a profile that summarizes both risks and needs specific to the individual youth. Youth are classified into one of 7 typologies. The typology information, coupled with the criminogenic risk factors, help determine the degree to which a youth might be described as serious, chronic or violent. This biennium, 100% of the youth fell into the serious category, 43% are considered chronic, and 63% have the potential to become violent. The evidence-based practice literature for the field of corrections emphasizes that correctional interventions should be applied only to serious, chronic and/or violent offenders. Spending time and money on low risk and non-violent offenders, according the research, is not productive and in some cases may even cause risk levels to increase.

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Case Management Services

Once the issues are completely identified, the goal is to address these problems efficiently and effectively. Individualized case plans are developed through a family team process following the assessment phase, and a highly specialized case manager shepherds the case throughout the length of stay. Primarily, case plans focus on behavioral management and remediation, therapeutic approaches, and have a strong educational component.

Youth are placed for services in a continuum of care that might include placement at home with community based services, foster care, residential care, psychiatric care, or they may require secure correctional placement at the Youth Correctional Center.

Techniques have been chosen based on the predominant needs identified in this population of youth, and what research has proven to be effective with youthful offenders. Research tells us that the use of a relational model, in a developmental context, will produce the best results. The Mandt System is a relational model which is used as the primary behavioral management approach across the Division of Juvenile Services. The Mandt approach gives staff a model for identifying and intervening in escalating situations, by using proven crisis intervention and crisis management strategies. Mandt is a positive relational approach, and it provides a foundation for all of our interactions with youth and with each other, so that youth see staff engaging in positive, constructive ways as adults.

In addition, staff are trained in Effective Communication/Motivational Strategies (ECMS) and Core Correctional Practices. ECMS is based on the technique of motivational interviewing, which is one of the evidence-based strategies. This is a strategic communications training that helps staff uncover the thinking that underlies behavioral choices.

Finally, staff are trained in methods of cognitive restructuring. Cognitive restructuring helps youth to understand their own destructive thinking patterns and builds strategies that improve a youth's ability to harness their own ability to self-manage.

North Dakota Youth Correctional Center

Specific risk-reduction programming is used at the YCC for those youth who cannot be served in a less intensive level of care. The YCC also provides detention services which are primarily utilized by area counties.

The YCC utilizes a system called Performance-based Standards (PbS) to measure outcomes and provide a basis for continuous quality improvement and planning. This system not only gathers critical outcome data for assessment, detention and the long-term care program, but it also allows the YCC to compare itself to other state youth corrections facilities across the country. Currently, 226 facilities in 35 states participate in PbS.

Using PbS data, YCC developed facility improvement plans that modified traditional correctional practices to better accommodate the increasing numbers of youth with serious and multiple mental health and behavioral health issues.

Also, we re-tooled supervision strategies for suicidal youth. The constant presence of extremely disturbed youth in all of the buildings puts pressure on staff, and has contributed to higher rates of staff turnover and higher levels of staff fear for safety.

The increasingly complex population has spurred rapid change across the entire Division of Juvenile Services. Even with the challenges, rates of serious misconduct have not increased, nor has there been an increase in injuries to youth, injuries to staff, rates of restraint, or in acts of self -harm.

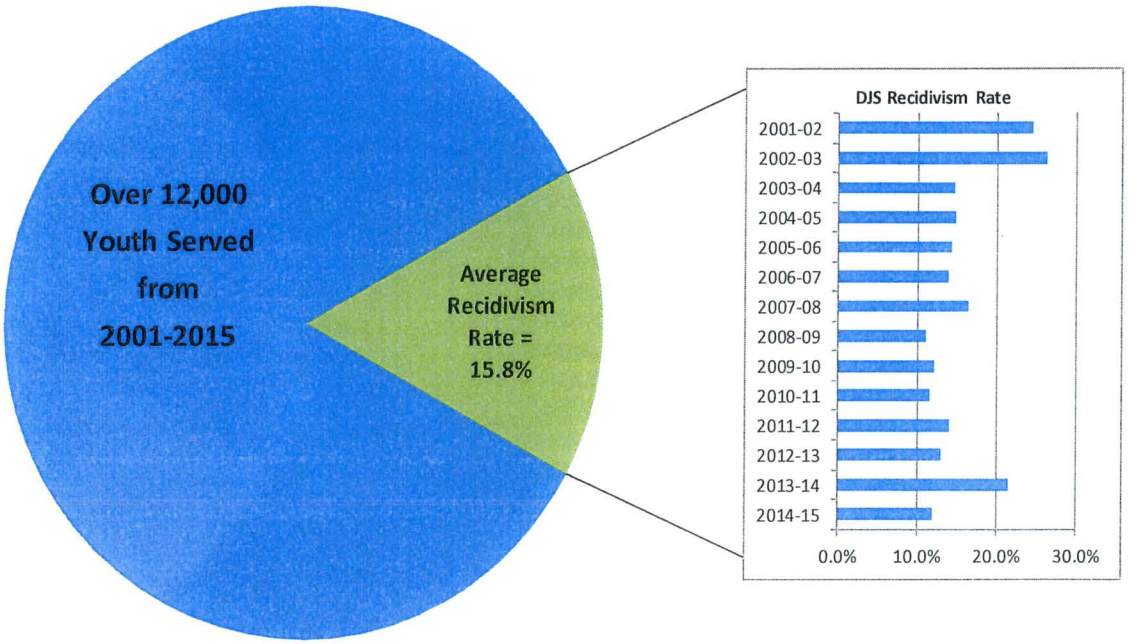
Marmot Schools

This final page outlines Marmot Schools and their accomplishments. The YCC must provide elementary, middle and high school programming based on the educational profiles of the youth committed to DJS. During the last school year, Marmot School served youth from 127 of North Dakota's 181 school districts. As you can see, this population of students has a particularly challenging profile. A central intervention for all students is the Read Right Program. Read Right is an individualized reading intervention program. The highly structured tutoring method focuses on individual student performance, and so is effective for struggling readers with a wide variety of reading problems.

POSITIVE YOUTH OUTCOMES

As you are aware, there is an annual examination of the rate of recidivism conducted on each cohort after they have been released from custody for one year. The most recent analysis has been completed for the group of youth who

were released from custody during 2014-2015. 12% were convicted of a new offense. This means that youth in this cohort successfully avoided reconviction at a rate of 88%. Of the 12%, 4% returned to the youth state correctional system on a new disposition, and 8% were admitted to the adult system either as probationers or sentenced to prison. Below, you will see a 15- year profile of recidivism rates for the North Dakota Youth Corrections.



Prison Rape Elimination Act, or PREA

Also in 2016, the YCC underwent its second Prison Rape Elimination Act audit. In both the first and second audits, the NDYCC was deemed to be in compliance with 100% of the audit standards. The Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79) was enacted by Congress to address the problem of sexual abuse of persons in the custody of U.S. correctional agencies.

Youth PREA standards include mandates for staff to youth ratios that become effective in 2017. Because the standard was not yet effective during the most recent audit, NDYCC was found compliant. The auditors did make note that current staffing ratios will not meet the staffing standard in 2017.

Specifically, PREA requires a ratio of 1 staff per 8 youth during waking hours, and 1 per 16 during sleeping hours. In preparation for the audit, the auditor asked that YCC calculate the number of times during the year prior that staff- to - youth ratios were insufficient. We found that there were not enough staff present to meet the ratios 409 times. A "time" is a shift. In addition, this calculation did not account for youth movement between buildings which might also lead to a staff ratio violation multiple times per shift.

SUMMARY

Like any state, North Dakota's juvenile justice system is complex and unique both in its strengths and challenges. The strengths of this juvenile justice system are many, but of course, no close examination of the issues is complete without a plan to address opportunities.

First, the numbers reveal that over the next 5 years it is likely that the entire juvenile justice system will experience significant growth if nothing in current practice changes. Of course it is impossible to predict the outcome and exact interplay of factors. However, there exists a window of opportunity to beef up prevention, early intervention, and diversions strategies in order to curb future growth in deep end agencies. One opportunity to dig deep into possible juvenile

justice reform can be found in Senate Concurrent Resolution 4003, which proposes a study of the juvenile justice process. In anticipation of positive legislative response and support for this measure, the Division of Juvenile Services and Unit Three of the Juvenile Court have entered into an informal pilot project which hopes to gather data that might provide a useful kick-start for the legislative committee who will oversee the study. Early use of risk assessment and the development of a dispositional matrix are just part of this pilot.

Furthermore, the over representation of minority youth at all levels of the juvenile justice system warrants continued efforts. The Juvenile Justice State Advisory Group recently sponsored two cross-systems teams of professionals who attended a policy academy at Georgetown University, aimed at developing plans for impacting minority overrepresentation in both Cass and Burleigh counties. Stay tuned as we learn from the implementation of those plans strategies that might work in some of our other jurisdictions.

Also, SB2046 aims to begin a pilot project that will build common ground between tribal juvenile courts and state juvenile justice processes.

Finally, the State Advisory Group, Supreme Court, Department of Public Instruction and the Division of Juvenile Services are working together to bring other partners together around dual system involved youth.

In conclusion, it is worth imagining a juvenile justice system where misbehavior does not need to be criminalized in order for youth to get the help they need. Where the juvenile justice system is cost-effective, mostly preventive in nature,

and recognizes the distinctions between youth that have significant mental and behavioral health needs, or addiction treatment needs, and those who are deeply delinquent and pose a danger to the public. And, where all youth, even those requiring intensive services, can receive those services in a trauma informed, developmentally appropriate environment.

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APPENDIX A

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Division of Juvenile Services

January 2017

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Agency Goal:

As a collaborative partner in the system, DJS' goal is to help make communities and victims whole, rehabilitate young offenders while holding them accountable, and for youth to develop skills in order to be productive and succeed.

Profile of Juvenile Corrections Youth

86% have issues with **mental health**	•79% of youth have a serious emotional disorder •46% of the youth that have a mental health issue require a medication managed by psychiatry
84% have issues with **substance abuse**	•67% used alcohol before age 15 •65% have family w/criminality or substance abuse •52% used marijuana on a weekly basis
79% have **family instability**	•63% have a family that struggles economically •58% have had multiple caretakers •56% witnessed parental conflict and/or violence
77% have **academic problems**	•57% have failed 3 or more classes •42% have usual grades that are a "D" or "F" •32% have had to repeat a grade
99% have **criminogenic risk factors**	•96% are impulsive and take risks •93% have opportunity for criminal activities •90% have been rebellious over past two years •88% associate w/criminal friends or other deliquents
99% have issues with **cognitive reasoning**	•92% appear manipulative and dominate others •87% easily lie and get away with it •81% blame others or situation •69% demonstrate a lack of remorse or guilt
77% lack adequate **social skills**	•74% exhibit negative social perceptions •41% are isolated and lacking social support

"Juvenile Justice is the wisest investment in crime prevention we can make."

Operational Overview

The Division of Juvenile Services (DJS) provides intensive case management for youth committed to the agency's care, custody and control. Juvenile Courts operating within the District Courts are able to transfer custody to DJS as a disposition option for delinquent youth. Once committed, youth go through a thorough assessment process in order for the agency to make informed decisions related to services and placement.

Each youth under agency custody is assigned a Juvenile Corrections Specialist (JCS). The JCS will supervise the case and work to further the goals of the treatment plan. The JCS develops a community placement agreement for youth who remain in their home or arranges for a suitable out-of-home placement somewhere along the continuum of care.

The continuum of care includes the state's juvenile correctional facility, the North Dakota Youth Correctional Center (YCC), which is part of the DJS. YCC provides rehabilitative and educational programming in a secure setting for youth under DJS custody as well as youth placed by the Federal Bureau of Prisons (BOP) or tribal court. It also serves as the local detention facility for pre-adjudicated youth.

Over the course of their treatment, youth might make use of a number of programs in multiple levels of care. DJS operates under the philosophy that services should be provided in the least restrictive environment consistent with the practice of assuring safety of society and the well being of the youth.

DJS also supports several therapeutic intervention services for youth that may not be under the agency's custody. Funding is provided for Intensive In-Home and Day Treatment Programs. These programs provide needed services that prevent youth from entering or further penetrating the juvenile justice system, as more fully discussed on page 4.

In addition, DJS manages the Interstate Compact for Juveniles (ICJ), a federal act which establishes the procedures for cooperative supervision of juveniles on probation and parole between the 50 states and several US territories. DJS is responsible for training, requests, legal documents and interpretation of the rules and regulations in accordance with the ICJ.

1,100 Youth Supported

AGENCY CUSTODIAL SERVICES	NON-CUSTODIAL SERVICES (YCC)	COMMUNITY THERAPEUTIC SERVICES	INTERSTATE COMPACT
Committed Youth = 301	Detention Placements = 134 BOP/Triabl Placements = 5	Day Treatment = 152 Intensive In-Home = 132* *607 family members	Compact = 378

By failing to correctly identify and treat, an opportunity to alter delinquent conduct is wasted.

Youth Assessment Process

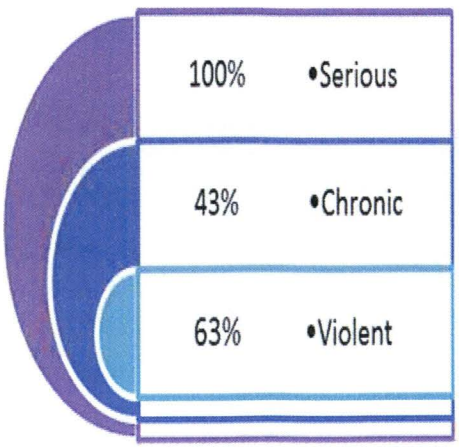
Youth committed to the DJS will initially go through a 14-21 day assessment period at the youth assessment center, located on the YCC campus. The assessment center provides a centralized point for processing, evaluation, and referral. Staff utilize a number of tools for assessment to develop a comprehensive treatment plan that best links the juvenile to services and interventions that will provide them the treatment, skills and competencies to live a crime-free life. The assessment period concludes with a staffing to discuss the assessment findings and present the Treatment and Rehabilitation Plan. This plan is submitted to the committing court and a progress report follows every 90 days. The development of the plan takes into account responsivity, referring to the fact that youth respond differently to different treatments. Since the wrong treatment could exacerbate a problem, careful matching of youth to specific treatment services is paramount to successful outcomes.

Goals of the Youth Assessment Center

1. Develop a thorough assessment of needs for each juvenile
2. Provide for a more comprehensive treatment plan
3. Improve case management and prevent future problem behaviors
4. Provide for a more efficient use of resources
5. Enable better monitoring of system performance

Risk/Needs Assessment Tool

DJS uses an automated risk and needs assessment tool established specifically for juvenile offenders. It is designed to take advantage of recent research on factors most strongly linked to juvenile delinquent behavior. The tool creates a typology for each youth that is linked to specific responsivity and matching of interventions to measured risk and need. Typology data indicates that the majority of youth under DJS custody could be categorized as serious delinquent offenders based on their risk and needs assessment. More than half of those youth are chronic offenders, meaning that if left unsupervised they would continue to commit crime. In addition, a good portion are also considered at risk of being violent. This emphasizes the importance of matching youth to specific treatment interventions that research has shown to be effective.



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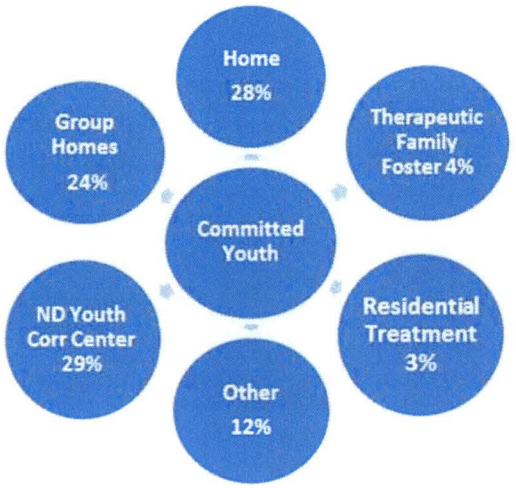
Case Management Services

Case management services operate through eight regional offices across the state. The Juvenile Corrections Specialist (JCS) works collaboratively with the local juvenile court, county social services, law enforcement, private human service agencies and schools to provide individualized rehabilitative programming for youth.

In order to individualize treatment planning, it is critical that staff have a range of placement services from which to choose. DJS, together with other state agencies, private providers and local entities have collaborated time, talent, and funding in order to build a basic continuum of services. These collaborative efforts cannot be underestimated in their significance to the system as a whole. The placement continuum spans from remaining in the parental home, to family foster care homes, and residential foster care facilities, to the North Dakota Youth Correctional Center. Placement decisions are made by balancing the principles of least restrictive, most appropriate placement with the need for ensuring safety. The agency's philosophy is that youth should maintain connection to their home community as much as possible, and if placed out of the home, successful community reentry should remain the focus for the duration of the order.



Several community-based services with a therapeutic approach are utilized to enable youth to stay in their home community and avoid out-of-home placement. ***Intensive In-Home Services*** uses high quality professionals to provide family-based services that strengthen the family and promote self-sufficiency. The program has been viewed positively by families and has a high success ratio based on the prevention of out-of-home placements and/or further involvement with the juvenile justice system. ***Day Treatment Programming*** provides school-based treatment for students at-risk of out-of-home placement or more restrictive placement because of their behaviors. The program provides assessment, counseling, anger management, social skills training, behavior management, and academic remediation.

88% of the youth that received intensive in-home services were retained in their home, avoiding group home placement.

86% of youth in Day Treatment did not receive additional citations while in the program.

Cognitive behavioral approaches stand out in the research as particularly effective in juvenile justice settings. The **Phoenix New Freedom (PNF)** programs are used as the core cognitive behavioral approach at the YCC. **PNF** links youth to available protective factors and assets, addresses underlying risk factors, and increases self-efficacy. **PNF** supports youth's ability to recognize high risk people, places, and situations, and have confidence that they can handle these risk factors effectively using their new capabilities. These new capabilities and skills include a range of coping options for avoidance, escape, refusal, resistance, and violence prevention. In addition, all DJS staff are trained to employ **Effective Communication/Motivational Strategies (ECMS). ECMS** is based in Motivational Interviewing, an evidence based intervention. The foundation for all interactions with youth is the **MANDT System**. Based on over 20 years of research, the **MANDT** system is a comprehensive, integrated approach to incident prevention and behavioral de-escalation. **MANDT** teaches the core values of dignity and respect, and allows DJS to manage youth behavior and professional peer interactions based on these values.

Facility-Based Correctional Services: Youth Correctional Center

The North Dakota Youth Correctional Center (YCC) consists of four cottages that house juveniles. Each cottage is staffed with a cottage director and a team of counselors who are responsible for the activities, programming and behavioral management.

Youth placed at the facility require considerable programming in order to sufficiently develop the behavioral controls necessary for them to be released to a lesser level of care. Youth can also be placed for "time-out", which provides a brief period of time for youth to regroup and recommit themselves to their treatment goals. This is for those youth who are in the community or a group home setting and their behavior has deteriorated to the degree that their placement is jeopardized.

As YCC also serves as a licensed juvenile detention facility for surrounding counties, youth can be placed at the facility by law enforcement or the courts to be held in detention on a pre-adjudicatory basis. These youth are housed separately from the general correctional population.

Mission:
To provide professional, team-oriented juvenile correctional services to troubled adolescents in a safe environment.

Risk Reduction Programs

Phoenix New Freedom (Cognitive Restructuring)
Drug and Alcohol Programming
Security Threat Group
Victim Impact Program
Pre-Treatment Sexual Offender Program
Girls Circle/Boys Council
Group and Individual Trauma Therapy
Special Management Program
Psychiatric Evaluation
Circle of Courage Ropes Course
Family Workshops
Mental Health Services
Spirituality Services

The programs at YCC focus on criminogenic attitudes and behaviors with an additional emphasis on recovery and transition. The approach assists youth with issues of substance abuse, criminal thoughts and behavior, stress and violence, lifestyle (work, leisure, and health), and spirituality. The composition of these programs allow for integration of learned concepts into applied behavior. Staff works together to assess progress, address behaviors, and solicit change. Significant focus is maintained on how behavior impacts others. Juveniles at YCC are prepared to return to a less restrictive placement in their communities with the skills to choose more appropriate behavior.

Performance-Based Standards

The YCC participates in Performance-based Standards (PbS) for youth correction and detention facilities, a system for agencies and facilities to identify, monitor and improve conditions and treatment services provided to incarcerated youths using national standards and outcome measures. The YCC has continually exceeded the national average in a majority of the operational areas (safety, security, order, health and mental health services, justice and legal rights, programming, and reintegration planning). YCC is one of 226 facilities in 35 states participating in PbS.

The Staff at YCC are committed to improving each student's academic success by creating a course of study that meets multiple individuals needs.

Marmot School: YCC Educational Programming

A central focus of activity at YCC is educational programming. The elementary, middle and high school is approved and accredited by the ND Department of Public Instruction. In addition, the school has earned the highest level of accreditation recognized by the North Central Association Commission on Accreditation and School Improvement. Educational staff work with many local school districts to gather the necessary information for student school admission. Schedules are designed for each student utilizing transcripts from all the schools the youth has attended, in addition to an academic battery of tests given to students at intake.

Scheduling options include: Regular Education Required Courses; Elective Courses (including STEM classes); Special Education; Career and Technical Education; General Education Development (GED); Credit Recovery Curriculum and Instruction; Career Development Courses; and Work Experience.

Enrichment Activities

Enrichment activities are encouraged for the development of well-rounded students. A garden is planted every Spring and students participate in tending it. It not only provides fresh food for lunches but an opportunity to teach students about math, science, and family and consumer sciences.

A career development class was created to give students the opportunity to learn in detail about the world of work, to understand their interests, values, and aptitudes in relation to the world of work, and to gain the skills necessary to effectively search and apply for employment.

An education team made up of campus professionals meet regularly to design strategies to best educate students struggling with mental health, physical, behavioral, and/or academic issues. An Instructional Strategist is on staff for special education instruction and student support.

Graduation is celebrated for all students who have achieved their diploma or GED. Families are invited to attend this celebration with their children.

Student Profile at Admission

- Students arrive on average 2.9 grade level behind their age group in academic performance.
- Approximately 37% of students have special education needs, compared to fewer than 18% statewide.
- Students often have attended several different schools and experienced several out-of-home placements before arrival.

Read Right Program

The Read Right Program employs the constructivist theory within a concise reading module. YCC has a certified on-site trainer as well as three onsite tutors within this program. The program has demonstrated a high success rate, with 76% of the students graduating. The GATES MacGinite comprehension testing of completers has shown 82% growth in reading -- testing 2.5 grades higher. Student surveys show 99% reporting an improved attitude toward school. YCC students have gained a grade level of reading comprehension 7.1 times faster than the national average for the Read Right Program. This is significant given the shorter period of participation.

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#1

Department of Corrections and Rehabilitation - Budget No. 530
Senate Bill No. 2015
Base Level Funding Changes

	Burgum Executive Budget Recommendation (Changes to Dalrymple Budget in Bold)				Senate Version				Senate Changes to Revised Executive Budget Increase (Decrease) - Executive Budget			
	FTE Positions	General Fund	Other Funds	Total	FTE Positions	General Fund	Other Funds	Total	FTE Positions	General Fund	Other Funds	Total
2017-19 Biennium Base Level	836.29	$203,044,020	$33,236,706	$236,280,726	836.29	$203,044,020	$33,236,706	$236,280,726	0.00	$0	$0	$0
2017-19 Ongoing Funding Changes												
Base payroll changes		$843,274	$1,296,984	$2,140,258				$0		($843,274)	($1,296,984)	($2,140,258)
Salary increase				***0***				***0***				***0***
Health insurance increase		2,179,298	150,361	2,329,659				0		(2,179,298)	(150,361)	(2,329,659)
Employee portion of health insurance		***(1,141,642)***	***(78,768)***	***(1,220,410)***				***0***		***1,141,642***	***78,768***	***1,220,410***
Add new Youth Correctional Center FTE positions (PREA)	10.00	1,258,076		1,258,076				0	(10.00)	(1,258,076)		(1,258,076)
Restore funding for salaries and wages		461,935		461,935				0		(461,935)		(461,935)
Reduce funding for temporary employee operating expenses		(31,100)		(31,100)				0		31,100		31,100
Restore funding for contract housing and programs		4,715,073		4,715,073				0		(4,715,073)		(4,715,073)
Increase funding for contract housing and programs		105,441		105,441				0		(105,441)		(105,441)
Restore funding for the Dakota Women's Correctional and Rehabilitation Center contract		348,815		348,815				0		(348,815)		(348,815)
Adjust funding for various expenses, including food and clothing, medical, travel, utilities, repairs, maintenance, information technology, and professional services		2,971,046	(359,501)	2,611,545				0		(2,971,046)	359,501	(2,611,545)
Adjust funding for federal grant changes			3,017,597	3,017,597				0			(3,017,597)	(3,017,597)
Reduce funding for extraordinary repairs		(417,060)	(170,000)	(587,060)				0		417,060	170,000	587,060
Adjust funding for bond payments		(120,845)		(120,845)				0		120,845		120,845
Reduce funding for salaries and wages and contract housing and programming		***(7,000,000)***		***(7,000,000)***				***0***		***7,000,000***		***7,000,000***
Total ongoing funding changes	10.00	$4,172,311	$3,856,673	$8,028,984	0.00	$0	$0	$0	(10.00)	($4,172,311)	($3,856,673)	($8,028,984)
One-time funding items												
Add funding for equipment			$167,000	$167,000				$0			($167,000)	($167,000)
Add funding for electronic medical records system			935,907	935,907				0			(935,907)	(935,907)
Total one-time funding changes	0.00	$0	$1,102,907	$1,102,907	0.00	$0	$0	$0	0.00	$0	($1,102,907)	($1,102,907)
Total Changes to Base Level Funding	10.00	$4,172,311	$4,959,580	$9,131,891	0.00	$0	$0	$0	(10.00)	($4,172,311)	($4,959,580)	($9,131,891)
2017-19 Total Funding	846.29	$207,216,331	$38,196,286	$245,412,617	836.29	$203,044,020	$33,236,706	$236,280,726	(10.00)	($4,172,311)	($4,959,580)	($9,131,891)
										-2.0%	-13.0%	-3.7%

Other Sections in Department of Corrections and Rehabilitation - Budget No. 530

	Burgum Executive Budget Recommendation (Changes to Dalrymple Budget in Bold)	Senate Version	
Special funds transfer - Strategic investment and improvements fund	Section 3 designates $935,907 from the strategic investment and improvements fund for an electronic medical records system.		

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#2

Criminal Justice System as it exists today in North Dakota

In North Dakota, our criminal justice system is plagued by an incentive structure that encourages prosecutors and judges to appear tough on crime by aggressively charging offenders and sentencing them to incarcerative sanctions. While these incentives are unintentional, they are real and costly. As elected officials, prosecutors and judges are understandably sensitive to any appearance of being soft on crime. Incarcerative sentences are viewed as creating less risk than community based sanctions, even when community based sanctions may be best for the community and for the offender.

Exacerbating this problem of over-reliance on incarceration is the reality that prosecutors and judges can impose this risk-averse, career-protecting sanction at absolutely no cost to their counties or to their local constituencies. Instead, the burden is passed on to other counties and other taxpayers.

Currently, some judicial districts routinely sentence jail appropriate inmates to the Department of Corrections and Rehabilitation (DOCR). Two common motivations for such practices include the following:

1) A sentence to DOCR creates space in the county jail that can be used to house federal or other inmates for whom the county receives a per diem. This converts the county jail into a revenue source at the expense of state taxpayers and at the expense of counties that do not or cannot house such revenue generating inmates, and;
2) A few counties have capacity issues in their jails. The current system allows these counties to avoid expanding their jails or contracting for additional jail beds, at the expense of other counties and state taxpayers.

When an offender is sentenced to prison, state taxpayers bear the financial burden of that decision. All North Dakota taxpayers pay an equal share of incarceration costs, regardless of the sentencing practices of their own elected prosecutors and judges. Counties that ignore alternatives to prison and incarcerate a greater number of offenders are not required to pay more than counties that make better use of community based options. In essence, the costs of imprisonment are passed on to taxpayers in other counties and there are no fiscal benefits for counties that use better sentencing practices.

Any commodity offered for free will be overused. Currently, imprisonment is a free commodity that judges and prosecutors can impose copiously without shouldering any financial responsibility. In simplest terms, those counties that imprison a disproportionate number of offenders are getting something for nothing; this is akin to a sort of criminal justice welfare system whereby some are receiving a regional and

political benefit at the expense of others. It is easy to understand why such a system results in the overuse of state funded incarceration by a few.

How can the current system be changed to disincentivise incarceration as the sanction of choice?

North Dakota needs to reconsider and redesign the current incentive structure. We now have the ability to objectively measure and compare population and sentencing data. We can capture and measure costs of incarceration in our state prisons. It is time to connect cost with benefit. Those who use more incarceration should pay more and those who use less should pay less. Those who choose to overuse incarceration - as measured by objective, formulaic comparison - should no longer be allowed to do so at the expense of those who sentence more carefully and thoughtfully, while still protecting public safety.

By connecting the cost of incarceration to the use of incarceration, law enforcement, prosecutors and judges can make better informed decisions. Those who use prison as the sanction of first resort can continue to do so and those who use incarceration more judiciously, will reap the fiscal and public safety benefits of such practices. Those who choose to overuse prison may have fewer resources to spend on intervention, treatment and prevention. Likewise, those who use less incarceration will have more resources to devote to proven community-based crime prevention

For the state as a whole, this approach would offer an additional benefit; it would slow the disproportionately rapid growth of our prison population and reserve prison beds for those who are the greatest risk to public safety.

Connecting the cost of incarceration with the use of incarceration would also provide more information to voters and make prosecutors and judges more accountable to their constituents. Criminal justice officials in every county would have equal incentive to protect the public's safety in the most fiscally responsible manner.

Allocations and Incentives

In order to connect the cost of incarceration with the use of incarceration in a fair and equitable manner, the state should establish a baseline from which users will receive allocations, based on the population of each county. The use of those allocated prison beds, would be tracked. This will allow users to take responsibility for the fiscal cost of their decision making. It will also allow the state to establish incentives for those who use safe and effective community-based interventions and sanctions.

As a first step, the state would set a county by county allocation of the number of people who could be sentenced to prison, computed using a single formula based on the population of each county. Each county would receive a proportionate number of slots for sentences that include an active prison sentence. Establishing and adjusting these allocations based on population, will guarantee that large and small counties are treated fairly. Prosecutors and judges would be free to use these slots as they see fit; however, once a county reaches their equitably and uniformly established cap, the county would pay the state's per diem cost to imprison each additional offender.

In the interest of fairness and to avoid any absurd or unintended consequences, the state may wish to consider exempting certain offenses from inclusion toward the allocation. For example, serious, violent crimes may need to be excluded from allocations.

As a second step, the state would establish incentives for counties that do not use their allocation of state prison beds. One such method could be the award of funds in an amount calculated using a percentage of per inmate/per diem cost. These incentives should be awarded for the purpose of allowing the subject county to invest in community-based alternatives to incarceration or other crime prevention measures.

Next Steps

Several of our judicial districts are implementing proactive and progressive measures to avoid the over-use of incarceration. A more progressive judicial district is using an evidenced-based sentencing pilot project that focuses on getting each offender placed in the right place at the right time and connected with the right services. Such safe and effective efforts should be rewarded and incentivized so that other districts might replicate their success.

For jurisdiction(s) that consume prison resources in gross disproportion to population, this allocation method would simply connect the use of incarceration to the cost of incarceration. Prosecutors and judges would be free to continue to set high bonds (resulting in pre-trial detainees occupying jail beds) and to charge and sentence aggressively. However, the disproportionate share of those costs would no longer be passed on to more responsible counties and to state taxpayers. Instead, the cost of the user would be borne by the user.

The state should help counties establish pre-trial services to control the growth of corrections at the county level. Pretrial services would help reserve the most secure and expensive jail beds for those the riskiest and most dangerous individuals and allow data to drive decisions on who could be safely managed with a less expensive, but more humane and effective method.

The counties should also be given the same authority to control the growth of corrections at the local level. Each county should determine the appropriate allocation of correctional resources and then prioritize admissions based on validated risk assessments and inmate management plan similar to what the DOCR developed to prioritize admissions under the authority it was granted during the 2013 session.

SB 2015
Sub-committee
2-1-17
#3

15.8123.01000

Sixty-fourth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1015

Introduced by

Appropriations Committee

(At the request of the Governor)

A BILL for an Act to provide an appropriation for defraying the expenses of the department of corrections and rehabilitation; and to provide for prison bed day allocations.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. APPROPRIATION. The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the department of corrections and rehabilitation for the purpose of defraying the expenses of the department of corrections and rehabilitation, for the biennium beginning July 1, 2015, and ending June 30, 2017, as follows:

	Base Level	Adjustments or Enhancements	Appropriation
Adult services	$175,467,210	$81,117,205	$256,584,415
Youth services	28,604,526	3,427,019	32,031,545
Accrued leave payments	4,639,529	(4,639,529)	0
Total all funds	$208,711,265	$79,904,695	$288,615,960
Less estimated income	30,936,922	7,072,110	38,009,032
Total general fund	$177,774,343	$72,832,585	$250,606,928
Full-time equivalent positions	814.29	22.00	836.29

SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY-FIFTH LEGISLATIVE ASSEMBLY. The following amounts reflect the one-time funding items approved by the sixty-third legislative assembly for the 2013-15 biennium and the 2015-17 one-time funding items included in the appropriation in section 1 of this Act:

One-Time Funding Description	2013-15	2015-17
Missouri River correctional center building	$0	$29,550,000

Security camera upgrade	0	337,000
Equipment	552,900	318,039
License plate issue	4,900,000	0
Capital projects	349,950	0
Information technology upgrades	652,900	1,716,144
Missouri River correctional center study	200,000	0
Extraordinary repairs	1,683,296	2,175,847
Total all funds	$8,339,046	$34,097,030
Less estimated income	5,198,000	0
Total general fund	$3,141,046	$34,097,030

The 2015-17 one-time funding amounts are not a part of the entity's base budget for the 2017-19 biennium. The department of corrections and rehabilitation shall report to the appropriations committees of the sixty-fifth legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2015, and ending June 30, 2017.

SECTION 3. PRISON BED DAY ALLOCATION. The department of corrections and rehabilitation shall allocate to each North Dakota county a specific number of prison bed days available for offenders from each county for the 2015-17 biennium. The department shall provide each county with its allocation before July 1, 2015. The department shall determine the specific number of prison bed days available to each county by considering the estimated 2015-17 biennium inmate population at the department, the authorized legislative appropriation for housing inmates in correctional facilities, including contract in-state and out-of-state correctional facilities, and the most recent North Dakota county census data, as reported by the United States Census Bureau. The department shall provide each county with a monthly statement reporting the number of prison bed days used during the biennium to date by that county and the county's current balance of available prison bed days. If a county exceeds its 2015-17 biennium prison bed day allocation, the department shall bill the county seventy-five dollars for each prison bed day in excess of the county's 2015-17 biennium prison bed day allocation. If a county does not exceed its 2015-17 biennium prison bed day allocation, the county shall be eligible to receive a proportionate amount of the unspent legislative appropriation designated for housing inmates in out-of-state correctional facilities.

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#4

Prison Bed Allocation

- 2017-19 estimated inmate population exceeds DOCR estimated bed capacity for both prison facilities and community placement
- 2017-19 revised executive recommendation limits the DOCR inmate population to a hard cap of 1,641 for males and 224 for females. (*See 2017-19 Est. Inmate Populations*)
    - DOCR prison facilities and DWCRC contract facility at capacity
    - Contract transition / treatment facilities at level proportionate to previous years use
- Hard cap would be implemented by assigning a specific number of prison bed days to each county / judicial district based on county population and average sentence length imposed by the court.
    - County population via the North Dakota Census Office Population Projections of the State, Regions, and Counties 2016
    - Average sentence length imposed by the court
        - 2005 – 2016 Male actual average sentence – 957 days
        - 2005 – 2016 Female actual average sentence – 773 days
    - 2017-19 Estimated DOCR Admissions
        - Male FY18 – 1,322
        - Male FY19 – 1,296
        - Female FY18 – 301
        - Female FY19 – 299
    - 2017-19 Total Available Beds Days (estimated admissions x average sentence)
        - Male FY18 – 1,265,043 (1,322 admissions x 957 days)
        - Male FY19 – 1,240,281 (1,296 admissions x 957 days)
        - Female FY18 – 232,344 (301 admissions x 773 days)
        - Female FY19 – 230,638 (299 admissions x 773 days)
- DOCR to maintain bed day ledger by county / judicial district and provide monthly statement to county / judicial district.
    - Each county / judicial district assigned a beginning bed day balance
    - For each new 17-19 admission the sentence imposed by the court would be deducted from the current bed day balance
    - For any 17-19 admissions that are released during the 17-19 biennium, if applicable, the difference between the sentence imposed by the court and actual time served would be credited back to the county / judicial district bed day balance.

SB 2014
2-1-17 #4

North Dakota Department of Corrections and Rehabilitation

2017 - 2019 Est. Male Inmate Population

6.9% *Estimated Annual Growth Rate* *Based on actual data thru 12/31/16*

Date	Estimated Average Inmate Population	Non DOCR	DOCR	Traditional Prison Beds: DOCR Facilities \1	Traditional Prison Beds: Interstate Compact \2	Nontraditional Prison Beds: Contract Treatment \3	Nontraditional Prison Beds: Transition \4	Holds \5	Total
July-17	1,616	-	1,616	1,411	21	73	111	0	1,616
August-17	1,623	-	1,623	1,417	21	73	112	-	1,623
September-17	1,631	-	1,631	1,420	21	73	112	4	1,631
October-17	1,639	-	1,639	1,420	21	74	113	11	1,639
November-17	1,648	7	1,641	1,420	21	74	113	13	1,641
December-17	1,657	16	1,641	1,420	21	74	113	13	1,641
January-18	1,668	27	1,641	1,420	21	74	113	13	1,641
February-18	1,678	37	1,641	1,420	21	74	113	13	1,641
March-18	1,689	48	1,641	1,420	21	74	113	13	1,641
April-18	1,701	60	1,641	1,420	21	74	113	13	1,641
May-18	1,714	73	1,641	1,420	21	74	113	13	1,641
June-18	1,727	86	1,641	1,420	21	74	113	13	1,641
July-18	1,737	96	1,641	1,420	21	74	113	13	1,641
August-18	1,743	102	1,641	1,420	21	74	113	13	1,641
September-18	1,750	109	1,641	1,420	21	74	113	13	1,641
October-18	1,757	116	1,641	1,420	21	74	113	13	1,641
November-18	1,765	124	1,641	1,420	21	74	113	13	1,641
December-18	1,774	133	1,641	1,420	21	74	113	13	1,641
January-19	1,784	143	1,641	1,420	21	74	113	13	1,641
February-19	1,793	152	1,641	1,420	21	74	113	13	1,641
March-19	1,803	162	1,641	1,420	21	74	113	13	1,641
April-19	1,814	173	1,641	1,420	21	74	113	13	1,641
May-19	1,826	185	1,641	1,420	21	74	113	13	1,641
June-19	1,839	198	1,641	1,420	21	74	113	13	1,641
2017-19 Estimated Ave Total	**1,724**	**85**	**1,639**	**1,420**	**21**	**74**	**113**	**12**	**1,639**

NOTES:

\1 - DOCR facilities consist of ND State Penitentiary (NDSP), James River Correctional Center (JRCC), and Missouri River Correctional Center (MRCC). The budgeted 2017-19 budgeted capacity at each facility is as follows: NDSP - 796, JRCC - 437, MRCC - 187

\2 - Male inmates housed either out-of-state with the Bureau of Prisons or with other states on an even exchange basis.

\3 - Contract treatment provided the North Dakota State Hospital which operates the Tompkins Rehabilitation and Corrections Center (TRCC).

\4 - Transition services are currently provided by CCCS which operates the Bismarck Transition Center (BTC); Centre, Inc. which operates male transition programs in Fargo, Mandan, and Grand Forks; Lake Region Law Enforcement Center which operates a male transition program in Devils Lake.

\5 - Holds expected to be via a contractual agreement

Male Average Sentence Imposed by Court - by Fiscal Year			
	Months	Days	Year
2005	27.5	825	2.3
2006	29.4	882	2.4
2007	32.3	970	2.7
2008	29.5	885	2.4
2009	30.6	918	2.5
2010	32.5	975	2.7
2011	35.4	1,063	2.9
2012	32.0	959	2.6
2013	32.3	968	2.7
2014	36.3	1,088	3.0
2015	33.2	996	2.7
2016	31.7	952	2.6
Total Average	**31.9**	**957**	**2.6**

Estimated Male Admissions by Sentence Length			
	FY 2018	FY 2019	Total 17-19
Estimated Admissions	1,322	1,296	2,619
Est. Sentence Length (Days)	957	957	957
Total Days (Bed Days)	**1,265,043**	**1,240,281**	**2,505,324**

Male Inmates Only - Total Est Bed Days / County Allocation - Thru 12/31/16 Admits and Releases				
North Dakota Counties by Judical District	**2015 Est Pop**	FY 18 Allocation	FY 19 Allocation	17-19 Allocation
Cass	171,588	286,772	281,159	567,930
Steele	1,948	3,256	3,192	6,448
Traill	8,065	13,479	13,215	26,694
Total East Central	**181,601**	**303,506**	**297,566**	**601,072**
Burke	2,312	3,864	3,788	7,652
Mountrail	10,314	17,238	16,900	34,138
Ward	71,243	119,067	116,737	235,804
Total North Central	**83,869**	**140,169**	**137,425**	**277,594**
Benson	6,859	11,463	11,239	22,702
Bottineau	6,699	11,196	10,977	22,173
Cavalier	3,822	6,388	6,263	12,650
McHenry	6,141	10,263	10,062	20,326
Pembina	7,052	11,786	11,555	23,341
Pierce	4,415	7,379	7,234	14,613
Ramsey	11,587	19,365	18,986	38,351
Renville	2,613	4,367	4,282	8,649
Rolette	14,765	24,676	24,193	48,870
Towner	2,324	3,884	3,808	7,692
Walsh	10,925	18,259	17,901	36,160
Total North East	**77,202**	**129,026**	**126,501**	**255,527**
Grand Forks	71,328	119,209	116,876	236,085
Nelson	3,028	5,061	4,962	10,022
Total North East Central	**74,356**	**124,270**	**121,837**	**246,107**

Male Inmates Only - Total Est Bed Days / County Allocation - Thru 12/31/16 Admits and Releases				
North Dakota Counties by Judical District	**2015 Est Pop**	FY 18 Allocation	FY 19 Allocation	17-19 Allocation
Divide	2,529	4,227	4,144	8,371
McKenzie	12,193	20,378	19,979	40,357
Williams	34,583	57,798	56,667	114,465
Total North West	**49,305**	**82,403**	**80,790**	**163,192**
Burleigh	92,903	155,267	152,228	307,495
Emmons	3,391	5,667	5,556	11,224
Grant	2,349	3,926	3,849	7,775
McLean	9,737	16,273	15,955	32,228
Mercer	8,819	14,739	14,451	29,190
Morton	30,418	50,837	49,842	100,679
Oliver	1,850	3,092	3,031	6,123
Sheridan	1,330	2,223	2,179	4,402
Sioux	4,478	7,484	7,338	14,822
Total South Central	**155,275**	**259,508**	**254,429**	**513,937**

Male Inmates Only - Total Est Bed Days / County Allocation - Thru 12/31/16 Admits and Releases				
North Dakota Counties by Judical District	**2015 Est Pop**	FY 18 Allocation	FY 19 Allocation	17-19 Allocation
Barnes	11,167	18,663	18,298	36,961
Dickey	5,119	8,555	8,388	16,943
Eddy	2,374	3,968	3,890	7,858
Foster	3,370	5,632	5,522	11,154
Griggs	2,295	3,836	3,761	7,596
Kidder	2,422	4,048	3,969	8,016
La Moure	4,153	6,941	6,805	13,746
McIntosh	2,804	4,686	4,595	9,281
Ransom	5,445	9,100	8,922	18,022
Richland	16,478	27,539	27,000	54,540
Sargent	3,961	6,620	6,490	13,110
Stutsman	21,139	35,329	34,638	69,967
Wells	4,187	6,998	6,861	13,858
Total South East	**84,914**	**141,915**	**139,137**	**281,053**
Adams	2,396	4,004	3,926	7,930
Billings	931	1,556	1,526	3,081
Bowman	3,268	5,462	5,355	10,817
Dunn	4,619	7,720	7,569	15,288
Golden Valley	1,863	3,114	3,053	6,166
Hettinger	2,706	4,522	4,434	8,956
Logan	1,932	3,229	3,166	6,395
Slope	774	1,294	1,268	2,562
Stark	31,919	53,346	52,301	105,647
Total South West	**50,408**	**84,246**	**82,597**	**166,843**
Total	**756,930**	**1,265,043**	**1,240,281**	**2,505,324**

North Dakota Department of Corrections and Rehabilitation

2017 - 2019 Est. Female Inmate Population

11.4% *Estimated Annual Growth Rate* *Based on actual data thru 12/31/16*

				|---- Traditional Beds ----|	|---- Nontraditional Beds ----|			
Date	Estimated Average Inmate Population	Non DOCR	DOCR	Interstate Compact	DWCRC \1	Contract Treatment \2	BTC Secure	Community Placement / Transition \3	Holds \4	Total
July-17	224	-	224	-	126	29	30	36	3	224
August-17	226	2	224	-	126	29	30	36	3	224
September-17	227	3	224	-	126	29	30	36	3	224
October-17	229	5	224	-	126	29	30	36	3	224
November-17	232	8	224	-	126	29	30	36	3	224
December-17	234	10	224	-	126	29	30	36	3	224
January-18	236	12	224	-	126	29	30	36	3	224
February-18	239	15	224	-	126	29	30	36	3	224
March-18	242	18	224	-	126	29	30	36	3	224
April-18	245	21	224	-	126	29	30	36	3	224
May-18	248	24	224	-	126	29	30	36	3	224
June-18	252	28	224	-	126	29	30	36	3	224
July-18	254	30	224	-	126	29	30	36	3	224
August-18	255	31	224	-	126	29	30	36	3	224
September-18	256	32	224	-	126	29	30	36	3	224
October-18	258	34	224	-	126	29	30	36	3	224
November-18	259	35	224	-	126	29	30	36	3	224
December-18	261	37	224	-	126	29	30	36	3	224
January-19	263	39	224	-	126	29	30	36	3	224
February-19	265	41	224	-	126	29	30	36	3	224
March-19	267	43	224	-	126	29	30	36	3	224
April-19	270	46	224	-	126	29	30	36	3	224
May-19	272	48	224	-	126	29	30	36	3	224
June-19	275	51	224	-	126	29	30	36	3	224
2017-19 Estimated Ave Total	**250**	**26**	**224**	**-**	**126**	**29**	**30**	**36**	**3**	**224**

NOTES:

\1 - Dakota Women's Correctional and Rehabilitation Center (DWCRClocated in located in New England, ND. Facility is owned and operated by Southwest Multi County Correctional Center (SWMCCC)

\2 - Contract treatment currently provided by the North Dakota State Hospital which operates the Tompkins Rehabilitation and Corrections Center (TRCC).

\3 - Transition services currently provided by Centre, Inc. which operates transition programs in Fargo, and Mandan; and Lake Region Law Enforcement Center which operates a transition program in Devils Lake.

\4 - Holds expected to be provided via a contractual agreement

Female Average Sentence Imposed by Court - by Fiscal Year			
	Months	Days	Year
2005	20.5	615	1.7
2006	24.7	741	2.0
2007	24.7	741	2.0
2008	22.8	684	1.9
2009	24.6	737	2.0
2010	29.9	898	2.5
2011	24.2	727	2.0
2012	30.7	920	2.5
2013	26.6	797	2.2
2014	24.8	744	2.0
2015	30.7	922	2.5
2016	24.9	747	2.0
Total Average	**25.8**	**772.7**	**2.1**

Estimated Female Admissions by Sentence Length			
	FY 2018	FY 2019	Total 17-19
Estimated Admissions	301	299	599
Est. Sentence Length (Days)	773	773	773
Total Days (Bed Days)	**232,344**	**230,638**	**462,982**

Female Inmates Only - Total Est Bed Days / County Allocation - Thru 12/31/16 Admits and Releases				
North Dakota Counties				
	2015 Est Pop	FY 18 Allocation	FY 19 Allocation	17-19 Allocation
Cass	171,588	52,670	52,283	104,953
Steele	1,948	598	594	1,192
Traill	8,065	2,476	2,457	4,933
Total East Central	**181,601**	**55,743**	**55,334**	**111,078**
Burke	2,312	710	704	1,414
Mountrail	10,314	3,166	3,143	6,309
Ward	71,243	21,868	21,708	43,576
Total North Central	**83,869**	**25,744**	**25,555**	**51,299**
Benson	6,859	2,105	2,090	4,195
Bottineau	6,699	2,056	2,041	4,097
Cavalier	3,822	1,173	1,165	2,338
McHenry	6,141	1,885	1,871	3,756
Pembina	7,052	2,165	2,149	4,313
Pierce	4,415	1,355	1,345	2,700
Ramsey	11,587	3,557	3,531	7,087
Renville	2,613	802	796	1,598
Rolette	14,765	4,532	4,499	9,031
Towner	2,324	713	708	1,421
Walsh	10,925	3,353	3,329	6,682
Total North East	**77,202**	**23,698**	**23,524**	**47,221**
Grand Forks	71,328	21,895	21,734	43,628
Nelson	3,028	929	923	1,852
Total North East Central	**74,356**	**22,824**	**22,656**	**45,480**

Female Inmates Only - Total Est Bed Days / County Allocation - Thru 12/31/16 Admits and Releases				
North Dakota Counties				
	2015 Est Pop	FY 18 Allocation	FY 19 Allocation	17-19 Allocation
Divide	2,529	776	771	1,547
McKenzie	12,193	3,743	3,715	7,458
Williams	34,583	10,615	10,538	21,153
Total North West	**49,305**	**15,134**	**15,023**	**30,158**
Burleigh	92,903	28,517	28,308	56,825
Emmons	3,391	1,041	1,033	2,074
Grant	2,349	721	716	1,437
McLean	9,737	2,989	2,967	5,956
Mercer	8,819	2,707	2,687	5,394
Morton	30,418	9,337	9,268	18,605
Oliver	1,850	568	564	1,132
Sheridan	1,330	408	405	814
Sioux	4,478	1,375	1,364	2,739
Total South Central	**155,275**	**47,662**	**47,313**	**94,975**

Female Inmates Only - Total Est Bed Days / County Allocation - Thru 12/31/16 Admits and Releases				
North Dakota Counties				
	2015 Est Pop	FY 18 Allocation	FY 19 Allocation	17-19 Allocation
Barnes	11,167	3,428	3,403	6,830
Dickey	5,119	1,571	1,560	3,131
Eddy	2,374	729	723	1,452
Foster	3,370	1,034	1,027	2,061
Griggs	2,295	704	699	1,404
Kidder	2,422	743	738	1,481
La Moure	4,153	1,275	1,265	2,540
McIntosh	2,804	861	854	1,715
Ransom	5,445	1,671	1,659	3,330
Richland	16,478	5,058	5,021	10,079
Sargent	3,961	1,216	1,207	2,423
Stutsman	21,139	6,489	6,441	12,930
Wells	4,187	1,285	1,276	2,561
Total South East	**84,914**	**26,065**	**25,873**	**51,938**
Adams	2,396	735	730	1,466
Billings	931	286	284	569
Bowman	3,268	1,003	996	1,999
Dunn	4,619	1,418	1,407	2,825
Golden Valley	1,863	572	568	1,140
Hettinger	2,706	831	825	1,655
Logan	1,932	593	589	1,182
Slope	774	238	236	473
Stark	31,919	9,798	9,726	19,524
Total South West	**50,408**	**15,473**	**15,359**	**30,832**
Total	**756,930**	**232,344**	**230,638**	**462,982**

SB 2015
Sub-committee
2-1-17
#5

Sixty-third Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 8, 2013

SENATE BILL NO. 2015
(Appropriations Committee)
(At the request of the Governor)

AN ACT to provide an appropriation for defraying the expenses of the department of corrections and rehabilitation; to provide for refusal of admission of inmates; to provide for a legislative management study; to provide for a report to legislative management; to provide an exemption; and to amend and reenact subsection 2 of section 12.1-32-07 of the North Dakota Century Code, relating to supervision fees.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. APPROPRIATION. The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the department of corrections and rehabilitation for the purpose of defraying the expenses of the department of corrections and rehabilitation, for the biennium beginning July 1, 2013, and ending June 30, 2015, as follows:

	Base Level	Adjustments or Enhancements	Appropriation
Adult services	$160,825,768	$17,819,891	$178,645,659
Youth services	27,221,743	1,643,380	28,865,123
Accrued leave payments	0	4,639,529	4,639,529
Total all funds	$188,047,511	$24,102,800	$212,150,311
Less estimated income	30,145,650	1,089,272	31,234,922
Total general fund	$157,901,861	$23,013,528	$180,915,389
Full-time equivalent positions	794.29	20.00	814.29

SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY-FOURTH LEGISLATIVE ASSEMBLY. The following amounts reflect the one-time funding items approved by the sixty-second legislative assembly for the 2011-13 biennium and the 2013-15 one-time funding items included in the appropriation in section 1 of this Act:

One-Time Funding Description	2011-13	2013-15
Equipment	$665,100	$552,900
Capital projects	1,717,968	349,950
Information technology upgrades	0	652,900
Missouri River correctional center study	0	200,000
Extraordinary repairs	741,490	1,683,296
Total all funds	$3,124,558	$3,439,046
Less estimated income	1,460,500	298,000
Total general fund	$1,664,058	$3,141,046

The 2013-15 one-time funding amounts are not a part of the entity's base budget for the 2015-17 biennium. The department of corrections and rehabilitation shall report to the appropriations committees of the sixty-fourth legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2013, and ending June 30, 2015.

SECTION 3. EXEMPTION. Appropriation authority continued for the biennium beginning July 1, 2011, and ending June 30, 2013, pursuant to section 54-44.1-11, relating to the penitentiary expansion project, is not subject to cancellation pursuant to section 54-44.1-11 and may be continued until June 30, 2014.

SECTION 4. DEPARTMENT OF CORRECTIONS AND REHABILITATION - REPORT TO LEGISLATIVE MANAGEMENT. Section 1 of this Act includes the sum of $200,000, or so much of the sum as may be necessary, that the department of corrections and rehabilitation, in conjunction with the office of management and budget, shall use to develop options for the feasibility and desirability of relocating the Missouri River correctional center and for a land use study, for the biennium beginning July 1, 2013, and ending June 30, 2015. The department may use up to $50,000 to contract for a land use study of the Missouri River correctional center site. The study must review options to develop all or a portion of the current site into a day park and options to continue agriculture activities on the current site. The study may not include options to develop the land for residential, commercial, or industrial purposes. The department may use up to $150,000 for the development of options for relocating the Missouri River correctional center including the determination of facilities, services, and activities that may be shared by the Missouri River correctional center and the youth correctional center; to develop a plan to move the Missouri River correctional center to a site adjacent to the youth correctional center; and to provide cost estimates for construction necessary to relocate the Missouri River correctional center during the 2015-17 biennium, pending approval and funding by the sixty-fourth legislative assembly. During the 2013-14 interim, the office of management and budget shall provide a report to the budget section regarding options for the possible relocation of the Missouri River correctional center and results of the study. The department shall present its plan to move the Missouri River correctional center to a site adjacent to the youth correctional center to the legislative management by July 1, 2014.

SECTION 5. LEGISLATIVE MANAGEMENT STUDY OF JAMES RIVER CORRECTIONAL CENTER AND STATE HOSPITAL PROPERTY. During the 2013-14 interim, the legislative management shall consider studying the use of the structures and property of the James River correctional center and the state hospital to determine the best and most efficient use of the properties. The legislative management shall reports its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-fourth legislative assembly.

SECTION 6. REFUSAL OF ADMISSION OF INMATES - REPORT TO LEGISLATIVE MANAGEMENT. The department of corrections and rehabilitation may refuse to admit inmates sentenced to the physical custody of the department when the admission of inmates will exceed the maximum operational capacity of the penitentiary and its affiliated facilities and result in the department exceeding its authorized legislative appropriation for contracting for housing inmates in other correctional facilities. For purposes of this section, maximum operational capacity of the department means the total number of inmates that may be imprisoned at the same time in the penitentiary and its affiliated facilities. The department shall develop a prison population management plan to prioritize admissions based on sentences and the availability of space in the penitentiary and its affiliated facilities. The department shall report annually to the budget section of the legislative management on the prison population management plan and inmate admissions and the number of inmates the department has not admitted after sentencing.

SECTION 7. AMENDMENT. Subsection 2 of section 12.1-32-07 of the North Dakota Century Code is amended and reenacted as follows:

2. The conditions of probation must be such as the court in its discretion deems reasonably necessary to ensure that the defendant will lead a law-abiding life or to assist the defendant to do so. The court shall provide as an explicit condition of every probation that the defendant not commit another offense during the period for which the probation remains subject to revocation. The court shall order supervision costs and fees of not less than ~~forty-five~~fifty-five dollars per month unless the court makes a specific finding on record that the imposition of fees will result in an undue hardship. If the offender has not paid the full amount of supervision fees and costs before completion or termination of probation, the court may issue an order, after opportunity for hearing, to determine the amount of supervision fees and costs that are unpaid. The order may be filed, transcribed, and enforced by the department of corrections and rehabilitation in the same manner as civil judgments rendered by a district court of this state.

2

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Sixty-third Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2015.

Senate Vote:	Yeas 47	Nays 0	Absent 0
House Vote:	Yeas 83	Nays 10	Absent 1

Secretary of the Senate

Received by the Governor at _____M. on _____, 2013.

Approved at _____M. on _____, 2013.

Governor

Filed in this office this _____day of _____, 2013,

at _____ o'clock _____M.

Secretary of State

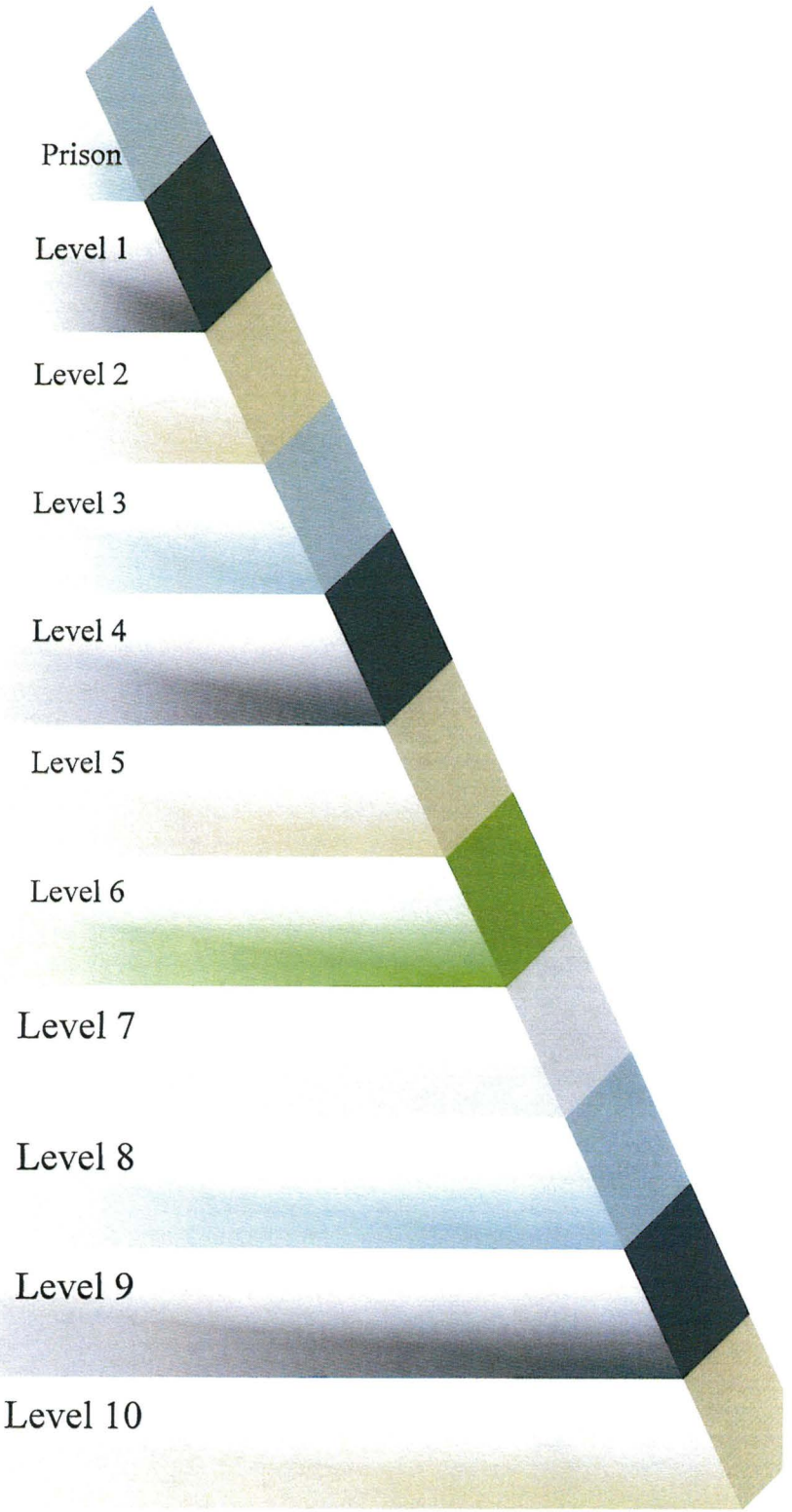
SB 2015
sub-committee
2-1-17
#6

Priority Acceptance Scale-Most Severe Offense:

Priority	Offense Level	Violent or Nonviolent
Level 1	Felony AA	Violent
Level 2	Felony A	Violent
Level 3	Felony B	Violent
Level 4	Felony AA	Nonviolent
Level 5	Felony A	Nonviolent
Level 6	Felony C	Violent
Level 7	Felony B	Nonviolent
Level 8	Misdemeanor A	Violent
Level 9	Felony C	Nonviolent
Level 10	Misdemeanor A	Nonviolent

Another way to conceptualize this is to think of a pyramid with the smaller number of cases but most serious being at the top and first priority to access prison resources and the larger number of cases but less serious at the bottom and least priority to access prison resources.

*Reference Priority Acceptance Scale



Other Criteria (Tie Breaker)

1. Levels of Service Inventory-Revised Score (LSI-R Score)
2. Length of time on waiting list
3. Custody Level

17.0523.01002
Title.

Prepared by the Legislative Council staff for
Senator Mathern
February 6, 2017

SB 2015
2-6-17
#1

PROPOSED AMENDMENTS TO SENATE BILL NO. 2015

Page 1, line 2, after "rehabilitation" insert "; and to create and enact a new section to chapter 12-44.1 of the North Dakota Century Code, relating to management of inmate population"

Page 1, replace lines 12 through 16 with:

"Adult services	$205,626,019	($6,748,314)	$198,877,705
Youth services	30,654,707	(251,686)	30,403,021
Total all funds	$236,280,726	($7,000,000)	$229,280,726
Less estimated income	33,236,706	0	33,236,706
Total general fund	$203,044,020	($7,000,000)	$196,044,020"

Page 2, after line 5, insert:

"**SECTION 3.** A new section to chapter 12-44.1 of the North Dakota Century Code is created and enacted as follows:

Management of inmate population.

1. The governing body of a correctional facility, in cooperation with law enforcement, state's attorneys, and the judiciary in the judicial district in which the correctional facility is located, shall develop an inmate population plan to prioritize admissions and inmate retention based on the correctional facility's authorized budget.

2. The inmate population plan must take into consideration:

   a. The governing body's authorized budget;

   b. The inmate's offense;

   c. Whether the inmate has been charged, adjudicated, or sentenced;

   d. Whether the inmate presents a risk of flight or is a danger to others or self;

   e. The inmate's medical needs and mental and behavioral health needs; and

   f. Whether the inmate is subject to mandatory incarceration.

3. The inmate population plan must include alternatives to physical custody of individuals under charge or conviction of an offense, including:

   a. Placement in a community setting;

   b. Work release;

   c. Home detention;

   d. Electronic home detention;

e. Global positioning system monitoring;

f. Medical, psychiatric, and drug and alcohol treatment;

g. Employment;

h. Pretrial risk assessment; and

i. Pretrial supervision.

4. The department of corrections and rehabilitation shall provide technical assistance relating to the implementation of this section to the governing body of a correctional facility upon request from the governing body.

SECTION 4. PRISON BED DAY ALLOCATION. The department of corrections and rehabilitation shall allocate to each North Dakota county a specific number of prison bed days available for offenders from each county for the 2017-19 biennium. The department shall provide each county with its allocation before July 1, 2017. The department shall determine the specific number of prison bed days available to each county by considering the estimated 2017-19 biennium inmate population at the department, the authorized legislative appropriation for housing inmates in correctional facilities, including contract community transitional and treatment facilities, and the most recent North Dakota county census data, as reported by the United States census bureau. The department shall provide each county with a monthly statement reporting the number of prison bed days used during the biennium to date by that county and the county's current balance of available prison bed days. The number of prison bed days available to each county is dependent upon the department's current occupancy rates in correctional facilities and contract community transitional and treatment facilities and in accordance with the department's prison population management plan."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT

This amendment provides for management of inmate populations at county correctional facilities and regional correctional centers. The amendment also provides for the Department of Corrections and Rehabilitation to allocate the number of prison bed days available in department facilities, including contract community transitional and treatment facilities, to each county. The amendment reduces appropriations from the general fund by $7 million for savings relating to the inmate population plan and prison bed day allocation program.

SB 2015
2-8-17
#1 p.1

DOCR Adult Services Inmate Population Information

Inmate Population on December 31, 2016 (Male and Female)

TOTAL COUNT: 1791

NDSP **753**, JRCC **439**, MRCC **187**, DWCRC **113**, Non Traditional Beds **299**

Non-Traditional Bed Breakdown:

Correctional Centers (Jails) **18**, Interstate Compact **21**, TRCC **102**, BTC **83**, GFC **18**, MTPFAR **23**, MTPMDN **5**, FTPFAR **18**, FTPMDN **7**, LRRP **4**

Year	2011	2012	2013	2014	2015	2016
Admissions - Calendar Year	960	1181	1231	1399	1603	1624
Releases - Calendar Year	1025	1085	1191	1257	1526	1628
Inmate Count on December 31	1440	1536	1576	1718	1795	1791

Inmate Count on December 31 (Crime Type)

Offense	2011	2012	2013	2014	2015	2016
Violent Offenders (Excluding Sexual)	470	507	536	569	567	594
Sex Offenders	275	282	274	298	294	303
Property and Other Public Order Offenders	336	354	351	349	386	329
Drug & Alcohol Offenders	359	393	415	502	548	565
Drug - Deliver, Manufacture or Intent	234	256	247	258	294	316
Drug - Possession Only	100	109	136	171	200	220
Alcohol - DUI, APC	25	28	32	73	55	29

Inmate Count on December 31 (Minimum Mandatory)

Offense	2011	2012	2013	2014	2015	2016
Breaking/Unlawful Entry Into a Motor Vehicle	0	0	0	1	1	2
DUI/Actual Physical Control	21	24	10	2	0	11
Driving Under Suspension	0	0	0	0	0	0
Refusing to Submit to Chemical Testing	0	0	0	0	0	1
Drug Offenses (Not Alcohol)	35	37	31	26	22	25
Reckless Endangerment	2	0	0	3	1	2
Assault	15	11	9	5	3	6
Burglary With Weapon	0	0	0	0	1	3
Felonious Restraint	0	0	0	0	0	1
Kidnapping	1	1	1	0	0	0
Sex Offense	9	8	10	11	9	21
Terrorizing	8	10	14	6	1	11
Robbery	6	5	9	11	11	14
Criminal Vehicular Injury	0	0	0	0	0	1
Negligent Homicide/Criminal Vehicular Homicide	2	1	1	1	1	2
Manslaughter	1	0	0	0	0	0
Murder *	13	14	14	16	17	19
Felon in Possession of a Firearm	1	0	0	0	1	0
Offender Registration Violation	3	3	0	0	0	2
Total	117	114	99	82	68	121

* There are **73** males and **1** female with a Life sentence (not all are minimum mandatory sentences)

6.76% of the inmate population on December 31, 2016 had a minimum mandatory sentence.

Inmate Count on December 31 (85% Truth-In-Sentencing)

	2011	2012	2013	2014	2015	2016
Number of Inmates Having 85% TIS	274	280	308	318	304	299
Average Sentence In Months (excludes Life)	99	111	101	100	121	126

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DOCR Adult Services Inmate Population Information (Male and Female)						
Average Inmate Population, Admissions, Releases by Fiscal Year						
	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
Average Daily Population	1477.26	1459.68	1528.65	1567.87	1696.26	1781.65
Admissions	1005	1061	1206	1291	1531	1657
Releases	1036	1048	1141	1228	1389	1612
Fiscal Year Admissions Of 85% Truth-In-Sentencing Inmates						
	FY 2011	FY 2012	FY 2013	FY2014	FY2015	FY 2016
Number of Inmates	96	85	112	101	112	95
Average Sentence In Months	43.59	55.32	39.25	51.62	46.09	57.44
Average Sentence Does Not Include Inmates With Life Sentences						
Number Of Fiscal Year Admissions by Crime Type						
	FY 2011	FY 2012	FY 2013	FY 2014	FY2015	FY 2016
All Inmates	1005	1061	1206	1291	1531	1657
Violent Offenders (Non-Sexual)	238	241	305	277	327	325
Sex Offenders	81	85	81	83	83	74
Drug & Alcohol Offenders	336	351	413	522	708	775
Property and Other Public Order Offenders	350	384	407	409	413	483
Average Sentence Imposed By Court (Fiscal Year, Crime Type, In Months, Excludes Life Sentences)						
	FY 2011	FY 2012	FY 2013	FY 2014	FY2015	FY 2016
All Inmates	33.55	31.74	31.26	34.35	32.74	30.37
Violent (Non-Sexual)	42.34	34.73	29.45	43.56	35.04	37.57
Sex Offenders	67.91	64.08	81.88	75.29	72.60	66.67
Drug & Alcohol Offenders	31.30	31.09	28.96	29.68	29.35	27.52
Property and Other Public Order Offenders	21.93	23.48	25.06	25.85	28.15	24.55
Number Of Fiscal Year Admissions By Length Of Court Imposed Sentence						
	FY 2011	FY 2012	FY 2013	FY 2014	FY2015	FY 2016
Less Than One Year	50	57	39	23	33	41
One Year to Less Than Five Years	826	891	1038	1114	1294	1453
Five Years to Less Than Ten years	91	78	93	105	144	122
Ten Years to Less Than Twenty Years	23	23	16	27	35	27
Twenty Years or More	15	12	20	22	25	14

NOTE: The average sentence is that sentence imposed by the court. It does not take into account such things as good time, credit for time served, parole relief or any other method of shortening the sentence except Pardon Advisory Board recommendations adopted by the Governor (which can actually change the sentence). The average sentence is reported in months to two decimal points.

Data is based on the "controlling sentence" for offenders who are admitted for multiple crimes. Controlling sentence is the longest sentence ordered by the court that has not expired.

NDSP - North Dakota State Penitentiary. **JRCC** - James River Correctional Center. **MRCC** - Missouri River Correctional Center. DWCRC - Dakota Women's Correctional Rehabilitation Center (New England), TRCC - Tompkins Rehabilitation Correctional Center (Jamestown). BTC - Bismarck Transition Center. MTP - Male Transition Program (Fargo & Mandan). FTP - Female Transition Program (Fargo & Mandan). GFC - Grand Forks Centre. LRRP - Lake Region Re-entry Program (Devils Lake).

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DOCR Adult Services Inmate Population Information

Inmate Population on December 31, 2016 (Female Only)

TOTAL COUNT: 213

NDSP **0**, JRCC **0**, MRCC **0**, DWCRC **113**, Non Traditional Beds **100**

Non-Traditional Bed Breakdown:

Correctional Centers (Jails) **5**, TRCC **30** BTC **39**, FTPFAR **18**, FTPMDN **7**, LRRP **1**

Year	2011	2012	2013	2014	2015	2016
Admissions - Calendar Year	147	216	195	252	299	326
Releases - Calendar Year	178	193	209	205	295	321
Inmate Count on December 31	148	171	157	204	208	213

Inmate Count on December 31 (Crime Type)

Offense	2011	2012	2013	2014	2015	2016
Violent Offenders (Excluding Sexual)	47	48	42	53	54	59
Sex Offenders	4	5	6	8	8	6
Property and Other Public Order Offenders	41	56	43	41	51	42
Drug & Alcohol Offenders	56	62	66	102	95	106
Drug - Deliver, Manufacture or Intent	32	34	37	44	46	50
Drug - Possession Only	23	25	27	51	46	54
Alcohol - DUI, APC	1	3	2	7	3	2

Inmate Count on December 31 (Minimum Mandatory)

Offense	2011	2012	2013	2014	2015	2016
Breaking/Unlawful Entry Into a Motor Vehicle	0	0	0	0	0	0
DUI/Actual Physical Control	1	3	1	1	0	0
Driving Under Suspension	0	0	0	0	0	0
Refusing to Submit to Chemical Testing	0	0	0	0	0	0
Drug Offenses (Not Alcohol)	4	5	6	5	3	5
Reckless Endangerment	0	0	0	0	0	0
Assault	2	2	1	0	0	1
Burglary With Weapon	0	0	0	0	0	0
Felonious Restraint	0	0	0	0	0	0
Kidnapping	0	0	0	0	0	0
Sex Offense	0	0	0	0	0	0
Terrorizing	0	0	0	0	0	1
Robbery	0	0	1	1	1	1
Criminal Vehicular Injury	0	0	0	0	0	1
Negligent Homicide/Criminal Vehicular Homicide	0	0	0	0	0	0
Manslaughter	1	0	0	0	0	0
Murder *	0	0	0	0	0	0
Felon in Possession of a Firearm	0	0	0	0	0	0
Offender Registration Violation	0	0	0	0	0	0
Total	8	10	9	7	4	9

* There is **1** female with a Life sentence (not a minimum mandatory sentence)

4.23% of the female inmate population on December 31, 2016 had a minimum mandatory sentence.

Inmate Count on December 31 (85% Truth-In-Sentencing)

	2011	2012	2013	2014	2015	2016
Number of Inmates Having 85% TIS	18	20	16	21	22	21
Average Sentence In Months (excludes Life)	96	93	102	100	119	127

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DOCR Prisons Adult Services Inmate Population Information (Female Only)

Average Inmate Population, Admissions, Releases by Fiscal Year

	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
Average Daily Population	171.54	154.33	172.55	170.15	199.17	219.45
Admissions	167	176	212	214	287	332
Releases	186	167	199	216	252	313

Fiscal Year Admissions Of 85% Truth-In-Sentencing Inmates

	FY 2011	FY 2012	FY 2013	2014	FY 2015	FY 2016
Number of Inmates	8	4	11	8	10	7
Average Sentence In Months	27.50	126.00	24.00	33.38	60.28	70.86

Average Sentence Does Not Include Inmates With Life Sentences

Number Of Fiscal Year Admissions by Crime Type

	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
All Inmates	167	176	212	214	287	332
Violent Offenders (Non-Sexual)	45	27	53	38	55	52
Sex Offenders	3	1	4	1	2	2
Drug & Alcohol Offenders	56	80	88	114	159	199
Property and Other Public Order Offenders	63	68	67	61	71	79

Average Sentence Imposed By Court (Fiscal Year, Crime Type, In Months, Excludes Life Sentences)

	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
All Inmates	24.22	30.66	26.55	24.80	30.73	24.89
Violent (Non-Sexual)	24.80	34.79	28.49	27.29	32.58	28.21
Sex Offenders	42.00	36.00	93.00	60.00	37.56	60.00
Drug & Alcohol Offenders	26.52	34.97	26.65	25.11	31.06	22.81
Property and Other Public Order Offenders	20.92	23.87	20.79	22.07	28.38	24.52

Number Of Fiscal Year Admissions By Length Of Court Imposed Sentence

	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
Less Than One Year	9	7	5	5	4	6
One Year to Less Than Five Years	150	148	198	198	259	315
Five Years to Less Than Ten years	7	16	7	10	16	10
Ten Years to Less Than Twenty Years	1	3	0	1	5	0
Twenty Years or More	0	2	2	0	3	1

NOTE: The average sentence is that sentence imposed by the court. It does not take into account such things as good time, credit for time served, parole relief or any other method of shortening the sentence except Pardon Advisory Board recommendations adopted by the Governor (which can actually change the sentence). The average sentence is reported in months to two decimal points.

Data is based on the "controlling sentence" for offenders who are admitted for multiple crimes. Controlling sentence is the longest sentence ordered by the court that has not expired.

NDSP - North Dakota State Penitentiary. **JRCC** - James River Correctional Center. **MRCC** - Missouri River Correctional Center. DWCRC - Dakota Women's Correctional Rehabilitation Center (New England), TRCC - Tompkins Rehabilitation Correctional Center (Jamestown). BTC - Bismarck Transition Center. MTP - Male Transition Program (Fargo & Mandan). FTP - Female Transition Program (Fargo & Mandan). GFC - Grand Forks Centre. LRRP - Lake Region Re-entry Program (Devils Lake).

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DOCR Adult Services Inmate Population Information

Inmate Population on December 31, 2016 (Male Only)

TOTAL COUNT: 1578

NDSP **753**, JRCC **439**, MRCC **187**, DWCRC **0**, Non Traditional Beds **199**

Non-Traditional Bed Breakdown:

Correctional Centers (Jails) **13**, Interstate Compact **21**, TRCC **72**, BTC **44**, GFC **18**, MTPFAR **23**, MTPMDN **5**, LRRP **3**

Year	2011	2012	2013	2014	2015	2016
Admissions - Calendar Year	813	965	1036	1147	1304	1298
Releases - Calendar Year	847	892	982	1052	1231	1307
Inmate Count on December 31	1292	1365	1419	1514	1587	1578

Inmate Count on December 31 (Crime Type)

Offense	2011	2012	2013	2014	2015	2016
Violent Offenders (Excluding Sexual)	423	459	494	516	513	535
Sex Offenders	271	277	268	290	286	297
Property and Other Public Order Offenders	295	298	308	308	335	287
Drug & Alcohol Offenders	303	331	349	400	453	459
Drug - Deliver, Manufacture or Intent	202	222	210	214	248	266
Drug - Possession Only	77	84	109	120	154	166
Alcohol - DUI, APC	24	25	30	66	52	27

Inmate Count on December 31 (Minimum Mandatory)

Offense	2011	2012	2013	2014	2015	2016
Breaking/Unlawful Entry Into a Motor Vehicle	0	0	0	1	1	2
DUI/Actual Physical Control	20	21	9	1	0	11
Driving Under Suspension	0	0	0	0	0	0
Refusing to Submit to Chemical Testing	0	0	0	0	0	1
Drug Offenses (Not Alcohol)	31	32	25	21	19	20
Reckless Endangerment	2	0	0	3	1	2
Assault	13	9	8	5	3	5
Burglary With Weapon	0	0	0	0	1	3
Felonious Restraint	0	0	0	0	0	1
Kidnapping	1	1	1	0	0	0
Sex Offense	9	8	10	11	9	21
Terrorizing	8	10	14	6	1	10
Robbery	6	5	8	10	10	13
Criminal Vehicular Injury	0	0	0	0	0	0
Negligent Homicide/Criminal Vehicular Homicide	2	1	1	1	1	2
Manslaughter	0	0	0	0	0	0
Murder *	13	14	14	16	17	19
Felon in Possession of a Firearm	1	0	0	0	1	0
Offender Registration Violation	3	3	0	0	0	2
Total	109	104	90	75	64	112

* There are **73** males with a Life sentence (not all are minimum mandatory sentences)

7.1% of the male inmate population on December 31, 2016 had a minimum mandatory sentence.

Inmate Count on December 31 (85% Truth-In-Sentencing)

	2011	2012	2013	2014	2015	2016
Number of Inmates Having 85% TIS	256	260	292	297	282	278
Average Sentence In Months (excludes Life)	100	112	101	99	123	126

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DOCR Adult Services Inmate Population Information (Male Only)

Average Inmate Population, Admissions, Releases by Fiscal Year

	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
Average Daily Population	1305.72	1305.35	1356.10	1397.72	1497.09	1562.20
Admissions	838	885	994	1077	1244	1325
Releases	850	881	942	1012	1137	1299

Fiscal Year Admissions Of 85% Truth-In-Sentencing Inmates

	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
Number of Inmates	88	81	101	93	102	88
Average Sentence In Months	45.07	51.83	40.91	53.19	44.70	56.38

Average Sentence Does Not Include Inmates With Life Sentences

Number Of Fiscal Year Admissions by Crime Type

	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
All Inmates	838	885	994	1077	1244	1325
Violent Offenders (Non-Sexual)	193	214	252	239	272	273
Sex Offenders	78	84	77	82	81	72
Drug & Alcohol Offenders	280	271	325	408	549	576
Property and Other Public Order Offenders	287	316	340	348	342	404

Average Sentence Imposed By Court (Fiscal Year, Crime Type, In Months, Excludes Life Sentences)

	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
All Inmates	35.42	31.96	32.27	36.25	33.20	31.74
Violent (Non-Sexual)	46.48	34.73	29.65	46.16	35.54	38.72
Sex Offenders	68.92	64.42	81.30	75.48	73.46	67.29
Drug & Alcohol Offenders	32.26	29.95	29.57	30.96	28.86	29.14
Property and Other Public Order Offenders	22.15	23.39	26.20	26.51	28.11	24.55

Number Of Fiscal Year Admissions By Length Of Court Imposed Sentence

	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
Less Than One Year	41	50	34	18	29	35
One Year to Less Than Five Years	676	743	840	916	1035	1138
Five Years to Less Than Ten Years	84	62	86	95	128	112
Ten Years to Less Than Twenty Years	22	20	16	26	30	27
Twenty Years or More	15	10	18	22	22	13

NOTE: The average sentence is that sentence imposed by the court. It does not take into account such things as good time, credit for time served, parole relief or any other method of shortening the sentence except Pardon Advisory Board recommendations adopted by the Governor (which can actually change the sentence). The average sentence is reported in months to two decimal points.

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Dakota Women's Correctional Rehab Center

Owned and Operated by Southwest Multi-County Correction Center

	% of Ownership
Billings County	2.14%
Bowman County	8.62%
Dunn County	9.67%
Golden Valley County (DADC only)	4.60%
Hettinger County	6.78%
Slope County	1.99%
Stark County	66.20%

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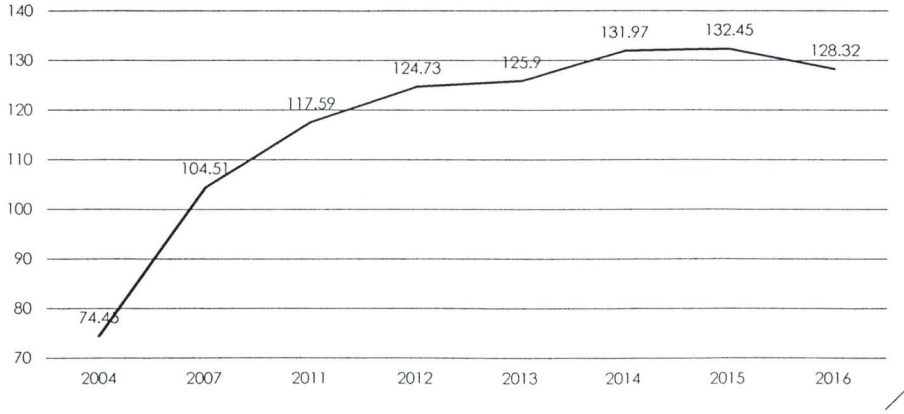
ND Department Of Corrections Contract

- Current Capacity = 126 beds
  - 70 Minimum Security
    - 4, 5-bed dorms
    - 5, 10-bed dorms
  - 40 Medium Security
    - 4, 10-bed dorms
  - 16 Orientation
    - 1, 16-bed dorm
- 5 High Security (Special Management Unit)
  - 5, single bed cells

Average Daily Inmate Count



Housing Challenges

- December 10, 2014, all time high inmate count of 147
- March 30, 2015, DWCRC was forced to put up cots in the medium security gym.
- March 2016, - 30+ orientation inmates on one single day (16 beds available)

Housing Challenges

- In order to house additional female offenders, DWCRC has added the following beds (above and beyond 126):
  - 1, 8-bed dorm in minimum custody (chapel)
  - 1, 4-bed dorm in medium custody (honor dorm dayroom)
  - 1 single bed room in medium custody
- These additional beds have not been added to the DOCR contract. It is their wish to not add any additional prison beds at DWCRC for female inmates.
- No additional funding from DOCR.

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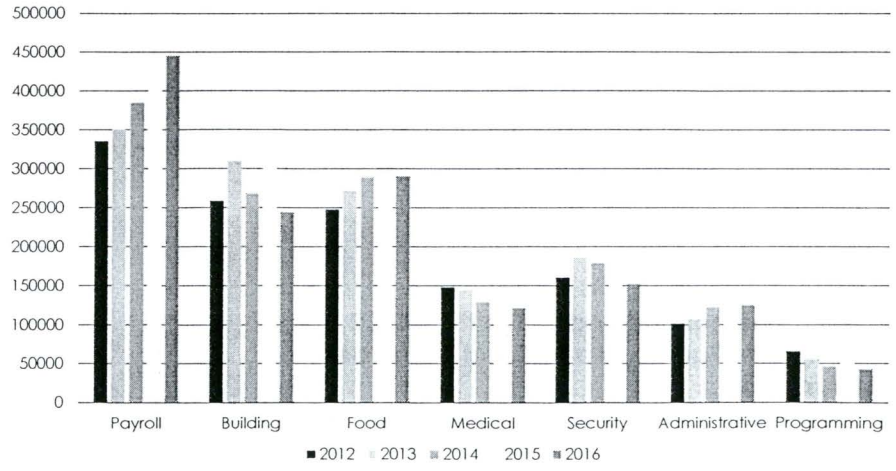
Operating Profit/Loss since Inception

Biennium	DOCR Reimbursements	Expenses	Other Revenue	Profit/(Loss)
2003 - 2005	$3,997,195	$4,818,298	$130,459	($690,644)
2005 - 2007	$7,477,115	$7,223,756	$386,720	$640,079
2007 - 2009	$7,889,424	$7,505,837	$475,187	$858,774
2009 - 2011	$8,458,683	$9,714,067	$501,929	($753,455)
2011 - 2013	$8,458,683	$9,221,794	$813,515	$50,404
2013 - 2015	$8,966,204	$10,436,281	$797,156	($672,921)
2015 - 2016	$8,118,225*	$8,528,080*	$373,123*	$(36,732)*
Total	$53,365,529	$57,448,113	$3,478,089	($604,495)

* through 12/31/2016

Cost of Operations



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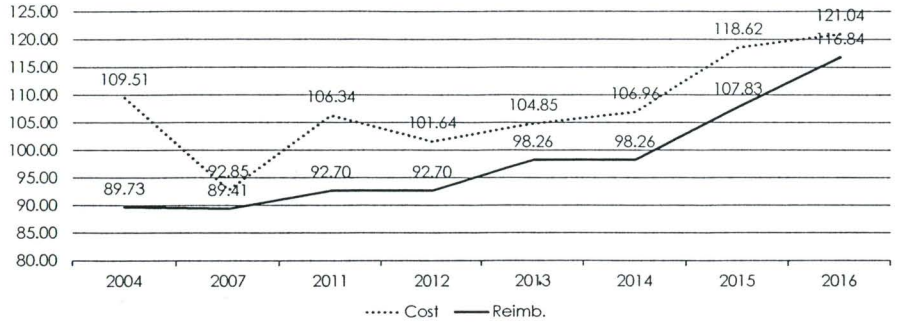
Average Daily Cost Per Inmate vs. Reimbursement



2017 – 2019 DWCRC Budget

	2017-2019 *	2015-2017	
Payroll	$ 9,475,883	$ 10,177,649	93.10%
Administrative/Computer	$ 262,364	$ 313,805	83.61%
Building Expense/Facility Renovations	$ 621,413	$ 625,846	99.29%
Inmate	$ 224,275	$ 215,758	103.95%
Education/Vocation	$ 102,756	$ 123,375	83.29%
Treatment	$ 11,753	$ 29,168	40.29%
Case Management	$ 2,576	$ 6,724	38.31%
Security	$ 122,401	$ 176,151	69.49%
Vehicle	$ 81,837	$ 133,628	61.24%
Food	$ 536,192	$ 612,514	87.54%
Medical	$ 299,067	$ 338,120	88.45%
Industries	$ 239,827	$ 219,454	109.28%
Debt Services	$ 0	$ 22,500	0.00%
Total	$ 11,980,344	$ 12,994,692	92.19%

* Excludes 2% wage increase

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2017 – 2019 Appropriations Request

DWCRC Total Budget	$ 12,147,788
Less BOD approved 2% wage increase	$ (167,444)
	$ 11,980,344
Less Other Revenue	$ (379,900)
Request Submitted to DOCR	$ 11,600,444
DOCR's Request for DWCRC	$ 11,110,763
	$ (489,681)
Additional Loss - 2 % wage increase	$ (167,444)
Potential Shortfall (with 2% wage increase)	$ (657,125)

Appropriations History

Biennium	Total Expenses	Requested	Approved	Difference
2007 - 2009	$7,955,877	$7,955,877	$7,955,877	$0
2009 - 2011	$8,788,023	$8,458,683	$8,458,683	$0
2011 - 2013	$9,164,419	$8,858,683	$8,458,683	($400,000)
2013 - 2015	$10,237,287	$9,660,183	$8,966,204	($693,979)
2015 - 2017	$12,994,692	$12,216,204	$10,761,952*	($1,454,252)
2017 – 2019	$11,980,344	$11,600,444	$11,110,763**	($489,681)

* After 4.05% allotment decrease
** DOCR request to OMB

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Future Challenges

- Continued Funding Shortfalls
- Capital Improvements - $1,126,200
- Special Management Unit Expansion
  - Requested by DOCR
  - Estimated cost $3M (October 2014)

SB2015

17.0523.01003
Title.
Fiscal No. 2

Prepared by the Legislative Council staff for
Senator Mathern
February 9, 2017

2-14-17
#1

PROPOSED AMENDMENTS TO SENATE BILL NO. 2015

Page 1, line 2, after "rehabilitation" insert "; to create and enact a new section to chapter 12-44.1 of the North Dakota Century Code, relating to management of inmate population; to provide for a report to the budget section; and to declare an emergency"

Page 1, replace lines 12 through 17 with:

"Adult services	$205,626,019	$9,710,273	$215,336,292
Youth services	30,654,707	642,028	31,296,735
Total all funds	$236,280,726	$10,352,301	$246,633,027
Less estimated income	33,236,706	5,038,348	38,275,054
Total general fund	$203,044,020	$5,313,953	$208,357,973
Full-time equivalent positions	836.29	10.00	846.29"

Page 1, line 19, replace "as adjusted for the 2015-17 biennium" with "for the 2015-17 biennium and the 2017-19 one-time funding items included in the appropriation in section 1 of this Act"

Page 1, replace line 22 with:

"Equipment	470,400	167,000"

Page 2, replace lines 2 through 4 with:

"License plate issue	4,900,000	0
Electronic medical records system	0	935,907
Total all funds	$6,592,167	$1,102,907
Less estimated income	5,126,000	1,102,907"

Page 2, after line 5, insert:

"**SECTION 3. ESTIMATED INCOME - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND.** The estimated income line in section 1 of this Act includes $935,907 of one-time funding from the strategic investment and improvements fund for an electronic medical records system.

SECTION 4. A new section to chapter 12-44.1 of the North Dakota Century Code is created and enacted as follows:

Management of inmate population.

1. The governing body of a correctional facility, in cooperation with law enforcement, state's attorneys, and the judiciary in the judicial district in which the correctional facility is located, shall develop an inmate population plan to prioritize admissions and inmate retention based on the correctional facility's authorized budget.

2. The inmate population plan must take into consideration:

   a. The governing body's authorized budget;

b. The inmate's offense;

c. Whether the inmate has been charged, adjudicated, or sentenced;

d. Whether the inmate presents a risk of flight or is a danger to others or self;

e. The inmate's medical needs and mental and behavioral health needs; and

f. Whether the inmate is subject to mandatory incarceration.

3. The inmate population plan must include alternatives to physical custody of individuals under charge or conviction of an offense, including:

a. Placement in a community setting;

b. Work release;

c. Home detention;

d. Electronic home detention;

e. Global positioning system monitoring;

f. Medical, psychiatric, and drug and alcohol treatment;

g. Employment;

h. Pretrial risk assessment; and

i. Pretrial supervision.

4. The department of corrections and rehabilitation shall provide technical assistance relating to the implementation of this section to the governing body of a correctional facility upon request from the governing body.

SECTION 5. PRISON BED DAY ALLOCATION. The department of corrections and rehabilitation shall allocate to each North Dakota county a specific number of prison bed days available for offenders from each county for the biennium beginning July 1, 2017, and ending June 30, 2019. The department shall provide each county with its allocation before July 1, 2017. The department shall determine the specific number of prison bed days available to each county by considering the estimated 2017-19 biennium inmate population at the department, the authorized legislative appropriation for housing inmates in correctional facilities, including contract community transitional and treatment facilities, and the most recent North Dakota county census data, as reported by the United States census bureau. The department shall provide each county with a monthly statement reporting the number of prison bed days used during the biennium to date by that county and the county's current balance of available prison bed days. The number of prison bed days available to each county is dependent upon the department's current occupancy rates in correctional facilities and contract community transitional and treatment facilities and in accordance with the department's prison population management plan.

SECTION 6. DEPARTMENT OF CORRECTIONS AND REHABILITATION - YOUTH CORRECTIONAL CENTER STUDY - BUDGET SECTION REPORT. During the 2017-18 interim, the department of corrections and rehabilitation, in consultation with the department of human services, the protection and advocacy project, and the

supreme court, shall study the potential for increased community-based treatment services for youth offenders, youth correctional center staffing requirements, and the efficiency and adequacy of the youth correctional center facilities. The study must consider the potential to raze and replace the current facilities at the youth correctional centers. The department of corrections and rehabilitation shall report the results of the study to the budget section of the legislative management by December 31, 2018.

SECTION 7. EMERGENCY. Section 5 of this Act is declared to be an emergency measure."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2015 - Department of Corrections and Rehab. - Senate Action

	Base Budget	Senate Changes	Senate Version
Adult services	$205,626,019	$9,710,273	$215,336,292
Youth services	30,654,707	642,028	31,296,735
Total all funds	$236,280,726	$10,352,301	$246,633,027
Less estimated income	33,236,706	5,038,348	38,275,054
General fund	$203,044,020	$5,313,953	$208,357,973
FTE	836.29	10.00	846.29

Department No. 530 - Department of Corrections and Rehab. - Detail of Senate Changes

	Adds Funding for Base Payroll Changes[1]	Adds Funding for Health Insurance Premium Increase[2]	Adds New Youth Correctional Center FTE Positions[3]	Restores Funding for Salaries and Wages[4]	Restores and Increases Funding for Contract Housing and Programming[5]	Restores Funding for Dakota Women's Correctional and Rehabilitation Center[6]
Adult services	$2,927,685	$1,931,420		$319,816	$4,689,264	$348,815
Youth services	(787,427)	398,239	1,258,076	142,119	131,250	
Total all funds	$2,140,258	$2,329,659	$1,258,076	$461,935	$4,820,514	$348,815
Less estimated income	1,296,984	150,361	0	0	0	0
General fund	$843,274	$2,179,298	$1,258,076	$461,935	$4,820,514	$348,815
FTE	0.00	0.00	10.00	0.00	0.00	0.00

	Adjusts Funding for Operating Expenses[7]	Increases Funding Relating to Federal Grant Changes[8]	Reduces Funding for Extraordinary Repairs and Capital Bond Payments[9]	Reduces Funding Relating to Prison Bed Day Allocation Program[10]	Adds One-Time Funding for Equipment and a New Medical Records System[11]	Total Senate Changes
Adult services	$2,681,924	$2,817,597	($360,841)	($6,748,314)	$1,102,907	$9,710,273
Youth services	(101,479)	200,000	(347,064)	(251,686)		642,028
Total all funds	$2,580,445	$3,017,597	($707,905)	($7,000,000)	$1,102,907	$10,352,301
Less estimated income	(359,501)	3,017,597	(170,000)	0	1,102,907	5,038,348
General fund	$2,939,946	$0	($537,905)	($7,000,000)	$0	$5,313,953
FTE	0.00	0.00	0.00	0.00	0.00	10.00

[1] Funding is added for cost-to-continue 2015-17 biennium salary increases and for other base payroll changes, including increased funding for teachers' salaries.

[2] Funding is added for increases in health insurance premiums from $1,130 to $1,249 per month.

[3] Funding is added for 10 new Youth Correctional Center FTE positions to maintain compliance with the federal Prison Rape Elimination Act.

[4] Funding is restored for salaries and wages which was reduced by the Department of Corrections and Rehabilitation to meet the 2015-17 budget reductions approved by the Legislative Assembly during the August 2016 special legislative session.

[5] Funding of $4,715,073 is restored from the general fund for contract housing and programming which was reduced by the Department of Corrections and Rehabilitation to meet the 2015-17 budget reductions. In addition funding for contract housing and programming is increased by $105,441 from the general fund.

[6] Funding is restored for the Dakota Women's Correctional and Rehabilitation Center contract which was reduced by the Department of Corrections and Rehabilitation to meet the 2015-17 budget reductions.

[7] Funding for various operating expenses, including food and clothing, medical, travel, utilities, repairs, maintenance, information technology, and professional services is adjusted.

[8] Funding from federal grants, including federal Victims of Crime Act funding, is increased.

[9] Base funding for extraordinary repairs is reduced by $587,060, including $417,060 from the general fund, to provide total funding for extraordinary repairs of $946,000, including $866,000 from the general fund. Funding for capital bond payments is reduced by $120,845 from the general fund.

[10] Funding for salaries and wages and contract housing and programming is reduced by $7 million from the general fund to recognize savings from the prison bed day allocation program.

[11] One-time funding of $167,000 from special funds from Roughrider Industries is added for equipment, including a metal plasma cutting table, corner machine, cutoff saw, tiger stop saw, upholstery sewing machine, metal chop saw, saw dust collector, sewing digitizer-plotter, and a sewing pattern machine. One-time funding of $935,907 from the strategic investment and improvements fund is added for a new electronic medical records system.

This amendment also:

- Adds a section to designate $935,907 of special funds for an electronic medical records system is from the strategic investment and improvements fund.
- Creates a new section relating to management of inmate population at local and regional correctional facilities.
- Adds a section to provide for a Department of Corrections and Rehabilitation prison bed day allocation program.
- Adds a section to provide for a Department of Corrections and Rehabilitation study of Youth Correctional Center facilities, staffing requirements, and community-based treatment. The department is to perform the study in consultation with the Department of Human Services, the Protection and Advocacy Project, and the Supreme Court. Results of the study are to be reported to the Budget Section.

SB 2015
2-14-17
#2

reflects Mathern amendment changes

Department of Corrections and Rehabilitation - Budget No. 530
Senate Bill No. 2015
Base Level Funding Changes

	Burgum Executive Budget Recommendation (Changes to Dalrymple Budget in Bold)				Senate Version				Senate Changes to Revised Executive Budget Increase (Decrease) - Executive Budget			
	FTE Positions	General Fund	Other Funds	Total	FTE Positions	General Fund	Other Funds	Total	FTE Positions	General Fund	Other Funds	Total
2017-19 Biennium Base Level	836.29	$203,044,020	$33,236,706	$236,280,726	836.29	$203,044,020	$33,236,706	$236,280,726	0.00	$0	$0	$0
2017-19 Ongoing Funding Changes												
Base payroll changes		$843,274	$1,296,984	$2,140,258		$843,274	$1,296,984	$2,140,258				$0
Salary increase				***0***				***0***				***0***
Health insurance increase		2,179,298	150,361	2,329,659		2,179,298	150,361	2,329,659				0
Employee portion of health insurance		***(1,141,642)***	***(78,768)***	***(1,220,410)***				***0***		***1,141,642***	***78,768***	***1,220,410***
Add new Youth Correctional Center FTE positions (PREA)	10.00	1,258,076		1,258,076	10.00	1,258,076		1,258,076				0
Restore funding for salaries and wages		461,935		461,935		461,935		461,935				0
Reduce funding for temporary employee operating expenses		(31,100)		(31,100)		(31,100)		(31,100)				0
Restore funding for contract housing and programs		4,715,073		4,715,073		4,715,073		4,715,073				0
Increase funding for contract housing and programs		105,441		105,441		105,441		105,441				0
Restore funding for the Dakota Women's Correctional and Rehabilitation Center contract		348,815		348,815		348,815		348,815				0
Adjust funding for various expenses, including food and clothing, medical, travel, utilities, repairs, maintenance, information technology, and professional services		2,971,046	(359,501)	2,611,545		2,971,046	(359,501)	2,611,545				0
Adjust funding for federal grant changes			3,017,597	3,017,597			3,017,597	3,017,597				0
Reduce funding for extraordinary repairs		(417,060)	(170,000)	(587,060)		(417,060)	(170,000)	(587,060)				0
Adjust funding for bond payments		(120,845)		(120,845)		(120,845)		(120,845)				0
Reduce funding for salaries and wages and contract housing and programming		***(7,000,000)***		***(7,000,000)***		***(7,000,000)***		***(7,000,000)***				***0***
Total ongoing funding changes	10.00	$4,172,311	$3,856,673	$8,028,984	10.00	$5,313,953	$3,935,441	$9,249,394	0.00	$1,141,642	$78,768	$1,220,410
One-time funding items												
Add funding for equipment			$167,000	$167,000			$167,000	$167,000			$0	$0
Add funding for electronic medical records system			935,907	935,907			935,907	935,907			0	0
Total one-time funding changes	0.00	$0	$1,102,907	$1,102,907	0.00	$0	$1,102,907	$1,102,907	0.00	$0	$0	$0
Total Changes to Base Level Funding	10.00	$4,172,311	$4,959,580	$9,131,891	10.00	$5,313,953	$5,038,348	$10,352,301	0.00	$1,141,642	$78,768	$1,220,410
2017-19 Total Funding	846.29	$207,216,331	$38,196,286	$245,412,617	846.29	$208,357,973	$38,275,054	$246,633,027	0.00	$1,141,642	$78,768	$1,220,410
										0.6%	0.2%	0.5%

Other Sections in Department of Corrections and Rehabilitation - Budget No. 530

	Burgum Executive Budget Recommendation (Changes to Dalrymple Budget in Bold)	Senate Version
Special funds transfer - Strategic investment and improvements fund	Section 3 designates $935,907 from the strategic investment and improvements fund for an electronic medical records system.	Section 3 designates $935,907 from the strategic investment and improvements fund for an electronic medical records system.
Management of inmate population		Section 4 creates a new section to Chapter 12-44.1 of the North Dakota Century Code, relating to local management of inmate population.
Prison bed day allocation		Section 5 provides for a Department of Corrections and Rehabilitation prison bed day allocation program. Section 7 declares Section 5 to be an emergency measure.
Youth Correctional Center facilities study		Section 6 provides for a study of Youth Correctional Center facilities by the Department of Corrections and Rehabilitation, in consultation with the Department of Human Services, the Protection and Advocacy Project, and the Supreme Court.

17.0523.01005
Title.
Fiscal No. 4

Prepared by the Legislative Council staff for
Senator Mathern
February 14, 2017

SB2015
2-15-17
#1

PROPOSED AMENDMENTS TO SENATE BILL NO. 2015

Page 1, line 2, after "rehabilitation" insert "; to provide appropriations to the department of human services for behavioral health services; to create and enact new sections to chapters 12-44.1 and 54-23.3 of the North Dakota Century Code, relating to management of inmate population and a community behavioral health plan as a term of parole or an alternative to incarceration; to provide for the allocation of prison bed days; to provide for a legislative management study; to provide for a report to the budget section; and to declare an emergency"

Page 1, replace lines 12 through 17 with:

"Adult services	$205,626,019	$16,710,273	$222,336,292
Youth services	30,654,707	642,028	31,296,735
Total all funds	$236,280,726	$17,352,301	$253,633,027
Less estimated income	33,236,706	5,038,348	38,275,054
Total general fund	$203,044,020	$12,313,953	$215,357,973
Full-time equivalent positions	836.29	11.00	847.29"

Page 1, line 19, replace "as adjusted for the 2015-17 biennium" with "for the 2015-17 biennium and the 2017-19 one-time funding items included in the appropriation in section 1 of this Act"

Page 1, replace line 22 with:

"Equipment	470,400	167,000"

Page 2, replace lines 2 through 4 with:

"License plate issue	4,900,000	0
Electronic medical records system	0	935,907
Total all funds	$6,592,167	$1,102,907
Less estimated income	5,126,000	1,102,907"

Page 2, after line 5, insert:

"The 2017-19 one-time funding amounts are not a part of the entity's base budget for the 2019-21 biennium. The department of corrections and rehabilitation shall report to the appropriations committees of the sixty-sixth legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2017, and ending June 30, 2019.

SECTION 3. APPROPRIATION - DEPARTMENT OF HUMAN SERVICES. There is appropriated from special funds derived from federal funds and other income, the sum of $7,000,000, or so much of the sum as may be necessary, to the department of human services for the purposes of implementing the community behavioral health program, for the biennium beginning July 1, 2017, and ending June 30, 2019. The department is authorized six full-time equivalent positions to implement the community behavioral health program.

SECTION 4. APPROPRIATION - REPORT TO LEGISLATIVE MANAGEMENT - DEPARTMENT OF HUMAN SERVICES.

1. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of $500,000, or so much of the sum as may be necessary, to the department of human services for the purposes of contracting with a public or private entity to create and initiate and facilitate the implementation of a strategic plan to increase the availability of all types of behavioral health services in all regions of the state, for the biennium beginning July 1, 2017, and ending June 30, 2019.

2. During the 2017-18 interim, the department of human services and the contracting entity shall make annual reports to the legislative management on the status of the creation and implementation of this strategic plan, including recommendations regarding legislation needed for full implementation.

SECTION 5. ESTIMATED INCOME - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND. The estimated income line item in section 1 of this Act includes $935,907 of one-time funding from the strategic investment and improvements fund for an electronic medical records system.

SECTION 6. A new section to chapter 12-44.1 of the North Dakota Century Code is created and enacted as follows:

Management of inmate population.

1. The governing body of a correctional facility, in cooperation with law enforcement, state's attorneys, and the judiciary in the judicial district in which the correctional facility is located, shall develop an inmate population plan to prioritize admissions and inmate retention based on the correctional facility's authorized budget.

2. The inmate population plan must take into consideration:

   a. The governing body's authorized budget;

   b. The inmate's offense;

   c. Whether the inmate has been charged, adjudicated, or sentenced;

   d. Whether the inmate presents a risk of flight or is a danger to others or self;

   e. The inmate's medical needs and mental and behavioral health needs; and

   f. Whether the inmate is subject to mandatory incarceration.

3. The inmate population plan must include alternatives to physical custody of individuals under charge or conviction of an offense, including:

   a. Placement in a community setting;

   b. Work release;

   c. Home detention;

   d. Electronic home detention;

   e. Global positioning system monitoring;

f. Medical, psychiatric, and drug and alcohol treatment;

g. Employment;

h. Pretrial risk assessment; and

i. Pretrial supervision.

4. This section does not apply when there are exigent circumstances that affect a correctional facility's operations and inmate population, including acts of God and mass arrests.

5. The department of corrections and rehabilitation shall provide technical assistance relating to the implementation of this section to the governing body of a correctional facility upon request from the governing body.

SECTION 7. A new section to chapter 54-23.3 of the North Dakota Century Code is created and enacted as follows:

Community behavioral health program - Reports to legislative management and governor.

1. The department of corrections and rehabilitation shall establish and implement a community behavioral health program to provide comprehensive community-based services for individuals who have serious behavioral health conditions, as a term and condition of parole under chapter 12-59, and as a sentencing alternative under section 12.1-32-02.

2. In developing the program under this section, the department of corrections and rehabilitation shall collaborate with the department of human services to:

   a. Establish a referral and evaluation process for access to the program.

   b. Establish eligibility criteria that includes consideration of recidivism risk and behavioral health condition severity.

   c. Establish discharge criteria and processes, with a goal of establishing a seamless transition to postprogram services in order to decrease recidivism.

   d. Develop program oversight, auditing, and evaluation processes that must include:

      (1) Oversight of case management services through the department of human services;

      (2) Outcome and provider reporting metrics; and

      (3) Annual reports to the legislative management and the governor on the status of the program.

   e. Establish a system through which:

      (1) The department of human services:

(a) Contracts with and pays behavioral health service providers; and

(b) Supervises, supports, and monitors referral caseloads and the provision of services by contract behavioral health service providers.

(2) Contract behavioral health service providers accept all eligible referrals, provide individualized care delivered through integrated multidisciplinary care teams, and continue services on an ongoing basis until discharge criteria are met.

(3) Contract behavioral health service providers receive payments on a per-month per-referral basis. The payment schedule must be based on a pay-for-performance model that includes consideration of identified outcomes and the level of services required.

(4) Contract behavioral health service providers bill third-parties for services and direct payment to the general fund.

3. The department of human services may adopt rules as necessary to implement this program.

SECTION 8. PRISON BED DAY ALLOCATION. The department of corrections and rehabilitation shall allocate to each North Dakota county a specific number of prison bed days available for offenders from each county for the biennium beginning July 1, 2017, and ending June 30, 2019. The department shall provide each county with its allocation before July 1, 2017. The department shall determine the specific number of prison bed days available to each county by considering the estimated 2017-19 biennium inmate population at the department, the authorized legislative appropriation for housing inmates in correctional facilities, including contract community transitional and treatment facilities, and the most recent North Dakota county census data, as reported by the United States census bureau. The department shall provide each county with a monthly statement reporting the number of prison bed days used during the biennium to date by that county and the county's current balance of available prison bed days. The number of prison bed days available to each county is dependent upon the department's current occupancy rates in correctional facilities and contract community transitional and treatment facilities and in accordance with the department's prison population management plan. This section does not apply when the offender has been convicted of a class AA felony and a sentence up to life imprisonment may be imposed.

SECTION 9. LEGISLATIVE MANAGEMENT STUDY - CRIMINAL JUSTICE SYSTEM BEHAVIORAL HEALTH NEEDS. During the 2017-18 interim, the legislative management shall consider continuing its study of alternatives to incarceration, with a focus on the behavioral health needs of individuals in the criminal justice system. The study must include receipt of reports on the status, effectiveness, and sustainability of the community behavioral health program for individuals in the criminal justice system which must include caseload data, any recognized savings to the department of corrections and rehabilitation, an overview of the training requirements for contract behavioral health service providers, and recommendations. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-sixth legislative assembly.

SECTION 10. DEPARTMENT OF CORRECTIONS AND REHABILITATION - YOUTH CORRECTIONAL CENTER STUDY - BUDGET SECTION REPORT. During the 2017-18 interim, the department of corrections and rehabilitation, in consultation with the department of human services, the protection and advocacy project, and the supreme court, shall study the potential for increased community-based treatment services for youth offenders, youth correctional center staffing requirements, and the efficiency and adequacy of the youth correctional center facilities. The study must consider the potential to raze and replace the current facilities at the youth correctional center. The department of corrections and rehabilitation shall report the results of the study to the budget section of the legislative management by December 31, 2018.

SECTION 11. EMERGENCY. Section 8 of this Act is declared to be an emergency measure.

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2015 - Summary of Senate Action

	Base Budget	Senate Changes	Senate Version
Department of Human Services			
Total all funds	$0	$7,500,000	$7,500,000
Less estimated income	0	7,000,000	7,000,000
General fund	$0	$500,000	$500,000
Department of Corrections and Rehab.			
Total all funds	$236,280,726	$17,352,301	$253,633,027
Less estimated income	33,236,706	5,038,348	38,275,054
General fund	$203,044,020	$12,313,953	$215,357,973
Bill total			
Total all funds	$236,280,726	$24,852,301	$261,133,027
Less estimated income	33,236,706	12,038,348	45,275,054
General fund	$203,044,020	$12,813,953	$215,857,973

Senate Bill No. 2015 - Department of Human Services - Senate Action

	Base Budget	Senate Changes	Senate Version
Behavioral health services		$7,500,000	$7,500,000
Total all funds	$0	$7,500,000	$7,500,000
Less estimated income	0	7,000,000	7,000,000
General fund	$0	$500,000	$500,000
FTE	0.00	6.00	6.00

Department No. 325 - Department of Human Services - Detail of Senate Changes

	Adds Funding for a Community Behavioral Health Program[1]	Adds Funding for a Strategic Plan to Increase Behavioral Health Services[2]	Total Senate Changes
Behavioral health services	$7,000,000	$500,000	$7,500,000
Total all funds	$7,000,000	$500,000	$7,500,000
Less estimated income	7,000,000	0	7,000,000
	$0	$500,000	$500,000

General fund			
FTE	6.00	0.00	6.00

[1] Funding of $7 million from other funds and 6 FTE positions are added for a community behavioral health program. The source of funds is funding provided by the Department of Corrections and Rehabilitation.

[2] Funding of $500,000 from the general fund is added for contracting with a public or private entity to create, initiate, and facilitate the implementation of a strategic plan to increase the availability of all types of behavioral health services in all regions of the state.

- Section 3 is added to provide an appropriation of $7 million to the Department of Human Services for a community behavioral health program.
- Section 4 is added to provide an appropriation of $500,000 to the Department of Human Services for a strategic plan to increase behavioral health services.

Senate Bill No. 2015 - Department of Corrections and Rehab. - Senate Action

	Base Budget	Senate Changes	Senate Version
Adult services	$205,626,019	$16,710,273	$222,336,292
Youth services	30,654,707	642,028	31,296,735
Total all funds	$236,280,726	$17,352,301	$253,633,027
Less estimated income	33,236,706	5,038,348	38,275,054
General fund	$203,044,020	$12,313,953	$215,357,973
FTE	836.29	11.00	847.29

Department No. 530 - Department of Corrections and Rehab. - Detail of Senate Changes

	Adds Funding for Base Payroll Changes[1]	Adds Funding for Health Insurance Premium Increases[2]	Adds New Youth Correctional Center Positions[3]	Restores Funding for Salaries and Wages[4]	Restores and Increases Funding for Contract Housing and Programming[5]	Restores Funding for Dakota Women's Correctional and Rehabilitation Center[6]
Adult services	$2,927,685	$1,931,420		$319,816	$4,689,264	$348,815
Youth services	(787,427)	398,239	1,258,076	142,119	131,250	
Total all funds	$2,140,258	$2,329,659	$1,258,076	$461,935	$4,820,514	$348,815
Less estimated income	1,296,984	150,361	0	0	0	0
General fund	$843,274	$2,179,298	$1,258,076	$461,935	$4,820,514	$348,815
FTE	0.00	0.00	10.00	0.00	0.00	0.00

	Adjusts Funding for Operating Expenses[7]	Increases Funding Relating to Federal Grant Changes[8]	Reduces Funding for Extraordinary Repairs and Capital Bond Payments[9]	Reduces Funding Relating to Prison Bed Day Allocation Program[10]	Adds Funding for a Community Behavioral Health Program[11]	Adds One-Time Funding for Equipment and a New Medical Records System[12]
Adult services	$2,681,924	$2,817,597	($360,841)	($6,748,314)	$7,000,000	$1,102,907
Youth services	(101,479)	200,000	(347,064)	(251,686)		
Total all funds	$2,580,445	$3,017,597	($707,905)	($7,000,000)	$7,000,000	$1,102,907

Less estimated income	(359,501)	3,017,597	(170,000)	0	0	1,102,907
General fund	$2,939,946	$0	($537,905)	($7,000,000)	$7,000,000	$0
FTE	0.00	0.00	0.00	0.00	1.00	0.00

	Total Senate Changes
Adult services	$16,710,273
Youth services	642,028
Total all funds	$17,352,301
Less estimated income	5,038,348
General fund	$12,313,953
FTE	11.00

[1] Funding is added for cost-to-continue 2015-17 biennium salary increases and for other base payroll changes, including increased funding for teachers' salaries.

[2] Funding is added for increases in health insurance premiums from $1,130 to $1,249 per month.

[3] Funding is added for 10 new Youth Correctional Center FTE positions to maintain compliance with the federal Prison Rape Elimination Act.

[4] Funding is restored for salaries and wages which was reduced by the Department of Corrections and Rehabilitation to meet the 2015-17 budget reductions approved by the Legislative Assembly during the August 2016 special legislative session.

[5] Funding of $4,715,073 is restored from the general fund for contract housing and programming which was reduced by the Department of Corrections and Rehabilitation to meet the 2015-17 budget reductions. In addition funding for contract housing and programming is increased by $105,441 from the general fund.

[6] Funding is restored for the Dakota Women's Correctional and Rehabilitation Center contract which was reduced by the Department of Corrections and Rehabilitation to meet the 2015-17 budget reductions.

[7] Funding for various operating expenses, including food and clothing, medical, travel, utilities, repairs, maintenance, information technology, and professional services is adjusted.

[8] Funding from federal grants, including federal Victims of Crime Act funding, is increased.

[9] Base funding for extraordinary repairs is reduced by $587,060, including $417,060 from the general fund, to provide total funding for extraordinary repairs of $946,000, including $866,000 from the general fund. Funding for capital bond payments is reduced by $120,845 from the general fund.

[10] Funding for salaries and wages and contract housing and programming is reduced by $7 million from the general fund to recognize savings from the prison bed day allocation program.

[11] Funding of $7 million from the general fund and 1 FTE position are added for a community behavioral health program.

[12] One-time funding of $167,000 of special funds from Roughrider Industries is added for equipment, including a metal plasma cutting table, corner machine, cutoff saw, tiger stop saw, upholstery sewing machine, metal chop saw, saw dust collector, sewing digitizer-plotter, and a sewing pattern machine. One-time funding of $935,907 from the strategic investment and improvements fund is added for a new electronic medical records system.

This amendment also:

- Adds a section to designate $935,907 of special funds for an electronic medical records system is from the strategic investment and improvements fund.
- Creates a new section relating to management of inmate population at local and regional correctional facilities.
- Creates a new section relating to a community behavioral health plan as a term of parole or an alternative to incarceration.
- Adds a section to provide for a Department of Corrections and Rehabilitation prison bed day allocation program.
- Adds a section to provide for a continuation of the Legislative Management study of alternatives to incarceration.
- Adds a section to provide for a Department of Corrections and Rehabilitation study of Youth Correctional Center facilities, staffing requirements, and community-based treatment. The department is to perform the study in consultation with the Department of Human Services, the Protection and Advocacy Project, and the Supreme Court. Results of the study are to be reported to the Budget Section.

SB 2015
2-15-17
#2

Department of Corrections and Rehabilitation - Budget No. 530
Senate Bill No. 2015
Base Level Funding Changes

	Burgum Executive Budget Recommendation (Changes to Dalrymple Budget in Bold)				Senate Version - Senator Mathern				Senate Changes to Revised Executive Budget Increase (Decrease) - Executive Budget			
	FTE Positions	General Fund	Other Funds	Total	FTE Positions	General Fund	Other Funds	Total	FTE Positions	General Fund	Other Funds	Total
2017-19 Biennium Base Level	836.29	$203,044,020	$33,236,706	$236,280,726	836.29	$203,044,020	$33,236,706	$236,280,726	0.00	$0	$0	$0
2017-19 Ongoing Funding Changes												
Base payroll changes		$843,274	$1,296,984	$2,140,258		$843,274	$1,296,984	$2,140,258				$0
Salary increase				***0***				***0***				***0***
Health insurance increase		2,179,298	150,361	2,329,659		2,179,298	150,361	2,329,659				0
Employee portion of health insurance		***(1,141,642)***	***(78,768)***	***(1,220,410)***				***0***		***1,141,642***	***78,768***	***1,220,410***
Add new Youth Correctional Center FTE positions (PREA)	10.00	1,258,076		1,258,076	10.00	1,258,076		1,258,076				0
Restore funding for salaries and wages		461,935		461,935		461,935		461,935				0
Reduce funding for temporary employee operating expenses		(31,100)		(31,100)		(31,100)		(31,100)				0
Restore funding for contract housing and programs		4,715,073		4,715,073		4,715,073		4,715,073				0
Increase funding for contract housing and programs		105,441		105,441		105,441		105,441				0
Restore funding for the Dakota Women's Correctional and Rehabilitation Center contract		348,815		348,815		348,815		348,815				0
Adjust funding for various expenses, including food and clothing, medical, travel, utilities, repairs, maintenance, information technology, and professional services		2,971,046	(359,501)	2,611,545		2,971,046	(359,501)	2,611,545				0
Adjust funding for federal grant changes			3,017,597	3,017,597			3,017,597	3,017,597				0
Reduce funding for extraordinary repairs		(417,060)	(170,000)	(587,060)		(417,060)	(170,000)	(587,060)				0
Adjust funding for bond payments		(120,845)		(120,845)		(120,845)		(120,845)				0
Reduce funding for salaries and wages and contract housing and programming		***(7,000,000)***		***(7,000,000)***		***(7,000,000)***		***(7,000,000)***				***0***
Add funding for community behavioral health program				0	1.00	7,000,000		7,000,000	1.00	7,000,000		7,000,000
Total ongoing funding changes	10.00	$4,172,311	$3,856,673	$8,028,984	11.00	$12,313,953	$3,935,441	$16,249,394	1.00	$8,141,642	$78,768	$8,220,410
One-time funding items												
Add funding for equipment			$167,000	$167,000			$167,000	$167,000			$0	$0
Add funding for electronic medical records system			935,907	935,907			935,907	935,907			0	0
Total one-time funding changes	0.00	$0	$1,102,907	$1,102,907	0.00	$0	$1,102,907	$1,102,907	0.00	$0	$0	$0
Total Changes to Base Level Funding	10.00	$4,172,311	$4,959,580	$9,131,891	11.00	$12,313,953	$5,038,348	$17,352,301	1.00	$8,141,642	$78,768	$8,220,410
2017-19 Total Funding	846.29	$207,216,331	$38,196,286	$245,412,617	847.29	$215,357,973	$38,275,054	$253,633,027	1.00	$8,141,642	$78,768	$8,220,410
										3.9%	0.2%	3.3%

Other Sections in Department of Corrections and Rehabilitation - Budget No. 530

	Burgum Executive Budget Recommendation (Changes to Dalrymple Budget in Bold)	Senate Version - Senator Mathern
Appropriation - Department of Human Services		Section 3 provides an appropriation of $7 million from other funds and 6.00 FTE positions to the Department of Human Services for the community behavioral health program. The source of funds is the Department of Corrections and Rehabilitation.
Appropriation - Department of Human Services		Section 4 provides an appropriation of $500,000 from the general fund to the Department of Human Services to contract with a public or private entity to create, initiate, and facilitate the implementation of a strategic plan to increase the availability of behavioral health services in the state.
Special funds transfer - Strategic investment and improvements fund	Section 3 designates $935,907 from the strategic investment and improvements fund for an electronic medical records system.	Section 5 designates $935,907 from the strategic investment and improvements fund for an electronic medical records system.
Management of inmate population		Section 6 creates a new section to Chapter 12-44.1 of the North Dakota Century Code, relating to local management of inmate population.
Community behavioral health program		Section 7 create a new section to Chapter 54-23.3 of the North Dakota Century Code relating to a community behavioral health plan as a term of parole or an alternative to incarceration.
Prison bed day allocation		Section 8 provides for a Department of Corrections and Rehabilitation prison bed day allocation program. Section 11 declares Section 8 to be an emergency measure.
Criminal justice behavioral health needs study		Section 9 provides for the continuation of the Legislative Management study of alternatives to incarceration, with a focus on the behavioral health needs of individuals in the criminal justice system.
Youth Correctional Center facilities study		Section 10 provides for a study of Youth Correctional Center facilities by the Department of Corrections and Rehabilitation, in consultation with the Department of Human Services, the Protection and Advocacy Project, and the Supreme Court.

17.0523.01004
Title.
Fiscal No. 3

Prepared by the Legislative Council staff for
Senator Hogue
February 14, 2017

SB 2015
2-15-17
#3

PROPOSED AMENDMENTS TO SENATE BILL NO. 2015

Page 1, line 2, after "rehabilitation" insert "; to provide appropriations to the department of human services for behavioral health services; to create and enact a new section to chapter 54-23.3 of the North Dakota Century Code, relating to a community behavioral health plan as a term of parole or an alternative to incarceration; to provide for a legislative management study; and to provide for a report to the budget section"

Page 1, replace lines 12 through 17 with:

"Adult services	$205,626,019	$23,458,587	$229,084,606
Youth services	30,654,707	893,714	31,548,421
Total all funds	$236,280,726	$24,352,301	$260,633,027
Less estimated income	33,236,706	5,038,348	38,275,054
Total general fund	$203,044,020	$19,313,953	$222,357,973
Full-time equivalent positions	836.29	11.00	847.29"

Page 1, line 19, replace "as adjusted for the 2015-17 biennium" with "for the 2015-17 biennium and the 2017-19 one-time funding items included in the appropriation in section 1 of this Act"

Page 1, replace line 22 with:

"Equipment	470,400	167,000"

Page 2, replace lines 2 through 4 with:

"License plate issue	4,900,000	0
Electronic medical records system	0	935,907
Total all funds	$6,592,167	$1,102,907
Less estimated income	5,126,000	1,102,907"

Page 2, after line 5, insert:

"The 2017-19 one-time funding amounts are not a part of the entity's base budget for the 2019-21 biennium. The department of corrections and rehabilitation shall report to the appropriations committees of the sixty-sixth legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2017, and ending June 30, 2019.

SECTION 3. APPROPRIATION - DEPARTMENT OF HUMAN SERVICES. There is appropriated from special funds derived from federal funds and other income, the sum of $7,000,000, or so much of the sum as may be necessary, to the department of human services for the purpose of implementing the community behavioral health program, for the biennium beginning July 1, 2017, and ending June 30, 2019. The department is authorized six full-time equivalent positions to implement the community behavioral health program.

SECTION 4. APPROPRIATION - REPORT TO LEGISLATIVE MANAGEMENT - DEPARTMENT OF HUMAN SERVICES.

1. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of $500,000, or so much of the sum as may be necessary, to the department of human services for the purposes of contracting with a public or private entity to create, initiate, and facilitate the implementation of a strategic plan to increase the availability of all types of behavioral health services in all regions of the state, for the biennium beginning July 1, 2017, and ending June 30, 2019.

2. During the 2017-18 interim, the department of human services and the contracting entity shall make annual reports to the legislative management on the status of the creation and implementation of this strategic plan, including recommendations regarding legislation needed for full implementation.

SECTION 5. ESTIMATED INCOME - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND. The estimated income line item in section 1 of this Act includes $935,907 of one-time funding from the strategic investment and improvements fund for an electronic medical records system.

SECTION 6. A new section to chapter 54-23.3 of the North Dakota Century Code is created and enacted as follows:

Community behavioral health program - Reports to legislative management and governor.

1. The department of corrections and rehabilitation shall establish and implement a community behavioral health program to provide comprehensive community-based services for individuals who have serious behavioral health conditions, as a term and condition of parole under chapter 12-59, and as a sentencing alternative under section 12.1-32-02.

2. In developing the program under this section, the department of corrections and rehabilitation shall collaborate with the department of human services to:

   a. Establish a referral and evaluation process for access to the program.

   b. Establish eligibility criteria that includes consideration of recidivism risk and behavioral health condition severity.

   c. Establish discharge criteria and processes, with a goal of establishing a seamless transition to postprogram services in order to decrease recidivism.

   d. Develop program oversight, auditing, and evaluation processes that must include:

      (1) Oversight of case management services through the department of human services;

      (2) Outcome and provider reporting metrics; and

      (3) Annual reports to the legislative management and the governor on the status of the program.

   e. Establish a system through which:

(1) The department of human services:

(a) Contracts with and pays behavioral health service providers; and

(b) Supervises, supports, and monitors referral caseloads and the provision of services by contract behavioral health service providers.

(2) Contract behavioral health service providers accept all eligible referrals, provide individualized care delivered through integrated multidisciplinary care teams, and continue services on an ongoing basis until discharge criteria are met.

(3) Contract behavioral health service providers receive payments on a per-month per-referral basis. The payment schedule must be based on a pay-for-performance model that includes consideration of identified outcomes and the level of services required.

(4) Contract behavioral health service providers bill third-parties for services and direct payment to the general fund.

3. The department of human services may adopt rules as necessary to implement this program.

SECTION 7. LEGISLATIVE MANAGEMENT STUDY - CRIMINAL JUSTICE SYSTEM BEHAVIORAL HEALTH NEEDS. During the 2017-18 interim, the legislative management shall consider continuing its study of alternatives to incarceration, with a focus on the behavioral health needs of individuals in the criminal justice system. The study must include receipt of reports on the status, effectiveness, and sustainability of the community behavioral health program for individuals in the criminal justice system which must include caseload data, any recognized savings to the department of corrections and rehabilitation, an overview of the training requirements for contract behavioral health service providers, and recommendations. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-sixth legislative assembly.

SECTION 8. DEPARTMENT OF CORRECTIONS AND REHABILITATION - YOUTH CORRECTIONAL CENTER STUDY - BUDGET SECTION REPORT. During the 2017-18 interim, the department of corrections and rehabilitation, in consultation with the department of human services, the protection and advocacy project, and the supreme court, shall study the potential for increased community-based treatment services for youth offenders, youth correctional center staffing requirements, and the efficiency and adequacy of the youth correctional center facilities. The study must consider the potential to raze and replace the current facilities at the youth correctional center. The department of corrections and rehabilitation shall report the results of the study to the budget section of the legislative management by December 31, 2018."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2015 - Summary of Senate Action

	Base Budget	Senate Changes	Senate Version
Department of Human Services			
Total all funds	$0	$7,500,000	$7,500,000
Less estimated income	0	7,000,000	7,000,000
General fund	$0	$500,000	$500,000
Department of Corrections and Rehab.			
Total all funds	$236,280,726	$24,352,301	$260,633,027
Less estimated income	33,236,706	5,038,348	38,275,054
General fund	$203,044,020	$19,313,953	$222,357,973
Bill total			
Total all funds	$236,280,726	$31,852,301	$268,133,027
Less estimated income	33,236,706	12,038,348	45,275,054
General fund	$203,044,020	$19,813,953	$222,857,973

Senate Bill No. 2015 - Department of Human Services - Senate Action

	Base Budget	Senate Changes	Senate Version
Behavioral health services		$7,500,000	$7,500,000
Total all funds	$0	$7,500,000	$7,500,000
Less estimated income	0	7,000,000	7,000,000
General fund	$0	$500,000	$500,000
FTE	0.00	6.00	6.00

Department No. 325 - Department of Human Services - Detail of Senate Changes

	Adds Funding for Community Behavioral Health Program[1]	Adds Funding for a Strategic Plan to Increase Behavioral Health Services[2]	Total Senate Changes
Behavioral health services	$7,000,000	$500,000	$7,500,000
Total all funds	$7,000,000	$500,000	$7,500,000
Less estimated income	7,000,000	0	7,000,000
General fund	$0	$500,000	$500,000
FTE	6.00	0.00	6.00

[1] Funding of $7,000,000 from other funds and 6 FTE positions are added for the community behavioral health program. The source of funds is funding provided by the Department of Corrections and Rehabilitation.

[2] Funding of $500,000 from the general fund is added for contracting with a public or private entity to create, initiate, and facilitate the implementation of a strategic plan to increase the availability of all types of behavioral health services in all regions of the state.

- Section 3 is added to provide an appropriation to the Department of Human Services for the community behavioral health program.
- Section 4 is added to provide an appropriation to the Department of Human Services for a

strategic plan to increase behavioral health services.

Senate Bill No. 2015 - Department of Corrections and Rehab. - Senate Action

	Base Budget	Senate Changes	Senate Version
Adult services	$205,626,019	$23,458,587	$229,084,606
Youth services	30,654,707	893,714	31,548,421
Total all funds	$236,280,726	$24,352,301	$260,633,027
Less estimated income	33,236,706	5,038,348	38,275,054
General fund	$203,044,020	$19,313,953	$222,357,973
FTE	836.29	11.00	847.29

Department No. 530 - Department of Corrections and Rehab. - Detail of Senate Changes

	Adds Funding for Base Payroll Changes[1]	Adds Funding for Health Insurance Premium Increases[2]	Adds New Youth Correctional Center Positions[3]	Restores Funding for Salaries and Wages[4]	Restores and Increases Funding for Contract Housing and Programming[5]	Restores Funding for Dakota Women's Correctional and Rehabilitation Center[6]
Adult services	$2,927,685	$1,931,420		$319,816	$4,689,264	$348,815
Youth services	(787,427)	398,239	1,258,076	142,119	131,250	
Total all funds	$2,140,258	$2,329,659	$1,258,076	$461,935	$4,820,514	$348,815
Less estimated income	1,296,984	150,361	0	0	0	0
General fund	$843,274	$2,179,298	$1,258,076	$461,935	$4,820,514	$348,815
FTE	0.00	0.00	10.00	0.00	0.00	0.00

	Adjusts Funding for Operating Expenses[7]	Increases Funding Relating to Federal Grant Changes[8]	Reduces Funding for Extraordinary Repairs and Capital Bond Payments[9]	Adds Funding for Community Behavioral Health Program[10]	Adds One-Time Funding for Equipment and a New Medical Records System[11]	Total Senate Changes
Adult services	$2,681,924	$2,817,597	($360,841)	$7,000,000	$1,102,907	$23,458,587
Youth services	(101,479)	200,000	(347,064)			893,714
Total all funds	$2,580,445	$3,017,597	($707,905)	$7,000,000	$1,102,907	$24,352,301
Less estimated income	(359,501)	3,017,597	(170,000)	0	1,102,907	5,038,348
General fund	$2,939,946	$0	($537,905)	$7,000,000	$0	$19,313,953
FTE	0.00	0.00	0.00	1.00	0.00	11.00

[1] Funding is added for cost-to-continue 2015-17 biennium salary increases and for other base payroll changes, including increased funding for teachers' salaries.

[2] Funding is added for increases in health insurance premiums from $1,130 to $1,249 per month.

[3] Funding is added for 10 new Youth Correctional Center FTE positions to maintain compliance with the federal Prison Rape Elimination Act.

[4] Funding is restored for salaries and wages which was reduced by the Department of Corrections and Rehabilitation to meet the 2015-17 budget reductions approved by the Legislative Assembly during the August 2016 special legislative session.

[5] Funding of $4,715,073 is restored from the general fund for contract housing and programming which was reduced by the Department of Corrections and Rehabilitation to meet the 2015-17 budget reductions. In addition funding for contract housing and programming is increased by $105,441 from the general fund.

[6] Funding is restored for the Dakota Women's Correctional and Rehabilitation Center contract which was reduced by the Department of Corrections and Rehabilitation to meet the 2015-17 budget reductions.

[7] Funding for various operating expenses, including food and clothing, medical, travel, utilities, repairs, maintenance, information technology, and professional services is adjusted.

[8] Funding from federal grants, including federal Victims of Crime Act funding, is increased.

[9] Base funding for extraordinary repairs is reduced by $587,060, including $417,060 from the general fund, to provide total funding for extraordinary repairs of $946,000, including $866,000 from the general fund. Funding for capital bond payments is reduced by $120,845 from the general fund.

[10] Funding of $7 million from the general fund and 1 FTE position are added for the community behavioral health program.

[11] One-time funding of $167,000 of special funds from Roughrider Industries is added for equipment, including a metal plasma cutting table, corner machine, cutoff saw, tiger stop saw, upholstery sewing machine, metal chop saw, saw dust collector, sewing digitizer-plotter, and a sewing pattern machine. One-time funding of $935,907 from the strategic investment and improvements fund is added for a new electronic medical records system.

This amendment also:

- Adds a section to designate $935,907 of special funds for an electronic medical records system is from the strategic investment and improvements fund.
- Creates a new section of North Dakota Century Code relating to a community behavioral health plan as a term of parole or an alternative to incarceration.
- Adds a section to continue the Legislative Management study of alternatives to incarceration.
- Adds a section to provide for a Department of Corrections and Rehabilitation study of Youth Correctional Center facilities, staffing requirements, and community-based treatment. The department is to perform the study in consultation with the Department of Human Services, the Protection and Advocacy Project, and the Supreme Court. Results of the study are to be reported to the Budget Section.

SB 2015
2-15-17
#4

Department of Corrections and Rehabilitation - Budget No. 530
Senate Bill No. 2015
Base Level Funding Changes

	Burgum Executive Budget Recommendation (Changes to Dalrymple Budget in Bold)				Senate Version - Senator Hogue				Senate Changes to Revised Executive Budget Increase (Decrease) - Executive Budget			
	FTE Positions	General Fund	Other Funds	Total	FTE Positions	General Fund	Other Funds	Total	FTE Positions	General Fund	Other Funds	Total
2017-19 Biennium Base Level	836.29	$203,044,020	$33,236,706	$236,280,726	836.29	$203,044,020	$33,236,706	$236,280,726	0.00	$0	$0	$0
2017-19 Ongoing Funding Changes												
Base payroll changes		$843,274	$1,296,984	$2,140,258		$843,274	$1,296,984	$2,140,258				$0
Salary increase				***0***				***0***				***0***
Health insurance increase		2,179,298	150,361	2,329,659		2,179,298	150,361	2,329,659				0
Employee portion of health insurance		***(1,141,642)***	***(78,768)***	***(1,220,410)***				***0***		***1,141,642***	***78,768***	***1,220,410***
Add new Youth Correctional Center FTE positions (PREA)	10.00	1,258,076		1,258,076	10.00	1,258,076		1,258,076				0
Restore funding for salaries and wages		461,935		461,935		461,935		461,935				0
Reduce funding for temporary employee operating expenses		(31,100)		(31,100)		(31,100)		(31,100)				0
Restore funding for contract housing and programs		4,715,073		4,715,073		4,715,073		4,715,073				0
Increase funding for contract housing and programs		105,441		105,441		105,441		105,441				0
Restore funding for the Dakota Women's Correctional and Rehabilitation Center contract		348,815		348,815		348,815		348,815				0
Adjust funding for various expenses, including food and clothing, medical, travel, utilities, repairs, maintenance, information technology, and professional services		2,971,046	(359,501)	2,611,545		2,971,046	(359,501)	2,611,545				0
Adjust funding for federal grant changes			3,017,597	3,017,597			3,017,597	3,017,597				0
Reduce funding for extraordinary repairs		(417,060)	(170,000)	(587,060)		(417,060)	(170,000)	(587,060)				0
Adjust funding for bond payments		(120,845)		(120,845)		(120,845)		(120,845)				0
Reduce funding for salaries and wages and contract housing and programming		***(7,000,000)***		***(7,000,000)***				***0***		***7,000,000***		***7,000,000***
Add funding for community behavioral health program				0	1.00	7,000,000		7,000,000	1.00	7,000,000		7,000,000
Total ongoing funding changes	10.00	$4,172,311	$3,856,673	$8,028,984	11.00	$19,313,953	$3,935,441	$23,249,394	1.00	$15,141,642	$78,768	$15,220,410
One-time funding items												
Add funding for equipment			$167,000	$167,000			$167,000	$167,000			$0	$0
Add funding for electronic medical records system			935,907	935,907			935,907	935,907			0	0
Total one-time funding changes	0.00	$0	$1,102,907	$1,102,907	0.00	$0	$1,102,907	$1,102,907	0.00	$0	$0	$0
Total Changes to Base Level Funding	10.00	$4,172,311	$4,959,580	$9,131,891	11.00	$19,313,953	$5,038,348	$24,352,301	1.00	$15,141,642	$78,768	$15,220,410
2017-19 Total Funding	846.29	$207,216,331	$38,196,286	$245,412,617	847.29	$222,357,973	$38,275,054	$260,633,027	1.00	$15,141,642	$78,768	$15,220,410
										7.3%	0.2%	6.2%

1

Other Sections in Department of Corrections and Rehabilitation - Budget No. 530

	Burgum Executive Budget Recommendation (Changes to Dalrymple Budget in Bold)	Senate Version - Senator Hogue
Appropriation - Department of Human Services		Section 3 provides an appropriation of $7 million from other funds and 6.00 FTE positions to the Department of Human Services for the community behavioral health program. The source of funds is the Department of Corrections and Rehabilitation.
Appropriation - Department of Human Services		Section 4 provides an appropriation of $500,000 from the general fund to the Department of Human Services to contract with a public or private entity to create, initiate, and facilitate the implementation of a strategic plan to increase the availability of behavioral health services in the state.
Special funds transfer - Strategic investment and improvements fund	Section 3 designates $935,907 from the strategic investment and improvements fund for an electronic medical records system.	Section 5 designates $935,907 from the strategic investment and improvements fund for an electronic medical records system.
Community behavioral health program		Section 6 create a new section to Chapter 54-23.3 of the North Dakota Century Code relating to a community behavioral health plan as a term of parole or an alternative to incarceration.
Criminal justice behavioral health needs study		Section 7 provides for the continuation of the Legislative Management study of alternatives to incarceration, with a focus on the behavioral health needs of individuals in the criminal justice system.
Youth Correctional Center facilities study		Section 8 provides for a study of Youth Correctional Center facilities by the Department of Corrections and Rehabilitation, in consultation with the Department of Human Services, the Protection and Advocacy Project, and the Supreme Court.

SECTION 4. DEPARTMENT OF CORRECTIONS AND REHABILITATION - REPORT TO LEGISLATIVE MANAGEMENT. Section 1 of this Act includes the sum of $200,000, or so much of the sum as may be necessary, that the department of corrections and rehabilitation, in conjunction with the office of management and budget, shall use to develop options for the feasibility and desirability of relocating the Missouri River correctional center and for a land use study, for the biennium beginning July 1, 2013, and ending June 30, 2015. The department may use up to $50,000 to contract for a land use study of the Missouri River correctional center site. The study must review options to develop all or a portion of the current site into a day park and options to continue agriculture activities on the current site. The study may not include options to develop the land for residential, commercial, or industrial purposes. The department may use up to $150,000 for the development of options for relocating the Missouri River correctional center including the determination of facilities, services, and activities that may be shared by the Missouri River correctional center and the youth correctional center; to develop a plan to move the Missouri River correctional center to a site adjacent to the youth correctional center; and to provide cost estimates for construction necessary to relocate the Missouri River correctional center during the 2015-17 biennium, pending approval and funding by the sixty-fourth legislative assembly. During the 2013-14 interim, the office of management and budget shall provide a report to the budget section regarding options for the possible relocation of the Missouri River correctional center and results of the study. The department shall present its plan to move the Missouri River correctional center to a site adjacent to the youth correctional center to the legislative management by July 1, 2014.

SECTION 5. LEGISLATIVE MANAGEMENT STUDY OF JAMES RIVER CORRECTIONAL CENTER AND STATE HOSPITAL PROPERTY. During the 2013-14 interim, the legislative management shall consider studying the use of the structures and property of the James River correctional center and the state hospital to determine the best and most efficient use of the properties. The legislative management shall reports its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-fourth legislative assembly.

SECTION 6. REFUSAL OF ADMISSION OF INMATES - REPORT TO LEGISLATIVE MANAGEMENT. The department of corrections and rehabilitation may refuse to admit inmates sentenced to the physical custody of the department when the admission of inmates will exceed the maximum operational capacity of the penitentiary and its affiliated facilities and result in the department exceeding its authorized legislative appropriation for contracting for housing inmates in other correctional facilities. For purposes of this section, maximum operational capacity of the department means the total number of inmates that may be imprisoned at the same time in the penitentiary and its affiliated facilities. The department shall develop a prison population management plan to prioritize admissions based on sentences and the availability of space in the penitentiary and its affiliated facilities. The department shall report annually to the budget section of the legislative management on the prison population management plan and inmate admissions and the number of inmates the department has not admitted after sentencing.

SECTION 7. AMENDMENT. Subsection 2 of section 12.1-32-07 of the North Dakota Century Code is amended and reenacted as follows:

2. The conditions of probation must be such as the court in its discretion deems reasonably necessary to ensure that the defendant will lead a law-abiding life or to assist the defendant to do so. The court shall provide as an explicit condition of every probation that the defendant not commit another offense during the period for which the probation remains subject to revocation. The court shall order supervision costs and fees of not less than ~~forty-five~~fifty-five dollars per month unless the court makes a specific finding on record that the imposition of fees will result in an undue hardship. If the offender has not paid the full amount of supervision fees and costs before completion or termination of probation, the court may issue an order, after opportunity for hearing, to determine the amount of supervision fees and costs that are unpaid. The order may be filed, transcribed, and enforced by the department of corrections and rehabilitation in the same manner as civil judgments rendered by a district court of this state.

17.0523.01006
Title.
Fiscal No. 5

Prepared by the Legislative Council staff for
Senator Wanzek
February 16, 2017

SB 2015
2-16-17
#1

PROPOSED AMENDMENTS TO SENATE BILL NO. 2015

Page 1, line 2, after "rehabilitation" insert "; to provide appropriations to the department of human services for behavioral health services; to create and enact new sections to chapters 12-44.1 and 54-23.3 of the North Dakota Century Code, relating to management of inmate population, a community behavioral health plan as a term of parole or an alternative to incarceration, and prioritization of admission of inmates; to provide for a legislative management study; and to provide for a report to the budget section"

Page 1, replace lines 12 through 17 with:

"Adult services	$205,626,019	$16,710,273	$222,336,292
Youth services	30,654,707	642,028	31,296,735
Total all funds	$236,280,726	$17,352,301	$253,633,027
Less estimated income	33,236,706	5,038,348	38,275,054
Total general fund	$203,044,020	$12,313,953	$215,357,973
Full-time equivalent positions	836.29	11.00	847.29"

Page 1, line 19, replace "as adjusted for the 2015-17 biennium" with "for the 2015-17 biennium and the 2017-19 one-time funding items included in the appropriation in section 1 of this Act"

Page 1, replace line 22 with:

"Equipment	470,400	167,000"

Page 2, replace lines 2 through 4 with:

"License plate issue	4,900,000	0
Electronic medical records system	0	935,907
Total all funds	$6,592,167	$1,102,907
Less estimated income	5,126,000	1,102,907"

Page 2, after line 5, insert:

"The 2017-19 one-time funding amounts are not a part of the entity's base budget for the 2019-21 biennium. The department of corrections and rehabilitation shall report to the appropriations committees of the sixty-sixth legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2017, and ending June 30, 2019.

SECTION 3. APPROPRIATION - DEPARTMENT OF HUMAN SERVICES. There is appropriated from special funds derived from federal funds and other income, the sum of $7,000,000, or so much of the sum as may be necessary, to the department of human services for the purposes of implementing the community behavioral health program, for the biennium beginning July 1, 2017, and ending June 30, 2019. The department is authorized six full-time equivalent positions to implement the community behavioral health program.

SECTION 4. APPROPRIATION - REPORT TO LEGISLATIVE MANAGEMENT - DEPARTMENT OF HUMAN SERVICES.

1. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of $500,000, or so much of the sum as may be necessary, to the department of human services for the purposes of contracting with a public or private entity to create and initiate and facilitate the implementation of a strategic plan to increase the availability of all types of behavioral health services in all regions of the state, for the biennium beginning July 1, 2017, and ending June 30, 2019.

2. During the 2017-18 interim, the department of human services and the contracting entity shall make annual reports to the legislative management on the status of the creation and implementation of this strategic plan, including recommendations regarding legislation needed for full implementation.

SECTION 5. ESTIMATED INCOME - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND. The estimated income line item in section 1 of this Act includes $935,907 of one-time funding from the strategic investment and improvements fund for an electronic medical records system.

SECTION 6. A new section to chapter 12-44.1 of the North Dakota Century Code is created and enacted as follows:

Management of inmate population.

1. The governing body of a correctional facility, in cooperation with law enforcement, state's attorneys, and the judiciary in the judicial district in which the correctional facility is located, shall develop an inmate population plan to prioritize admissions and inmate retention based on the correctional facility's authorized budget.

2. The inmate population plan must take into consideration:

   a. The governing body's authorized budget;

   b. The inmate's offense;

   c. Whether the inmate has been charged, adjudicated, or sentenced;

   d. Whether the inmate presents a risk of flight or is a danger to others or self;

   e. The inmate's medical needs and mental and behavioral health needs; and

   f. Whether the inmate is subject to mandatory incarceration.

3. The inmate population plan must include alternatives to physical custody of individuals under charge or conviction of an offense, including:

   a. Placement in a community setting;

   b. Work release;

   c. Home detention;

   d. Electronic home detention;

   e. Global positioning system monitoring;

f. Medical, psychiatric, and drug and alcohol treatment;

g. Employment;

h. Pretrial risk assessment; and

i. Pretrial supervision.

4. This section does not apply when there are exigent circumstances that affect a correctional facility's operations and inmate population, including acts of God and mass arrests.

5. The department of corrections and rehabilitation shall provide technical assistance relating to the implementation of this section to the governing body of a correctional facility upon request from the governing body.

SECTION 7. A new section to chapter 54-23.3 of the North Dakota Century Code is created and enacted as follows:

Community behavioral health program - Reports to legislative management and governor.

1. The department of corrections and rehabilitation shall establish and implement a community behavioral health program to provide comprehensive community-based services for individuals who have serious behavioral health conditions, as a term and condition of parole under chapter 12-59, and as a sentencing alternative under section 12.1-32-02.

2. In developing the program under this section, the department of corrections and rehabilitation shall collaborate with the department of human services to:

   a. Establish a referral and evaluation process for access to the program.

   b. Establish eligibility criteria that includes consideration of recidivism risk and behavioral health condition severity.

   c. Establish discharge criteria and processes, with a goal of establishing a seamless transition to postprogram services in order to decrease recidivism.

   d. Develop program oversight, auditing, and evaluation processes that must include:

      (1) Oversight of case management services through the department of human services;

      (2) Outcome and provider reporting metrics; and

      (3) Annual reports to the legislative management and the governor on the status of the program.

   e. Establish a system through which:

      (1) The department of human services:

(a) Contracts with and pays behavioral health service providers; and

(b) Supervises, supports, and monitors referral caseloads and the provision of services by contract behavioral health service providers.

(2) Contract behavioral health service providers accept all eligible referrals, provide individualized care delivered through integrated multidisciplinary care teams, and continue services on an ongoing basis until discharge criteria are met.

(3) Contract behavioral health service providers receive payments on a per-month per-referral basis. The payment schedule must be based on a pay-for-performance model that includes consideration of identified outcomes and the level of services required.

(4) Contract behavioral health service providers bill third-parties for services and direct payment to the general fund.

3. The department of human services may adopt rules as necessary to implement this program.

SECTION 8. A new section to chapter 54-23.3 of the North Dakota Century Code is created and enacted as follows:

Prioritization of admission of inmates - Report to legislative management.

The department of corrections and rehabilitation may refuse to admit inmates sentenced to the physical custody of the department when the admission of inmates will exceed the maximum operational capacity of the penitentiary and its affiliated facilities and result in the department exceeding its authorized legislative appropriation for contracting for housing inmates in other correctional facilities. For purposes of this section, maximum operational capacity of the department means the total number of inmates that may be imprisoned at the same time in the penitentiary and its affiliated facilities. The department shall develop a prison population management plan to prioritize admissions based on sentences and the availability of space in the penitentiary and its affiliated facilities. The department shall report annually to the legislative management on the prison population management plan and inmate admissions and the number of inmates the department has not admitted after sentencing.

SECTION 9. LEGISLATIVE MANAGEMENT STUDY - CRIMINAL JUSTICE SYSTEM BEHAVIORAL HEALTH NEEDS. During the 2017-18 interim, the legislative management shall consider continuing its study of alternatives to incarceration, with a focus on the behavioral health needs of individuals in the criminal justice system. The study must include receipt of reports on the status, effectiveness, and sustainability of the community behavioral health program for individuals in the criminal justice system which must include caseload data, any recognized savings to the department of corrections and rehabilitation, an overview of the training requirements for contract behavioral health service providers, and recommendations. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-sixth legislative assembly.

SECTION 10. DEPARTMENT OF CORRECTIONS AND REHABILITATION - YOUTH CORRECTIONAL CENTER STUDY - BUDGET SECTION REPORT. During the 2017-18 interim, the department of corrections and rehabilitation, in consultation with the department of human services, the protection and advocacy project, and the supreme court, shall study the potential for increased community-based treatment services for youth offenders, youth correctional center staffing requirements, and the efficiency and adequacy of the youth correctional center facilities. The study must consider the potential to raze and replace the current facilities at the youth correctional center. The department of corrections and rehabilitation shall report the results of the study to the budget section of the legislative management by December 31, 2018.

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2015 - Summary of Senate Action

	Base Budget	Senate Changes	Senate Version
Department of Human Services			
Total all funds	$0	$7,500,000	$7,500,000
Less estimated income	0	7,000,000	7,000,000
General fund	$0	$500,000	$500,000
Department of Corrections and Rehab.			
Total all funds	$236,280,726	$17,352,301	$253,633,027
Less estimated income	33,236,706	5,038,348	38,275,054
General fund	$203,044,020	$12,313,953	$215,357,973
Bill total			
Total all funds	$236,280,726	$24,852,301	$261,133,027
Less estimated income	33,236,706	12,038,348	45,275,054
General fund	$203,044,020	$12,813,953	$215,857,973.00

Senate Bill No. 2015 - Department of Human Services - Senate Action

	Base Budget	Senate Changes	Senate Version
Behavioral health services		$7,500,000	$7,500,000
Total all funds	$0	$7,500,000	$7,500,000
Less estimated income	0	7,000,000	7,000,000
General fund	$0	$500,000	$500,000
FTE	0.00	6.00	6.00

Department No. 325 - Department of Human Services - Detail of Senate Changes

	Adds Funding for a Community Behavioral Health Program[1]	Adds Funding for a Strategic Plan to Increase Behavioral Health Services[2]	Total Senate Changes
Behavioral health services	$7,000,000	$500,000	$7,500,000
Total all funds	$7,000,000	$500,000	$7,500,000
Less estimated income	7,000,000	0	7,000,000
General fund	$0	$500,000	$500,000
FTE	6.00	0.00	6.00

[1] Funding of $7 million from other funds and 6 FTE positions are added for a community behavioral

health program. The source of funds is funding provided by the Department of Corrections and Rehabilitation.

[2] Funding of $500,000 from the general fund is added for contracting with a public or private entity to create, initiate, and facilitate the implementation of a strategic plan to increase the availability of all types of behavioral health services in all regions of the state.

- Section 3 is added to provide an appropriation of $7 million to the Department of Human Services for a community behavioral health program.
- Section 4 is added to provide an appropriation of $500,000 to the Department of Human Services for a strategic plan to increase behavioral health services.

Senate Bill No. 2015 - Department of Corrections and Rehab. - Senate Action

	Base Budget	Senate Changes	Senate Version
Adult services	$205,626,019	$16,710,273	$222,336,292
Youth services	30,654,707	642,028	31,296,735
Total all funds	$236,280,726	$17,352,301	$253,633,027
Less estimated income	33,236,706	5,038,348	38,275,054
General fund	$203,044,020	$12,313,953	$215,357,973
FTE	836.29	11.00	847.29

Department No. 530 - Department of Corrections and Rehab. - Detail of Senate Changes

	Adds Funding for Base Payroll Changes[1]	Adds Funding for Health Insurance Premium Increases[2]	Adds New Youth Correctional Center Positions[3]	Restores Funding for Salaries and Wages[4]	Restores and Increases Funding for Contract Housing and Programming[5]	Restores Funding for Dakota Women's Correctional and Rehabilitation Center[6]
Adult services	$2,927,685	$1,931,420		$319,816	$4,689,264	$348,815
Youth services	(787,427)	398,239	1,258,076	142,119	131,250	
Total all funds	$2,140,258	$2,329,659	$1,258,076	$461,935	$4,820,514	$348,815
Less estimated income	1,296,984	150,361	0	0	0	0
General fund	$843,274	$2,179,298	$1,258,076	$461,935	$4,820,514	$348,815
FTE	0.00	0.00	10.00	0.00	0.00	0.00

	Adjusts Funding for Operating Expenses[7]	Increases Funding Relating to Federal Grant Changes[8]	Reduces Funding for Extraordinary Repairs and Capital Bond Payments[9]	Reduces Funding Relating to Prison Bed Day Allocation Program[10]	Adds Funding for a Community Behavioral Health Program[11]	Adds One-Time Funding for Equipment and a New Medical Records System[12]
Adult services	$2,681,924	$2,817,597	($360,841)	($6,748,314)	$7,000,000	$1,102,907
Youth services	(101,479)	200,000	(347,064)	(251,686)		
Total all funds	$2,580,445	$3,017,597	($707,905)	($7,000,000)	$7,000,000	$1,102,907
Less estimated income	(359,501)	3,017,597	(170,000)	0	0	1,102,907
General fund	$2,939,946	$0	($537,905)	($7,000,000)	$7,000,000	$0
FTE	0.00	0.00	0.00	0.00	1.00	0.00

	Total Senate Changes
Adult services	$16,710,273
Youth services	642,028
Total all funds	$17,352,301
Less estimated income	5,038,348
General fund	$12,313,953
FTE	11.00

[1] Funding is added for cost-to-continue 2015-17 biennium salary increases and for other base payroll changes, including increased funding for teachers' salaries.

[2] Funding is added for increases in health insurance premiums from $1,130 to $1,249 per month.

[3] Funding is added for 10 new Youth Correctional Center FTE positions to maintain compliance with the federal Prison Rape Elimination Act.

[4] Funding is restored for salaries and wages which was reduced by the Department of Corrections and Rehabilitation to meet the 2015-17 budget reductions approved by the Legislative Assembly during the August 2016 special legislative session.

[5] Funding of $4,715,073 is restored from the general fund for contract housing and programming which was reduced by the Department of Corrections and Rehabilitation to meet the 2015-17 budget reductions. In addition funding for contract housing and programming is increased by $105,441 from the general fund.

[6] Funding is restored for the Dakota Women's Correctional and Rehabilitation Center contract which was reduced by the Department of Corrections and Rehabilitation to meet the 2015-17 budget reductions.

[7] Funding for various operating expenses, including food and clothing, medical, travel, utilities, repairs, maintenance, information technology, and professional services is adjusted.

[8] Funding from federal grants, including federal Victims of Crime Act funding, is increased.

[9] Base funding for extraordinary repairs is reduced by $587,060, including $417,060 from the general fund, to provide total funding for extraordinary repairs of $946,000, including $866,000 from the general fund. Funding for capital bond payments is reduced by $120,845 from the general fund.

[10] Funding for salaries and wages and contract housing and programming is reduced by $7 million from the general fund to recognize savings from the prison bed day allocation program.

[11] Funding of $7 million from the general fund and 1 FTE position are added for a community behavioral health program.

[12] One-time funding of $167,000 of special funds from Roughrider Industries is added for equipment, including a metal plasma cutting table, corner machine, cutoff saw, tiger stop saw, upholstery sewing machine, metal chop saw, saw dust collector, sewing digitizer-plotter, and a sewing pattern machine. One-time funding of $935,907 from the strategic investment and improvements fund is added for a new electronic medical records system.

- This amendment also:
- Adds a section to designate $935,907 of special funds for an electronic medical records system is from the strategic investment and improvements fund.

- Creates a new section relating to management of inmate population at local and regional correctional facilities.
- Creates a new section relating to a community behavioral health plan as a term of parole or an alternative to incarceration.
- Creates a new section relating to prioritization of admission of inmates.
- Adds a section to provide for a continuation of the Legislative Management study of alternatives to incarceration.
- Adds a section to provide for a Department of Corrections and Rehabilitation study of Youth Correctional Center facilities, staffing requirements, and community-based treatment. The department is to perform the study in consultation with the Department of Human Services, the Protection and Advocacy Project, and the Supreme Court. Results of the study are to be reported to the Budget Section.

AH 1
3-1-17
SB 2015

HOUSE APPROPRIATIONS COMMITTEE
Representative Jeff Delzer, Chairman
March 1, 2017

North Dakota Department of Corrections and Rehabilitation
Leann K. Bertsch, Director

Presenting Testimony concerning Senate Bills 2015

The Department of Corrections and Rehabilitation's mission is to enhance public safety, to reduce the risk of future criminal behavior by holding adult and juvenile offenders accountable, and to provide opportunities for change. The Department of Corrections and Rehabilitation (DOCR) accomplishes this mission through the hard work and dedication of its staff. Meeting this mission is a challenge, requiring the DOCR to find a balance between our immediate need of managing the increased inmate population and maintaining outcomes through evidence-based programs while managing correctional costs.

I will highlight some of the key components of the executive budget, the changes made by the Senate, and some of the challenges facing corrections as our state grows and social problems increase. Our Director of Administration, Dave Krabbenhoft, will address budget specific information relating to the 2017-2019 appropriations and expenditures, and the significant items in our budget request for the 2017-2019 biennium that are critical for the DOCR to continue to meet its mission.

The Pay

During the last session you responded to our greatest need which was to provide targeted equity for our correctional officers. We experience the highest turnover rates within the correctional officer classification. The targeted market equity pay adjustments have assisted the DOCR in maintaining a competitive position in the local labor market. Our officers are very grateful for your support in providing this much needed pay.

The Positions

The 10 new FTEs that are included in the executive budget are necessary to maintain compliance with the Prison Rape Elimination Act (PREA). The National Standards to Prevent, Detect and Respond to Prison Rape ("Standards") created pursuant to PREA require every federal, state, and local corrections facility to develop and document a staffing plan that provides supervision and monitoring adequate to prevent the sexual abuse of those confined in the facility based on facility type. Under PREA Standards, there is no set staffing ration for adult facilities. In juvenile facilities, however, there are staffing ratio requirements for secure facilities that must be included into a staffing plan. These ratios include 1:8 during resident waking hours and 1:16 during resident sleeping hours. Although the PREA Standards are not supposed to impose a substantial fiscal impact on agencies, the Department of Justice's position is that the costs to victims of sexual violence are so great that they offset any investments required to comply with the staffing ratio standard. It is critical that the state remain in full compliance with PREA. Even though, the staffing ratios only apply to juvenile facilities, if one division of the DOCR is out of compliance, the entire department will be considered out of compliance. That will have serious consequence for the DOCR including our inability to contract with the Federal Bureau of Prisons and other state departments of corrections to exchange inmates when we are unable to house them safely in one of our facilities. Being a very small corrections agency with only one maximum security prison, it is important that we have the ability to exchange inmates with other jurisdictions when we have separation issues, or have a high profile inmate that we are unable to house safely within our system. Requesting new positions in this budget climate when many positions within state government are being eliminated is not something we take lightly. One of the reasons for the study language included in Section 10 of SB 2015 by the Senate is to address the inefficiencies of the current physical plant at the North Dakota Youth Correctional Center (NDYCC). Most of the new

positions would not be necessary if we did not have multiple cottages spread out over the ND YCC campus.

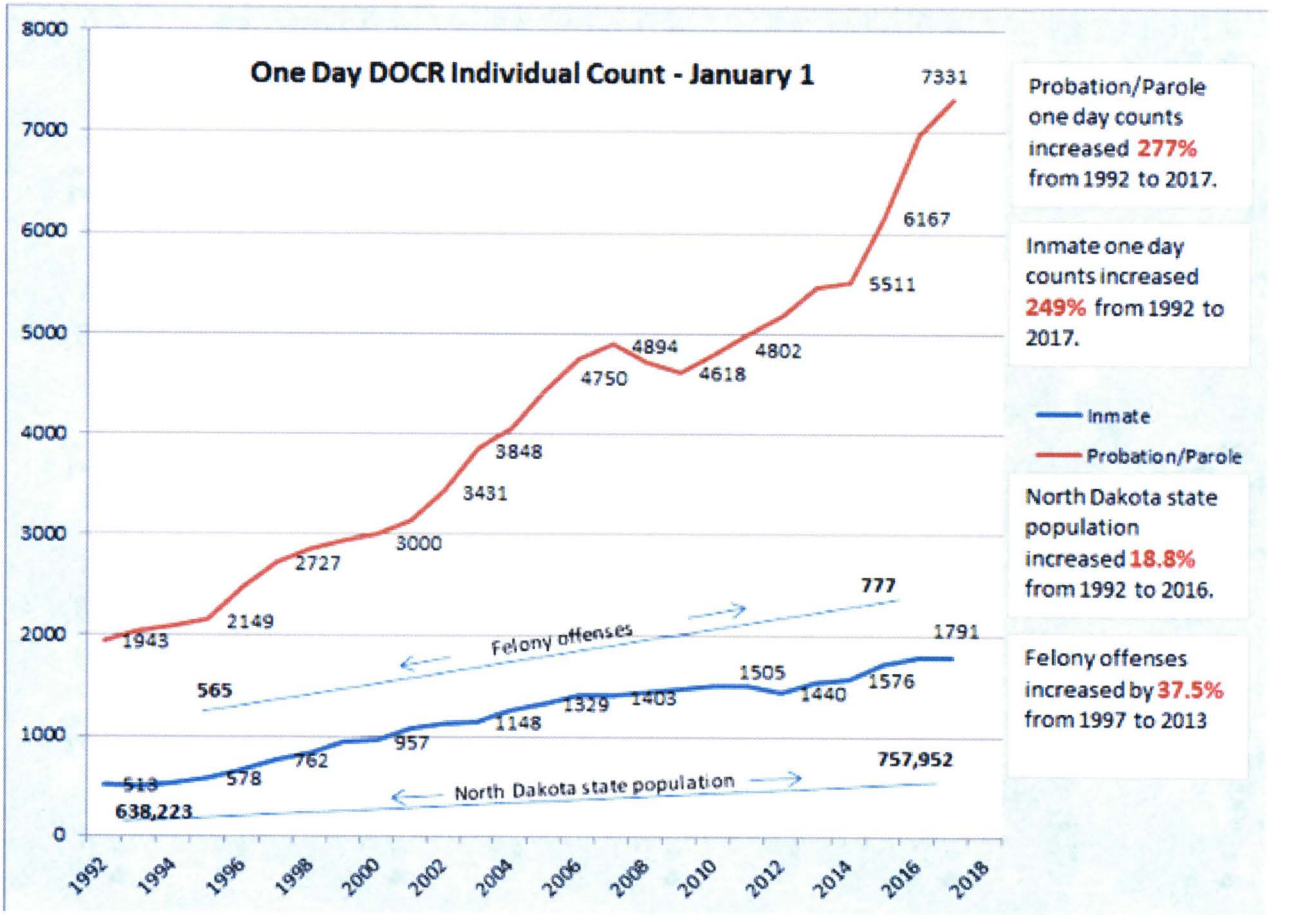
The Project

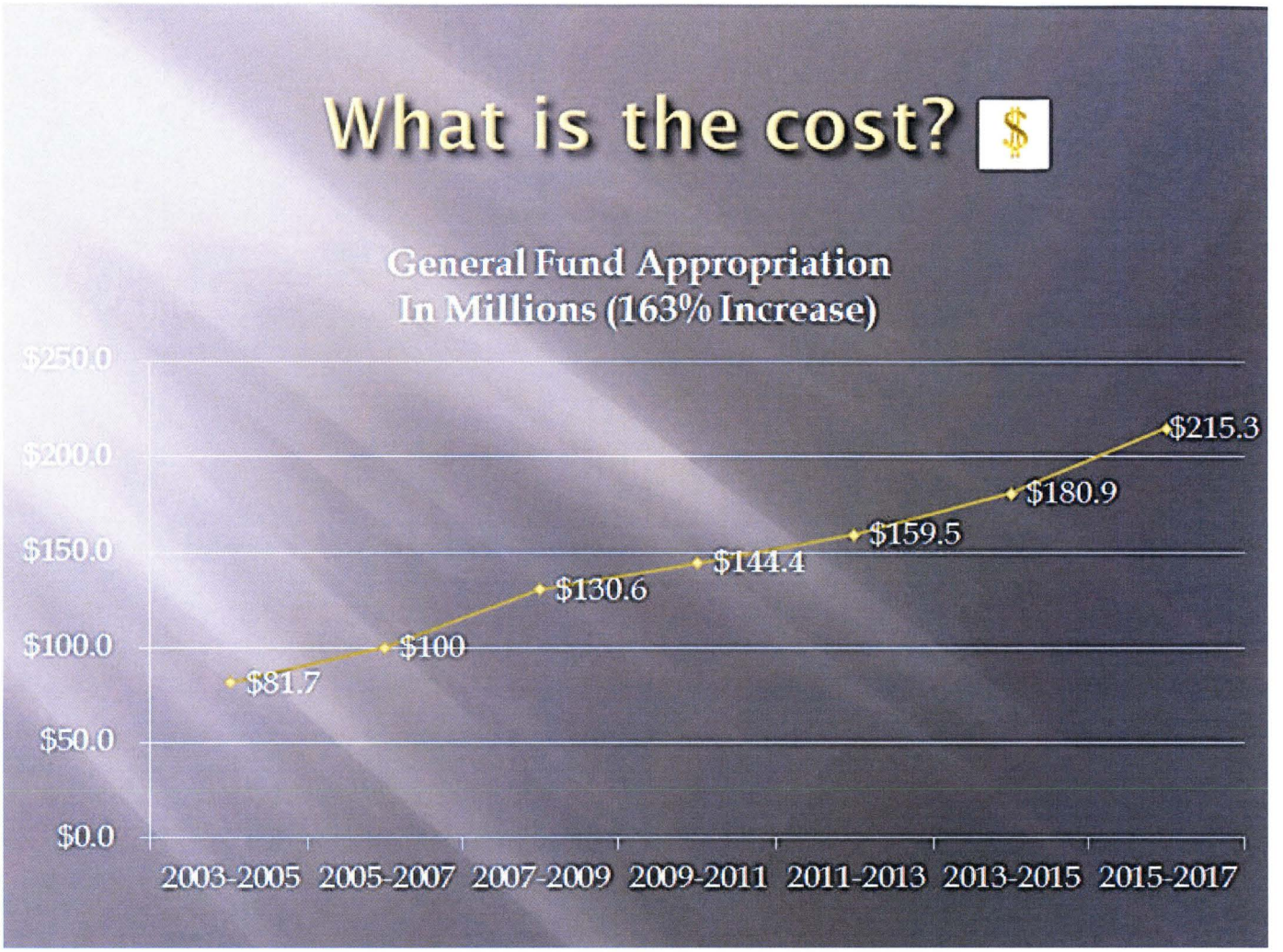
The executive budget includes $935,907 for a new electronic medical records (EMR) system. This system is critical to our department. Currently, our EMR system is deteriorating and it does not have a backup vendor in case of total failure. The system is on its last leg and needs to be replaced in the very near future. The majority of the patients we serve within the DOCR tend to be poor, have higher rates of medical, mental health, and substance abuse challenges. In addition to their pre-existing conditions, incarceration brings with it new health risks of injury from violence and mental health stressors. As in other community health settings, EMRs are critical in the correctional health system to bolster safe and productive care by coordinating between providers, reducing unnecessary tests and procedures, integrating mental health, and decreasing errors. Access to records for incarcerated individuals is critical for tracking trends. Our patients also have a lot of time on their hands and tend to file lawsuits more often than patients in the free world. A functioning EMR system will pay for itself in the long run. Section 5 of SB 2015 includes funding for the EMR system from the strategic investment and improvements fund.

The Population

North Dakota's "tough on crime" policies and over-reliance on the use of incarceration over the last 25 years have created an overburdened and inefficient justice system. The staggering growth of the prison population is unsustainable and unnecessary. Our country has a deeply seated culture of criminalizing behavior and incarcerating people as evidenced by the fact that while the U.S. represents about 4.4% percent of the world's population, we account for housing approximately 22% of world's prisoners. In North Dakota we have seen our prison, correctional center and community supervision populations far outpace the growth in our state's population. Between 1992 and 2017 we experienced a

277% increase in the parole and probation counts and a 249% increase in the prison counts, all while only having an 18.8% increase in our state's total population during that similar span of time. We have also seen about a 38% increase in the number of felony offenses in statute between 1993 and 2013 and a 163% increase in state spending between the 2003-2005 and the 2015-2017 biennia.





The DOCR has 1800 individuals incarcerated with another 1700 incarcerated around the state in county or regional jails. Another 7300 people are under parole or probation supervision. The enormous growth is grossly disproportionate to the increase in our state's population. The most disturbing increase is in the number of women being sent to prison. Since 1990 when the DOCR had 33 incarcerated women to our current population of 240, we have seen over a 600 percent increase. The majority of the women who are incarcerated at the DOCR are serving sentences for non-violent offenses. A recent study estimated the annual economic burden of incarceration that our DOCR budget does not capture. For every dollar in corrections cost, incarceration generates an additional ten dollars in social costs. More than half of the costs are borne by families, children, and community members who have

committed no crime. Those individuals who get incarcerated – even if only for a short period – have severe collateral consequences; it could mean loss of a job or increased difficulty in finding a job. It could make it more challenging to find housing, or nearly impossible to get a student loan. The collateral consequences of incarceration also include trauma for children and families. (79% of women prisoners in the DOCR have children). Children of incarcerated parents are five times more likely to go to prison. It is critical that criminal justice reforms are enacted this session. The women's prison in New England is a 126-bed facility. The Dakota Women's Correctional Rehabilitation Center (DWCRC) is a contract facility run by the Southwest Multi-County Correctional Center (SWMCC) and owned by a consortium of six southwest counties. Between July 2015 and December 31, 2016, the facility was over their capacity 74% of the time. It has been a constant challenge to find space for the growing number of incarcerated women. Although all DOCR-sentenced women go through orientation and reception in New England, many of them are then transferred to community-based facilities for residential treatment and work release programs. Although the staff at DWCRC work hard to address the needs of the incarcerated women, it is very challenging to meet the needs of this population in a remote rural location away from their children and other family members. The facility is deteriorating and SWMCC is understandably reluctant to invest money into the structure when they are not funded at the amount they request from the state. The state should consider a different and more comprehensive approach to best serve women in our criminal justice system.

During the last session you heard that we would be out of places to house the growing number of inmates in our system and that we were expecting to have to house inmates in a private prison out of state. The consequences of housing inmates so far away from their communities and families are real. Research shows that warehousing (i.e, the absence of involvement in any programming) significantly increases the odds of recidivism by 13 percent. Through innovation and determination, the DOCR was able to avoid having to send inmates out of state. We have increased capacity in all of our facilities above the design

capacity. This has put additional strain on the staff and on the inmate population. It increases tension and limits or delays inmates' access to treatment and programming which potentially delays their parole opportunities. More inmates require more staff, and overtime has increased significantly to meet the needs of the prisons. One of the more innovative ways we dealt with the demand for prison beds without sending inmates out of state was to place a 36-bed modular transitional housing unit (THU) on the grounds of the Missouri River Correctional Center (MRCC). The greatest demand for housing is for minimum security beds. Rather than warehousing individuals in more expensive higher custody beds and limiting their access to work release and programming, we were able to increase work release opportunities by 400%. The THU has been very successful in transitioning inmates successfully. They are able to have a more normal living environment, work and earn prevailing wages. They pay towards their room and board, fines, fees, restitution and child support. In the first nine months this unit was operating, inmates had net earnings of over $255,000 in total compensation. Even though these units were meant to be temporary, there is nothing more permanent than a temporary bed. We plan on continuing to use these units during the next biennium. The unfortunate reality is that these modular housing units are in better shape than the permanent MRCC structures. As you may recall, $30 million was requested during the last session to replace the MRCC on site. That funding was not approved, but the need to address the physical plant deficiency remains. Another way the DOCR has managed the demands on its finite resources is through increased paroles. The DOCR was able to manage a 30% increase in the state's parole population over just one year while reducing the revocation rate from 30% to 22%. This is no small feat when considering the increased needs and acuity of the individuals in our system. The continued criminalization and incarceration of individual with mental health problems and inadequate access to quality community and residential based treatment resources put undue stress on a system not meant or staffed to manage this intensive population. The corrections system in North Dakota has become the default provider of behavioral health services. A survey by the Council of State

Governments Justice Center noted that 70% of responding judges stated they had sentenced someone to prison in order to receive a behavioral health service, regardless of that person's risk to the community. Although the DOCR is proud of the work that we have accomplished to provide effective behavioral health services, individuals should not have to enter prison to receive such services. Prisons sometimes do good, but they always do harm. The most effective way to turn a nonviolent person into a violent one is to send them to prison. Whether or not a person is mentally ill, prisons provoke violence.

The continued criminalization and incarceration of individuals with chemical addition problems and inadequate access to quality community and residential based treatment resources is costly. In January 2015 the DOCR supervised approximately 6600 people on probation and parole and today, we have over 7300. Last biennium you wisely invested in 16 new Parole and Probation Officers. The additional officers helped to bring the caseloads down to more manageable numbers. Two of the new positions are being utilized as Mental Health Specialists who carry a specialized caseload that focuses on those probationers and parolees with serious mental illness. Although the caseloads are more manageable, community supervision is only effective if our officers have the necessary treatment and recovery services readily available to the individuals they are supervising. Relapse with substance use remains a key contributing factor in noncompliance with probation and return to prison. The majority of parole violators surveyed cited access to treatment as a key factor that could have helped them be successful. To this end, a licensed addiction counselor employed at the North Dakota State Penitentiary (NDSP) will begin offering aftercare group in the Bismarck Parole and Probation Office for male probationers and parolees beginning this month to see if we can decrease the number of people returning to prison because of their addiction issues.

In Section 7 of SB 2015, the Senate included funding for a community behavioral health program that was originally contained in SB 2274. The appropriation for

that program is $7 million and is contained in Section 3 of SB 2015. The program also has attached to it six FTE for the department of human services and 1 FTE for the DOCR. This plan is intended to increase access to high-quality community behavioral health treatment, that when combined with effective supervision is shown to reduce recidivism. The funding, although in the DOCR appropriation bill, would primarily be paid to DHS who will contract services with behavioral health providers in the state. The $7 million would allow these services to be implemented across the state. Even if you cannot support the full $7 million, it is critical that the state start somewhere to increase critical services and grow a network of community behavioral health providers.

The Plan

The executive budget as recommended by Governor Burgum put forth a plan to control the growth in corrections and reduce correctional spending by $7 million dollars in the 2017-2019 biennium. That plan addresses some of the drivers of over-incarceration. Although there is no single cause for the incarceration binge that the state of North Dakota has been on for the last twenty years, part of the problem is our criminal justice system that is plagued by an incentive structure that encourages prosecutors and judges to appear tough on crime by aggressively charging and sentencing them to incarcerative sanctions. While these incentives are unintentional, they are real and costly. As elected official, prosecutors and judges are understandable sensitive to any appearance of being soft on crime. Incarcerative sentences are viewed as creating less risk than community based sanctions, even when community based sanctions may be best for the community and for the offender. Exacerbating this problem of over-reliance on incarceration is the reality that prosecutors and judges can impose this risk-averse, career-protecting sanction at absolutely no cost to their counties or to their local constituencies. Instead, the burden is passed on to other counties and other taxpayers. Other motivations for such practices include 1) a sentence to the DOCR creates space in the county jail that can be used to house federal or other inmates for whom the county receives a per diem payment. This

converts the county jail into a revenue source at the expense of state taxpayers and at the expense of counties that do not or cannot house such revenue generating inmates and; 2) a few counties have capacity issues in their jails. The current system allows these counties to avoid expanding their jails or contracting for additional jail beds, at the expense of other counties and state taxpayers. When an offender is sentenced to prison, state taxpayers bear the financial burden of that decision. All North Dakota taxpayers pay an equal share of incarceration costs, regardless of the sentencing practices of their own elected prosecutors and judges. Counties that ignore alternatives to prison and incarcerate a greater number of offenders are not required to pay more than counties that make better use of community based options. In essence, the costs of imprisonment are passed on to taxpayers in other counties and there are no fiscal benefits for counties that use better sentencing practices.

Any commodity offered for free will be overused. Currently, imprisonment is a free commodity that judges and prosecutors can impose copiously without shouldering any financial responsibility. In simplest terms, those counties that imprison a disproportionate number of offenders are getting something for nothing; this is akin to a sort of criminal justice welfare system whereby some are receiving a regional and political benefit at the expense of others. It is easy to understand why such a system results in the overuse of state funded incarceration by a few. The plan proposed in the Burgum executive budget recognizes this flaw in our system and proposes to change the current system to disincentivise incarceration as the sanction of choice. The prison bed day allocation plan connects the cost of incarceration with the use of incarceration in a fair and equitable manner. The state would establish a baseline from which user will receive allocations, bases on the population of each county. The use of those allocated prison beds, would be tracked. This will allow users to take responsibility for the fiscal cost of their decision making. The state would set a county by county allocation of the number of people who could be sentenced to prison, computed using a single formula based on the population of each county. Each county would receive a proportionate number of slots for sentences that

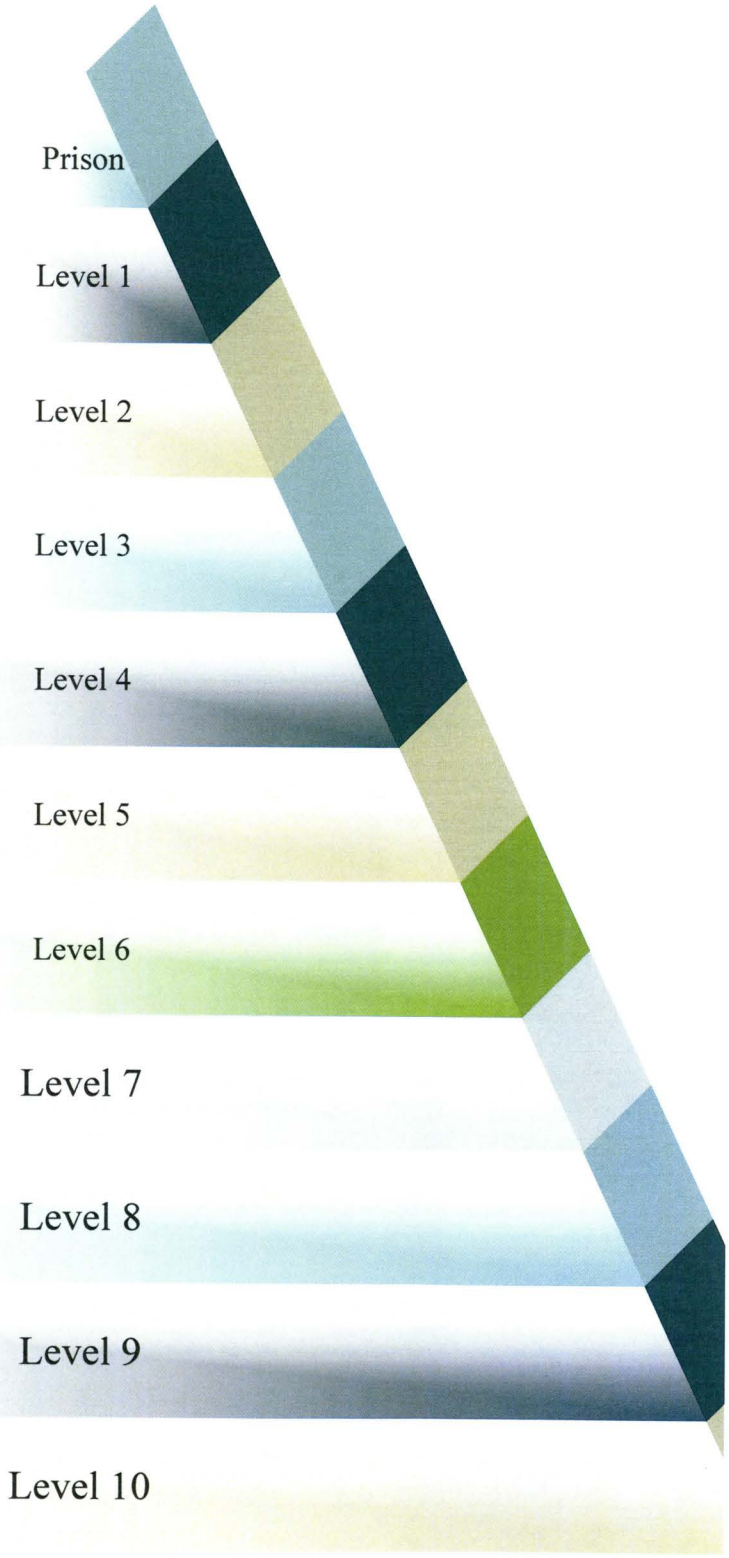
include an active prison sentence. Different from the allocation plan proposed during the last session, the state would not pay or establish incentives for those counties that did not use their allocated number of prison bed days, nor would the DOCR charge counties once the reached their allocation. Rather, the DOCR would prioritize admissions for those counties that had exceeded their allocation as room in DOCR facilities allowed. The other distinct difference is included in Section 6 of SB 2015. This section recognizes that a policy that is good for the state is also good for the counties. Section 6 provides the counties the authority to manage their correctional resources by prioritizing admissions and developing a plan that must include alternatives to physical custody of individuals.
Although the allocation plan as originally proposed in the executive budget recommended by Governor Burgum, is the most equitable, the Senate modified that plan and adopted a plan that will still save $7 million that would otherwise be wasted on contract housing that will serve only to warehouse offenders that the DOCR is unable to house in its own facilities or contract treatment facilities. The Senate included language in Section 8 of SB 2015 that allows the department of corrections to prioritize admission of inmates once it reaches the capacity at the penitentiary and its affiliated facilities and authorized legislative appropriation for contract housing. The section also directs the DOCR to develop a prison population management plan to prioritize admissions based on sentences and the availability of space. The legislature provided this authority to the DOCR during the 2013-1015 biennium. However, the DOCR did not invoke this authority as it had sufficient funds for contract housing. I have included the population management plan that would be used pursuant to Section 8 of SB 2015.

Priority Acceptance Scale-Most Severe Offense:

Priority	Offense Level	Violent or Nonviolent
Level 1	Felony AA	Violent
Level 2	Felony A	Violent
Level 3	Felony B	Violent
Level 4	Felony AA	Nonviolent
Level 5	Felony A	Nonviolent
Level 6	Felony C	Violent
Level 7	Felony B	Nonviolent
Level 8	Misdemeanor A	Violent
Level 9	Felony C	Nonviolent
Level 10	Misdemeanor A	Nonviolent

Another way to conceptualize this is to think of a pyramid with the smaller number of cases but most serious being at the top and first priority to access prison resources and the larger number of cases but less serious at the bottom and least priority to access prison resources.

*Reference Priority Acceptance Scale



Other Criteria (Tie Breaker)

1. Levels of Service Inventory-Revised Score (LSI-R Score)
2. Length of time on waiting list
3. Custody Level

The criminal justice reforms contained in other bills such as HB 1041 will help relieve some of the front end pressure on the system, but those reforms offered in those bills are dwarfed by the scale of the problem. The state needs a bold solution. We know that it is the nature of bureaucracy that government agencies grow in size and inefficiency. The justice system must be held accountable for the wise use of tax dollars just as it holds offenders accountable for their actions. This plan, although, not the allocation plan, still recognizes that correctional resources are finite and that every entity should be required to live within a budget. This authority provides the DOCR the ability to live within its appropriation. Without this tool, the DOCR appropriation becomes merely advisory and you have just handed the checkbook over to the judiciary. The naysayers to the plan will try and point out all the things about "why we cannot do it" but what is their solution other than maintaining the status quo? I offer to you that maybe the policies we have enacted as a state and country are actually contributing to the growth rather than diminishing it. In North Dakota alone, there are 535 collateral consequences to a criminal conviction in century code and administrative code which actually create barriers to people who may be trying to improve their lives after our society has punished them. Knowing you are keenly aware of our budget challenges, this plan comes at a time where it can help our state slow the growth in corrections spending. It is a unique idea that has merit to at least give it a chance for a biennium. We have an opportunity to make a significant shift in how we think of correctional resources. Correctional resources are limited.

In closing I can understand the concerns and reservations. However, if nothing changes, nothing changes. We have an opportunity to shift towards a better direction and I ask you to grab that opportunity.

SB 2015
3-1-17
Att. 2

ND Department of Corrections and Rehabilitation

2017 – 2019 Budget Overview

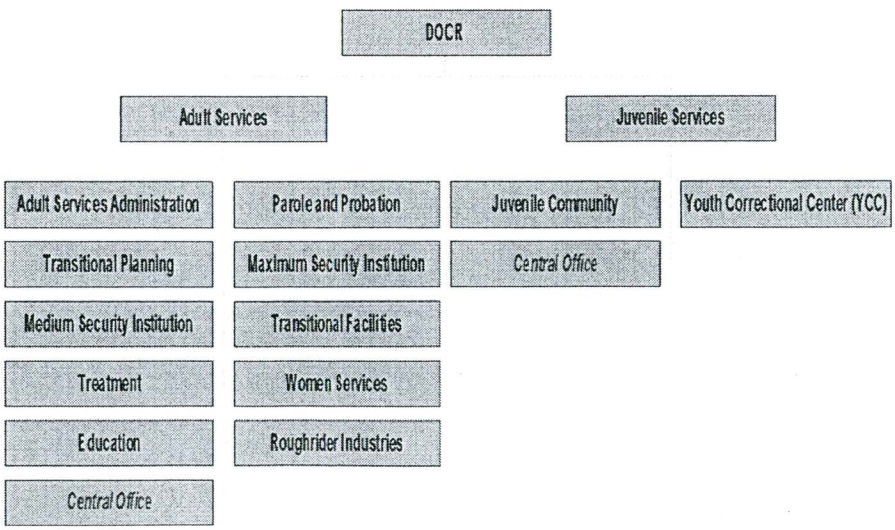
Prepared for House Appropriations
Representative Jeff Delzer, Chairman
March 1, 2017

Dave Krabbenhoft
Director of Administration

1

DOCR

Budget Structure



2

DOCR

Budget Information

Line Item	2015 – 2017 Original Approp	2015-17 Base Level Approp	2017 – 2019 Revised Exec Rec	2017 – 2019 Senate Version
Adult Services	$222,233,841	$205,626,019	$214,324,504	$222,336,292
Juvenile Services	$31,516,107	$30,654,707	$31,088,113	$31,296,735
Total	$253,749,948	$236,280,726	$245,412,617	$253,633,027
General Fund	$215,387,242	$203,044,022	$207,216,331	$215,357,973
Other Fund	$38,362,706	$33,236,706	$38,196,286	$38,275,054
FTE	836.29	836.29	846.29	847.29

3

DOCR

Budget Information

Line Item	2015 – 2017 Base Level Approp	2017 – 2019 Change	2017– 2019 Senate Version
Adult Services	$205,626,019	$16,710,273	$222,336,292
Juvenile Services	30,654,707	642,028	31,296,735
Total	$236,280,726	$17,352,301	$253,633,027
General Fund	$203,044,022	$12,313,953	$215,357,973
Other Fund	$33,236,706	$5,038,348	$38,275,054
FTE	836.29	11.00	847.29

4

DOCR
Adult Services

- Responsible for the care, custody, and supervision of adult offenders committed to the DOCR by the State's district courts or accepted under the interstate compact.
  - December 31 One Day Counts:

Status	2016	2014	2012
Inmate	1,791	1,716	1,536
Community	7,334	6,492	5,560

5

DOCR
Adult Services

- Prison Facilities
  - DOCR Operated
    - ND State Penitentiary (NDSP) – Bismarck
      - Male Facility

        Maximum Security Prison

        Male Orientation Facility

        Budgeted Bed Capacity - 796

6

DOCR
Adult Services

- Prison Facilities
  - DOCR Operated
    - James River Correctional Center (JRCC) – Jamestown
      - Male Facility

        Medium Security Prison

        Special Assistance Unit (SAU)

        Budgeted Bed Capacity - 437

7

DOCR
Adult Services

- Prison Facilities
  - DOCR Operated
    - Missouri River Correctional Center (MRCC) - Bismarck
      - Male Facility

        Minimum Security Prison / Transition Facility

        Budgeted Bed Capacity - 187

8

DOCR
Adult Services

- Prison Facilities
  - Contract Operated
    - Dakota Women's Correctional and Rehabilitation Center (DWCRC) – New England
      - Female Facility

        All Custody Levels

        Female Orientation Facility

        Budgeted Bed Capacity - 126

9

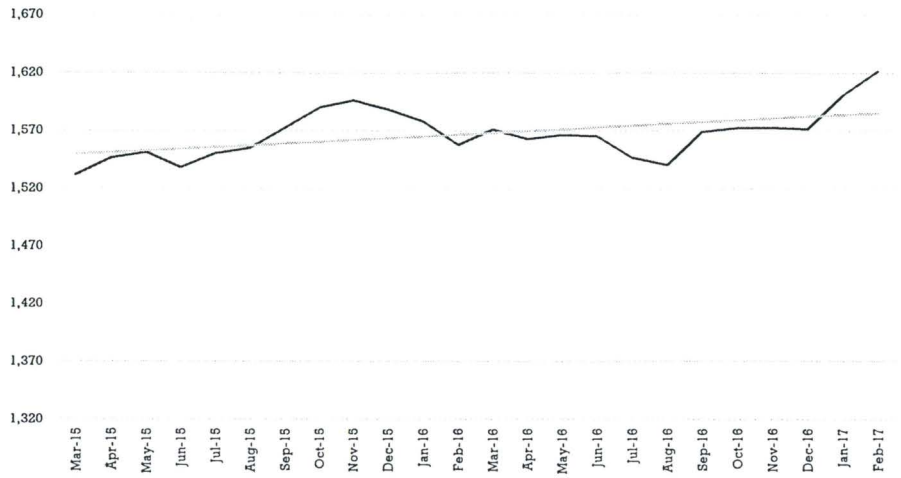
DOCR
Adult Services

- Community Supervision of Adult Offenders
  - Provide supervision of adult offenders that are sentenced to probation by the district court, that are released on parole by the ND Parole Board, or accepted under the interstate compact
  - Sixteen regional offices located throughout the State
    - Beulah, Bismarck, Bottineau, Devils Lake, Dickinson, Fargo, Grafton, Grand Forks, Jamestown, Mandan, Minot, Oakes, Rolla, Wahpeton, Washburn, Williston

10

DOCR
Adult Services

Male Inmates



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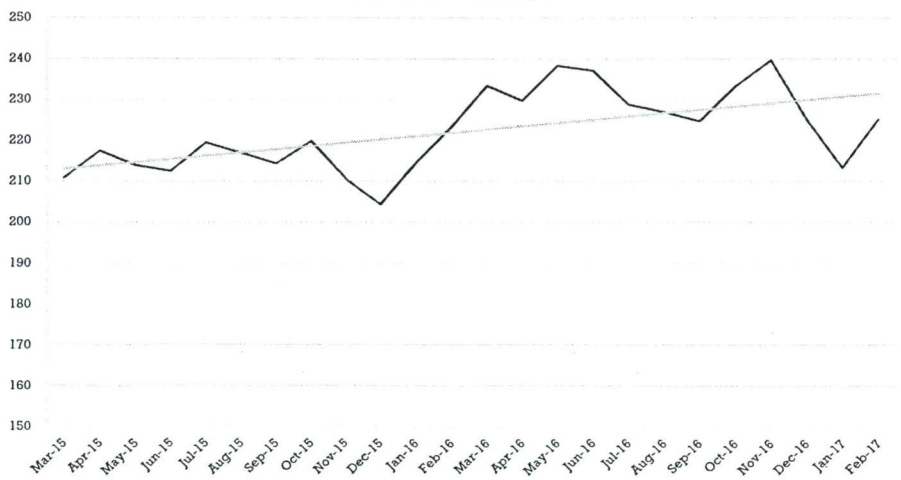
DOCR
Adult Services

Female Inmates



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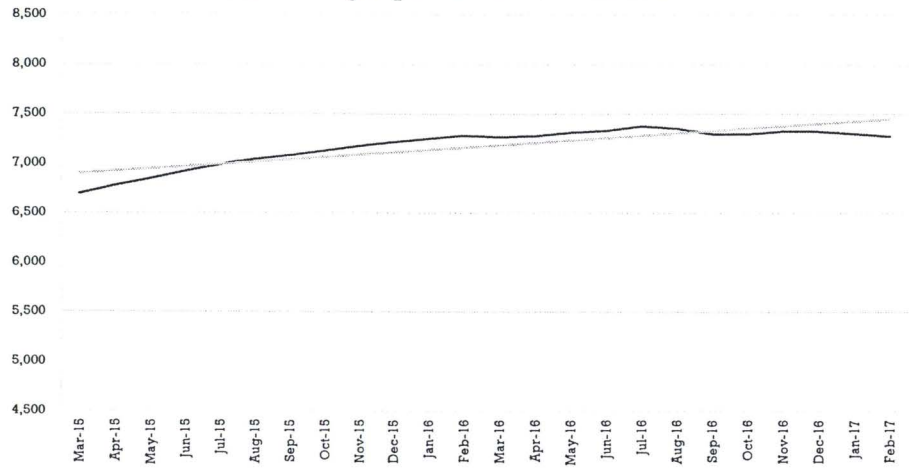
DOCR
Adult Services

Community Supervision - Non-Inmates



13

DOCR
Adult Services

- 2017 – 2019 Senate Version:
  - Adult Services Administration - $8,856,383
    - Administration of the federal interstate compact
      - Management of parole and probationers that cross state lines (to and from North Dakota)
    - Administration of crime victim programs
      - Victims of Crime Act (VOCA)
      - Crime Victims Compensation (CVC)
    - 4.0 FTE

14

DOCR
Adult Services

- 2017 – 2019 Senate Version:
  - Parole and Probation - $22,824,653
    - Supervision of adult offenders on parole and/or probation status
    - 16 regional offices
    - Specialized caseloads
      - Drug Court: Fargo(2), Bismarck, Minot
      - Re-entry
      - Transition
      - Sex offender
    - 110.35 FTE

15

DOCR
Adult Services

- 2017 – 2019 Senate Version:
  - Transitional Planning - $3,372,945
    - Manage offender movement
    - Male inmate classification
    - Victim notification
    - Inmate legal records
    - Inmate / offender transportation
    - Administrative support to the ND Parole Board and the ND Pardon Advisory Board
    - 12.0 FTE

16

DOCR
Adult Services

- 2017 – 2019 Senate Version:
  - Max Security - ND State Penitentiary (NDSP) - $36,555,790
    - 759 – FY2016 average daily population
    - 796 – 2017-19 budgeted bed capacity
    - Facility administration
    - Food services
      - $1.64 – average budgeted food cost per meal
      - 1.85 million – 2017-19 estimated number of meals
    - Security / Supervision
    - 208.95 FTE

17

DOCR
Adult Services

- 2017 – 2019 Senate Version:
  - Med Security - James River Correctional Center (JRCC) - $28,771,358
    - 437 – FY2016 average daily population
    - 437 – 2017-19 budgeted bed capacity
    - Facility administration
    - Food services (State Hospital food service)
      - $1.82 – average budgeted food cost per meal
      - 1.28 million – estimated number of JRCC meals
      - $1.2 million – 2017-19 NDSH budgeted food cost
    - Security / Supervision
    - 151.00 FTE

18

DOCR
Adult Services

- 2017 – 2019 Senate Version:
  - Transitional Facilities - $34,562,856
    - Missouri River Correctional Center (MRCC) and the contract management of treatment and community beds
    - 165 - FY2016 average daily population
    - 187 – 2017-19 budgeted bed capacity
    - Facility administration
    - Food services
      - $1.77 – average budgeted food cost per meal
      - 426,000 – 2017-19 estimated number of prepared meals
    - Security / Supervision

19

DOCR
Adult Services

- 2017 – 2019 Senate Version:
  - Transitional Facilities
    - Contract facilities include:
      - Tompkins Rehabilitation and Corrections Center (TRCC) – NDSH / Jamestown
      - Bismarck Transition Center (BTC)
      - Centre, Inc. – Mandan, Fargo, Grand Forks
      - Teen Challenge – Mandan
      - Lake Region Transition – Devils Lake
      - Redemption Road – Fargo, Jamestown
    - 39.05 FTE

20

DOCR
Adult Services

- 2017 – 2019 Senate Version:
  - Treatment and Programming - $15,914,729
    - Development, coordination, oversight and delivery of treatment and programs to adult offenders
    - Services and programs:
      - Administering and managing offender assessments
      - Variety of curriculums targeting criminal thinking
      - Substance abuse treatment
      - Sex offender treatment – institutional and community
      - Mental health and crisis intervention programs
      - ***Community Behavioral Health Program (collaboration with NDHS)***

21

DOCR
Adult Services

- 2017 – 2019 Senate Version:
  - Treatment and Programming
    - Services and programs:
      - Conflict resolution / anger management
      - Pastoral services
    - 40.0 FTE (1.0 new)

22

DOCR
Adult Services

- 2017 – 2019 Senate Version:
  - Education - $3,857,659
    - Academic and career and technical education
      - Educational assessment
      - Special education
      - GED / high school diploma
      - Basic skills
    - Career and technical education
      - Welding
      - Trade Industry and Construction
    - 10.1 FTE

23

DOCR
Adult Services

- 2017 – 2019 Senate Version:
  - Women Services - $10,990,749
    - Dakota Women's Correctional and Rehabilitation Center (DWCRC) – New England, ND
      - 131 – FY2016 average daily population
      - 126 – Budgeted bed capacity
    - 1.0 FTE

24

DOCR
Adult Services

- 2017 – 2019 Senate Version:
  - Roughrider Industries - $14,769,141
    - Employment of approximately 170 inmates
    - Manufactured products include:
      - Furniture
      - Upholstered products
      - Signage
      - License plates
      - Metal fabricated products
      - Clothing
    - Prison commissary operations – (profits to education)
    - No general funds
    - 33.0 FTE

25

DOCR
Adult Services

- 2017 – 2019 Senate Version:
  - Central Office – AS - $41,860,030
    - DOCR Administration
    - Human resources
    - Information technology
    - Fiscal operations
    - Training and Inspections
    - Medical Services
    - Plant Services
    - 97.17 FTE

26

DOCR
Adult Services

- 2017 – 2019 Senate Version:
  - Significant Changes from 15-17 budget:
    - Prioritization of admission of inmates
      - Eliminates need for overflow contract housing
    - Employee Health Insurance Premium Increase
      - $1.9 million
    - Community Behavioral Health Program
      - $7 million
      - 1.0 new FTE (DOCR)
      - Collaboration with NDHS
    - One-time Funding
      - $935,907 – Strategic Investment and Improvement Fund
      - Electronic Medical Record replacement

27

DOCR
Juvenile Services

- Responsible for the care, custody, and supervision of juvenile offenders committed to the DOCR by the State's juvenile courts.
  - December 31 One Day Counts:

Status	2016	2014	2012
YCC	51	60	84
Community	111	129	107

28

DOCR

Juvenile Services

- Youth Correctional Center (YCC)
  - Secure residential coed correctional facility located in Mandan
  - Provide appropriate educational, treatment, and comprehensive assessment programing to address specific needs of each youth in residence

29

DOCR

Juvenile Services

- Community Services
  - Eight regional offices located throughout the State
    - Bismarck, Devils Lake, Dickinson, Fargo, Grand Forks, Jamestown, Minot, Williston
  - Provide comprehensive assessment, treatment planning and case management for youth committed to its care, custody and control by state district court.

30

DOCR
Juvenile Services

- 2017 – 2019 Senate Version:
  - Juvenile Community - $8,833,672
    - Supervision of juveniles
    - Community based treatment programs
      - Day Treatment
      - Intensive In-home
    - Sheriff transportation fees (juvenile transports)
    - Administration of juvenile interstate compact
    - 31.47 FTE

31

DOCR
Juvenile Services

- 2017 – 2019 Senate Version:
  - Youth Correctional Center (YCC) - $17,163,142
    - Facility administration
    - Food service
    - Treatment services
      - Assessment, individualized treatment programming and case management services
    - Education services
      - Fully accredited junior / senior high school – Marmot Schools and adult education program
    - Security / Supervision
    - 95.87 FTE (10.0 new)

32

DOCR
Juvenile Services

- 2017 – 2019 Senate Version:
  - Central Office – JS - $5,299,921
    - Administration
    - Human resources
    - Information technology
    - Fiscal operations
    - Training and Inspections
    - Medical services
    - Plant services
    - 13.33 FTE

33

DOCR
Juvenile Services

- 2017 – 2019 Senate Version:
  - Significant Changes from 15-17 budget:
    - Employee Health Insurance Premium Increase
      - $398,239
    - Additional YCC positions to comply with Prison Rape Elimination Act (PREA)
      - 10.0 new FTE
      - $1.3 million

34

North Dakota Department of Corrections and Rehabilitation

2017 - 2019 Est. Male Inmate Population

6.9% | Estimated Annual Growth Rate | Based on actual data thru 6/16

Date	Estimated Average Inmate Population	Non DOCR	DOCR	Traditional Prison Beds: DOCR Facilities \1	Traditional Prison Beds: Interstate Compact \2	Nontraditional Prison Beds: Contract Treatment \3	Nontraditional Prison Beds: Transition \4	Holds \5	Total
July-17	1,616	-	1,616	1,411	21	73	111	0	1,616
August-17	1,623	-	1,623	1,417	21	73	112	-	1,623
September-17	1,631	-	1,631	1,420	21	73	112	4	1,631
October-17	1,639	-	1,639	1,420	21	74	113	11	1,639
November-17	1,648	7	1,641	1,420	21	74	113	13	1,641
December-17	1,657	16	1,641	1,420	21	74	113	13	1,641
January-18	1,668	27	1,641	1,420	21	74	113	13	1,641
February-18	1,678	37	1,641	1,420	21	74	113	13	1,641
March-18	1,689	48	1,641	1,420	21	74	113	13	1,641
April-18	1,701	60	1,641	1,420	21	74	113	13	1,641
May-18	1,714	73	1,641	1,420	21	74	113	13	1,641
June-18	1,727	86	1,641	1,420	21	74	113	13	1,641
July-18	1,737	96	1,641	1,420	21	74	113	13	1,641
August-18	1,743	102	1,641	1,420	21	74	113	13	1,641
September-18	1,750	109	1,641	1,420	21	74	113	13	1,641
October-18	1,757	116	1,641	1,420	21	74	113	13	1,641
November-18	1,765	124	1,641	1,420	21	74	113	13	1,641
December-18	1,774	133	1,641	1,420	21	74	113	13	1,641
January-19	1,784	143	1,641	1,420	21	74	113	13	1,641
February-19	1,793	152	1,641	1,420	21	74	113	13	1,641
March-19	1,803	162	1,641	1,420	21	74	113	13	1,641
April-19	1,814	173	1,641	1,420	21	74	113	13	1,641
May-19	1,826	185	1,641	1,420	21	74	113	13	1,641
June-19	1,839	198	1,641	1,420	21	74	113	13	1,641
2017-19 Estimated Ave Total	**1,724**	**85**	**1,639**	**1,420**	**21**	**74**	**113**	**12**	**1,639**

NOTES:

\1 - DOCR facilities consist of ND State Penitentiary (NDSP), James River Correctional Center (JRCC), and Missouri River Correctional Center (MRCC). The budgeted 2017-19 budgeted capacity at each facility is as follows: NDSP - 796, JRCC - 437, MRCC - 187

\2 - Male inmates housed either out-of-state with the Bureau of Prisons or with other states on an even exchange basis.

\3 - Contract treatment provided the North Dakota State Hospital which operates the Tompkins Rehabilitation and Corrections Center (TRCC).

\4 - Transition services are currently provided by CCCS which operates the Bismarck Transition Center (BTC); Centre, Inc. which operates male transition programs in Fargo, Mandan, and Grand Forks; Lake Region Law Enforcement Center which operates a male transition program in Devils Lake.

\5 - Holds expected to be via a contractual agreement

North Dakota Department of Corrections and Rehabilitation

2017 - 2019 Est. Female Inmate Population

11.4% *Estimated Annual Growth* *Based on actual d* *12/31/16*

Date	Estimated Average Inmate Population	Non DOCR	DOCR	Traditional Beds: Interstate Compact	Traditional Beds: DWCRC \1	Nontraditional Beds: Contract Treatment \2	Nontraditional Beds: BTC Secure	Nontraditional Beds: Community Placement / Transition \3	Holds \4	Total
July-17	224	-	224	-	126	29	30	36	3	224
August-17	226	2	224	-	126	29	30	36	3	224
September-17	227	3	224	-	126	29	30	36	3	224
October-17	229	5	224	-	126	29	30	36	3	224
November-17	232	8	224	-	126	29	30	36	3	224
December-17	234	10	224	-	126	29	30	36	3	224
January-18	236	12	224	-	126	29	30	36	3	224
February-18	239	15	224	-	126	29	30	36	3	224
March-18	242	18	224	-	126	29	30	36	3	224
April-18	245	21	224	-	126	29	30	36	3	224
May-18	248	24	224	-	126	29	30	36	3	224
June-18	252	28	224	-	126	29	30	36	3	224
July-18	254	30	224	-	126	29	30	36	3	224
August-18	255	31	224	-	126	29	30	36	3	224
September-18	256	32	224	-	126	29	30	36	3	224
October-18	258	34	224	-	126	29	30	36	3	224
November-18	259	35	224	-	126	29	30	36	3	224
December-18	261	37	224	-	126	29	30	36	3	224
January-19	263	39	224	-	126	29	30	36	3	224
February-19	265	41	224	-	126	29	30	36	3	224
March-19	267	43	224	-	126	29	30	36	3	224
April-19	270	46	224	-	126	29	30	36	3	224
May-19	272	48	224	-	126	29	30	36	3	224
June-19	275	51	224	-	126	29	30	36	3	224
2017-19 Estimated Ave Total	**250**	**26**	**224**	**-**	**126**	**29**	**30**	**36**	**3**	**224**

NOTES:

\1 - Dakota Women's Correctional and Rehabilitation Center (DWCRClocated in located in New England, ND. Facility is owned and operated by Southwest Multi County Correctional Center (SWMCCC)

\2 - Contract treatment currently provided by the North Dakota State Hospital which operates the Tompkins Rehabilitation and Corrections Center (TRCC).

\3 - Transition services currently provided by Centre, Inc. which operates transition programs in Fargo, and Mandan; and Lake Region Law Enforcement Center which operates a transition program in Devils Lake.

\4 - Holds expected to be provided via a contractual agreement

ND DOCR

17-19 Estimated Contract Housing and Programming

Senate Version

Program / Facility	17-19 Est Computed Average Daily Count	17-19 Estimated Average Daily Rate	17-19 Estimated Cost
BTC	93	63.04	4,274,418
BTC - Secure Female	30	84.38	1,866,172
Centre - Female Trans	64	70.14	3,297,949
Centre - Male Trans	58	73.18	3,114,201
Centre - 1/2 way	46	70.12	2,374,180
DUI Treatment	7	66.98	340,442
Electronic Montioring	79	4.25	243,735
Low Risk	9	1.40	9,499
Faith Based	13	40.51	375,980
Lake Region Trans	11	58.20	476,140
SCRAM	58	4.07	173,490
Sex Offender	16	20.00	240,050
TRCC (106 total beds)	102	116.84	8,737,583
PH / County / BOP / Out State	17	75.00	940,099
MRCC Temp Housing	36	35.00	919,800
		2017-19 Estimated Total	**27,383,738**

Department of Correcti[illegible] and Rehabilitation
Actual Average Male Inmate Po[illegible]lation by Facility / Program
July 2015 - June 2017

Month	NDSP \1	JRCC \2	MRCC \3	TRCC \4	MTP / BTC \5	H of A \6	County Jail / CPP	Out of State	Interstate Compact \7	(a) Total Population	(b) 15-17 Est. Population	(a) - (b)
July-15	781	437	156	49	98	-	8	-	21	1,550	1,576	(26)
August-15	787	436	154	53	96	-	9	-	22	1,555	1,581	(26)
September-15	792	437	152	55	109	-	7	-	21	1,573	1,587	(14)
October-15	798	437	153	57	103	-	20	-	22	1,590	1,594	(4)
November-15	797	437	153	58	93	-	36	-	23	1,597	1,601	(4)
December-15	762	438	152	65	110	-	38	-	23	1,589	1,608	(19)
January-16	737	436	151	69	126	-	36	-	22	1,578	1,617	(39)
February-16	733	434	164	71	116	-	19	-	22	1,558	1,625	(67)
March-16	734	436	186	72	112	-	9	-	21	1,571	1,635	(64)
April-16	734	437	188	71	103	-	10	-	20	1,563	1,645	(82)
May-16	724	438	187	72	113	-	13	-	20	1,567	1,655	(88)
June-16	730	436	185	69	111	-	15	-	20	1,566	1,666	(100)
July-16	716	434	187	69	104	-	16	-	20	1,547	1,674	(127)
August-16	723	437	184	70	95	-	13	-	20	1,541	1,680	(139)
September-16	740	437	187	73	102	-	11	-	20	1,569	1,687	(118)
October-16	739	438	188	70	106	-	13	-	20	1,573	1,693	(120)
November-16	741	438	188	67	106	-	14	-	20	1,573	1,701	(128)
December-16	742	439	189	71	96	-	14	-	20	1,571	1,709	(138)
January-17	773	438	188	71	95	-	17	-	21	1,601	1,718	(117)
February-17	787	439	189	72	99	-	16	-	20	1,622	1,727	(105)
March-17											1,736	
April-17											1,746	
May-17											1,757	
June-17											1,769	
15-17 Bien Ave.	**753**	**437**	**174**	**66**	**105**	**-**	**17**	**-**	**21**	**1,573**	**1,666**	**(76)**

Department of Corrections and Rehabilitation
Actual Average Female Inmate Population by Facility / Program
July 2015 - June 2017

Month	DWCRC \1	TRCC \2	Transition / Community	County Jail	Interstate Compact \3	(a) Total Population	(b) 15-17 Est. Population	(a) - (b)
July-15	137	26	35	22	-	219	216	3
August-15	135	27	34	21	-	217	216	1
September-15	137	29	28	20	-	214	217	(3)
October-15	131	30	56	3	-	220	217	3
November-15	128	29	51	2	-	211	218	(7)
December-15	120	30	52	2	-	204	219	(15)
January-16	129	29	55	1	-	215	220	(5)
February-16	132	30	59	2	-	224	222	2
March-16	132	30	67	5	-	233	223	10
April-16	130	30	65	5	-	230	224	6
May-16	130	30	73	5	-	238	226	12
June-16	129	29	76	3	-	237	228	9
July-16	124	29	71	4	-	229	229	(0)
August-16	129	30	65	3	-	227	230	(3)
September-16	128	29	64	4	-	225	230	(5)
October-16	128	30	70	5	-	233	231	2
November-16	130	30	73	7	-	240	232	8
December-16	121	29	71	4	-	225	233	(8)
January-17	120	29	59	4	-	213	235	(22)
February-17	127	30	64	5	-	225	236	(11)
March-17							238	
April-17							239	
May-17							241	
June-17							243	
15-17 Bien Ave.	**129**	**29**	**59**	**6**	**-**	**224**	**228**	**(1)**

AH 3 SB 2015
3-1-17

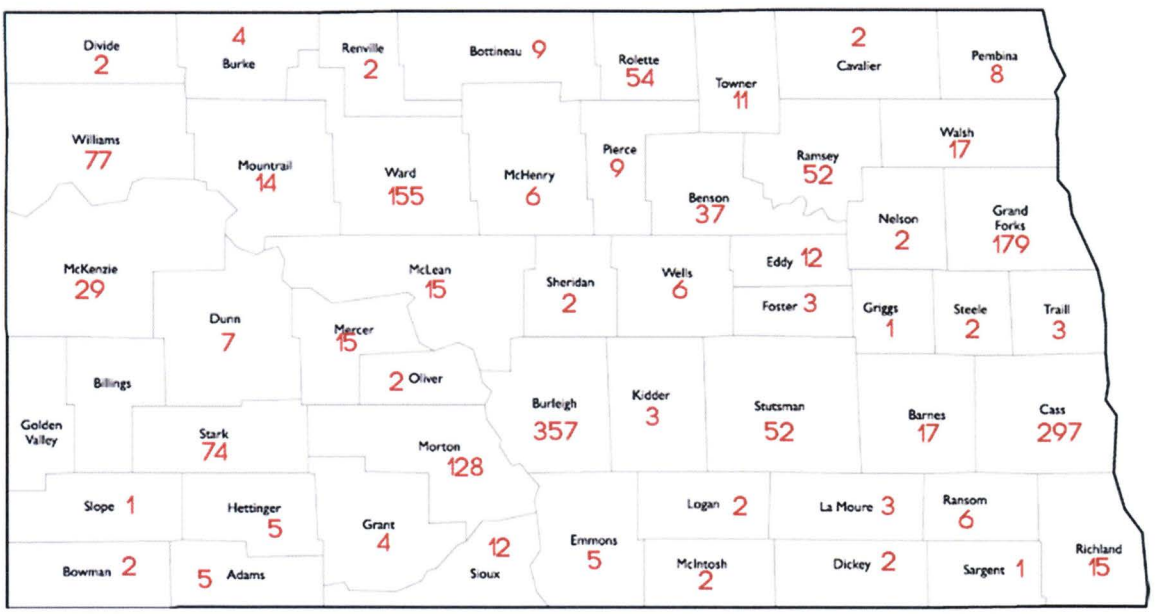
Senate Bill 2274 increases access to high-quality community behavioral health treatment that, when combined with effective supervision, is shown to reduce recidivism. The bill proposes funding to DOCR to partner with DHS, who will contract services with behavioral health providers in the state.

Participants will be identified by both the criminogenic risk (LSI-R) and behavioral health disorder (DSM 5 & Functional Status). Once identified, participants will be assessed for and provided access to the appropriate tiered service (Page 2).

The Level of Service Inventory–Revised™ (LSI-R™) is a quantitative survey of offender attributes and their situations relevant to level of supervision and treatment decisions. The LSI–R helps predict parole outcome, success in correctional halfway houses, institutional misconducts, and recidivism.

Total 30 LSI-R & SUD/SMI - 2059
(334 no county identified – 16%)

38% of the 2059 live in 2 urban areas of ND.



Variables include:

- # of participants
- # of participants per tier
- Rate ($) per tier
- Rate ($) per provider/location
- Reimbursement returned to state ($)

Considerations:

- Oversight and training are vital components to this proposal.
- Types and volume of service vary by need (individualized).
- There are 3 tiers of services provision proposed.
- Each tier would have a monthly rate.
- Rates will vary by tier but may also vary by location or provider.

North Dakota's Justice Reinvestment Approach

Behavioral Health Policy and Reinvestment Package

Expand Provider Workforce

Rationale: Lower correction costs and reduce recidivism by cultivating a network of community behavioral health providers to help meet treatment needs of people in the criminal justice system

Strengthen Para-Professional Workforce

Case Management: Providing assessment, case planning, referrals, care coordination and monitoring in collaboration with clinical services and probation or parole

Peer Support Specialists: People with lived experience of a mental illness or addiction in sustained recovery who are trained to support others

Create Strategic Plan

Establish committee to create a strategic plan to increase number of community behavioral health providers in the state, especially in rural areas

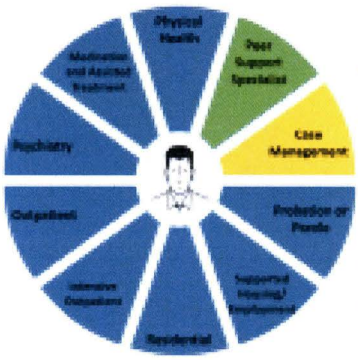
Fund and Implement Plan

Begin investing to implement strategic behavioral health workforce plans for items such as:

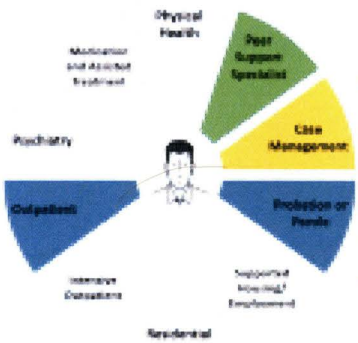
- Scholarships and loan forgiveness
- Outreach to develop interest in professions in rural areas
- Strengthening of "distance learning" opportunities
- Strengthening of behavioral health career ladders
- Supports for clinical supervision services
- Strategies for out of state recruitment and retention
- Psychiatric fellowships

Increase Access to Services

Rationale: Improve healthcare outcomes and reduce recidivism by 20 to 30 percent by delivering high-quality community behavioral health treatment with effective supervision *



Tier 1: Comprehensive and intensive services for target population to stabilize behavioral health conditions and reduce criminal justice involvement



Tier 2: Moderate array of services designed to help people sustain and strengthen their early recovery and reduce their risk for recidivism

Tier 3: Minimal services for people to help sustain full recovery, monitor for relapse and minimize additional justice involvement

* Washington State Institute for Public Policy, Evidence-Based Adult Corrections Programs: What Works and What Does Not, January 2006; D. A. Andrews and James Bonta, The Psychology of Criminal Conduct, 5th ed. (New Providence, NJ: Matthew and Bender & Company, Inc., 2010).

Department 530 - Department of Corrections and Rehabilitation
Senate Bill No. 2015

Dalrymple Executive Budget Comparison to Prior Biennium Appropriations

	FTE Positions	General Fund	Other Funds	Total
2017-19 Dalrymple Executive Budget	846.29	$215,839,290	$38,308,262	$254,147,552
2015-17 Adjusted Legislative Appropriations[1]	836.29	204,510,187	38,362,706	242,872,893
Increase (Decrease)	10.00	$11,329,103	($54,444)	$11,274,659

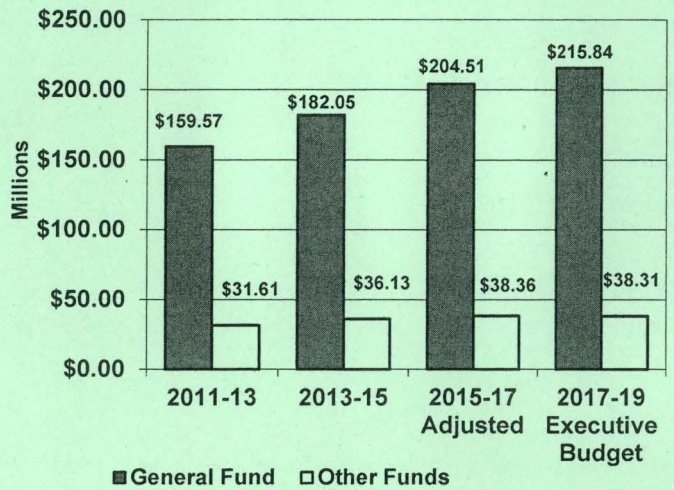
[1]The 2015-17 biennium agency appropriation amounts reflect general fund budget reductions made in August 2016, but do not include the following:

- General fund ($168,612) allocations to the agency from the state agency energy impact funding pool for temporary salary adjustments and rental assistance payments for agency employees located in areas of the state affected by energy development.
- Additional special funds authority of $297,300 resulting from Emergency Commission action during the 2015-17 biennium.

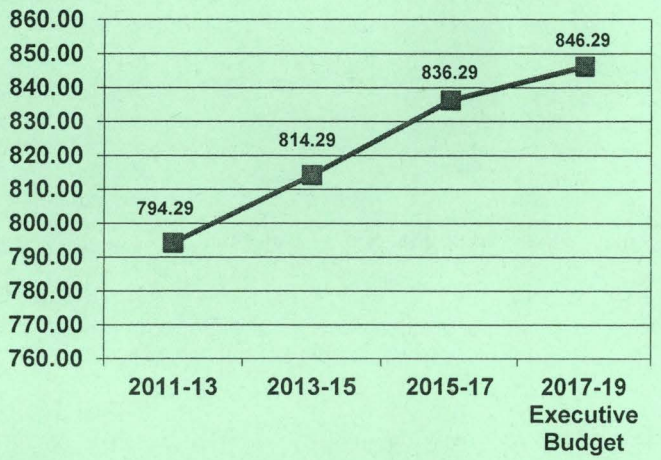
Ongoing and One-Time General Fund Appropriations

	Ongoing General Fund Appropriation	One-Time General Fund Appropriation	Total General Fund Appropriation
2017-19 Dalrymple Executive Budget	$215,839,290	$0	$215,839,290
2015-17 Adjusted Legislative Appropriations	203,044,020	1,466,167	204,510,187
Increase (Decrease)	$12,795,270	($1,466,167)	$11,329,103

Agency Funding



FTE Positions



Dalrymple Executive Budget Comparison to Base Level

	General Fund	Other Funds	Total
2017-19 Dalrymple Executive Budget	$215,839,290	$38,308,262	$254,147,552
2017-19 Base Level	203,044,020	33,236,706	236,280,726
Increase (Decrease)	$12,795,270	$5,071,556	$17,866,826

First House Action

Attached is a comparison worksheet detailing first house changes to base level funding and the executive budget.

Dalrymple and Burgum Executive Budget Highlights (With First House Changes in Bold)

	General Fund	Other Funds	Total
Agencywide			
1. Provides funding for state employee salary and benefit increases, of which $514,525 is for salary increases and $2,329,659 is for health insurance increases. (The Burgum budget removed funding for salary increases and provided for employees to pay for a	$2,660,615	$183,569	$2,844,184

portion of health insurance.) **The Senate removed funding for the salary increases.**			
Juvenile Services			
2. Adds 10 FTE positions to maintain compliance with the federal Prison Rape Elimination Act (PREA)	$1,258,076	$0	$1,258,076
3. Restores funding for salaries and wages	$142,119	$0	$142,119
4. Restores funding for contract housing and programs	$131,250	$0	$131,250
5. Increases funding for federal grants changes	$0	$200,000	$200,000
6. Reduces base funding for extraordinary repairs	($224,000)	$0	($224,000)
Adult Services			
7. Restores funding for salaries and wages	$319,816	$0	$319,816
8. Restores funding for contract housing and programs	$4,583,823	$0	$4,583,823
9. Restores funding for the Dakota Women's Correctional and Rehabilitation Center contract	$348,815	$0	$348,815
10. Adjusts funding for various expenses, including food and clothing, medical, travel, utilities, repairs, maintenance, information technology, and professional services	$2,841,293	($159,369)	$2,681,924
11. Increases funding for federal grant changes	$0	$2,817,597	$2,817,597
12. Reduces base funding for extraordinary repairs	($193,060)	($170,000)	($363,060)
13. The Burgum budget reduced general fund appropriations for salaries and wages and contract housing and programming to recognize savings from a prison bed day allocation program. **The Senate removed the same amount of funding to recognize savings relating to the prioritization of admission of inmates, rather than the prison bed day allocation program.**	($7,000,000)	$0	($7,000,000)

Other Sections in Senate Bill No. 2015

Special funds transfer - Strategic investment and improvements fund - Section 3 designates $935,907 from the strategic investment and improvements fund for an electronic medical records system.

Continuing Appropriations

No continuing appropriations for this agency.

Significant Audit Findings

The State Auditor's office reported the Department of Corrections and Rehabilitation did not have an inventory system that enables the agency to accurately account for returned medication and inventory balances.

Major Related Legislation

House Bill No. 1041 - Relates to sentence reduction credit, medical paroles, domestic violence offender treatment, grading of theft offenses, credit for time spent in custody, terms and conditions of probation, controlled substances and controlled substance paraphernalia, addiction counseling services, and the supplemental nutrition assistance program.

House Bill No. 1121 - Amends North Dakota Century Code Section 12.1-32-01 to provide the Department of Corrections and Rehabilitation with authority to set rules for calculating the life expectancy of offenders for the purpose of determining the term of life imprisonment with opportunity for parole.

House Bill No. 1269 - Provides for reductions in certain mandatory minimum sentences.

Senate Bill No. 2125 - Amends Section 62.1-02-05 to provide an exemption for correctional officers employed by the Department of Corrections and Rehabilitation to possess a firearm at a public gathering.

Senate Bill No. 2149 - Provides for reductions in certain mandatory minimum sentences.

Senate Concurrent Resolution No. 4003 - Requests the Legislative Management to study the current juvenile justice process, levels of collaboration among various service systems, implementation of dispositional alternatives, and methods for improving outcomes for juveniles involved in the process.

Department of Corrections and Rehabilitation - Budget No. 530
Senate Bill No. 2015
Base Level Funding Changes

	Burgum Executive Budget Recommendation (Changes to Dalrymple Budget in Bold)				Senate Version			
	FTE Positions	General Fund	Other Funds	Total	FTE Positions	General Fund	Other Funds	Total
2017-19 Biennium Base Level	836.29	$203,044,020	$33,236,706	$236,280,726	836.29	$203,044,020	$33,236,706	$236,280,726
2017-19 Ongoing Funding Changes								
Base payroll changes		$843,274	$1,296,984	$2,140,258		$843,274	$1,296,984	$2,140,258
Salary increase				***0***				***0***
Health insurance increase		2,179,298	150,361	2,329,659		2,179,298	150,361	2,329,659
Employee portion of health insurance		***(1,141,642)***	***(78,768)***	***(1,220,410)***				***0***
Add new Youth Correctional Center FTE positions (PREA)	10.00	1,258,076		1,258,076	10.00	1,258,076		1,258,076
Restore funding for salaries and wages		461,935		461,935		461,935		461,935
Reduce funding for temporary employee operating expenses		(31,100)		(31,100)		(31,100)		(31,100)
Restore funding for contract housing and programs		4,715,073		4,715,073		4,715,073		4,715,073
Increase funding for contract housing and programs		105,441		105,441		105,441		105,441
Restore funding for the Dakota Women's Correctional and Rehabilitation Center contract		348,815		348,815		348,815		348,815
Adjust funding for various expenses, including food and clothing, medical, travel, utilities, repairs, maintenance, information technology, and professional services		2,971,046	(359,501)	2,611,545		2,971,046	(359,501)	2,611,545
Adjust funding for federal grant changes			3,017,597	3,017,597			3,017,597	3,017,597
Reduce funding for extraordinary repairs		(417,060)	(170,000)	(587,060)		(417,060)	(170,000)	(587,060)
Adjust funding for bond payments		(120,845)		(120,845)		(120,845)		(120,845)
Reduce funding for salaries and wages and contract housing and programming		***(7,000,000)***		***(7,000,000)***		***(7,000,000)***		***(7,000,000)***
Add funding for community behavioral health program				0	1.00	7,000,000		7,000,000
Total ongoing funding changes	10.00	$4,172,311	$3,856,673	$8,028,984	11.00	$12,313,953	$3,935,441	$16,249,394
One-time funding items								
Add funding for equipment			$167,000	$167,000			$167,000	$167,000
Add funding for electronic medical records system			935,907	935,907			935,907	935,907
Total one-time funding changes	0.00	$0	$1,102,907	$1,102,907	0.00	$0	$1,102,907	$1,102,907
Total Changes to Base Level Funding	10.00	$4,172,311	$4,959,580	$9,131,891	11.00	$12,313,953	$5,038,348	$17,352,301
2017-19 Total Funding	846.29	$207,216,331	$38,196,286	$245,412,617	847.29	$215,357,973	$38,275,054	$253,633,027

Other Sections in Department of Corrections and Rehabilitation - Budget No. 530

	Burgum Executive Budget Recommendation (Changes to Dalrymple Budget in Bold)	Senate Version
Appropriation - Department of Human Services		Section 3 provides an appropriation of $7 million from other funds and 6 FTE positions to the Department of Human Services for the community behavioral health program. The source of funds is the Department of Corrections and Rehabilitation.
Appropriation - Department of Human Services		Section 4 provides an appropriation of $500,000 from the general fund to the Department of Human Services to contract with a public or private entity to create, initiate, and facilitate the implementation of a strategic plan to increase the availability of behavioral health services in the state.
Special funds transfer - Strategic investment and improvements fund	Section 3 designates $935,907 from the strategic investment and improvements fund for an electronic medical records system.	Section 5 designates $935,907 from the strategic investment and improvements fund for an electronic medical records system.
Management of inmate population		Section 6 creates a new section to Chapter 12-44.1 relating to local management of inmate population.
Community behavioral health program		Section 7 creates a new section to Chapter 54-23.3 relating to a community behavioral health plan as a term of parole or an alternative to incarceration.
Prioritization of admission of inmates		Section 8 creates a new section to Chapter 54-23.3 relating to prioritization of admission of inmates.
Criminal justice behavioral health needs study		Section 9 provides for the continuation of the Legislative Management study of alternatives to incarceration, with a focus on the behavioral health needs of individuals in the criminal justice system.
Youth Correctional Center facilities study		Section 10 provides for a study of Youth Correctional Center facilities by the Department of Corrections and Rehabilitation, in consultation with the Department of Human Services, the Protection and Advocacy Project, and the Supreme Court.

Department 530 - Department of Corrections and Rehabilitation

Appropriations Comparisons to the Original and Adjusted Base Budgets

General Fund Appropriations Adjustments

(As a result of the August 2016 General Fund Budget Reductions)

	Ongoing	One-Time	Total
2015-17 original general fund appropriations	$212,748,931	$2,638,311	$215,387,242
General fund reductions	(9,704,911)	(1,172,144)	(10,877,055)
Adjusted 2015-17 appropriations	$203,044,020	$1,466,167	$204,510,187
Dalrymple Executive Budget changes	12,795,270	(1,466,167)	11,329,103
2017-19 Dalrymple Executive Budget	$215,839,290	$0	$215,839,290

Summary of August 2016 General Fund Budget Reductions

	Ongoing	One-Time	Total
Reduced funding for salaries and wages	($461,935)	$0	($461,935)
Reduced funding for contract housing and programming	(4,715,073)	0	(4,715,073)
Reduced funding for the Dakota Women's Correctional and Rehabilitation Center contract	(454,256)	0	(454,256)
Reduced funding for food and clothing	(989,074)	0	(989,074)
Reduced funding for medical, dental, and optical expenses	(1,810,656)	0	(1,810,656)
Reduced funding for travel	(269,992)	0	(269,992)
Reduced funding for utilities, repairs, and building maintenance	(600,000)	0	(600,000)
Reduced funding for extraordinary repairs	(100,000)	(706,000)	(806,000)
Reduced funding for information technology upgrades	0	(466,144)	(466,144)
Reduced funding for other expenses	(303,925)	0	(303,925)
Total reductions	($9,704,911)	($1,172,144)	($10,877,055)
Percentage reduction to ongoing and one-time general fund appropriations	4.56%	44.43%	5.05%

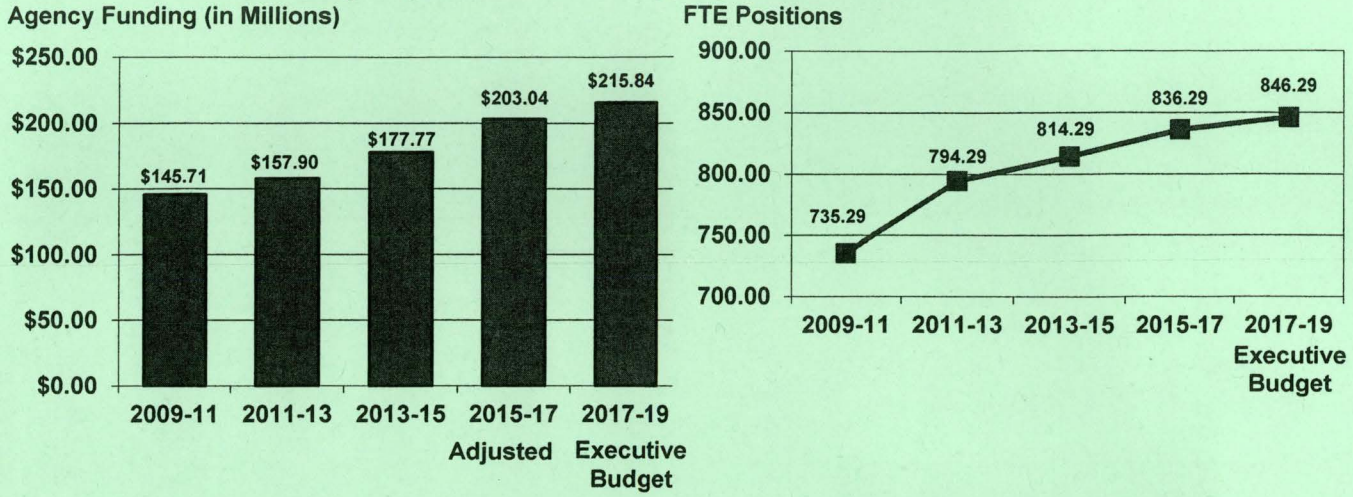
2017-19 Dalrymple Executive Budget Changes to the Original and Adjusted Base Budgets

	Changes to Original Budget	Budget Reduction Adjustments	Changes to Adjusted Budget
Adds funding for base payroll changes	$843,274	$0	$843,274
Adds funding for recommended salary and benefits increases	2,660,615	0	2,660,615
Adds funding for 10 new FTE Youth Correctional Center positions to maintain compliance with PREA	1,258,076	0	1,258,076
Restores funding for salaries and wages	0	461,935	461,935
Reduces funding for temporary employee operating expenses	(31,100)	0	(31,100)
Restores funding for contract housing and programming	0	4,715,073	4,715,073
Increases funding for contract housing and programming	105,441	0	105,441
Restores funding for the Dakota Women's Correctional and Rehabilitation Center contract	(105,441)	454,256	348,815
Adjusts funding for various expenses, including food and clothing, medical, dental, optical, travel, utilities, repairs, maintenance, information technology, and professional services	(1,002,601)	3,973,647	2,971,046
Reduces funding for extraordinary repairs	(517,060)	100,000	(417,060)
Adjusts funding for bond payments	(120,845)	0	(120,845)
Total	$3,090,359	$9,704,911	$12,795,270

Department 530 - Department of Corrections and Rehabilitation

Historical Appropriations Information

Ongoing General Fund Appropriations Since 2009-11



Ongoing General Fund Appropriations					
	2009-11	2011-13	2013-15	2015-17 Adjusted	2017-19 Dalrymple Executive Budget
Ongoing general fund appropriations	$145,707,006	$157,901,861	$177,774,343	$203,044,020	$215,839,290
Increase (decrease) from previous biennium	N/A	$12,194,855	$19,872,482	$25,269,677	$12,795,270
Percentage increase (decrease) from previous biennium	N/A	8.4%	12.6%	14.2%	6.3%
Cumulative percentage increase (decrease) from 2009-11 biennium	N/A	8.4%	22.0%	39.4%	48.1%

Major Increases (Decreases) in Ongoing General Fund Appropriations

2011-13 Biennium

1. Added funding for 58 new FTE positions relating to the State Penitentiary expansion — $2,459,364
2. Increased funding for contract housing and programming — $2,441,611

2013-15 Biennium

1. Added 11 FTE correctional officer positions and 3 FTE correctional caseworker positions — $1,537,144
2. Added funding for increased probation and incarceration requirements due to provisions of 2013 House Bill No. 1302 relating to driving under the influence laws — $3,000,000
3. Increased funding for transitional housing and programs — $1,106,678

2015-17 Biennium (Original Amounts)

1. Added funding for targeted equity salary increases for correctional officer positions — $2,126,442
2. Added funding for 22 new FTE positions, including 16 parole and probation officers, 1 juvenile corrections specialist, 1 Youth Correctional Center position, 2 adult services treatment positions, and 2 James River Correctional Center central receiving positions — $3,624,413
3. Added funding to transfer community sex offender treatment from the Department of Human Services — $1,865,810
4. Added funding for contract housing and programming (this item was affected by agency budget reductions) — $9,243,102
5. Increased funding for the Dakota Women's Correctional and Rehabilitation Center contract (this item was affected by agency budget reductions) — $2,250,000

2017-19 Biennium (Dalrymple and Burgum Executive Budget Recommendations)

1. Adds 10 new FTE Youth Correctional Center positions to maintain compliance with PREA	$1,258,076
2. Restores funding for contract housing and programming	$4,715,073
3. Adjusts funding for various expenses, including food and clothing, medical, dental, optical, travel, utilities, repairs, maintenance, information technology, and professional services	$2,971,046
4. The Burgum budget reduced funding from the general fund by $7 million to recognize savings from the prison bed day allocation program. (The Senate removed the same amount of funding to recognize savings relating to the prioritization of admission of inmates, rather than the prison bed day allocation program.)	($7,000,000)

SB2015
03.07.2017
#1

HOUSE APPROPRIATIONS COMMITTEE
Human Resources Division
Representative Pollert, Chairman
March 7, 2017

North Dakota Department of Corrections and Rehabilitation
Division of Juvenile Services
Lisa Bjergaard, Director

TESTIMONY IN SUPPORT OF SENATE BILL 2015

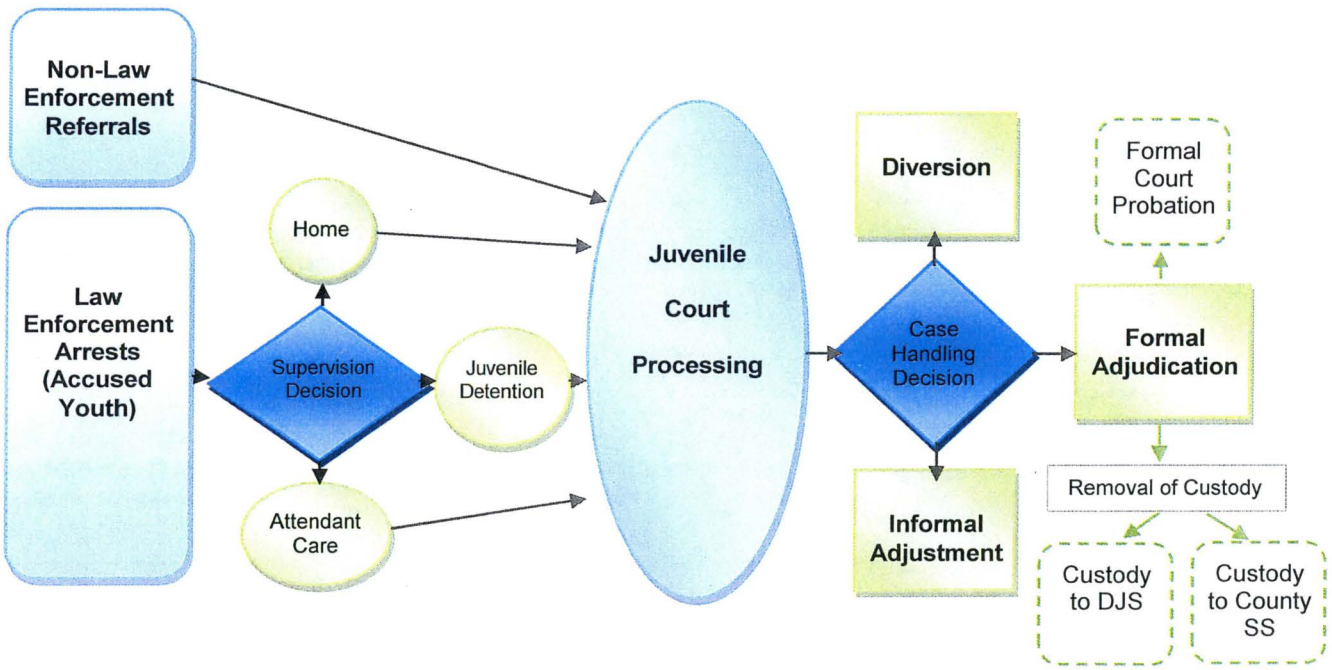
For the record, I am Lisa Bjergaard, Director of the Division of Juvenile Services. I present this testimony in support of Senate Bill 2015, relating to the operation of the Department of Corrections and Rehabilitation, which includes the Division of Juvenile Services.

Division of Juvenile Services
Better Choices, Brighter Future

JUVENILE JUSTICE

The Division of Juvenile Services (DJS) is North Dakota's youth corrections agency. An overview of North Dakota's entire juvenile justice system provides necessary background information in order to engage in a meaningful examination of the issues that impact juvenile corrections. The North Dakota Juvenile Justice System is largely defined through the role of the Juvenile Court under Chapter 27-20 of the North Dakota Century Code (NDCC) which is titled the Uniform Juvenile Court Act. The Uniform Juvenile Court Act established the Juvenile Court as a division of the District Court.

The Juvenile Court has exclusive and original jurisdiction over any child who is alleged to be deprived, delinquent and/or unruly. In North Dakota, youth ages seven up to age eighteen who are alleged to have committed a delinquent or unruly act fall under the jurisdiction of the Juvenile Court. The following diagram illustrates the flow of youth through the juvenile justice system in North Dakota:



The juvenile justice system includes law enforcement, the juvenile court, probation, child welfare, and the Division of Juvenile Services. *Juvenile court processing* in this diagram includes the activities of the juvenile court directors, as well as the judges and referees. The juvenile court directors are key positions in the operation of the juvenile justice system.

The diagram helps envision the process. But, what about volume? A good place to start is with a snapshot of all youth who might someday find their way into the juvenile justice system, in other words, who and how many youth might make up

the possible universe. A reliable source of youth population data comes from the school districts as they record actual enrollment and report it at least annually.

Juvenile Population

Change in ND School Enrollment Over Last 5 Years

Grade	2011-12	2016-17	% Change
PK-K	11,132	13,089	18%
Grades 1-5	39,822	47,349	19%
Grades 6-8	23,186	25,901	12%
Grades 9-12	31,386	32,047	2%
Grand Total	**105,526**	**118,386**	**12%**

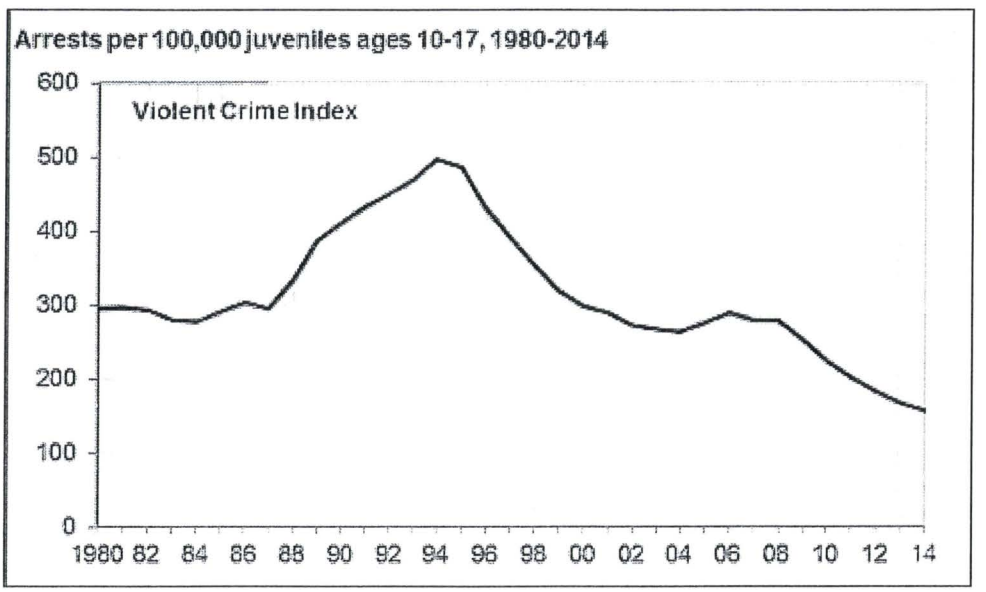
Based on school enrollment data, North Dakota's youth population has increased by 12% over the last five years. However, the increase is primary attributable to the growth in the pre-adolescent age groups. Given these numbers, a significant increase in adolescent population can be expected over the next five years. This predicts an increase the number of youth at risk of entering the juvenile justice system.

Law Enforcement

As previously stated, the Juvenile Justice System includes law enforcement at the local, county and state level. Law enforcement officers interact with youth every day as they perform their duties in our communities, schools, and as a part of traffic safety enforcement. Law enforcement may divert youth from formal processes by warning, counselling, or making a referral for services. Youth who are suspected of being deprived, neglected or abused may be taken into custody

by law enforcement. Youth who are accused of committing a delinquent or unruly act can also be cited or taken into custody (arrested).

Because it can be a critical entry point for the juvenile justice system, it is important to understand arrest data. Nationally, there has been a significant drop in juvenile arrest rates in recent years. The National violent crime arrest rates of juveniles between 2001 and 2012 fell 42%. The overall national violent index crime arrest for juvenile rate is lower that it was in the 1970's.



The chart below compares arrest rates for North Dakota with those nationally, for the most recent year where data is available. As indicated, North Dakota has a very low violent crime rate, particularly in comparison to the rest of the country. However, North Dakota does have a higher rate of property crime among youth, and drug use and underage drinking account for a large number of juvenile arrests. Disorderly conduct is a something of a catch-all category, and it is also a

discretionary category of arrest. Some of these arrests are related to the presence of school resource officers in our schools. Other times, more serious offenses are commonly "pled down" to disorderly conduct in order to expedite the court process.

Juvenile Arrest Rates for Selected Offenses Per 100,000 Youth, Ages 10-17		
Offense Category	ND 2014	US 2014
Violent Crime Index	0.55	157.8
Property Crime Index	***991.1***	***693.0***
Weapon Violations	30.4	60.0
Vandalism	215.6	131.1
Drug Use Violations	***571.5***	***332.4***
Disorderly Conduct	***757.6***	***236.7***
Liquor Law Violations	***847.5***	***156.6***
Total Arrests	5291.0	3008.1

Juvenile Court

All citations issued upon arrest are referred to the Juvenile Court. In addition, referrals to Juvenile Court are made by schools and parents. As discussed above, cases that are referred are processed in one of three ways: 1) diversion; 2) informal adjustment; and 3) formal adjudication. Based on the most recent three-year average of juvenile court dispositions, the majority of cases are diverted, either through direct referral to diversion programs or through the informal process in which no formal petition is filed. Three-fourths of all youth referred never enter the formal courtroom and one-third never entered the courthouse at all because they were diverted to appropriate community programs.

In a case where serious delinquent behavior has jeopardized the safety of the public, a judge or referee can place legal custody with the Division of Juvenile Services (DJS). Once under state custody, youth are placed in consideration of their best interests and the safety of themselves and the public. DJS, like the county, has the authority to place youth into any of the settings that can be used for treatment purposes by county social services. In addition, if the safety of the public warrants the confinement of the youth, DJS may place youth at the North Dakota Youth Correctional Center.

Youth Corrections (Division of Juvenile Services)

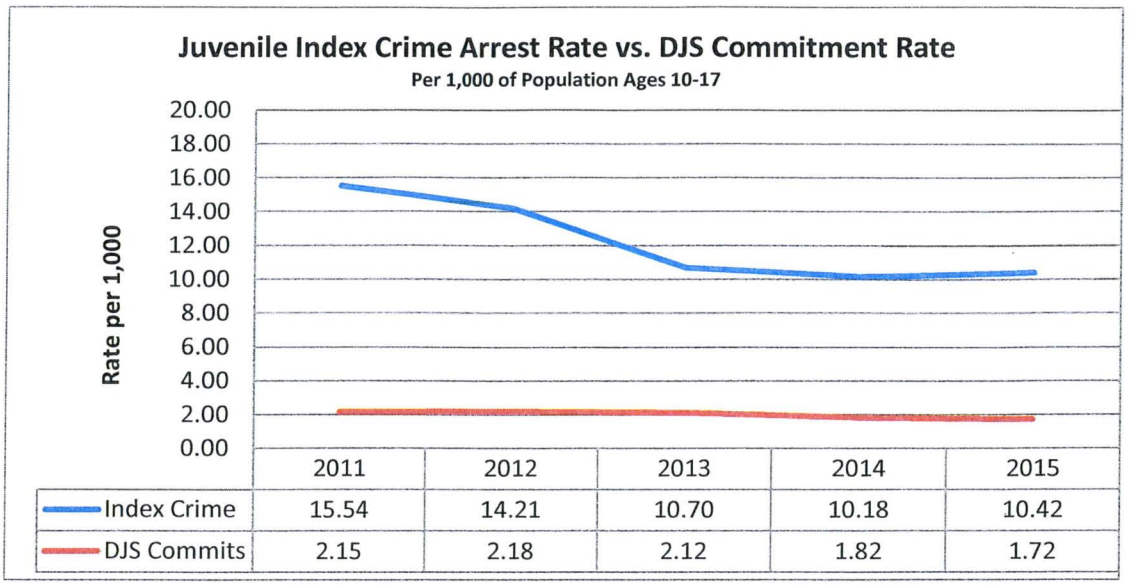
The Division of Juvenile Services sits at the end of the juvenile justice system continuum. After all of the opportunities for prevention, diversion, and early intervention have been exhausted, a youth has the final safety net of juvenile corrections as the last "back stop".

Over time, the numbers of these youth and their characteristics of this select group has changed in ways that are worth discussing. Over a relatively short period of time, the DJS population shifted from a largely seriously delinquent and antisocial profile to one of predominantly mental health, substance abusing, and behaviorally disturbed youth. The population changed so fast that the DJS system needed to retool itself very quickly. By the end of 2010, the characteristics of the youth had changed enough to prompt a change in the way I reported data to the Legislature in the 2011 session. Coincidentally, the adolescent unit of the State Hospital closed in 2010.

Since that time, the youth corrections population has continued to move towards the more complex, traumatized and mentally ill group of youth. As an example, the percent of youth with a mental health diagnosis who further met the criteria for a "serious emotional disturbance" was an alarming 45% when I reported it in 2011. In 2017, when the numbers were recalculated for this testimony, that percentage rose to 79%.

At a time when juvenile crime rates were falling, here in North Dakota and nationally, commitment rates to youth corrections in North Dakota were not. This is because seriously mentally ill and addicted youth marched steadily through the front door of juvenile corrections. Often, these youth brought with them multiple prescriptions for psychotropic medications, need for psychiatric oversight, complicated Individualized Educational Plans, and other complex needs the likes of which a correctional center is ill-equipped to manage.

There is a distinction here that is important to understand. The actual numbers of youth committed did decline because the number of youth in the appropriate age range declined, however; the **rate** at which youth were committed to juvenile corrections fell very little, as indicated by the chart below. The declining number of youth in the typical at-risk adolescent age range of 10-17 mask what has happened within the North Dakota juvenile justice system.



	2011	2012	2013	2014	2015
Index Crime	15.54	14.21	10.70	10.18	10.42
DJS Commits	2.15	2.18	2.12	1.82	1.72

The Division of Juvenile Services is built on a case management model, and utilizes a developmental approach. The internal goals of the Division of Juvenile Services are to reduce the risks posed by delinquent and troubled youth: criminogenic risk to the community and risk of harm to self, and to effect the development of skills that steer youth towards a productive and successful transition to adulthood. There are external goals as well. As a part of the overall juvenile justice system in North Dakota, the Division of Juvenile Services shares collaborative goals with other agencies of state and local government. The Division of Juvenile Services works closely with the juvenile courts, child welfare, and schools to identify and target relevant issues, provide appropriate services, and build the capacity for youth to succeed. Risk reduction services are provided across the juvenile justice system, balancing the principles of least restrictive, most appropriate placement with the need to ensure public safety. Youth correctional services are provided in the Division of Juvenile Services (DJS)

system which includes the community-based division of case management and the Youth Correctional Center (YCC) facility.

Even just a few years ago, there was little in the way of research that pointed to effective strategies, practices and programs for delinquent youth. As the research unfolds, it supports all of the practices that North Dakota has funded, both in terms of the structure of service delivery system and in the specific programs delivered. Prominent in the research is evidence that long stays in institutions do not decrease recidivism. Furthermore, community-based supervision is as effective as incarceration for youth who have committed serious offenses. The Division of Juvenile Services has always emphasized a system of community-based case management, where delinquent youth are served in the least restrictive and most appropriate environment available.

On March 1, 2017, 27% of the youth in DJS custody were being served in their parent's homes. Another 12% were also placed elsewhere in the community, most of them in the homes of relatives. 4% were in treatment foster homes. These youth are receiving close correctional supervision and receive their treatment services from out-patient providers in their local communities. This means that roughly 40% of the youth committed to DJS are living in a family setting, which is the most developmentally appropriate and the most cost effective level of placement available. Another 23% were receiving services in the group home network, meaning that they lived at the group home and received education and treatment services there. The group homes are non-secure, use public schools, and in many cases community-based treatment

providers. They are considered a community based resource. 3% were placed in psychiatric residential centers. 5% were new to the caseload and were in our assessment status; their treatment plans were not yet developed. This means only about 27% of the youth correctional caseload required secure placement at the Youth Correctional Center, which would be considered "incarceration".

Thus, there is evidence in the distribution of the caseload for the principles noted in research regarding community based supervision. The research also supports the types of interventions that DJS has utilized for the past many years, namely Intensive-In-Home family therapy and school-based Day Treatment. DJS has supported Intensive-In-Home family therapy for 28 years. Now, research analyses of family-based programs and family strengthening initiatives demonstrate consistently that these programs produce positive results. Here in North Dakota, Intensive-In-Home is used as a mechanism to strengthen families whose youth are exhibiting behaviors that put them at high risk for being placed outside of their home. During the last year of the current biennium, our Intensive-In-Home model has resulted in 83% of the youth served successfully remaining with their families.

Day Treatment, our school based intervention, is currently in its 24th year. In the last full school year, 152 students were served in five sites. The Day Treatment programs successfully prevented 86% of the students served from receiving further legal citations. Day Treatment programs operated in Beach, Dickinson, Dunseith, Grand Forks, and Jamestown.

DIVISION OF JUVENILE SERVICES SYSTEM OVERVIEW

Youth who enter state custody receive formal correctional assessment, case planning and case management services. Most youth have a lengthy history of delinquency adjudications prior to their commitment to the Division of Juvenile Services. In addition, we know a great deal about the general profile of youth who are committed to DJS custody. The profile is detailed on page one of the Division of Juvenile Services document (labeled "Appendix A") that was distributed with this testimony.

As you can see, the appendix shows how mental health and substance involved youth have penetrated into the corrections system. It is important to frame this discussion in terms of the national conversation, as the over representation of youth with mental health disorders has reached epidemic proportions in other states as well. Approximately 70% of juvenile justice youth nationally meet the criteria for at least one mental health disorder. Evidence suggests that 27% of juvenile justice youth nationally have a serious mental health disorder, and more than half meet the criteria for at least two diagnoses. Rates of mental health disorders amongst youth in the juvenile justice system are three times higher than that of the general youth population.

In our population, like the population of juvenile justice youth in other states, we find youth most commonly diagnosed with disruptive, impulse control, and conduct disorders. Secondly, they have substance abuse and addictive disorders. Many have trauma and stress-related disorders, and are anxious and depressed. There is a growing group of youth who are beginning to exhibit

schizophrenia spectrum and other psychotic disorders, as well as neurodevelopmental disorders.

In addition to all of the normal problems of adolescence (the lack of impulse control, poor judgment and decision making), the youth in our system also have significant behavioral health problems that stem directly from their very poor mental health. When they arrive, they are explosive, assaultive, and demonstrate very poor self -management. Generally, we find these youth have experienced multiple traumatic events, significant child neglect and abuse, and have elevated levels of suicidal thoughts coupled with significant histories of suicide attempts. Although there have always been large of numbers of youth with mental health disorders present in our population, the past few years have brought us an influx of incredibly broken and damaged kids.

The presence of these youth puts enormous strain on the service delivery system. We have concentrated on training our staff on adolescent development and mental health, as well as strategies for intervening with youth who have significant mental and behavioral health challenges.

Operational Overview

I have included an operational overview, and a summary of the youth served on an annual basis on page 2 of Appendix A. The information it contains is derived from service numbers during the past 12 to 24 months, as we have programs that operate over the school year and over the calendar year. The full year of this recent biennium; July 1, 2015 through June 30, 2016 accounts for the source

of most of the numbers. During this time, the Division of Juvenile Services provided services to approximately 1,100 at-risk youth who were involved at some level of the juvenile justice system.

Youth Assessment Process

All youth complete assessment immediately following their commitment to the Division of Juvenile Services. The Division of Juvenile Services must hold youth accountable for their actions while doing all it can to ensure that the youth do not re-offend. Accomplishing those goals requires a deeper understanding of each youth's needs and issues. The assessment process provides staff with that information.

The tool used in the assessment process measures a combination of static and dynamic risk factors, and creates a profile that summarizes both risks and needs specific to the individual youth. Youth are classified into one of 7 typologies. The typology information, coupled with the criminogenic risk factors, help determine the degree to which a youth might be described as serious, chronic or violent. This biennium, 100% of the youth fell into the serious category, 43% are considered chronic, and 63% have the potential to become violent. The evidence-based practice literature for the field of corrections emphasizes that correctional interventions should be applied only to serious, chronic and/or violent offenders. Spending time and money on low risk and non-violent offenders, according the research, is not productive and in some cases may even cause risk levels to increase.

Case Management Services

Once the issues are completely identified, the goal is to address these problems efficiently and effectively. Individualized case plans are developed through a family team process following the assessment phase, and a highly specialized case manager shepherds the case throughout the length of stay. Primarily, case plans focus on behavioral management and remediation, therapeutic approaches, and have a strong educational component.

Youth are placed for services in a continuum of care that might include placement at home with community based services, foster care, residential care, psychiatric care, or they may require secure correctional placement at the Youth Correctional Center.

Techniques have been chosen based on the predominant needs identified in this population of youth, and what research has proven to be effective with youthful offenders. Research tells us that the use of a relational model, in a developmental context, will produce the best results. The Mandt System is a relational model which is used as the primary behavioral management approach across the Division of Juvenile Services. The Mandt approach gives staff a model for identifying and intervening in escalating situations, by using proven crisis intervention and crisis management strategies. Mandt is a positive relational approach, and it provides a foundation for all of our interactions with youth and with each other, so that youth see staff engaging in positive, constructive ways as adults.

In addition, staff are trained in Effective Communication/Motivational Strategies (ECMS) and Core Correctional Practices. ECMS is based on the technique of motivational interviewing, which is one of the evidence-based strategies. This is a strategic communications training that helps staff uncover the thinking that underlies behavioral choices.

Finally, staff are trained in methods of cognitive restructuring. Cognitive restructuring helps youth to understand their own destructive thinking patterns and builds strategies that improve a youth's ability to harness their own ability to self-manage.

North Dakota Youth Correctional Center

Specific risk-reduction programming is used at the YCC for those youth who cannot be served in a less intensive level of care. The YCC also provides detention services which are primarily utilized by area counties.

The YCC utilizes a system called Performance-based Standards (PbS) to measure outcomes and provide a basis for continuous quality improvement and planning. This system not only gathers critical outcome data for assessment, detention and the long-term care program, but it also allows the YCC to compare itself to other state youth corrections facilities across the country. Currently, 226 facilities in 35 states participate in PbS.

Using PbS data, YCC developed facility improvement plans that modified traditional correctional practices to better accommodate the increasing numbers of youth with serious and multiple mental health and behavioral health issues.

Also, we re-tooled supervision strategies for suicidal youth. The constant presence of extremely disturbed youth in all of the buildings puts pressure on staff, and has contributed to higher rates of staff turnover and higher levels of staff fear for safety.

The increasingly complex population has spurred rapid change across the entire Division of Juvenile Services. Even with the challenges, rates of serious misconduct have not increased, nor has there been an increase in injuries to youth, injuries to staff, rates of restraint, or in acts of self -harm.

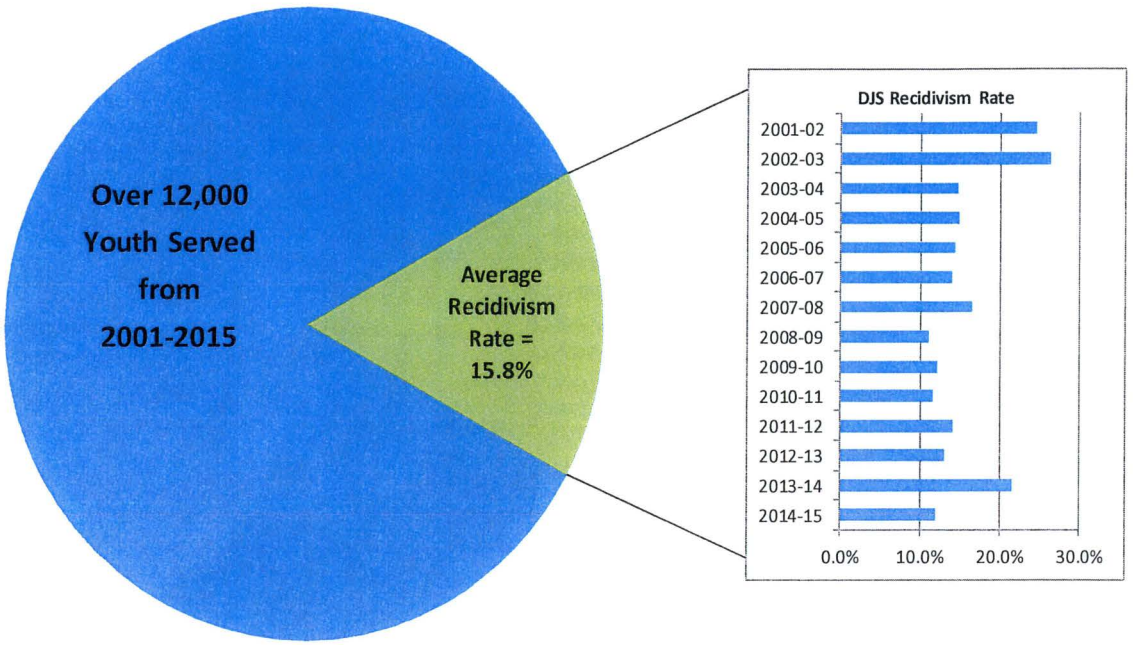
Marmot Schools

This final page outlines Marmot Schools and their accomplishments. The YCC must provide elementary, middle and high school programming based on the educational profiles of the youth committed to DJS. During the last school year, Marmot School served youth from 127 of North Dakota's 181 school districts. As you can see, this population of students has a particularly challenging profile. A central intervention for all students is the Read Right Program. Read Right is an individualized reading intervention program. The highly structured tutoring method focuses on individual student performance, and so is effective for struggling readers with a wide variety of reading problems.

POSITIVE YOUTH OUTCOMES

As you are aware, there is an annual examination of the rate of recidivism conducted on each cohort after they have been released from custody for one year. The most recent analysis has been completed for the group of youth who

were released from custody during 2014-2015. 12% were convicted of a new offense. This means that youth in this cohort successfully avoided reconviction at a rate of 88%. Of the 12%, 4% returned to the youth state correctional system on a new disposition, and 8% were admitted to the adult system either as probationers or sentenced to prison. Below, you will see a 15- year profile of recidivism rates for the North Dakota Youth Corrections.



Prison Rape Elimination Act, or PREA

Also in 2016, the YCC underwent its second Prison Rape Elimination Act audit. In both the first and second audits, the NDYCC was deemed to be in compliance with 100% of the audit standards. The Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79) was enacted by Congress to address the problem of sexual abuse of persons in the custody of U.S. correctional agencies.

Youth PREA standards include mandates for staff to youth ratios that become effective in 2017. Because the standard was not yet effective during the most recent audit, NDYCC was found compliant. The auditors did note that current staffing ratios will not meet the staffing standard in 2017. Specifically, PREA requires a ratio of 1 staff per 8 youth during waking hours, and 1 per 16 during sleeping hours. In preparation for the audit, the auditor asked that YCC calculate the number of times during the year prior that staff-to-youth ratios were insufficient. We found that there were not enough staff present to meet the ratios 409 times. A "time" is a shift. In addition, this calculation did not account for youth movement between buildings which might also lead to a staff ratio violation multiple times per shift.

Furthermore, both the first and the second audit noted physical plant deficiencies.

SUMMARY

Like any state, North Dakota's juvenile justice system is complex and unique both in its strengths and challenges. The strengths of this juvenile justice system are many, but of course, no close examination of the issues is complete without a plan to address opportunities.

First, the numbers reveal that over the next 5 years it is likely that the entire juvenile justice system will experience significant growth if nothing in current practice changes. Of course it is impossible to predict the outcome and exact interplay of factors. However, there exists a window of opportunity to beef up

prevention, early intervention, and diversions strategies in order to curb future growth in deep end agencies. One opportunity to dig deep into possible juvenile justice reform can be found in Senate Concurrent Resolution 4003, which proposes a study of the juvenile justice process. In anticipation of positive legislative response and support for this measure, the Division of Juvenile Services and Unit Three of the Juvenile Court have entered into an informal pilot project which hopes to gather data that might provide a useful kick-start for the legislative committee who will oversee the study. Early use of risk assessment and the development of a dispositional matrix are just part of this pilot.

Furthermore, the over representation of minority youth at all levels of the juvenile justice system warrants continued efforts. The Juvenile Justice State Advisory Group recently sponsored two cross-systems teams of professionals who attended a policy academy at Georgetown University, aimed at developing plans for impacting minority overrepresentation in both Cass and Burleigh counties. Stay tuned as we learn from the implementation of those plans strategies that might work in some of our other jurisdictions.

Also, SB2046 aims to begin a pilot project that will build common ground between tribal juvenile courts and state juvenile justice processes.

Finally, the State Advisory Group, North Dakota Court System, the Child and Family Services Division of the Department of Human Services, and the Division of Juvenile Services are working together to bring other partners together around dual system involved youth.

In conclusion, it is worth imagining a juvenile justice system where misbehavior does not need to be criminalized in order for youth to get the help they need. Where the juvenile justice system is cost-effective, mostly preventive in nature, and recognizes the distinctions between youth that have significant mental and behavioral health needs, or addiction treatment needs, and those who are deeply delinquent and pose a danger to the public. And, where all youth, even those requiring intensive services, can receive those services in a trauma informed, developmentally appropriate environment.

Division of Juvenile Services

January 2017

Profile of Juvenile Corrections Youth

86% have issues with **mental health**	•79% of youth have a serious emotional disorder •46% of the youth that have a mental health issue require a medication managed by psychiatry
84% have issues with **substance abuse**	•67% used alcohol before age 15 •65% have family w/criminality or substance abuse •52% used marijuana on a weekly basis
79% have **family instability**	•63% have a family that struggles economically •58% have had multiple caretakers •56% witnessed parental conflict and/or violence
77% have **academic problems**	•57% have failed 3 or more classes •42% have usual grades that are a "D" or "F" •32% have had to repeat a grade
99% have **criminogenic risk factors**	•96% are impulsive and take risks •93% have opportunity for criminal activities •90% have been rebellious over past two years •88% associate w/criminal friends or other deliquents
99% have issues with **cognitive reasoning**	•92% appear manipulative and dominate others •87% easily lie and get away with it •81% blame others or situation •69% demonstrate a lack of remorse or guilt
77% lack adequate **social skills**	•74% exhibit negative social perceptions •41% are isolated and lacking social support

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Agency Goal:

As a collaborative partner in the system, DJS' goal is to help make communities and victims whole, rehabilitate young offenders while holding them accountable, and for youth to develop skills in order to be productive and succeed.

"Juvenile Justice is the wisest investment in crime prevention we can make."

Operational Overview

The Division of Juvenile Services (DJS) provides intensive case management for youth committed to the agency's care, custody and control. Juvenile Courts operating within the District Courts are able to transfer custody to DJS as a disposition option for delinquent youth. Once committed, youth go through a thorough assessment process in order for the agency to make informed decisions related to services and placement.

Each youth under agency custody is assigned a Juvenile Corrections Specialist (JCS). The JCS will supervise the case and work to further the goals of the treatment plan. The JCS develops a community placement agreement for youth who remain in their home or arranges for a suitable out-of-home placement somewhere along the continuum of care.

The continuum of care includes the state's juvenile correctional facility, the North Dakota Youth Correctional Center (YCC), which is part of the DJS. YCC provides rehabilitative and educational programming in a secure setting for youth under DJS custody as well as youth placed by the Federal Bureau of Prisons (BOP) or tribal court. It also serves as the local detention facility for pre-adjudicated youth.

Over the course of their treatment, youth might make use of a number of programs in multiple levels of care. DJS operates under the philosophy that services should be provided in the least restrictive environment consistent with the practice of assuring safety of society and the well being of the youth.

DJS also supports several therapeutic intervention services for youth that may not be under the agency's custody. Funding is provided for Intensive In-Home and Day Treatment Programs. These programs provide needed services that prevent youth from entering or further penetrating the juvenile justice system, as more fully discussed on page 4.

In addition, DJS manages the Interstate Compact for Juveniles (ICJ), a federal act which establishes the procedures for cooperative supervision of juveniles on probation and parole between the 50 states and several US territories. DJS is responsible for training, requests, legal documents and interpretation of the rules and regulations in accordance with the ICJ.

1,100 Youth Supported

AGENCY CUSTODIAL SERVICES	NON-CUSTODIAL SERVICES (YCC)	COMMUNITY THERAPEUTIC SERVICES	INTERSTATE COMPACT
Committed Youth = 301	Detention Placements = 134 BOP/Triabl Placements = 5	Day Treatment = 152 Intensive In-Home = 132* *607 family members	Compact = 378

By failing to correctly identify and treat, an opportunity to alter delinquent conduct is wasted.

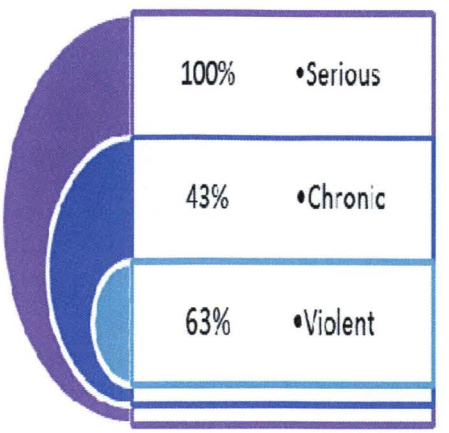
Youth Assessment Process

Youth committed to the DJS will initially go through a 14-21 day assessment period at the youth assessment center, located on the YCC campus. The assessment center provides a centralized point for processing, evaluation, and referral. Staff utilize a number of tools for assessment to develop a comprehensive treatment plan that best links the juvenile to services and interventions that will provide them the treatment, skills and competencies to live a crime-free life. The assessment period concludes with a staffing to discuss the assessment findings and present the Treatment and Rehabilitation Plan. This plan is submitted to the committing court and a progress report follows every 90 days. The development of the plan takes into account responsivity, referring to the fact that youth respond differently to different treatments. Since the wrong treatment could exacerbate a problem, careful matching of youth to specific treatment services is paramount to successful outcomes.

Goals of the Youth Assessment Center
1. Develop a thorough assessment of needs for each juvenile
2. Provide for a more comprehensive treatment plan
3. Improve case management and prevent future problem behaviors
4. Provide for a more efficient use of resources
5. Enable better monitoring of system performance

Risk/Needs Assessment Tool

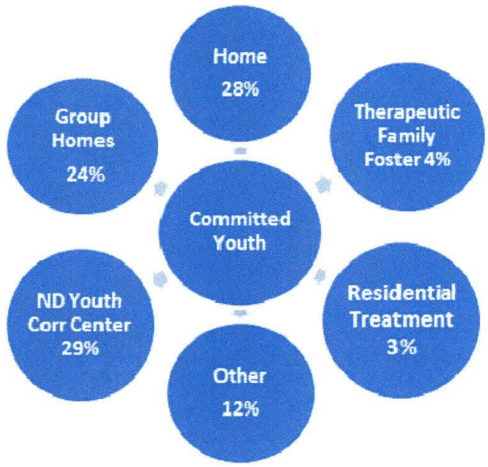
DJS uses an automated risk and needs assessment tool established specifically for juvenile offenders. It is designed to take advantage of recent research on factors most strongly linked to juvenile delinquent behavior. The tool creates a typology for each youth that is linked to specific responsivity and matching of interventions to measured risk and need. Typology data indicates that the majority of youth under DJS custody could be categorized as serious delinquent offenders based on their risk and needs assessment. More than half of those youth are chronic offenders, meaning that if left unsupervised they would continue to commit crime. In addition, a good portion are also considered at risk of being violent. This emphasizes the importance of matching youth to specific treatment interventions that research has shown to be effective.



Case Management Services

Case management services operate through eight regional offices across the state. The Juvenile Corrections Specialist (JCS) works collaboratively with the local juvenile court, county social services, law enforcement, private human service agencies and schools to provide individualized rehabilitative programming for youth.

In order to individualize treatment planning, it is critical that staff have a range of placement services from which to choose. DJS, together with other state agencies, private providers and local entities have collaborated time, talent, and funding in order to build a basic continuum of services. These collaborative efforts cannot be underestimated in their significance to the system as a whole. The placement continuum spans from remaining in the parental home, to family foster care homes, and residential foster care facilities, to the North Dakota Youth Correctional Center. Placement decisions are made by balancing the principles of least restrictive, most appropriate placement with the need for ensuring safety. The agency's philosophy is that youth should maintain connection to their home community as much as possible, and if placed out of the home, successful community reentry should remain the focus for the duration of the order.



Several community-based services with a therapeutic approach are utilized to enable youth to stay in their home community and avoid out-of-home placement. ***Intensive In-Home Services*** uses high quality professionals to provide family-based services that strengthen the family and promote self-sufficiency. The program has been viewed positively by families and has a high success ratio based on the prevention of out-of-home placements and/or further involvement with the juvenile justice system. ***Day Treatment Programming*** provides school-based treatment for students at-risk of out-of-home placement or more restrictive placement because of their behaviors. The program provides assessment, counseling, anger management, social skills training, behavior management, and academic remediation.

88% of the youth that received intensive in-home services were retained in their home, avoiding group home placement.

86% of youth in Day Treatment did not receive additional citations while in the program.

Cognitive behavioral approaches stand out in the research as particularly effective in juvenile justice settings. The **Phoenix New Freedom (PNF)** programs are used as the core cognitive behavioral approach at the YCC. **PNF** links youth to available protective factors and assets, addresses underlying risk factors, and increases self-efficacy. **PNF** supports youth's ability to recognize high risk people, places, and situations, and have confidence that they can handle these risk factors effectively using their new capabilities. These new capabilities and skills include a range of coping options for avoidance, escape, refusal, resistance, and violence prevention. In addition, all DJS staff are trained to employ **Effective Communication/Motivational Strategies (ECMS). ECMS** is based in Motivational Interviewing, an evidence based intervention. The foundation for all interactions with youth is the **MANDT System.** Based on over 20 years of research, the **MANDT** system is a comprehensive, integrated approach to incident prevention and behavioral de-escalation. **MANDT** teaches the core values of dignity and respect, and allows DJS to manage youth behavior and professional peer interactions based on these values.

Facility-Based Correctional Services: Youth Correctional Center

The North Dakota Youth Correctional Center (YCC) consists of four cottages that house juveniles. Each cottage is staffed with a cottage director and a team of counselors who are responsible for the activities, programming and behavioral management.

Youth placed at the facility require considerable programming in order to sufficiently develop the behavioral controls necessary for them to be released to a lesser level of care. Youth can also be placed for "time-out", which provides a brief period of time for youth to regroup and recommit themselves to their treatment goals. This is for those youth who are in the community or a group home setting and their behavior has deteriorated to the degree that their placement is jeopardized.

As YCC also serves as a licensed juvenile detention facility for surrounding counties, youth can be placed at the facility by law enforcement or the courts to be held in detention on a pre-adjudicatory basis. These youth are housed separately from the general correctional population.

Mission:
To provide professional, team-oriented juvenile correctional services to troubled adolescents in a safe environment.

Risk Reduction Programs

Phoenix New Freedom (Cognitive Restructuring)
Drug and Alcohol Programming
Security Threat Group
Victim Impact Program
Pre-Treatment Sexual Offender Program
Girls Circle/Boys Council
Group and Individual Trauma Therapy
Special Management Program
Psychiatric Evaluation
Circle of Courage Ropes Course
Family Workshops
Mental Health Services
Spirituality Services

The programs at YCC focus on criminogenic attitudes and behaviors with an additional emphasis on recovery and transition. The approach assists youth with issues of substance abuse, criminal thoughts and behavior, stress and violence, lifestyle (work, leisure, and health), and spirituality. The composition of these programs allow for integration of learned concepts into applied behavior. Staff works together to assess progress, address behaviors, and solicit change. Significant focus is maintained on how behavior impacts others. Juveniles at YCC are prepared to return to a less restrictive placement in their communities with the skills to choose more appropriate behavior.

Performance-Based Standards

The YCC participates in Performance-based Standards (PbS) for youth correction and detention facilities, a system for agencies and facilities to identify, monitor and improve conditions and treatment services provided to incarcerated youths using national standards and outcome measures. The YCC has continually exceeded the national average in a majority of the operational areas (safety, security, order, health and mental health services, justice and legal rights, programming, and reintegration planning). YCC is one of 226 facilities in 35 states participating in PbS.

The Staff at YCC are committed to improving each student's academic success by creating a course of study that meets multiple individuals needs.

Marmot School: YCC Educational Programming

A central focus of activity at YCC is educational programming. The elementary, middle and high school is approved and accredited by the ND Department of Public Instruction. In addition, the school has earned the highest level of accreditation recognized by the North Central Association Commission on Accreditation and School Improvement. Educational staff work with many local school districts to gather the necessary information for student school admission. Schedules are designed for each student utilizing transcripts from all the schools the youth has attended, in addition to an academic battery of tests given to students at intake.

Scheduling options include: Regular Education Required Courses; Elective Courses (including STEM classes); Special Education; Career and Technical Education; General Education Development (GED); Credit Recovery Curriculum and Instruction; Career Development Courses; and Work Experience.

Enrichment Activities

Enrichment activities are encouraged for the development of well-rounded students. A garden is planted every Spring and students participate in tending it. It not only provides fresh food for lunches but an opportunity to teach students about math, science, and family and consumer sciences.

A career development class was created to give students the opportunity to learn in detail about the world of work, to understand their interests, values, and aptitudes in relation to the world of work, and to gain the skills necessary to effectively search and apply for employment.

An education team made up of campus professionals meet regularly to design strategies to best educate students struggling with mental health, physical, behavioral, and/or academic issues. An Instructional Strategist is on staff for special education instruction and student support.

Graduation is celebrated for all students who have achieved their diploma or GED. Families are invited to attend this celebration with their children.

Student Profile at Admission

- Students arrive on average 2.9 grade levels behind their age group in academic performance.
- Approximately 37% of students have special education needs, compared to fewer than 18% statewide.
- Students often have attended several different schools and experienced several out-of-home placements before arrival.

Read Right Program

The Read Right Program employs the constructivist theory within a concise reading module. YCC has a certified on-site trainer as well as three onsite tutors within this program. The program has demonstrated a high success rate, with 76% of the students graduating. The GATES MacGinite comprehension testing of completers has shown 82% growth in reading -- testing 2.5 grades higher. Student surveys show 99% reporting an improved attitude toward school. YCC students have gained a grade level of reading comprehension 7.1 times faster than the national average for the Read Right Program. This is significant given the shorter period of participation.

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DOCR Adult Services Inmate Population Information

Inmate Population on December 31, 2016 (Male and Female)

TOTAL COUNT: 1791

NDSP **753**, JRCC **439**, MRCC **187**, DWCRC **113**, Non Traditional Beds **299**

Non-Traditional Bed Breakdown:

Correctional Centers (Jails) **18**, Interstate Compact **21**, TRCC **102**, BTC **83**, GFC **18**, MTPFAR **23**, MTPMDN **5**, FTPFAR **18**, FTPMDN **7**, LRRP **4**

Year	2011	2012	2013	2014	2015	2016
Admissions - Calendar Year	960	1181	1231	1399	1603	1624
Releases - Calendar Year	1025	1085	1191	1257	1526	1628
Inmate Count on December 31	1440	1536	1576	1718	1795	1791

Inmate Count on December 31 (Crime Type)

Offense	2011	2012	2013	2014	2015	2016
Violent Offenders (Excluding Sexual)	470	507	536	569	567	594
Sex Offenders	275	282	274	298	294	303
Property and Other Public Order Offenders	336	354	351	349	386	329
Drug & Alcohol Offenders	359	393	415	502	548	565
Drug - Deliver, Manufacture or Intent	234	256	247	258	294	316
Drug - Possession Only	100	109	136	171	200	220
Alcohol - DUI, APC	25	28	32	73	55	29

Inmate Count on December 31 (Minimum Mandatory)

Offense	2011	2012	2013	2014	2015	2016
Breaking/Unlawful Entry Into a Motor Vehicle	0	0	0	1	1	2
DUI/Actual Physical Control	21	24	10	2	0	11
Driving Under Suspension	0	0	0	0	0	0
Refusing to Submit to Chemical Testing	0	0	0	0	0	1
Drug Offenses (Not Alcohol)	35	37	31	26	22	25
Reckless Endangerment	2	0	0	3	1	2
Assault	15	11	9	5	3	6
Burglary With Weapon	0	0	0	0	1	3
Felonious Restraint	0	0	0	0	0	1
Kidnapping	1	1	1	0	0	0
Sex Offense	9	8	10	11	9	21
Terrorizing	8	10	14	6	1	11
Robbery	6	5	9	11	11	14
Criminal Vehicular Injury	0	0	0	0	0	1
Negligent Homicide/Criminal Vehicular Homicide	2	1	1	1	1	2
Manslaughter	1	0	0	0	0	0
Murder *	13	14	14	16	17	19
Felon in Possession of a Firearm	1	0	0	0	1	0
Offender Registration Violation	3	3	0	0	0	2
Total	117	114	99	82	68	121

* There are **73** males and **1** female with a Life sentence (not all are minimum mandatory sentences)

6.76% of the inmate population on December 31, 2016 had a minimum mandatory sentence.

Inmate Count on December 31 (85% Truth-In-Sentencing)

	2011	2012	2013	2014	2015	2016
Number of Inmates Having 85% TIS	274	280	308	318	304	299
Average Sentence In Months (excludes Life)	99	111	101	100	121	126

DOCR Adult Services Inmate Population Information (Male and Female)

Average Inmate Population, Admissions, Releases by Fiscal Year

	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
Average Daily Population	1477.26	1459.68	1528.65	1567.87	1696.26	1781.65
Admissions	1005	1061	1206	1291	1531	1657
Releases	1036	1048	1141	1228	1389	1612

Fiscal Year Admissions Of 85% Truth-In-Sentencing Inmates

	FY 2011	FY 2012	FY 2013	FY2014	FY2015	FY 2016
Number of Inmates	96	85	112	101	112	95
Average Sentence In Months	43.59	55.32	39.25	51.62	46.09	57.44

Average Sentence Does Not Include Inmates With Life Sentences

Number Of Fiscal Year Admissions by Crime Type

	FY 2011	FY 2012	FY 2013	FY 2014	FY2015	FY 2016
All Inmates	1005	1061	1206	1291	1531	1657
Violent Offenders (Non-Sexual)	238	241	305	277	327	325
Sex Offenders	81	85	81	83	83	74
Drug & Alcohol Offenders	336	351	413	522	708	775
Property and Other Public Order Offenders	350	384	407	409	413	483

Average Sentence Imposed By Court (Fiscal Year, Crime Type, In Months, Excludes Life Sentences)

	FY 2011	FY 2012	FY 2013	FY 2014	FY2015	FY 2016
All Inmates	33.55	31.74	31.26	34.35	32.74	30.37
Violent (Non-Sexual)	42.34	34.73	29.45	43.56	35.04	37.57
Sex Offenders	67.91	64.08	81.88	75.29	72.60	66.67
Drug & Alcohol Offenders	31.30	31.09	28.96	29.68	29.35	27.52
Property and Other Public Order Offenders	21.93	23.48	25.06	25.85	28.15	24.55

Number Of Fiscal Year Admissions By Length Of Court Imposed Sentence

	FY 2011	FY 2012	FY 2013	FY 2014	FY2015	FY 2016
Less Than One Year	50	57	39	23	33	41
One Year to Less Than Five Years	826	891	1038	1114	1294	1453
Five Years to Less Than Ten years	91	78	93	105	144	122
Ten Years to Less Than Twenty Years	23	23	16	27	35	27
Twenty Years or More	15	12	20	22	25	14

NOTE: The average sentence is that sentence imposed by the court. It does not take into account such things as good time, credit for time served, parole relief or any other method of shortening the sentence except Pardon Advisory Board recommendations adopted by the Governor (which can actually change the sentence). The average sentence is reported in months to two decimal points.

Data is based on the "controlling sentence" for offenders who are admitted for multiple crimes. Controlling sentence is the longest sentence ordered by the court that has not expired.

NDSP - North Dakota State Penitentiary. **JRCC** - James River Correctional Center. **MRCC** - Missouri River Correctional Center. DWCRC - Dakota Women's Correctional Rehabilitation Center (New England), TRCC - Tompkins Rehabilitation Correctional Center (Jamestown). BTC - Bismarck Transition Center. MTP - Male Transition Program (Fargo & Mandan). FTP - Female Transition Program (Fargo & Mandan). GFC - Grand Forks Centre. LRRP - Lake Region Re-entry Program (Devils Lake).

DOCR Adult Services Inmate Population Information

Inmate Population on December 31, 2016 (Female Only)

TOTAL COUNT: 213

NDSP **0**, JRCC **0**, MRCC **0**, DWCRC **113,** Non Traditional Beds **100**

Non-Traditional Bed Breakdown:

Correctional Centers (Jails) **5**, TRCC **30** BTC **39**, FTPFAR **18**, FTPMDN **7**, LRRP **1**

Year	2011	2012	2013	2014	2015	2016
Admissions - Calendar Year	147	216	195	252	299	326
Releases - Calendar Year	178	193	209	205	295	321
Inmate Count on December 31	148	171	157	204	208	213

Inmate Count on December 31 (Crime Type)

Offense	2011	2012	2013	2014	2015	2016
Violent Offenders (Excluding Sexual)	47	48	42	53	54	59
Sex Offenders	4	5	6	8	8	6
Property and Other Public Order Offenders	41	56	43	41	51	42
Drug & Alcohol Offenders	56	62	66	102	95	106
Drug - Deliver, Manufacture or Intent	32	34	37	44	46	50
Drug - Possession Only	23	25	27	51	46	54
Alcohol - DUI, APC	1	3	2	7	3	2

Inmate Count on December 31 (Minimum Mandatory)

Offense	2011	2012	2013	2014	2015	2016
Breaking/Unlawful Entry Into a Motor Vehicle	0	0	0	0	0	0
DUI/Actual Physical Control	1	3	1	1	0	0
Driving Under Suspension	0	0	0	0	0	0
Refusing to Submit to Chemical Testing	0	0	0	0	0	0
Drug Offenses (Not Alcohol)	4	5	6	5	3	5
Reckless Endangerment	0	0	0	0	0	0
Assault	2	2	1	0	0	1
Burglary With Weapon	0	0	0	0	0	0
Felonious Restraint	0	0	0	0	0	0
Kidnapping	0	0	0	0	0	0
Sex Offense	0	0	0	0	0	0
Terrorizing	0	0	0	0	0	1
Robbery	0	0	1	1	1	1
Criminal Vehicular Injury	0	0	0	0	0	1
Negligent Homicide/Criminal Vehicular Homicide	0	0	0	0	0	0
Manslaughter	1	0	0	0	0	0
Murder *	0	0	0	0	0	0
Felon in Possession of a Firearm	0	0	0	0	0	0
Offender Registration Violation	0	0	0	0	0	0
Total	8	10	9	7	4	9

* There is **1** female with a Life sentence (not a minimum mandatory sentence)

4.23% of the female inmate population on December 31, 2016 had a minimum mandatory sentence.

Inmate Count on December 31 (85% Truth-In-Sentencing)

	2011	2012	2013	2014	2015	2016
Number of Inmates Having 85% TIS	18	20	16	21	22	21
Average Sentence In Months (excludes Life)	96	93	102	100	119	127

DOCR Prisons Adult Services Inmate Population Information (Female Only)						
Average Inmate Population, Admissions, Releases by Fiscal Year						
	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
Average Daily Population	171.54	154.33	172.55	170.15	199.17	219.45
Admissions	167	176	212	214	287	332
Releases	186	167	199	216	252	313
Fiscal Year Admissions Of 85% Truth-In-Sentencing Inmates						
	FY 2011	FY 2012	FY 2013	2014	FY 2015	FY 2016
Number of Inmates	8	4	11	8	10	7
Average Sentence In Months	27.50	126.00	24.00	33.38	60.28	70.86
Average Sentence Does Not Include Inmates With Life Sentences						
Number Of Fiscal Year Admissions by Crime Type						
	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
All Inmates	167	176	212	214	287	332
Violent Offenders (Non-Sexual)	45	27	53	38	55	52
Sex Offenders	3	1	4	1	2	2
Drug & Alcohol Offenders	56	80	88	114	159	199
Property and Other Public Order Offenders	63	68	67	61	71	79
Average Sentence Imposed By Court (Fiscal Year, Crime Type, In Months, Excludes Life Sentences)						
	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
All Inmates	24.22	30.66	26.55	24.80	30.73	24.89
Violent (Non-Sexual)	24.80	34.79	28.49	27.29	32.58	28.21
Sex Offenders	42.00	36.00	93.00	60.00	37.56	60.00
Drug & Alcohol Offenders	26.52	34.97	26.65	25.11	31.06	22.81
Property and Other Public Order Offenders	20.92	23.87	20.79	22.07	28.38	24.52
Number Of Fiscal Year Admissions By Length Of Court Imposed Sentence						
	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
Less Than One Year	9	7	5	5	4	6
One Year to Less Than Five Years	150	148	198	198	259	315
Five Years to Less Than Ten years	7	16	7	10	16	10
Ten Years to Less Than Twenty Years	1	3	0	1	5	0
Twenty Years or More	0	2	2	0	3	1

NOTE: The average sentence is that sentence imposed by the court. It does not take into account such things as good time, credit for time served, parole relief or any other method of shortening the sentence except Pardon Advisory Board recommendations adopted by the Governor (which can actually change the sentence). The average sentence is reported in months to two decimal points.

Data is based on the "controlling sentence" for offenders who are admitted for multiple crimes. Controlling sentence is the longest sentence ordered by the court that has not expired.

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DOCR Adult Services Inmate Population Information

Inmate Population on December 31, 2016 (Male Only)

TOTAL COUNT: 1578

NDSP **753**, JRCC **439**, MRCC **187**, DWCRC **0**, Non Traditional Beds **199**

Non-Traditional Bed Breakdown:

Correctional Centers (Jails) **13**, Interstate Compact **21**, TRCC **72**, BTC **44**, GFC **18**, MTPFAR **23**, MTPMDN **5**, LRRP **3**

Year	2011	2012	2013	2014	2015	2016
Admissions - Calendar Year	813	965	1036	1147	1304	1298
Releases - Calendar Year	847	892	982	1052	1231	1307
Inmate Count on December 31	1292	1365	1419	1514	1587	1578

Inmate Count on December 31 (Crime Type)

Offense	2011	2012	2013	2014	2015	2016
Violent Offenders (Excluding Sexual)	423	459	494	516	513	535
Sex Offenders	271	277	268	290	286	297
Property and Other Public Order Offenders	295	298	308	308	335	287
Drug & Alcohol Offenders	303	331	349	400	453	459
Drug - Deliver, Manufacture or Intent	202	222	210	214	248	266
Drug - Possession Only	77	84	109	120	154	166
Alcohol - DUI, APC	24	25	30	66	52	27

Inmate Count on December 31 (Minimum Mandatory)

Offense	2011	2012	2013	2014	2015	2016
Breaking/Unlawful Entry Into a Motor Vehicle	0	0	0	1	1	2
DUI/Actual Physical Control	20	21	9	1	0	11
Driving Under Suspension	0	0	0	0	0	0
Refusing to Submit to Chemical Testing	0	0	0	0	0	1
Drug Offenses (Not Alcohol)	31	32	25	21	19	20
Reckless Endangerment	2	0	0	3	1	2
Assault	13	9	8	5	3	5
Burglary With Weapon	0	0	0	0	1	3
Felonious Restraint	0	0	0	0	0	1
Kidnapping	1	1	1	0	0	0
Sex Offense	9	8	10	11	9	21
Terrorizing	8	10	14	6	1	10
Robbery	6	5	8	10	10	13
Criminal Vehicular Injury	0	0	0	0	0	0
Negligent Homicide/Criminal Vehicular Homicide	2	1	1	1	1	2
Manslaughter	0	0	0	0	0	0
Murder *	13	14	14	16	17	19
Felon in Possession of a Firearm	1	0	0	0	1	0
Offender Registration Violation	3	3	0	0	0	2
Total	109	104	90	75	64	112

* There are **73** males with a Life sentence (not all are minimum mandatory sentences)

7.1% of the male inmate population on December 31, 2016 had a minimum mandatory sentence.

Inmate Count on December 31 (85% Truth-In-Sentencing)

	2011	2012	2013	2014	2015	2016
Number of Inmates Having 85% TIS	256	260	292	297	282	278
Average Sentence In Months (excludes Life)	100	112	101	99	123	126

DOCR Adult Services Inmate Population Information (Male Only)						
Average Inmate Population, Admissions, Releases by Fiscal Year						
	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
Average Daily Population	1305.72	1305.35	1356.10	1397.72	1497.09	1562.20
Admissions	838	885	994	1077	1244	1325
Releases	850	881	942	1012	1137	1299
Fiscal Year Admissions Of 85% Truth-In-Sentencing Inmates						
	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
Number of Inmates	88	81	101	93	102	88
Average Sentence In Months	45.07	51.83	40.91	53.19	44.70	56.38
Average Sentence Does Not Include Inmates With Life Sentences						
Number Of Fiscal Year Admissions by Crime Type						
	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
All Inmates	838	885	994	1077	1244	1325
Violent Offenders (Non-Sexual)	193	214	252	239	272	273
Sex Offenders	78	84	77	82	81	72
Drug & Alcohol Offenders	280	271	325	408	549	576
Property and Other Public Order Offenders	287	316	340	348	342	404
Average Sentence Imposed By Court (Fiscal Year, Crime Type, In Months, Excludes Life Sentences)						
	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
All Inmates	35.42	31.96	32.27	36.25	33.20	31.74
Violent (Non-Sexual)	46.48	34.73	29.65	46.16	35.54	38.72
Sex Offenders	68.92	64.42	81.30	75.48	73.46	67.29
Drug & Alcohol Offenders	32.26	29.95	29.57	30.96	28.86	29.14
Property and Other Public Order Offenders	22.15	23.39	26.20	26.51	28.11	24.55
Number Of Fiscal Year Admissions By Length Of Court Imposed Sentence						
	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
Less Than One Year	41	50	34	18	29	35
One Year to Less Than Five Years	676	743	840	916	1035	1138
Five Years to Less Than Ten Years	84	62	86	95	128	112
Ten Years to Less Than Twenty Years	22	20	16	26	30	27
Twenty Years or More	15	10	18	22	22	13

NOTE: The average sentence is that sentence imposed by the court. It does not take into account such things as good time, credit for time served, parole relief or any other method of shortening the sentence except Pardon Advisory Board recommendations adopted by the Governor (which can actually change the sentence). The average sentence is reported in months to two decimal points.

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SB2015 03.07.2017 #2

JUSTICE CENTER
THE COUNCIL OF STATE GOVERNMENTS

Testimony on Senate Bill 2015
to
The House Appropriations Committee

By Steve Allen
Senior Policy Advisor, State Initiatives
Council of State Governments Justice Center
March 7, 2017

Chairman Delzer, Vice Chairman Kempenich, and members of the House Appropriations Committee:

Thank you for the opportunity to testify before you on SB 2015, which would help both cultivate an adequate network of community behavioral health care practitioners and increase access to effective community-based behavioral health treatment for people in the criminal justice system.

I. North Dakota' s Justice Reinvestment Approach

Over the past decade, the number of people in North Dakota's prisons and jails on probation and on parole has increased, and the state and county governments have spent tens of millions of dollars expanding the capacity of existing correctional facilities and building new facilities to accommodate this growth. Unless action is taken, the prison population is projected to increase 36 percent, or 652 people, by FY2022.[i] Accommodating this growth would cost at least $115 million in new contract beds.

In October 2015, to begin a process to address these challenges, North Dakota state leaders from all three branches requested technical assistance from The Council of State Governments (CSG) Justice Center to use a data-driven justice reinvestment approach to help the state reduce a rapidly growing prison population, contain corrections spending, and reinvest savings in strategies that can reduce recidivism and increase public safety.

Four months later, the state embarked on a justice reinvestment approach, with an interim committee, The Incarceration Issues Committee (IIC), being formed, which was composed of state lawmakers, judiciary members, corrections officials, state's attorneys, and local law enforcement executives, to study the state's criminal justice system. The 16-member

committee met five times between January and September 2016 to review analyses conducted by the CSG Justice Center and discuss policy options,

Key stakeholders help develop policies that will curb prison population growth by reducing the numbers of people in prison who have committed lower-level felony offenses and those who have violated the conditions of their supervision. By implementing these proposed policies, the state can avert $58 million by FY2022 in costs for the contract beds that would be necessary to accommodate the projected prison population growth, and will be able to reinvest those savings in strategies that can reduce recidivism and increase public safety.[ii]

These policies will also ensure that people with chronic or serious behavioral health needs or those assessed as being at high risk of reoffending receive effective post-release supervision and programming.

II. Behavioral Health Findings and Challenges

State's attorneys, judges, and other stakeholders report that drug use is common among people who commit crimes and violate the terms of their supervision. Supervision officers in the state report that approximately 75 percent of people on supervision need substance abuse or mental health treatment. Research shows that behavioral health treatment tailored to the unique needs of people in the justice system when combined with effective corrections supervision reduces recidivism and improves recovery outcomes.

The availability of substance use treatment is not keeping pace with the level of need for all North Dakota residents. Stakeholders report long waitlists when services are available. Seventy percent of judges reported sentencing people to prison to ensure access to needed treatment services. North Dakota has the sixth-highest rate of alcohol and drug abuse in the country but is ranked 43rd in availability of treatment.[iii] Participation in substance use treatment decreased 15 percent between 2009 and 2013 for the general population.[iv]

III. SB 2015

Increasing the availability of and access to effective community-based behavioral health treatment for people in the criminal justice system can significantly reduce recidivism and improve public health outcomes, and Senate Bill 2015 will do so in the following ways.

A. Increase access to effective community-based behavioral health treatment for people in the criminal justice system.

Untreated mental illnesses and substance use disorders contribute significantly to people's ongoing involvement in the criminal justice system.

People in the criminal justice system who have substance use and mental health treatment needs have a high likelihood of failing on probation at great cost to themselves and society. Yet many people transitioning from incarceration to probation who have behavioral health needs do not have timely access to treatment, a key component to successful reentry. By increasing

access to community-based treatment services and programs, the state can help reduce recidivism and improve public health outcomes for people in the criminal justice system.

This policy option increases access to effective community-based behavioral health treatment by providing funding for service delivery partnerships between private health care providers and DHS to ensure that people in the criminal justice system have access to a full continuum of support services. To encourage quality of care, private health care providers will have an opportunity to earn value-based incentives where they receive additional compensation for exceeding key outcomes set by DHS.

B. Cultivate an adequate network of community behavioral health care practitioners to serve people in the criminal justice system.

Across the state, access to community-based behavioral health treatment is not keeping pace with need. North Dakota will not be able to improve access without growing its behavioral health workforce. To meet the pressing immediate needs while building towards a robust and sustainable network of community behavioral health care providers, the state must implement short-, medium-, and long-term strategies.

i. Short-term

This policy option begins to address the state's workforce shortage by increasing utilization of key paraprofessionals, specifically peer support specialists and case management services. This policy requires the Department of Human Services (DHS) and Department of Correction and Rehabilitation (DOCR) to work jointly to establish training and certification processes for peer support specialists to work in criminal justice settings.

Peer support specialists are people with lived experience of mental illness or addiction who are in stable in recovery who become trained to support others with similar conditions. Services peers provide don't replace needed professional services. Peers work within healthcare teams to support treatment and help sustain progress towards recovery. In leveraging their lived experience, peer support specialists can provide unique insights and assistance that professional health care providers cannot. DHS will be required to establish the basic qualifications of the peer support specialist position and develop a training module that prepares peer support specialists to deliver recovery-oriented services in partnership with professional treatment providers.

This policy option also requires utilization of case management services within the array of treatment services for the targeted population. People at high risk of ongoing criminal justice involvement with behavioral health disorders require comprehensive, multi-faceted, approaches and significant collaboration, communication and coordination among both behavioral health and primary care providers as well as community supervision agents to improve outcomes. Research suggests that for adults with mental illnesses and substance use disorders, corrections supervision combined with treatment is more effective at reducing

recidivism than supervision alone.[v] Case management provides those essential case coordination functions.

ii. Medium-term

This policy option requires the development of a statewide strategic plan for increasing the number of community-based behavioral health care providers who have received the necessary education and training to work effectively with criminal justice populations. The strategic plan should analyze barriers to development and recruitment of behavioral health care providers, propose strategies for recruitment and retention, strengthen career ladders, create practical and affordable options for clinical supervision, and identify key outcome metrics to be reported to the legislature on an annual basis. Community-based behavioral health care providers include a broad range of professionals and paraprofessionals, including; certified peer support specialists, case managers, licensed substance use counselors, psychiatric nurses, licensed mental health professionals, psychologists and psychiatrists. By developing a strategic plan to cultivate an adequate network of appropriately trained community-based behavioral health care providers in rural areas, the state can begin to meet the behavioral health needs of people in the criminal justice system and reduce recidivism.

iii. Long-term

This policy option requires funding sufficient to implement the workforce strategic plan. Strategies may include:

- Strengthening of behavioral health career ladders,
- Outreach to create interest in behavioral health careers,
- Incentives to bolster recruitment and retention,
- Loan forgiveness and scholarships, and
- Funding supports for clinical supervision.

DHS and DOCR may also collaborate with North Dakota's systems of higher education to develop specialized curricula can prepare health care workers to be effective in working with criminal justice populations.

IV. Conclusion

The community behavioral health policies and reinvestments are an integral part of the justice reinvestment policy package, which has the potential to avoid substantial costs and lower recidivism. By averting the projected growth in the state prison population, effective implementation of the policy framework will help the state avoid $58 million in contract bed costs to accommodate the growing prison population by FY2022.

The use of prison for people who violate the terms of their supervision and people convicted of lower-level nonviolent offenses is stretching corrections resources and limiting the state's

ability to hold its supervision population accountable with effective sanctions. These criminal justice system challenges are exacerbated by the fact that people supervised in the community receive insufficient treatment for mental illnesses and substance use disorders, which hampers the state's ability to reduce recidivism and improve recovery outcomes.

North Dakota policymakers have reached a crossroads: if the state does not address the factors contributing to crime and recidivism, it will be forced to spend tens of millions more to accommodate prison population growth.

Leaders from all three branches of state government plus criminal justice system stakeholders have dedicated significant time to reviewing analysis of North Dakota's criminal justice and community behavioral health systems.

I would be happy to assist committee members with any questions.

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[i] Projected increase from prison population as of June 30, 2016.

[ii] Justice Reinvestment policy impact projections were updated in February 2017 based on the version of the policies as submitted in HB1041

[iii] Based on state rankings of percentages of the adult population with reported dependence or abuse of illicit drugs or alcohol and mental health workforce availability. Mental Health America. "Parity of Disparity: The State of Mental Health in America," 2015. http://www.mentalhealthamerica.net/sites/default/files/Parity or Disparity 2015 Report.pdf.

[iv] Single-day counts reflect the number of persons who were enrolled in substance use treatment on March 31, 2009; March 31, 2010; March 31, 2011; March 30, 2012; and March 29, 2013. Substance Abuse and Mental Health Services Administration. "Behavioral Health Barometer North Dakota, 2014" http://store.samhsa.gov/shin/content//SMA15-4895/BHBarometer-ND.pdf .

[v] National Institute on Drug Abuse, *Principles of Drug Addiction Treatment* (2009).

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NORTH DAKOTA

Department of Corrections & Rehabilitation

North Dakota State Penitentiary

Overview

The North Dakota State Penitentiary (NDSP) is the maximum custody prison housing male inmates and is part of the North Dakota Department of Corrections and Rehabilitation. The facility was first established in 1885 and has gone through several major construction projects during its existence. The most recent project was completed in 2013 increasing capacity by nearly 250 beds and providing a modern prison design creating a safer environment for inmates and staff. NDSP continues in its mission to protect the public by maintaining proper custody of the inmates sentenced by the courts and providing inmates with the opportunity to change by addressing criminal thinking and holding them accountable.

The facility is comprised of seven housing units to include four general housing units: East (221 beds), West (120 beds), North (71 beds) and South (107 beds) units. The medium custody transition unit is a 60 bed unit for inmates who have less than four years remaining on their sentence. Due to an ever increasing inmate population, NDSP has re-opened the Overflow Unit (41 beds). This unit had to be utilized due to the demand for male prison beds. The people living in the Overflow unit are waiting for transfer to either a medium or minimum custody facility.

NDSP has three specialty housing units that provide a safe and secure setting for new inmates to the DOCR, chronic illnesses and behavior problems. The administrative segregation unit (108 beds) is designed to assess, separate and equip inmates who have major behavioral issues in general housing and their continued presence poses a significant risk to the orderly running of the facility. The unit plan is for short placements with heavy dosages of behavioral skill learning. Prior to construction in 2013, the orientation unit consisted of 68 beds and did not include an intake unit. The unit has a capacity of 148 inmates as well as an intake unit with several holding cells, an area for booking, assessments and classrooms. The chronic care unit includes four observation cells, one detoxification cell, and fifteen chronic care rooms for housing and a clinic area.

NDSP has approximately 238 staff with diversified backgrounds focusing on maintaining a secure environment as well as promoting offender change. All staff complete the correctional officer basic training course prior to being assigned a specific post. Approximately 185 staff are assigned to the security operations of the facility.

Statistics

- 3,845 inmates received, assessed and provided orientation at NDSP from July 1, 2014 – November 30, 2016.
- 743 - Average daily inmate population at NDSP from July 1, 2014 – November 30, 2016 compared to 540 in FY 2013 and 690 in FY 2014.
- 746 – NDSP count on December 16, 2016.
- 20,567 inmate visitors processed through NDSP for inmate visitation.

- 132 staff were newly hired and trained as correctional officers from July 1, 2014 to November 30, 2016.
- 7 staff were honored with a life saving award for their dedicated and immediate response to critical situations.
- 79% increase from 2010 – 2015 on the inmates residing at NDSP with 20+ year sentence (144 in 2010 – 182 in 2015).
- The average length of sentence for all inmates sentenced to the DOCR has increased from 5.27 years in 2010 to 6.69 years in 2015.
- The average length of stay for inmates sentenced to the DOCR in 2010 was 1.31 years compared to 1.09 years in 2015.

Successes

- The use of long-term restrictive housing has decreased during this biennium. The guiding principle in the unit has been that people will "behavior their way in and behavior their way out" of restrictive housing. This has been the foundation for NDSP as we shift philosophies for the operations within the unit. Inmates are assessed within the first 24 hours of arrival, a behavior plan is developed based on this assessment, programming is provided by behavioral health staff and all staff working in the unit are trained to enhance those identified skills needed for an inmate to be successful in general population. Through these changes we have incorporated a transition unit, which allows inmates to spend time in general population during meals and recreation. On December 30, 2016, there were 13 inmates residing in the administrative segregation unit and 10 inmates in the transitional unit.
- In November 2016, the West cell house construction project was completed. The old wheel and cable style lock system was replaced with an electronic lock system. In addition, a climate control, sally port and cameras were installed during this project.
- NDSP was audited to ensure compliance with the federally mandated standards of the Prison Rape Elimination Act (PREA) in July 2015 and again in December 2016. NDSP is fully compliant with the standards associated with PREA, but received recommendations to increase video monitoring coverage throughout the facility.
- NDSP continues to enhance security practices through a vulnerability assessment tool. During the assessment process, staff identify areas of risk and provide solutions to mediate these risks as much as possible. As a result NDSP has updated policies and procedures, as well as operational changes to ensure safety and security of maximum security facility is maintained.
- NDSP continues to incorporate philosophies of humanity into the prison operations. These ideals focus on normality, dynamic security, progression and importation of community support.
    - NDSP partnered with community organizations to enhance visitation with children and training for suicide prevention.
    - Improved recreation programs to better meet the needs of our diverse population to include art programs, music and competitive sports leagues.
    - Incorporated more family friendly activities in our visitation rooms for children and fathers such as family movie nights and craft projects.
    - Enhanced training for staff focusing on communication and being mentors.
    - Increased privileges for inmates who are meeting very specific criteria focusing on work, education, treatment and behavioral choices.
- A new facility schedule was developed and implemented in May of 2016. The new schedule increased overall time for recreation for all inmates at NDSP. As a result, NDSP staff presence increased in areas with higher inmate concentrations, ultimately improving facility safety and security.

- The Food Services department provides nutritious, cost effective meals while continuing to assess menus to meet the needs of the facility. Annually there are approximately 850,000 meals served at NDSP for both staff and inmates.
- In the spring of 2015, with assistance from the National Institute of Corrections, NDSP adjusted the response to facility emergencies by implementing Incident Command Systems. All staff were trained on assessment, communication and response to an emergency situation.
- There were significant improvements made on perimeter security to include fence detection and ensuring the perimeter fence meets maximum security prison standards.

Concerns & Issues

- Staff retention has improved during this biennium, but continues to be a major concern for the security operations at NDSP. The Correctional Officer position has the highest turnover rate. Staff are professionally trained to maintain a safe and secure environment and to reinforce inmates as they learn new skills and reduce criminal thinking. Each correctional officer is provided with up to six weeks of training prior to being assigned a post. It takes job experience to acquire and develop the skills needed by the correctional officers to become proficient. As a result of the turnover rate, newly trained staff may have to take on added responsibility and work in areas with minimal familiarity. Tenured staff are denied leave and asked to work additional hours to cover required posts to meet the needs of facility operations. This creates significant facility and public safety concerns.
- NDSP continues to operate near or at budgeted bed capacity. NDSP added 20 beds by double bunking cells in two of the housing units during this biennium. The increased population puts strain on the inmates and staff alike. Most areas of the prison have been able to accommodate to the increased numbers, but due to physical plant constraints NDSP can only employ a certain number of inmates. Many inmates are not able to find a job in the prison for up to six months. The inmate dining room will seat up to 210 inmates, which isn't large enough for the East Cell House meals. NDSP staff will continue to work on developing different schedules and work programs to ease some of the tension created by the demand on prison services.
- The East Unit emergency intercoms in the cells have been failing due to high moisture levels in the wiring conduit. NDSP initiated a plan to pull new wire that meets the rating for wet conditions.
- Inmates with serious mental health issues continue to exhaust correctional resources and it has been very challenging to meet their needs in this setting. These inmates often struggle to live in general housing and their mental health is a major obstacle to their success. Managing the seriously mentally ill will continue to challenge staff and resources.
- The number of inmates with chronic medical issues creates a significant burden on security staffing. In 2013 the NDSP expansion project included a state of the art chronic care unit and clinic. However, the increased medical needs of an aging and medically neglected population creates many clinic and hospital transports. This increased number of transports creates safety and security risks to the community. We must ensure well trained and an adequate number of staff are assigned to these transports, which reduces the security staffing on site at the prison.

James River Correctional Center

Overview

The James River Correctional Center (JRCC) is the medium security prison of the North Dakota Department of Corrections and Rehabilitation housing male inmates. JRCC is located adjacent to the North Dakota State Hospital (NDSH) in Jamestown, North Dakota.

The JRCC began operation in 1998 with the renovation of buildings formerly utilized by the NDSH. The main building of JRCC is the former medical hospital for NDSH. It is a six story building built in 1936 that has been converted to housing units on floors two through six with the medical department and infirmary, segregation cells, and other staff offices on first floor. When JRCC opened, first floor through fourth floor of this building were utilized. The fifth and sixth floors were renovated in 2001 adding two housing units. JRCC has an average daily count of 438 inmates.

Additional buildings have since been transferred from NDSH to JRCC including the Laundry, Food Service, and Administrative buildings. JRCC currently uses and maintains 10 buildings.

In addition to the general housing units, JRCC operates the Special Assistance Unit (SAU). This is a 24 bed housing unit for inmates with serious mental illness or other special needs who are unable to function in the general inmate population. These people may pose a higher risk to themselves or others. The SAU provides a higher staff to inmate ratio in a more structured environment. The SAU affords specialized programming to meet the needs of those housed there and includes psychiatry, psychology and other counseling services. The SAU programming focuses on skill building, cognitive behavioral interventions, and behavior modification strategies.

The JRCC has 198 FTE's which includes Correctional Officers and Correctional Supervisors, Case Management, Behavioral Health, Education, Medical, Plant Services, Food Service, and Administrative Staff.

The mission of JRCC is to provide a safe, pro-social environment to learn and practice skills necessary to be successful in the community. This is accomplished through effective interactions with staff as well as by providing treatment, education and work programming.

The JRCC and the NDSH share services in an effort to reduce operating costs. The NDSH provides grounds keeping outside of the perimeter, dietary, and radiology service and the JRCC provides meal service, laundry service, warehouse service, and emergency security support.

Successes

- JRCC has maintained no escapes or attempted escapes from custody.
- There were no in custody deaths at JRCC during the last biennium.

- The Correctional Officer position vacancies have decreased during the last biennium. There continues to be elevated turnover but retention has improved and the applicant pool has increased.
- JRCC assumed control of the Central Receiving warehouse and its operations from the NDSH in the last biennium. This transfer was initiated due to the building being within the perimeter of JRCC which compromised security and limited the usage of adjacent space.
- Motion detection sensors have been installed at critical points of the exterior perimeter to increase detection of a possible security breach.
- A Construction and Maintenance class was initiated within the education department at JRCC. This class provides students with basic construction and building maintenance skills in an effort to improve employability upon release from prison.
- JRCC was audited to ensure compliance with the federally mandated standards of the Prison Rape Elimination Act (PREA). JRCC was found to be fully compliant but received recommendations to increase video monitoring coverage throughout the facility.
- With assistance from the National Institute of Corrections, JRCC adjusted the response to facility emergencies by implementing Incident Command Systems. All staff were trained on assessment, communication and response to an emergency situation.
- JRCC staff have continued to be trained in effective, evidence based correctional practices designed to change inmate behavior and reduce recidivism. This training occurs with all staff members in regularly scheduled classroom settings as well as during varied staff meetings.
- JRCC staff have continued to increase the use of positive reinforcement in each year of the last biennium.
- JRCC continues to partner with Service Dogs for America (SDA). Master trainers from the Jud campus work with the inmates to give them skills in training dogs in basic commands and socialization. The dogs receive advanced training at the SDA campus before being placed with a person with a disability. This past year SDA has been focused on providing service dogs with veterans suffering from PTSD. Several ND veterans have benefited from this program. To date, nearly 65 canines have received training from a DOCR facility.
- JRCC employees continue to maintain involvement in the local community by volunteering their time and resources to help others. The JRCC employees maintain the cleanliness of a three mile stretch of Interstate 94 with the Adopt a Highway program. The employees participate in food drives and other fund raising for charitable agencies and also participate in local parades.

Concerns & Issues

- The Correctional Officer class received substantial equity money to improve pay for this class. The increase in pay afforded to the Correctional Officer class has created some inequity among the other positions at JRCC. The majority of positions outside of the Correctional Officer class are in a lower range within their pay grade than their years of experience would suggest.
- Serious mental health issues continue to exhaust correctional resources. The Special Assistance Unit (SAU) has been consistently full over the last biennium. The people housed in SAU present with an ever increasing array of challenges. The major challenge for staff is ensuring that these mentally ill people have as much out-of-cell time as possible and doing so in a safe and therapeutic manner. Maintaining experienced, specialized staff who have the expertise to carry out the required programing continues to be a challenge.

- There is a need for increased camera coverage throughout the facility to more effectively monitor behavior and deter rule breaking and violent incidences. This was also a recommendation that came out of the PREA audit.
- The age, condition, and design of the JRCC buildings necessitate extensive upkeep and retrofitting to maintain acceptable standards. Some of the buildings, including the main housing unit building, were not initially designed to be used as a correctional facility and therefore create disadvantages in carrying out the duties of a prison when compared to a modern correctional facility.

NORTH DAKOTA

Department of Corrections & Rehabilitation

Transitional Facilities

Overview

Transitional Facilities oversee all minimum custody housing facilities for the state's inmate population. This includes the operation of the Missouri River Correctional Center, a minimum custody prison in Burleigh County, the Tompkins Rehabilitative Correctional Center, a treatment unit in Jamestown, and the oversight of all contracted transitional facilities across the state.

Minimum custody inmates must be within four years of release and determined to be a low risk for escape and low risk to commit institutional misconduct. Each inmate is screened for their appropriateness for minimum custody placement.

The mission of Transitional Facilities is to provide a safe environment to learn and practice skills necessary to be successful in the community. We accomplish this through a T.E.A.M. approach of Treatment, Education, Accountability and Motivation. We strive for an overall atmosphere to encourage inmates to change the way they think and to adopt new prosocial ways to view the world around them. The facilities are:

- **The Missouri River Correctional Center (MRCC):**
  - MRCC is a 196 bed prison located in Burleigh County. It is staffed with 43 DOCR staff. Services to build skills offered at MRCC include chemical dependency treatment, cognitive restructuring, Thinking for Change, GED, Read Right, basic computers, career readiness, work and education release, conflict resolution, alternatives to violence program, welding, and self-help groups.

- **Tompkins Rehabilitation and Corrections Center (TRCC):**
  - TRCC is a residential treatment program providing services to 60 male offenders and 30 female offenders. It is staffed by DOCR and ND State Hospital employees.

- **Bismarck Transition Center (BTC):**
  - The DOCR contracts with the Bismarck Transition Center to house minimum custody inmates. They provide transitional services and treatment programming for male and female offenders. BTC has an assessment center located on-site providing assessment services and recommending plans of care for individuals in violation of conditions of parole and probation.

- **Centre, Inc.:**
  - Centre provides transitional services and treatment programming in Fargo, Grand Forks and Mandan. Mandan and Fargo facilities have assessment centers located on-site and offer chemical dependency treatment and Thinking for Change.

- **Lake Region Residential Reentry Center (LRRRC):**
  - The LRRRC opened in March 2010 through a joint community effort. LRRRC provides transitional services to offenders in the Devils Lake area.

Statistics

In 2016, inmates at MRCC took part in the work release program that had net earnings of over $255,000 in total compensation. Work release inmates are housed in portable housing called the "Transitional Housing Unit." Because of this program, inmates were able to make payments towards room and board, child support, court ordered fines, restitution as well as save money for release.

86% of all inmates who enter a transitional facility successfully discharge to a lower level of supervision or into the community.

Transitional Housing Unit Earnings	2016 Totals
Compensation	$255,570.66
Room and Board	$54,939.00
Child Support	$7,303.09
Restitution	$28,865.79
Probation Fees	$4,625.31
Release Aid Posting	$41,328.03
Account Posting	$118,992.39

Successes

- The Missouri River Correctional Center operates a safe and rehabilitative atmosphere in its current location. Transitional facilities hold a very low escape rate even though inmates are not held on campus by the use of perimeter fences.
- The Missouri River Correctional Center achieved full compliance with its audit on the Prison Rape Elimination Act standards.
- The Department of Corrections and Rehabilitation completed a land use and planning study for the property of the Missouri River Correctional Study.
- Transitional facilities trained all staff in Core Correctional Practices, a cognitive-behavioral approach to corrections.
- The Inmate Canine Assistance Program (ICAP) started in July 2015. The ICAP benefits Service Dogs for America (SDA) by providing socialization and foundation training for their dogs allowing them to place more dogs with people in need, and it benefits the inmates by teaching responsibility through meaningful, rewarding work and helps the development of empathy.

Concerns and Issues

The Missouri River Correctional Center is in dire need of a new building. This has been apparent for several years. During the 2013 legislative assembly a land use and planning study was requested in Senate Bill No. 2015. The object of the study was to review the feasibility and desirability of relocation MRCC to a site adjacent to the Youth Correctional Center in Mandan. The study conclusions were clear that moving MRCC to the new site was "not desirable due to the significant risk associated with maintaining strict separation of the two distinct populations." The report goes on to say, "The study also finds that the existing MRCC land is well suited for a public day park, and that there are opportunities for both full utilization of the site and partial utilization that would allow MRCC to occupy a portion of the site.

As the study indicates, MRCC and a day park can both successfully operate and be located on the current site. The Department of Corrections and Rehabilitation support this plan. We also agree with the findings stated in the report that state, "Due to the age of its buildings, maintenance concerns, flood damage, and recent maintenance issues, including mold, considerable upgrades are required to keep the existing MRCC operational." Due to the issues below, the Missouri River Correctional Center is in need of a new building that would support all its rehabilitative functions and support the room and board of its inmates.

Summary of building issues:

Main Building:

Current Physical Plant Problems:

1. Electrical upgrades needed in the form of lighting, security electronics and live safety lighting system.
2. Roof:
    a. There is no insulation or ventilation which contributes to the gross amount of condensation build up, which contributes to the mold development.
3. Mold:
    a. Has been identified in numerous areas of the main building to include the dorms, east evacuation route and throughout the bathrooms.
4. Dorm Temps:
    a. Drastic temperature differences in the dorms. One dorm is so hot we need a fan to circulate the air and the next dorm is so cold we have to give the inmates a third blanket to stay warm.
    b. This is most likely exasperated due to drafts created by the windows.
5. Emergency exit doors:
    a. Freeze over in winter and rain comes in during the spring and summer.
    b. Replacement parts are becoming out dated
6. Hot water boiler:
    a. This was replaced at MRCC, but there is no backup system if the boiler stops functioning.
7. Intercom system:
    a. The system is antiquated. The current system is not functioning properly and the replacement parts are becoming hard to obtain due to being outdated.
8. Rain gutters have been found to run through interior walls.
9. The simplex (fire detection) and sprinkler systems are becoming outdated.

Security Issues:

1. The poor design of the building has created poor visibility to monitor inmates.
2. Due to the design, visitors who access the facility have to park in the middle of the facility grounds which inmates cross on their way to recreation and employment.
3. False ceilings which are accessible to inmates, have contributed to security and contraband issues.

Lacking:

1. There is no indoor multipurpose room. This causes excessive down time for inmates in the winter and does not support rehabilitation.
2. The outdoor basketball court becomes unusable in the winter. The current building used as; a weight room, arts and craft room, music room, pool table and cardio room is not of sufficient size to meet the needs of the current population.
3. Insufficient space for staff offices and meeting rooms.
4. No detention cells to be utilized for short term discipline.

Kitchen Building:

1. Floor sinking and hollow floor.
2. Existing electrical systems need to be upgraded to include lighting, life safety lighting, fire alarms, security controls, and camera systems.
3. The building which is used for the kitchen, dining room, education services, and maintenance has mold. This is an unsafe environment for both staff and inmates that use these facilities multiple times per day.
4. There is not central air which creates uncomfortable conditions.
5. The kitchen is not supported by a back-up generator.

General Grounds:

1. Parking lot
    a. There is no grade to allow water drainage.
    b. Holes frequently form which have to be patched. The parking lot has not been resurfaced in 22 years.
2. The out building used for community service projects has mold damage and needs exhaust, ventilation and mold removal.

Women's Services

Overview

The 2003 Legislative Assembly passed House Bill No. 1271, which directed the North Dakota Department of Corrections and Rehabilitation to contract with the county entities for the housing of female inmates sentenced to the DOCR. The Southwest Multi-County Correctional Center was awarded the contract and has been housing female inmates at their facility in New England (Dakota Women's Correctional Rehabilitation Center) since November 2003. DWCRC is a 126-bed women's prison located in New England consisting of a 70-bed minimum unit, a 40-bed medium unit, a 16-bed orientation unit, and a 5-bed Special Management Unit (high security unit). Between July 2015 and December 31, 2016, DWCRC was over their 126-bed capacity, 74% of the time. In order to accommodate the high numbers, DWCRC converted a chapel in the minimum security housing unit to an 8-person dorm and a small dayroom in the medium security unit to a 4-person dorm, adding a total of 12 beds. DWCRC has 58 full-time and 15 part-time employees. There are an additional 4 staff shared with the Southwest Multi-County Correctional Center in Dickinson.

DWCRC offers a variety of services to address the needs of the female inmates. Included in their current offerings are the following: A cognitive behavioral substance abuse treatment program, mental health services (medication monitoring, case management, therapy), individual counseling, psychiatric services, sex offender assessment and treatment, and RRRW (Risk Responsivity Reduction for Women). RRRW is a treatment program that was developed by DOCR staff in 2015 that incorporated elements from Thinking for a Change (a cognitive behavioral skill building program that targets criminal thinking), coping skills, conflict resolution, and trauma group into a single manualized program.

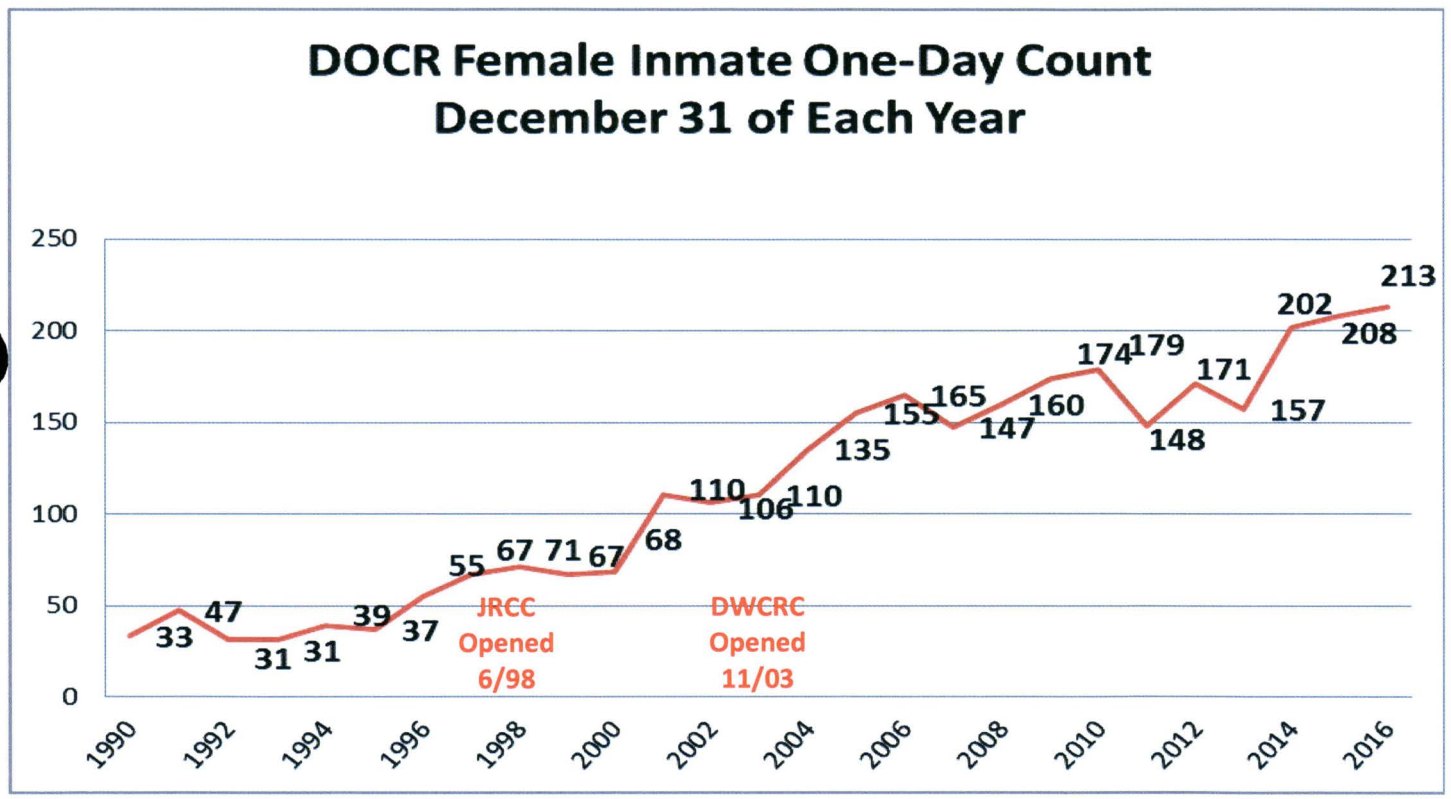
The DWCRC Education Department offers the following: GED/ABE classes, Read Right program, computer classes, a welding program, parenting classes, college correspondence courses, and a pre-release program. Female inmates at DWCRC also have an opportunity to take college classes for credit via interactive television through cooperative agreements with Dickinson State University and Bismarck State College. Work release and community service programs are available for eligible inmates. An industries program is operating at DWCRC (Prairie Industries). At present, there are 14 female inmates employed in the industry program. DWCRC's industry program is primarily a cut and sew operation. Prairie Industries also provides services to a number of local businesses.

Although all DOCR-sentenced female inmates are initially received at and serve a portion of their sentence at DWCRC, many female inmates transfer to community-based facilities when they are close to release in order to participate in residential treatment and work release programs. The community programs accessed for minimum custody level female inmates are a thirty-bed unit at the Tompkins Rehabilitation and Corrections Center in Jamestown for chemical dependency treatment and halfway houses in Bismarck, Mandan, Devils Lake and Fargo for transitional services. Halfway house placements provide alternatives to direct release from correctional institutions so inmates can secure employment and housing, accrue savings, and remain involved in treatment programs while residing in a structured living environment.

Statistics

The average age of the female inmates is 35. 60% of our female inmates are Caucasian, 33% are Native American, and 7% African American, Hispanic, Asian, or mulatto. 79% reported they have children. 70% reported they had been subjected to sexual or physical abuse as an adult or child.

11% of the female inmates are serving sentences for serious violent felonies (aggravated assault, robbery, gross sexual imposition, murder). 17% of the female inmates are serving sentences for other violent offenses (assault, contact by bodily fluids, child abuse, negligent homicide, preventing arrest, reckless endangerment, sexual assault, simple assault, terrorizing). 17% are serving sentences for property crimes, 51% for drug offenses, and 4% for public order offenses (actual physical control, DUI, DUS, escape, bail jumping, fleeing). The average length of sentence imposed by the court is 3.98 years. The average length of stay is under one year. There were 332 admissions in FY 2016. There were 310 releases in FY 2016.



Concerns & Issues

Over the past several decades, there has been a dramatic increase in our female inmate population. On November 30, 2016, there were 235 female offenders under the control of the Department of Corrections and Rehabilitation. 129 female inmates were housed at DWCRC, 30 at TRCC, and 36 in female transition programs (halfway houses) in Devils Lake, Bismarck, Mandan, and Fargo. Additionally, another 36 inmates were housed in an overflow unit at the Bismarck Transition Center. This is in sharp contrast to female inmate counts of 105-110 when DWCRC opened in 2003/2004 (DWCRC started operations with just the classified minimum custody level inmates in November of 2003, as the unclassified new arrivals and medium custody level inmates remained at the James River Correctional Center until DWCRC opened their orientation and medium level units in August of 2004).

As the female inmate count has continued to rise, halfway houses have provided additional housing for the DOCR female inmate population as follows: On October 1, 2015, the DOCR contracted with the Bismarck Transition Center to provide housing for up to 40 female inmates in a secure unit at the halfway house and in January of 2016, Centre, Inc. opened a 72-bed halfway house for female offenders in Fargo (their former women's unit had a capacity of 36).

NORTH DAKOTA

Department of Corrections & Rehabilitation

Medical Services

Structure 2015-16

Central Office
Director of Administration: Dave Krabbenhoft

Chief Nursing Officer: Beth Taghon, RN, BSN	Medical Director: Jeff Hostetter, MD

- **Physician: John Hagan, MD**
- **Physician Assistant: Deb Houdek, PA**
- **Dentist: Thomas Ehrhardt, DDS**
- **Director of Pharmacy: Val Sturlaugson, RPh**

ND Youth Correctional Center	North Dakota State Penitentiary	James River Correctional Center	Missouri River Correctional Center	Dakota Women's Correctional and Rehabilitation Center
Director of Nursing	**Director of Nursing & Infirmary Nurse Manager**	**Director of Nursing**	**Director of Nursing**	**Director of Nursing**
• Primary Care • Nursing Care • Dental Care • Optometry Clinic	• Infirmary Care • Primary Care • Nursing Care • Dental Care • Psychiatric Care • Optometry Clinic • Orthopedic Clinic • Radiology Clinic • Infectious Disease Clinic • Physical Therapy Clinic	• Infirmary Care • Primary Care • Nursing Care • Dental Care • Psychiatric Care • Optometry Clinic • Infectious Disease Clinic • Physical Therapy Clinic	• Primary Care • Nursing Care • Dental Care at NDSP • Psychiatric Care	• Infirmary Care • Primary Care • Nursing Care • Psychiatric Care via telemedicine

The Chief Nursing Officer is also responsible for approving medical services for DOCR inmate offenders housed in county and regional facilities as well as direct care of females housed in secure units in transitional facilities.

The mission of Medical Services is to provide a constitutional standard of health care to offenders who are sentenced to our facilities through nursing care, medical care, pharmaceutical care, dental care, and mental health care.

The mission is accomplished by utilizing staff cooperation and team work. Health care practices will continue to be upgraded and improved through a quality review process with a commitment to accountability, professionalism, and respect for the offenders and juveniles in our care. Health Services are provided to offenders and juveniles while maintaining safety and security for staff, offenders, juveniles, and the public.

Overview

The DOCR Medical Departments deliver a constitutional standard of health care to offenders sentenced to adult facilities and to students at the North Dakota Youth Correctional Center (NDYCC). Care is delivered utilizing state employed providers and contract providers on site. Additionally, medical subspecialists hold clinics on site and also see inmates in regional clinics and hospital settings.

Inmates and NDYCC students arrive with a broad spectrum of illnesses which are both acute and chronic. Tuberculosis, Hepatitis C, HIV, diabetes, heart disease, hypertension and long term liver diseases are common diagnoses. Fifty percent of DOCR inmates have a diagnosed psychiatric illness, with a disturbingly high rate of schizophrenia, bipolar disorder and psychosis. Additionally, unintended pregnancies and sexually transmitted illnesses are diagnosed and treated frequently. Chronic illnesses resulting from drug and alcohol abuse are common.

The DOCR medical departments' focus is on stabilization of acute illness, control of chronic illness and promotion of self sufficiency in health care and wellness. Nurse-driven chronic care clinics are held and center on diseases such as hypertension, diabetes, respiratory illnesses, and infectious disease (HIV and hepatitis). These chronic care clinics also focus on monitoring for side effects of psychiatric medications, tuberculosis medications and anticoagulants. The DOCR has an active adult and adolescent immunization program.

Successes

- Utilization of a policy with respect to end of life decisions and caring for hospice patients in a humanized fashion. Operation of a larger infirmary at the North Dakota State Penitentiary to perform more intensive nursing functions on-site.
- Utilization of a protocol to treat hepatitis C patients who demonstrate the most advanced hepatic disease with the current recommended hepatitis C treatment medications.
- Full time psychiatric providers at the North Dakota State Penitentiary and the James River Correctional Center providing on-site services and off-site psychiatric services via telemedicine at other DOCR facilities.
- Full time dentist for the DOCR providing increased specialized dental services on-site and decreased transportation of inmates to off-site facilities for oral surgery care.
- Transitional status inmates having the ability to apply for Medicaid services for coverage of their medical needs while in community settings.

Challenges

- A deteriorating DOCR electronic medical record system which does not have a backup vendor in case of total failure. The current electronic medical record system will require complete replacement in the very near future.
- The DOCR facilities and population continue to grow rapidly. Many of these inmates continue to have chronic medical conditions such as diabetes, heart disease, cancer, kidney failure, dementia and psychiatric issues. With these medical conditions comes increasing medical costs, housing/security concerns, and challenges with transitional and parole plans. This is especially true with the female inmate population.

- Elderly inmates arriving to the DOCR with acute and chronic medical conditions. Imperative that the DOCR develop a long term plan-of-care for these elderly inmates.
- Increasing use of alcohol, opiates, hypnotics, and other stimulant or sedative hypnotic drugs is a concern within the inmate population. A new protocol addressing detoxification in the event of an inmate overdose within the DOCR facilities and transitional facilities has been initiated.

Statistics

Average MONTHLY Onsite statistics per Facility

Facility	Doctor Call	Nurse Sick Call	Dental	Psych	Eye
NDSP	295	771	145	127	36
JRCC	180	172	42	84	13
MRCC	62	58	15	9	3
DWCRC	114	302	29	24	5
YCC	44	36	12	21	3
Monthly Total:	695	1,399	244	265	60

Average YEARLY Onsite Statistics per Facility

Facility	Doctor Call	Nurse Sick Call	Dental	Psych	Eye
NDSP	3,539	9,249	1,745	1,524	436
JRCC	2,158	2,062	506	1,010	161
MRCC	742	691	174	110	33
DWCRC	1,372	3,618	351	284	64
YCC	525	432	147	246	37
Yearly Total:	8,336	16,052	2,923	3,174	731

Chronic Care Clinics (Operated by Registered Nurses) Yearly Averages:

Diabetes (yearly average seen by nurses in clinic):

NDSP: 62

JRCC: 118

MRCC: 29

DWCRC: 39

Hypertension (yearly average seen by nurses in clinic):

NDSP: 67

JRCC: 216

MRCC: 56

DWCRC: 48

HIV

Number of inmates infected with HIV throughout all DOCR facilities: 12

Number of inmates treated for HIV: 11 (one inmate declined treatment for HIV)

Diagnosed with AIDS: 0

Immunizations (flu, hepatitis B, tetanus, etc.)	**2015**	**2016**
Total doses administered throughout all adult facilities:	1,126	1,234

Pharmacy:

2015

Total prescriptions dispensed throughout all DOCR facilities: 52,532

Average monthly total prescriptions dispensed throughout all DOCR facilities: 4,378

2016

Total prescriptions dispensed throughout all DOCR facilities: 36,527 *(through the end of September 2016 only as electronic medical record pharmacy system broke down)*

Average monthly total prescriptions dispensed throughout all DOCR facilities: 4,059 *(through the end of September 2016 only)*

NORTH DAKOTA

Department of Corrections & Rehabilitation

Behavioral Health Services

"Provide effective behavioral health services in an environment that fosters respect, growth, and opportunity for change while assisting with community integration and reducing recidivism."

Overview

The Behavioral Health Services Department (Formerly Programs and Treatment Services) provides interventions to affect change and reduce the risk of recidivism in the criminal offender population. This is accomplished through high fidelity implementation of evidence-based correctional practices targeting each individual's identified criminogenic risk and need areas. During the 2011-2013 interim, the department began a comprehensive program redesign focused on implementation of the Risk-Need-Responsivity Model (RNR). One of the main tenets of RNR is reserving high-level incarcerated treatment resources for those people at highest risk for criminal recidivism. Over the last six years, we have completed a phased implementation of RNR principles and are grateful for the opportunities this has brought, as well as the challenges in continuing to grow and change to best meet the needs of our residents and communities.

Our work during the 2015-2017 interim focused on the application of behavioral principles with some of our most difficult clients. We have also emphasized the importance of staff honing their relationship and rapport-building skills with all of our residents, but particularly our most challenging residents, with the goal of reducing the instance of disruptive behaviors and improving facility safety. Additional goals for 2017-2018 include building on existing projects and formalizing our continuous quality assurance practices through policy and procedure development. Improving the safety of our state by improving the ability of our clients to live as productive citizens remains our top priority.

Summary

Behavioral Health Services include clinical and administrative staff that delivers a comprehensive range of behavioral healthcare at the three male prison facilities, as well as provides consultation and oversight with several contractors. These include transitional facilities, the Dakota Women's Correctional Rehabilitation Center, and STAND, Inc., a community sex offender treatment provider. At each prison site, the facility Warden and a Clinical Supervisor collaborate in overseeing the clinical staff, with the DOCR Clinical Director (Dr. Lisa Peterson, a licensed clinical psychologist) managing clinical supervision and program development across the DOCR. Recently, Shelly Paul of NDSP was named Lead Clinical Supervisor and will assist Dr. Peterson in program and policy development.

Additionally, NDSP and JRCC each employ a licensed psychologist under the direct supervision of the Clinical Director to provide psychological evaluation and individualized intervention services. The JRCC psychologist, Dr. Shannon Alexander, serves as the Unit Director for the Special Assistance Unit, a residential mental health care setting within the prison. The NDSP psychologist, Dr. Sara Durbin, has been involved with our administrative segregation reform project over the past year.

New arrivals participate in a four-week orientation and assessment process and are referred for individual therapy, psychiatric, and group services based on their needs. Seventy-eight percent of our incoming residents are referred for some level of substance abuse programming. The number below reflects only those referred to Level 2.1 Intensive Outpatient or Level 3.5 Residential treatment. The average number of substance abuse evaluations completed monthly at NDSP has risen to 91 per month in 2015 and 2016, up from 79 per month in 2014.

Relapse with substance use remains a key contributing factor in noncompliance with probation and return to prison. The majority of parole violators surveyed cited access to treatment as a key factor that could have helped them be successful. To this end, a Licensed Addiction Counselor employed at NDSP will begin offering aftercare group in the Bismarck Parole and Probation Office for male probationers beginning in early 2017.

The DOCR utilizes five core group intervention programs to reduce risk for criminal recidivism. There were 1,345 program completions in 2016, 832 if which were substance abuse treatment completions. Thinking for a Change and Cognitive-Behavioral Interventions for Substance Abuse have undergone Correctional Program Checklist audits and scored "highly effective", placing them in the top 18% of correctional programs nationwide. More information regarding each program is provided below:

Program	Target	Length	Referrals*
Thinking for a Change	Criminal thinking and behavior	13 weeks	62%
Cognitive-Behavioral Interventions for Substance Abuse	Substance abuse	14 weeks	72%
Conflict Resolution Program	Aggression and violence	16 weeks	10%
Alternatives to Violence in Relationships	Domestic violence	16 weeks	18%
Cognitive-Behavioral Interventions for Sexual Offending	Sexual offense recidivism	28 weeks	10%

*Denotes the average percentage of new admissions per month referred for the program during 2015 and 2016.

Mental health status continues to be a key Responsivity issue for offenders in targeting criminogenic risk in that it influences the effect of evidence-based interventions on an individual level. NDSP started a coping skills group for people in orientation to assist in their adjustment to prison and reduce psychiatry referrals. DOCR and DHS hold collaborative monthly meetings in order to provide specialized transitional services to people releasing from prison with serious mental health concerns. Currently, there are 130 people residing in DOCR prison facilities recommended for this service.

Successes

The most notable success of 2016 is the Administrative Segregation Unit (AS) reform project. In early 2016, we took steps to limit the types of rule violations that could lead to a person being placed in AS. We limited AS placement to those who present a serious risk to the safety of others or the security of the institution and developed other sanctions for less serious offenses in custody. This resulted in a reduction in the AS population from over 100 in the fall of 2015 to an average of 30 for much of 2016. We prioritized reducing the AS population because of consistent research showing the damaging effects of segregation on people's mental health and risk for violence and other criminal behaviors. We have not seen a decline in institutional safety and security with the reduction of the population in segregated housing.

The reduced AS population has allowed us to provide more intensive interventions for those who do need to be placed in AS. Upon entry, an individual is placed on the assessment wing, where they are seen by a psychologist for an Intervention Needs Assessment. Based on the person's behaviors, motivation level, and mental health functioning, the psychologist makes further housing recommendations. Individuals with serious mental illness (SMI) should not, as a rule, be placed in segregated housing. We make referrals to the Special Assistance Unit at the James River

Correctional Center as needed in order to facilitate mental health services and increased out of cell time for individuals with SMI.

Those who continue to display aggressive behaviors while in AS or have low motivation for program participation can be placed on an intensive intervention wing. There they participate in the development of a specialized behavior modification plan to help them earn reinforcement for practicing new skills. Those people who are motivated and display no major behavioral difficulties in AS are referred to participate in a cognitive-behavioral group program. This program focuses on applying skill use to reducing aggression and violence. They also complete skill practice worksheets with the correctional security staff and receive reinforcement for skill practice and displaying positive behavioral changes.

Those who are ready to leave AS and transition back to general population now reside on the Administrative Transition Unit (ATU), which allows for a more graduated introduction to general prison population activities. This step-down model helps staff more closely monitor those in transition and intervene with additional skills practice and support when needed. We would like to see this program associated with decreased institutional violence in the future, as well as reductions in criminal recidivism for those who participate. Some key positive outcomes of this project at this time include:

- 70% reduction in the use of segregated housing
- Increased out of cell time for those living in segregated housing
- Increased positive interactions with staff
- Decreased use of force and use of the Special Operations Response Team within the unit
- Decreased length of stay in AS

Continued use of CBT interventions in the Special Assistance Unit have led to increased out of cell time, decreased use of force, increased medication compliance, decreased psychiatric symptoms, and improved staff interactions for individuals with serious mental health needs, as well.

Concerns & Issues

The present state of behavioral health services in North Dakota presents some important challenges to the process of criminal justice reform and preventing the costs of corrections from skyrocketing over the next ten years.

- Behavioral health workforce shortages exist in our state. The DOCR would like to see an expansion of the types of behavioral health professionals that can deliver substance abuse evaluation and treatment. We would also like to see an APPIC-funded psychology pre-doctoral internship in the Western portion of our state.

- Rates of opioid use continue to rise. About 50% of women residents and 25% of male residents reported prescription drug use and/or heroin use upon admission in 2016. The DOCR will take steps to make naloxone (Narcan) available to its staff and explore the use of medication-assisted treatment in its facilities in addition to existing programming.

- A survey by the Council of State Governments Justice Center noted that 70% of responding judges stated they had sentenced someone to prison in order to receive a behavioral health service, regardless of that person's risk to the community. The DOCR would like to work with stakeholders to ensure effective, efficient, RNR-adherent interventions are available on an outpatient basis in local communities.

Education

Overview

The Department of Corrections and Rehabilitation (DOCR) Education Department is responsible for oversight, development, and management of education activities within the DOCR. Forty-two staff within the DOCR delivers education programing to four facilities in three cities. The educators for the two diverse populations, youth and adult, are one education department; while the framework continues to evolve, the sharing of resources, strategies, best practices, and supervisors are robust. The department has a Director of Education that oversees all operations as a parallel to public school superintendents as well as three principals who are tasked with youth and adult education day-to-day operations.

A distance learning model was implemented to use the highly qualified teachers of ND YCC to provide instruction to those adult students between the ages of 18-20 who had transcripts reflecting one or two subjects away from a high school diploma. In this effort, twelve students received their high school diploma while incarcerated at the Missouri River Correctional Center, ND State Penitentiary, and James River Correctional Center.

All four facilities are accredited Adult Learning Centers, GED Testing Sites, and have the ability of offering high school diploma opportunities to those that would qualify through the North Dakota Youth Correctional Center. The diploma from ND YCC is issued through the approval of the ND Department of Public Instruction as Marmot High School. Marmot School, located at ND YCC, is a full accredited elementary, middle, and high school.

Statistics

Mandated Programming: GED, Adult Basic Education, and High School Diploma Earners

- 171 GED Graduates for adults located at JRCC, MRCC, and NDSP
  - 8 GED Graduates were with Honors
- 308 Adult Students increased their educational functioning level
- 32 GED Graduates for juveniles located at ND YCC
- 32 High School Diploma earners for juveniles located at ND YCC
- 12 High School Diploma earners for adults located at JRCC, MRCC, and NDSP
- 1016 Total High School Credits earned for juveniles at ND YCC

Read Right Program Since Implementation:

- 902 youth have been served
  - Showing an average gain of 3.0 grade levels.
  - Average tutoring hours per grade-level gain was 4.9
  - Percentage of Special Education students was 35%
- 878 adults have been served
  - Showing an average gain of 2.8 grade levels.
  - Average tutoring hours per grade-level gain was 6.2
  - Percentage of Special Education students was 13%

Special Education and Accommodations

- ND YCC Students arrive on average 2.9 grades behind their age group
  - Approximately 37% of students have special education needs
    - Compared to the statewide average of 18%

Specialty Statistics

- ND YCC
  - 127 ND School Districts were served of 181 total at ND YCC
  - 465 ND YCC students enrolled in elective job training courses
  - 112 ND YCC students enrolled in post-secondary education
  - Average Length of Stay = 106.2 days
  - Average age of student = 17.3 years old
  - Average grade levels behind age equivalency = 2.9 grade levels
- **Division of Adult Services**
  - 502 students were enrolled in elective job training courses
  - 104 students enrolled in post-secondary education
  - Average grade level functioning = 3.4 grade level
- **Libraries**
  - ND YCC total patrons per year 12,974
  - DAS (3 libraries) total patrons per year 37,692

Total Students Served in Education

- ND YCC - 738 students
  - 223 Native American
  - 2 Asian
  - 70 Black, non-Hispanic
  - 59 Hispanic
  - 368 White, non-Hispanic
  - 16 Two or More Races
  - 203 female; 535 male
- Adult Services - 1467 Students
  - 444 Native American
  - 5 Asian
  - 71 Black, non-Hispanic
  - 186 Hispanic
  - 761 White, non-Hispanic

Successes

Programming Enhancements and Successes

- Continued a Memorandum of Understanding with a university to permit our faculty to become adjunct faculty through the college to offer post-secondary education classes to our students at a discounted rate. In addition, a welding training program is offered at the Missouri River Correctional Center.
- Teacher resources and time was shared across the DOCR more than ever before to include teaching courses, offering services, team teaching, and sharing curriculum.
- ND DOCR currently leads the nation in passing success rate as calculated by the GED Testing Services.

- Through retirements, career and technical programming has maintained its fidelity to include a new program of construction education at the James River Correctional Center.
- The ND YCC student garden project continues to grow. This biennium, 2.6 tons of vegetables were harvested.
- Teaching and library staff has empowered knowledge through reading with ND YCC book study opportunities as well as Division of Adult Services (DAS) TED talks.
- ND DOCR Education Department provides educational programming in four facilities in separate locations. All four facilities are accredited Adult Learning Centers, GED Testing Sites, and have the ability of offering high school diploma opportunities to those that would qualify through the North Dakota Youth Correctional Center. The diploma from ND YCC is issued through the approval of the ND Department of Public Instruction as Marmot High School. Though the approved testing centers are technically four facilities, ALL locations within those facilities must be separately certified for GED testing to include: MRCC, NDSP, NDSP's AS, JRCC, JRCC's SAU, TASC, TRC, YCC, YCC's Pine Cottage, and DWCRC. That is ten total testing sites.
- All quality assurance visits from governing agencies of accreditation (Department of Public Instruction: Title 1, Adult Ed, Neglected & Delinquent: Career and Technical Education, Office of Civil Rights, and AdvancED) have been passed with commendations.
- Technologies have been implemented with top of the line security features to ensure that we are mirroring public school requirements as well as computer based testing for GED.
- The welding program has served our MRCC population very well. For this upcoming biennium, DOCR Education has coordinated where this training will tie into Rough Rider Industry employment upon completion as well as be part of the apprenticeship program we maintain through the Department of Career and Technical Education and the Department of Labor.
- Implemented the required civics literacy education throughout all ND DOCR schools.
- Education took over and enhanced the law library services at NDSP, MRCC, and JRCC.

Concerns & Issues

- Higher turnover rates for those faculty serving adult populations is alarming. Vacated positions have proven to be hard to fill with two positions being vacant for close to a year's time. Of the twenty faculty necessary for serving the adult populations, half of these faculty are FTEs and the other half are full time temps with limited benefits. Pay equity in comparison with the educators of NDYCC is deficient by $10,000-$14,000 for the DAS instructors who:
    - Work 12 months versus 9 months
    - Are required to hold the same licensures, credentials, and trainings
    - Are governed by the same teacher handbook
    - Are supervised by the same administrator
- In the past three years, we have turned over 81% of our Division of Adult Services faculty. Through exit surveys, we have learned that 98% of those DAS faculty left for a public school position that paid them in nine months what the DOCR DAS position pays in twelve. The DAS educators do not need to go to the contracted system that ND YCC follows, but a pay comparison equity raise would allow DAS education to continue to operate on the same level. DAS Educators are required to have the same professional

degrees and licensure as their ND YCC cohort as well as same performance review accountability, professional development, and content specialty skills.

- Adult Services Educators who left shared within their exit surveys that:
  - They enjoyed working for ND DOCR Education and would return to work for this department if:
    - Pay was better (99%)
    - There was an academic calendar similar to public school (89%)
- Consideration needs to be given to request general fund dollars to fully fund the Tech Education and Engineering teacher (CTE Incarcerated Funds); the GED teacher (DPI Adult Ed Funds); and the transition coordinator (WIA and Title 1 Funds).
- The varied population at ND YCC impacts the formula for funding immensely within our state and federal funding. Title 1 and Carl Perkins formulates allocations based on enrollment. Incarcerated funds have stayed the same at $20,000.00 for years; however, remains a soft fiscal source for salaries. Adult Ed funds have declined due to the state receiving fewer funds to distribute. As predicted, the Workforce Investment Act (WIA) is no longer available. In addition, the Department of Public Instruction is predicting an 10-15% decrease in Neglected and Delinquent funding via Title 1.
- There are nine teachers at YCC and two teachers for DAS eligible for retirement in the next biennium.
- Personnel Needs: Currently there are ten positions that are unfunded temporary positions: eight teachers JRCC and NDSP and the other two are the librarians serving both the NDSP, MRCC, and JRCC libraries.

Rough Rider Industries

Overview

Rough Rider Industries (RRI) was established in 1975 and is a self-funded State Agency within the North Dakota Department of Corrections and Rehabilitation (DOCR) providing work for approximately 200 inmates. This represents approximately 15% of the total inmate population housed at the NDSP, JRCC, and MRCC locations and compares favorably to the national average of 7.9% of inmates employed in a correctional industries program. The program objective for Rough Rider Industries is to provide inmates who demonstrate proper behavior and meet eligibility requirements while incarcerated, the opportunity to develop work skills which increase their chances of obtaining meaningful employment upon their release from prison. Successful implementations of these program objectives aid RRI in meeting their industry program goal of reducing recidivism through successful re-entry strategies. All correctional industry programs are sustained by the revenue generated from the sale of their products and services. This revenue helps defray costs to the State of North Dakota for programs that provide inmates opportunities for change, and allows for a safer prison environment.

With an emphasis on successful re-entry, RRI provides training and learning opportunities in a variety of skill sets and trades, while utilizing the latest manufacturing technology and production equipment. Products manufactured at RRI include: furniture, upholstered products, signage, license plates, metal fabricated products with wet or powder paint, clothing worn by the inmates, military garments, industrial sewing products, plastic bags, and cattle panels. Rough Rider Industries in conjunction with the DOCR Education Department work closely with many collaborating partners to meet the department's goals and objectives. These partners include but are not limited to: Job Service of ND, Higher Ed (BSC, NDSCS), ND Department of Commerce-Workforce Development, Department of Public Instruction, and ND Career & Technical Education.

In addition to Rough Rider Industries manufacturing operations, the prison's commissary functions are managed by RRI. The commissary provides non-essential goods to the offender population in a secure fashion and the profits generated from these operations are used to create a permanent revenue stream for funding institutional vocation and education programs as well as funding for the Inmate Betterment Fund. Inmate employees are taught skills similar to those used in the retail sector which include order picking and processing, packaging, product rotation, delivery, and inventory management. Commissary services are provided to all three male prison institutions along with the Dakota Women's Correctional and Rehabilitation Center in New England, the Tompkins Rehabilitation and Correctional Center in Jamestown, and the Bismarck Transition Center. Fifteen inmate workers are used to process and deliver over 1,300 offender orders each week.

Successes

RRI began working on the license plate reissue project in 2014 and will continue production into 2017. This was a very large undertaking for both RRI and the Department of Motor Vehicle with both agencies working closely together on this project. The reissue featured a change from the traditional embossed license plates which North Dakota has always displayed, to a flat digital license plate which was mandated during the 2013 legislative session. Equipment was procured in 2014 and actual production began in August of 2015. RRI has produced in excess of 2.2 million plates and counting, and will easily meet the completion deadline set by the legislature of June 30, 2017.

RRI completed many other projects during this past biennium. Listed below are a few notable projects that were unique in nature and presented learning opportunities for both inmates and staff alike:

- The MINNCOR t-shirt project is an ongoing collaboration with Minnesota's Correctional Industries program (MINNCOR) where RRI manufactures white t-shirts for MINNCOR and they in turn sell to their Minnesota DOC. This has proved to be a very good partnership for both entities and helps keep RRI's sewing division busy year around.
- The State of South Dakota recently remodeled office areas within their State Capitol and RRI was one of the benefactors of this project by being commissioned to build office furniture for these remodeled areas. This was RRI's first exposure to completing any work for South Dakota's state government. The project was a success and the customer was very pleased with the work that was completed. RRI is hoping more work from their state will soon follow.
- Wilson M. Laird Core & Sample Library located on the campus of the University of ND (Grand Forks). This building was expanded to provide additional core sample storage for the oil and gas industry and update the building's office and laboratory space. RRI manufactured and installed the furniture for this addition which consisted of tables, desks, bookcases, custom storage cabinets and seating for the various offices, conference and breakrooms, front lobby, and miscellaneous microscope and viewing labs.

Concerns & Issues

The population for the State of North Dakota continues to rise which has led to an increasing inmate population for the Department of Corrections and Rehabilitation. RRI faces many challenges to employ more inmates from this growth while continuing to maintain a safe and secure work environment. To meet the goal of lower inmate unemployment while still increasing RRI's overall business portfolio, manufacturing space has become a need and concern at each manufacturing location. The addition of the plastic bag operation which was incorporated into existing space at the James River Correctional Center, and the additional space requirements necessary for manufacturing the new style license plates at the North Dakota State Penitentiary, has restricted RRI in reaching their stated goals of offering more worker jobs. Additional manufacturing space at the North Dakota State Penitentiary would allow RRI to safely and securely employ more inmates, allow for the opportunity to expand industries training programs and provide the ability to consolidate existing programs into a closer proximity, and would enhance overall institutional security.

In the market place it is vital to remain price competitive. All successful companies search to find the lowest material costs to use in the manufacturing process without sacrificing product quality. RRI is no different and to help them meet this goal, purchases are made in truckload quantities

whenever possible to receive this lowest pricing. Receiving these larger quantities presents storage space issues and highlights the need for additional raw material storage space. This is an area RRI will need to address in the future in order to remain competitive in the market place.

RRI is a self-funded state agency and relies on the revenue received from business orders from other governmental agencies and nonprofits to finance their daily operations. With the recent state budget cuts, agencies aren't able to spend money on seating and furniture products which is the backbone for financing RRI's operations. RRI could see the largest cut in funding of any state agency due to this lost business. This lack of business not only affects RRI's finances but also has an impact on the number of workers RRI is able to employ. Fewer prison jobs and fewer income earning opportunities creates fewer resident opportunities within the institutions and has a negative overall impact.

Parole and Probation Services

Overview

Parole and Probation Services provides supervision for offenders on parole or supervised probation in the community. We consist of one hundred twelve (112) staff that work from sixteen (16) district offices located throughout the state. Parole and Probation Services is also responsible to complete Pre-Sentence Investigations as ordered by the state district courts. The purpose of these investigations is to provide background information to the courts, assess risk, and provide recommendations for appropriate sentences for the offender.

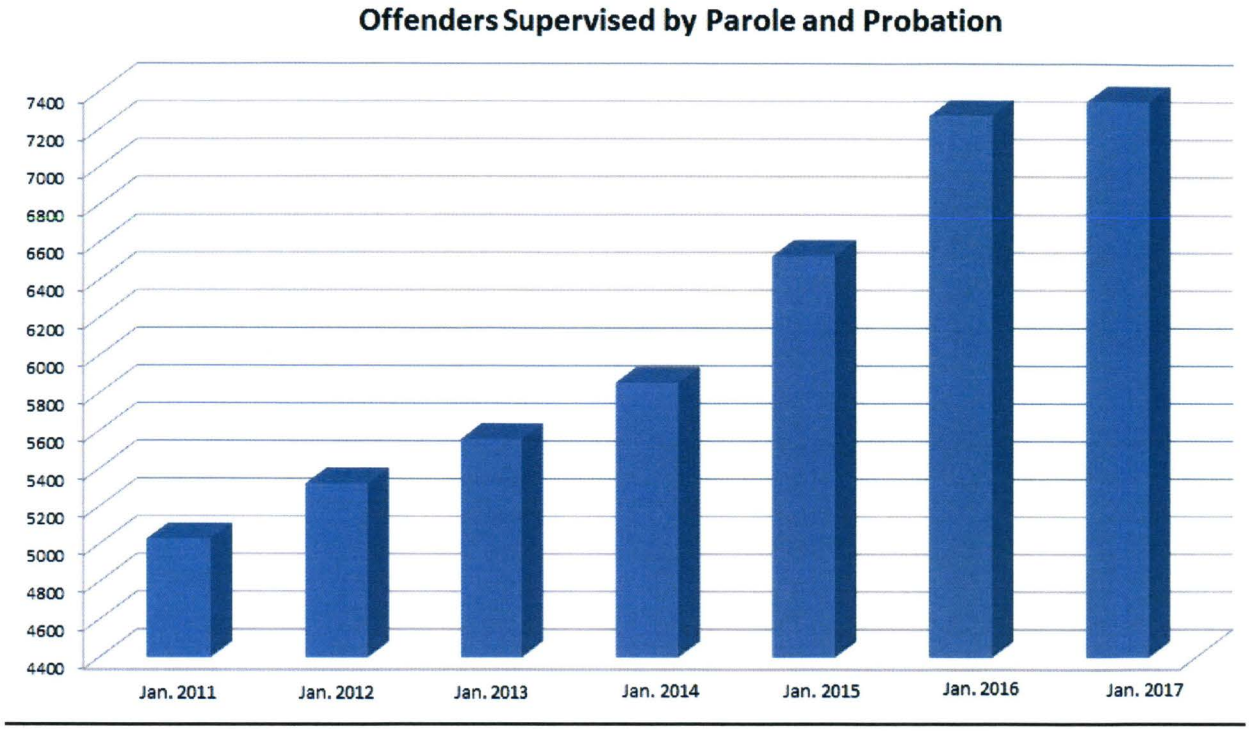
Parole and Probation Services supervises approximately 7,300 community offenders.
- 6,538 on probation
- 810 on parole

Parole and Probation Officers use the Levels of Service Inventory-Revised (LSI-R) to identify the risk factors for each offender and to formulate case supervision plans. Supervision levels and frequency of contact are determined by the LSI-R, and whether the offense involves violence. Case plans focus on the top criminogenic risk factors for the offender and reducing those risks. Community safety is top priority, but every effort is made to work with offenders in the community. Parole and Probation Officers are unique in that they are sworn Peace Officers with law enforcement skills to enforce the terms of supervision, while also working to positively change offender behavior. Officers are trained to use Core Correctional Practices that research has shown to positively change offender behavior, and lead to a reduction in recidivism.

In order to provide maximum effectiveness in supervision, Parole and Probation Services utilizes several specialized caseloads. We currently have five Parole Specialists, two Re-Entry Officers, five Drug Court Officers, eleven Sex Offender Specialists, two Mental Health Specialists, one Female Transition Officer, and four officers who focus on Domestic Violence cases. One officer is also assigned to the Fugitive Task Force to concentrate on apprehending offenders who abscond supervision.

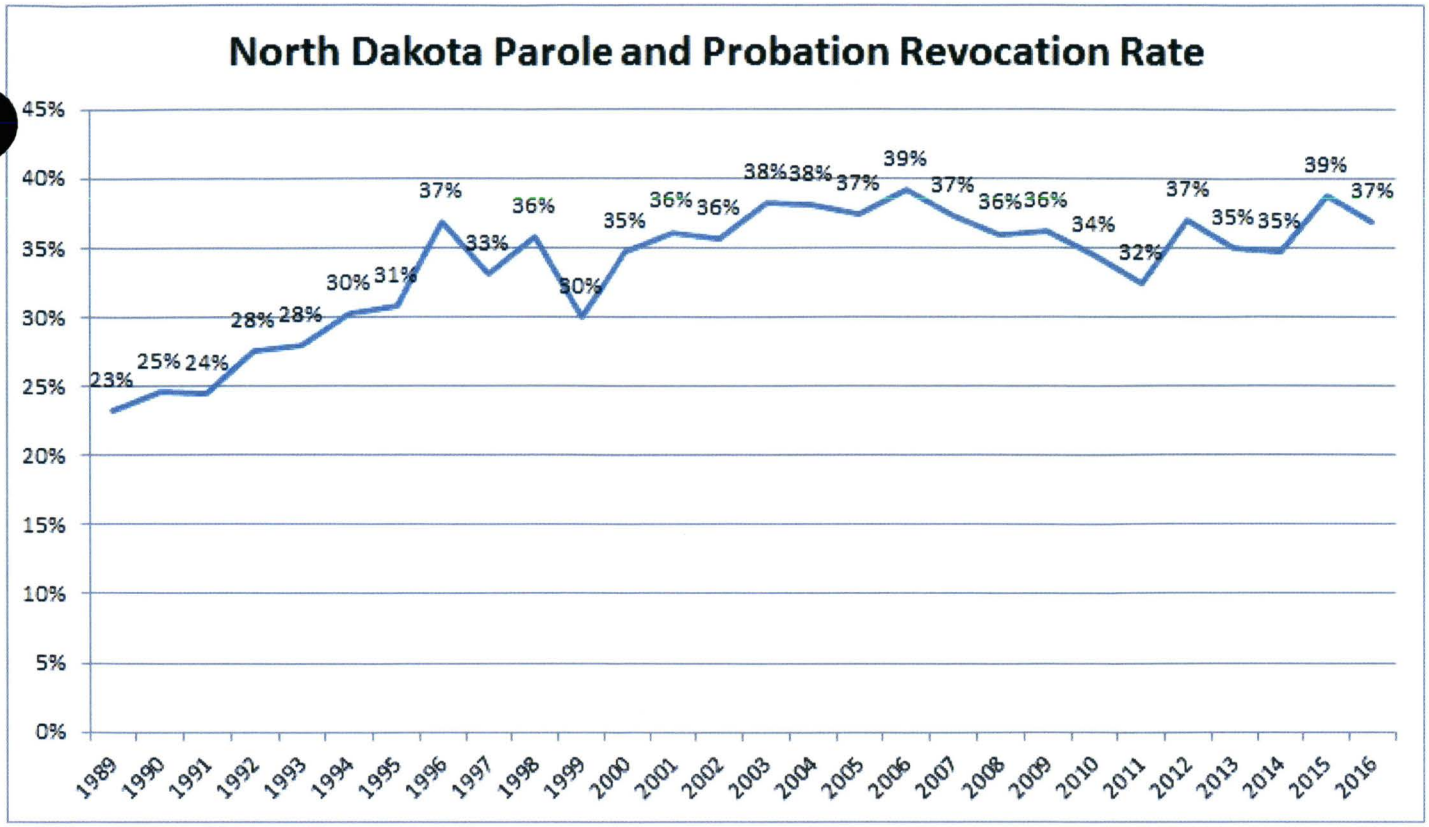
Statistics

- 112 total staff, 91 sworn law enforcement officers
- 16 district offices in the state
- Supervise 7,348 offenders as of 12/28/16 – 5,489 males and 1,859 females
- Supervise 80-85 sex offenders daily with GPS technology
- Supervise 50-60 offenders daily with SCRAM technology
- Collected $2,232,181 in restitution in 2015-2016
- Collected $57,549 in Court Costs in 2015-2016
- Collected $637,078 in fines in 2015-2016
- Collected $1,946,241 in court administration fees in 2015-2016
- Completed 358 Pre-Sentence Investigations in 2015-2016



Successes

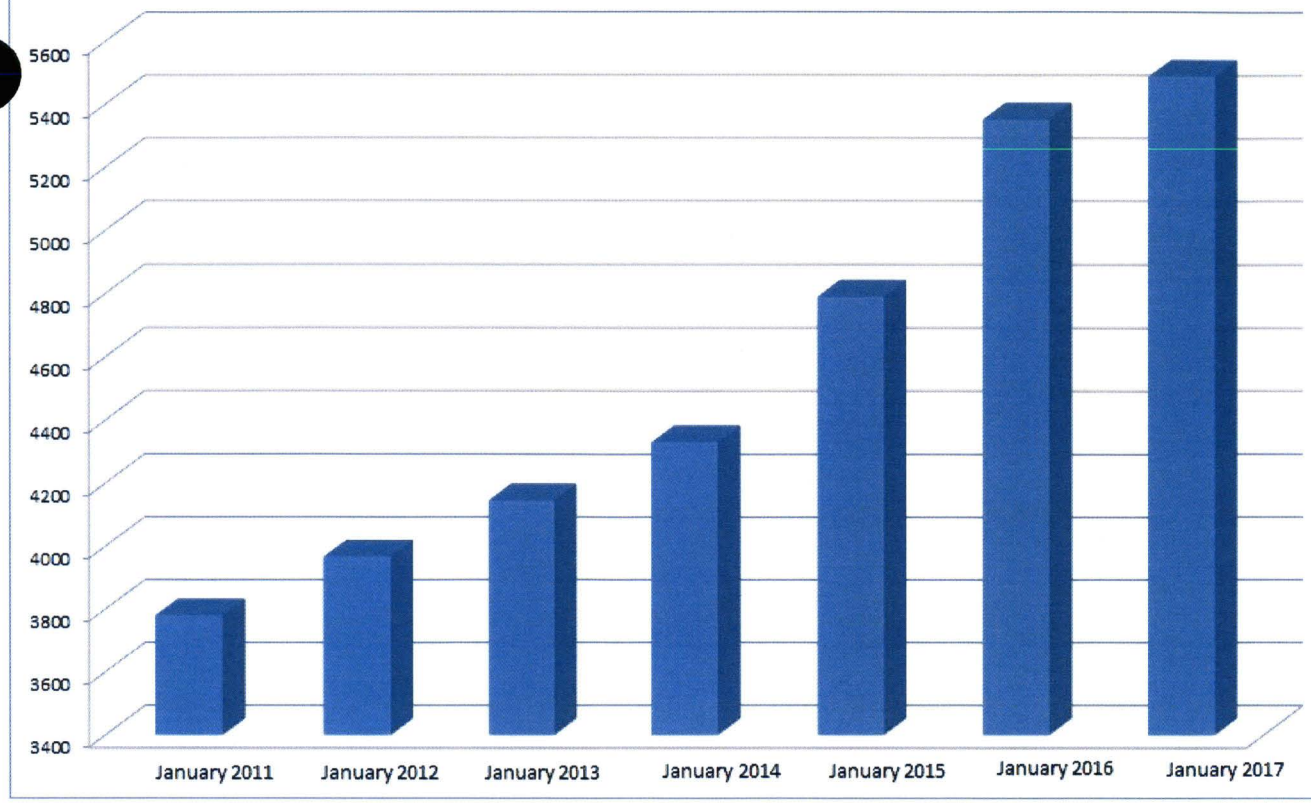
- Managed an increase of over 800 people supervised in the community, and did so while continuing to provide effective, evidence-based supervision.
- We revalidated the STATIC-99R, the primary tool used to assess risk of our sex offender population.
- Parole and Probation has continued training all officers in the use of Core Correctional Practices. These skills have been proven effective to positively impact offender behavior change.
- Staff worked many hours to provide an upgrade to the IT data management system used by Parole and Probation.
- We provide daily supervision for approximately 85 high risk sex offenders using global positioning system (GPS).
- Provided advanced training to our Sex Offender Specialists to conduct computer and cell phone forensic searches.
- Developed an early termination supervision matrix to assist with identifying those cases that may be considered for early discharge. This can be a valuable tool to reduce caseloads and concentrate supervision on our higher risk population.
- Started a program in Fargo where moderate and high risk youthful offenders are placed into Thinking for Change program when placed on supervision. This is a very high risk population and the goal is getting to change behavior before violations occur.
- Created positions in Fargo and Bismarck that specialize in the supervision of people with serious mental health issues. They have established community groups that work cooperatively to provide services for this very high risk group.
- Developed an orientation program in the Grand Forks office for all new people placed on supervision.
- Started a cooperative program with Job Service in Minot to provide services to our people struggling to find or maintain employment.
- Assisted in planning and sponsoring the Annual Career Fair that is held in Fargo. It is a great opportunity for offenders to prepare for and meet with potential employers.
- Collected over 4.8 million dollars in court ordered financial obligations in 2015-2016.
- Provided many hours of assistance to the Dakota Access Pipeline protest.



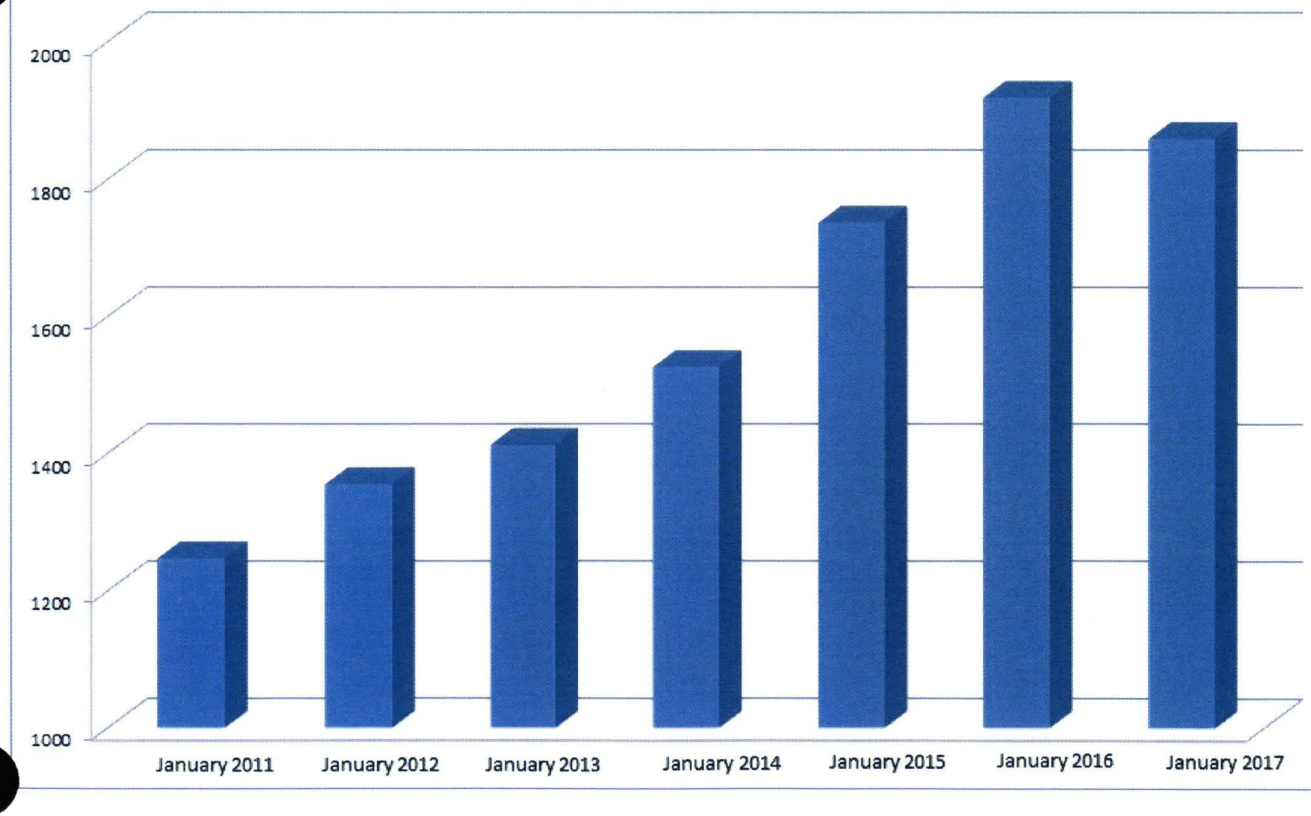
Challenges

- The increase use of the opioid drugs, especially heroin and fentanyl, has caused many challenges for the department. These highly addictive drugs are often associated with an increase in aggressive and violent behavior, and the availability of resources to treat these individuals is lacking throughout the state.
- The implementation of a new data management system will require time and additional training as we move into full implementation.
- Housing for those convicted of criminal offenses is difficult, especially if the crime is a sexual offense.
- With the loss of the Drug Court in Grand Forks, we must develop an evidence-based program to deal with these people who would otherwise benefit from a Drug Court.
- Officer caseloads continue to be high making it difficult to maintain the level of contact necessary to provide effective supervision.
- Offenders have exhibited behavior that is increasingly violent. These high risk cases often have mental health and/or addiction issues that require considerable staff resources.
- Assisting with the Dakota Access Pipeline protest takes considerable hours and draws from the time spent with the people we supervise. In addition, working the protest causes considerable stress for the officers and their families.

Male Offenders Supervised by Parole and Probation



Female Offenders Supervised by Parole and Probation



NORTH DAKOTA

Department of Corrections & Rehabilitation

Transitional Planning Services (TPS)

Overview

Transitional Planning Service's role in supporting the DOCR's mission is to research, develop, coordinate and implement strategies and functions that leverage the DOCR's resources in order to safely, legally and effectively manage over 9,100 people in custody or on supervision in North Dakota with the goal of reducing recidivism to 25%. These activities are premised on a recidivism reduction model that emphasizes the use of evidence-based practices that is heavily laden in research.

North Dakota Prison Recidivism Rate

North Dakota Prison Recidivism Rate

Year	Cohort	New Crime	Technical Only	Recidivism Rate
2004	845	16.2%	23.4%	39.6%
2005	924	15.6%	25.1%	40.7%
2006	987	13.6%	25.8%	39.4%
2007	910	13.6%	26.2%	39.8%
2008	952	9.8%	25.2%	35.0%
2009	898	12.9%	24.6%	37.5%
2010	920	14.2%	24.6%	38.8%
2011	904	12.4%	26.8%	39.2%
2012	951	11.3%	28.7%	**40.0%**
2013*	1052	10.8%	23.3%	34.1%
2014**	1119	6.5%	19.3%	25.8%

* Indicates recidivism rate for 2 years post-release.
** Indicates recidivism rate for 1 year post-release.

- Administrative support for Parole Board and Pardon Advisory Board
- Development of Sentencing Report based on Levels of Service Inventory-Revised
- Male Classification
- Central coordination of all offender transportation
- Victim Services
- Prison discharge coordination
- Sex offender pre-release screening
- Effective and consistent management of parole and probation violations
- Provide support planning for implementation of revised or new correctional programs, policies and services
- Legal records

TPS Mission:

Transitional Planning Services is a team collaboration whose mission is to effectively plan, monitor and advance department's efforts to reduce individuals' risk of recidivism as they transition throughout our correctional system in order to ensure public safety and preserve the rights of victims.

Statistics

- Complete approximately 1,700 sentencing reports.
- Conduct over 1,700 initial classifications and development of case plans.
- Coordinate discharge of over 1,400 inmates.
- Prepare over 2,000 cases for action by the Parole Board and execute the board's actions.
- Approximately 9 out of 10 inmates discharged receive some transition services through a transitional facility or parole and probation supervision.
- Prepare over 1,700 cases for review and action by the Parole Board.
- Prepare approximately 80 cases for review and action by the Pardon Advisory Board.
- Assist in developing interventions for over 2,000 instances where offenders committed violations of parole or probation.
- Transport over 1,000 offenders annually throughout ND and the United States.

Successes

In addition to the aforementioned statistical information and accomplishments stemming from the Transition from Prison to Community Initiative there have been a number of other noteworthy successful endeavors in which TPS staff engaged including:

- Completed a thorough revision and validation study of the classification instrument. This included gender specific analysis and resulting in distinct gender instruments.
- Developed and implemented the next generation victim services database which will help meet the department's reporting requirements to the Victim of Crime Act (VOCA).
- Signed a memorandum of agreement with the Standing Rock Tribe to develop a Reentry Council for the Standing Rock Reservation.
- Managed a 30% increase in the state's parole population over just one year while reducing the revocation rate from 30% to 22%.

Concerns and Issues

- The continued criminalization and incarceration of individuals with chemical addiction problems and inadequate access to quality community and residential based treatment resources.
- The continued criminalization and incarceration of individuals with mental health problems and inadequate access to quality community and residential based treatment resources. PEW found that prison health care spending in 44 states totaled $6.5 billion in 2008, out of $36.8 billion in overall institutional correctional expenditures. One of the leading reasons: Mental Illness.
- Difficulty in executing discharge coordination for offenders, especially sex offenders and offenders with mental health issues, primarily driven by the lack of housing options throughout the state.
- Transportation complexities as a result of multiple correctional facilities and service providers distributed throughout the state and increasing transportation needs spurred by the growth in our prison, parole and probation populations.
- Effectively responding to the growing number of violations associated with the growth in our community supervision population.
- The need to change the prevailing culture regarding crime and punishment and many of the ensuing ineffective and expensive policies permeating the system.

Human Resources

Overview

The Department of Corrections and Rehabilitation (DOCR) Human Resources Division is responsible for oversight, development and management of human resources activities within the DOCR. Five FTE within the DOCR manage the human resource and payroll functions for all the various divisional units within the DOCR.

Responsibilities include:

- Assist and consult with managers in interpreting federal and state labor and employment law.
- Create and maintain all DOCR human resource and employment related policies.
- Address leave requests based on employee medical situations as related to the Family Medical Leave Act guidelines and provide employee accommodations per guidelines of the American Disabilities Act.
- Assist managers in updating job descriptions and when appropriate, work with HRMS to reclassify updated or newly created job description questionnaires.
- Assist managers with employee disciplinary processes including any grievance procedure associated with a disciplinary action.
- Monitor employment metrics to determine workforce trends.
- Recruit applicants internally and externally for vacant positions.
- Document statistical information for the Department of Labor.
- Manage employee compensation and develop pay plans for the DOCR.
- Train personnel on various federal and state labor and employment laws.
- Maintain DOCR personnel and medical files for all employees.
- Investigate personnel matters in regards to employee behavior.

Statistics

As of November 2016, the Department of Corrections and Rehabilitation has approximately 816 authorized fulltime equivalent (FTE) positions spread throughout the Division of Adult Services, Division of Juvenile Services, and Roughrider Industries. The department has positions in over 90 job classifications that are assigned to those 816 positions. In addition, as of November 2016, there were 123 temporary employees providing services for the DOCR working a varying range of hours in a month. The correctional officer classification has the largest number of employees, which spreads across three correctional facilities and totals approximately 350 employees including temporary status correctional officers.

Human Resource personnel were responsible for filling 276 vacancies throughout the DOCR from December 2015 through December 2016. The process of filling those vacancies included developing nearly 200 vacancy announcements through the PeopleSoft Recruiting Solutions module; screening and ranking over 1,600 applicants, setting up the interview process with DOCR managers and applicants; contacting applicants confirming oral interview schedules and drafting the documentation for the process of hiring an applicant.

The DOCR continues to develop strategies on staff development for succession planning as key DOCR employees in the "baby boom" generation retire from state employment.

Successes

The DOCR Human Resources Division itself experienced turnover with four of the five Division employees hired within the last two years. Three of those staff, including the Director of Human Resources, have been hired to the DOCR within the last six months. Despite this drastic turnover and losing over 70 years of combined DOCR HR experience, the DOCR Human Resources Division continues to provide quality and timely human resources consultation and services to the DOCR.

In July 2015 and July 2016, the DOCR provided for targeted market equity pay adjustments to Correctional Officers to maintain a competitive position in the local labor market.

DOCR Human Resources has made changes to the new hire orientation process to make the entire process more efficient and provide more information and training to new DOCR employees. The DOCR will realize cost savings once the process is finalized.

HR processed those temporary employees that qualify for partial monthly premium health insurance coverage by the employer based on the Affordable Care Act requirements. Coverage went into effect in January 2016.

HR personnel continue recruiting efforts by posting on various external websites and utilizing depending upon the position vacancy. The use of advertising positions through the media such as radio and local newspapers allows the DOCR to recruit from a larger region and has worked very well in finding applicants for various positions. HR continues attending various career fairs hosted by many Universities in North Dakota and Minnesota and Job Service ND.

Concerns & Issues

High turnover rates for those employees working in the correctional officer classification. With the targeted market equity increases implemented in 2015 and 2016, the DOCR increased the hiring rates for Correctional Officers, which helps the DOCR remain competitive in the local labor market. The DOCR is competing with regional jails and law enforcement agencies for the same employees. Human Resources will turn its focus to recruitment practices, to ensure the DOCR hires the right person, for the right job, at the right time, every time.

Turnover rates in the Juvenile Institutional Resident Specialists classification have been increasing within the Division of Juveniles Services at the Youth Correctional Center.

Increase salaries for key employees and classifications to keep pace with the market and remain competitive. Work on alleviating internal compression for several classifications, including Parole and Probation Program Manager, Unit Manager, Case Manager, and several others.

Continue to recruit individuals for positions in hard to fill areas such as addiction counselors by "growing our own" and allowing personnel to complete their internship programs within the DOCR for specific licensures, such as the ND Certified Addiction Counselor License.

Continue enhancing the internal management and key position training courses so personnel can learn additional skills to improve their competency level and promote to higher levels of job responsibilities. The DOCR has several key positions that will likely retire within the next two years.

As the DOCR workforce experiences relatively high turnover rates for several key classifications, human resources will provide employee and manager development training, to ensure our employees are always educated on labor and employment law and workplace practices.

NORTH DAKOTA

Department of Corrections & Rehabilitation

Administrative Services

Overview

Administrative Services provides administrative support for the Division of Adult Services (DAS) and is comprised of 4 FTEs. This work unit also provides administration for several statewide programs. The Interstate Compact for Adult Offenders manages offenders on supervision who wish to relocate to another state. The Crime Victims Compensation (CVC) Program assists eligible crime victims with payment of medical and death benefits of up to $25,000. The Victim of Crime Act (VOCA) and Crime Victim Assistance (CVA) grants distribute to sub-recipients throughout the state to assist victims of violent crime with needed services. Along with management of these statewide programs this work unit also provides management of the DOCR's Case Planning Committee who is responsible to create initial case plans for new arrival inmates.

Statistics

CVC & Grant Stats:	**FY 14/15**	**FY 15/16**
• Number of applications for Crime Victim Compensation:	534	456
• Number of approved CVC applications:	426	378
• Average amount paid for a crime victim application:	$1,857	$2,092
• Number of VOCA/CVA applications for pass through grants:	63	65

Interstate Compact Stats:	**2015**	**2016**
• Average monthly incoming (to ND) case load:	682	790
• Average monthly outgoing (from ND) case load:	789	788
• Interstate Compact Retaking Transports:	51	62

Case Planning Stats: Coordinated and assisted the Case Planning Committee to develop and update over 2,000 case plans annually.

Successes

- ND was again over 90% compliance in all Interstate Compact audit standards.
- The Victim Compensation Administrative Rules were completed and approved by the Administrative Rules Committee. These rules have an effective date of January 1, 2017.

Concerns & Issues

Historically ND has more individuals leaving the state on Interstate Compact than coming into ND, however, over the past couple years these numbers started to even out and in 2016 there were more individuals coming into ND on Interstate Compact than going out. This creates concern for increases in caseload size and training needs for the complex and ever-changing rules associated with Interstate Compact cases.

Information Technology Services

Overview

The agency utilizes much of ITD's hosting services for its daily operations. The agency uses Oracle and Open Source Databases to conduct its daily business. The Agency relies on a number of external venders to insure operational readiness in the areas of Inmate Management Systems, Inmate Banking and Commissary, Electronic Medical Records and Electronic File Management. The Agencies I.T. Division provides "state-wide support" for day-to-day tasking in supporting the operational readiness of numerous systems including: Offender Debt Collection Systems, Victims Notification Systems, Closed Circuit Video Surveillance and numerous interfaces. We also provide Help Desk Support and Troubleshooting, Equipment Installation and Repair, Procurement Services, Staff Training, Video Conferencing Support, Application Development and Database Support and Administration. All prison security systems including closed circuit cameras, video recording servers, internal cell door controls, intercoms and security fence alarm systems are managed and supported by the DOCR I.T. department.

Statistics

- Service an average of 1,700 Help Desk Support Tickets per year
- Provide equipment asset management for over 1,500 LRU's (Line Replaceable Units)
- Maintain and manage over 700 security cameras in all DOCR facilities.

Successes

Successes occur daily as the challenge of keeping all facilities secured and systems operational. It is a dynamic challenge that changes hourly.

- Developed a custom application to insure facility audit standards are enforced. (FACTS system)
- Redesigned Victims tracking system.
- Upgraded agency inmate management system.
- Redesigned a number of key interface systems into more current technology.
- Developed a system to report on daily batch processing of agency business. (SCP)

Concerns & Issues

The lack of HR resources to ensure continued operation of key positions within the department. Highly skilled staff are always in demand and the ability to retain key staff is always a challenge and provides the greatest threat to continued operational viability of agency operations.

Physical Plant Services

Overview

The Department of Corrections and Rehabilitation Physical Plant is responsible to provide a safe and secure living environment for all of the individuals that have been committed into any one of the four state funded facilities. North Dakota State Penitentiary, Bismarck; James River Correctional Center, Jamestown; Missouri River Correctional Center, Bismarck; and the Youth Correctional Center, Mandan. The Physical Plant Division has a total of 23 FTE's who are qualified tradesmen in their fields of expertise and are responsible for the installation, operation, maintenance and repair of the equipment at the DOCR facilities. It is also our responsibility to provide the recommendations for the short term and long term building needs for the Department of Corrections and Rehabilitation.

Statistics

The DOCR Maintenance Staff are assigned daily work orders through the DOCR Maintenance Request System. There is an average of 700 work orders issued each month and the work could be in any one of the 69 buildings that make up the Physical Plant of the DOCR. The maintenance staff also supervises juvenile residents and inmates on a daily basis to assist in building maintenance, laundry operations, grounds care, small remodeling projects and heating plant operations. This program gives the worker the opportunity to learn a trade or to spark an interest into what they would like to do for a living after their release.

Successes

The DOCR Maintenance Division continues to expand on the Preventative Maintenance Program that addresses the many pieces of equipment that is under its care. This equipment is serviced on a daily, weekly or monthly schedule.

There have been numerous Physical Plant Improvements which include: The West Cell House Renovation that included updating the cell door mechanical locking system with electronic locks; New and efficient heating and ventilation system that meet the needs of the building; Additional security cameras; Office and dayroom renovations.

The mold remediation that included shower remodels, roof repair, new gutters and weatherproofing the main dorm building have been completed at MRCC. Additional improvements at MRCC include: demolition of the warden's house and north barracks; updating the sewer lift station; relocating and increasing the laundry facility; replacing the heat pumps in the dorm building for better heating and cooling.

The Missouri River Correctional Center Flood Control project is under construction with a completion date of late summer 2017. Inmates and staff at MRCC were instrumental in removing over 250 large cotton wood trees for the project to help reduce costs to taxpayers.

Concerns & Issues

The request for additional maintenance staff to provide the services necessary to keep the facilities operating at peak performance. The DOCR has many older buildings and the upkeep of maintenance and repair of these building require a lot of attention. The additional square footage and equipment that has been installed in the new construction has doubled the work load for the division.

There are areas of the exterior perimeter fence at NDSP and JRCC that need to be replaced with a heavier gauge fencing material. The exterior security lighting and security camera and fence detection systems around the fence perimeter needs enhancement to help deter an escape from the facility and put the public at risk.

Costs for perimeter fence detection, updates and repairs are increasing as the fence and equipment is aging. This is putting extra burdens on budgets but must be maintained as it's the last defense in preventing an escape.

NORTH DAKOTA
Department of Corrections & Rehabilitation

Staff Development and Facility Inspections

Overview

The Staff Development and Facility Inspections division is concerned with preparing staff for duty, providing staff with pertinent in-service training, and providing our state's county correctional facilities inspections services. It involves the research, design, presentation, and evaluation of training programs to provide a safe and secure environment for staff and those we serve. The Department of Corrections and Rehabilitation (DOCR) is responsible to assure that all county facilities in our state are staffed with properly trained staff and are managed and operated in compliance with state and federal laws and guidelines.

The division strives to continually improve services and add value to all staff through effective evidence based training techniques.

The division provides information and recommendations to respond to the legislative process in determining the potential future and long-term training and inspection needs of the DOCR.

The division provides technical assistance to county facilities in order to achieve compliance and has enforcement authority to assure a safe and secure environment for those incarcerated in county facilities

The division exists to provide training and inspection services to staff at the following sites:

- North Dakota State Penitentiary, Bismarck, ND
- James River Correctional Center, Jamestown, ND
- Missouri River Correctional Center, Bismarck, ND
- 32 county operated Adult Correctional Facilities

The training needs of staff served by the department include:

- Provide up to 40 hours of orientation training to all DOCR staff.
- Provide 56-160 hours of pre-service training to all DOCR institutional staff.
- Provide 16-75 hours of annual in-service training to all DOCR staff.
- Provide training support to all county, state correctional, and law enforcement agencies throughout our state.

- Design of training programs and systems.
- Analysis of training programs and systems.
- Provide pre-service training to all DOCR staff.
- Provide in-service training to all DOCR staff.
- Serve as State PREA (Prison Rape Elimination Act) Coordinator.
- Provide pre-service and in-service training of North Dakota State Hospital (NDSH) Secure Services Staff.
- Inspection of facilities.
- Provide technical assistance to county correctional facilities.
- Provide security audits.
- Provide Risk Management assessments.
- Provide compliance monitoring of federally mandated programs in state and county and city facilities.

Statistics

The division accomplishes its goals through the efforts of three full-time training professionals. These training officers coordinate the schedules of over 100 practitioner instructors across all departments in the division.

During the 2015-17 biennium the division has:

- Provided initial training to 184 new DOCR staff and 120 county jail employees
- Provided 788 classroom based training sessions for DOCR staff.
- Utilized 2578.5 person-hours of instructor time to date to deliver those training session, with a projection of 4,146 hours by the end of the biennium.
- Increased the number of web-based training classes offered by 200%.
- Provided 200 classroom-hours of training for NDSH Secure Services staff. Projections through the end of the biennium are at 248 hours.

County Facilities and Inspections:

The DOCR awarded full compliance to 31 of 32 county adult correctional facilities in North Dakota. One county facility is currently under an order of non-compliance for violations of the North Dakota Century Code and North Dakota Correctional Facility Rules. Nearly all county correctional facilities in North Dakota are near or at capacity. The DOCR encourages administrators to consider alternatives to incarceration to manage inmate populations in order to avoid possible DOCR sanctions for exceeding rated capacity. The DOCR inspections unit has responded to 7 major incidents this far in the 2015-2017 biennium. These incidents include in- custody deaths, escapes, and escape attempts. Correctional Facilities in North Dakota are defined by North Dakota Century Code in the following manner.

Currently there are 32 multi-county, county or city operated secure correctional facilities in North Dakota. Correctional facilities in North Dakota are classified as:

- Grade One.
- Grade Two.
- Grade Three
- Grade Four.

A Grade One facility may hold an adult inmate sentenced or presentenced for not more than one year.

- Grade One facilities must provide an outdoor recreation area that allows a minimum of 15 square feet of space per inmate. Grade One facilities may utilize opening louvered vented rooms that allow outside air in as outdoor recreation.
- Grade One facilities must provide an indoor recreation made up of a minimum of 100 square feet with a minimum of 15 square feet per inmate using the area at the same time. Inmates using this area may not have access to other inmates in their cells.
- Grade One facilities must provide secure visitation areas, including attorney-client visitation.
- There are 15 grade one facilities in North Dakota.

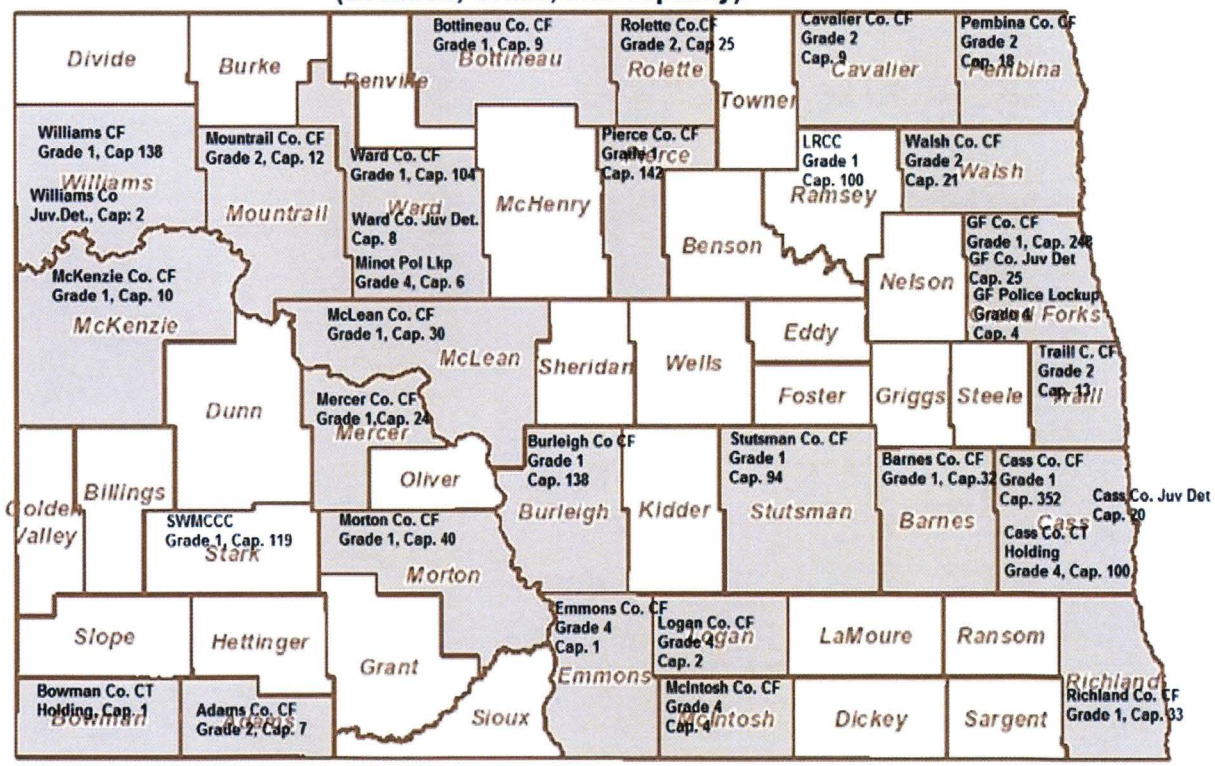
A Grade Two facility may hold an adult inmate sentenced or presentenced for not more than 90 days.

- Grade Two facilities must provide an indoor recreation made up of a minimum of 100 square feet with a minimum of 15 square feet per inmate using the area at the same time. Inmates using this area may not have access to other inmates in their cells.
- Grade Two facilities must provide secure visitation areas, including attorney-client visitation.
- There are eight grade two facilities in North Dakota.

A Grade Three facility may hold an adult inmate, sentence or presentenced for not more than 96 hours. There is currently one Grade Three facilities operating in North Dakota at this time.

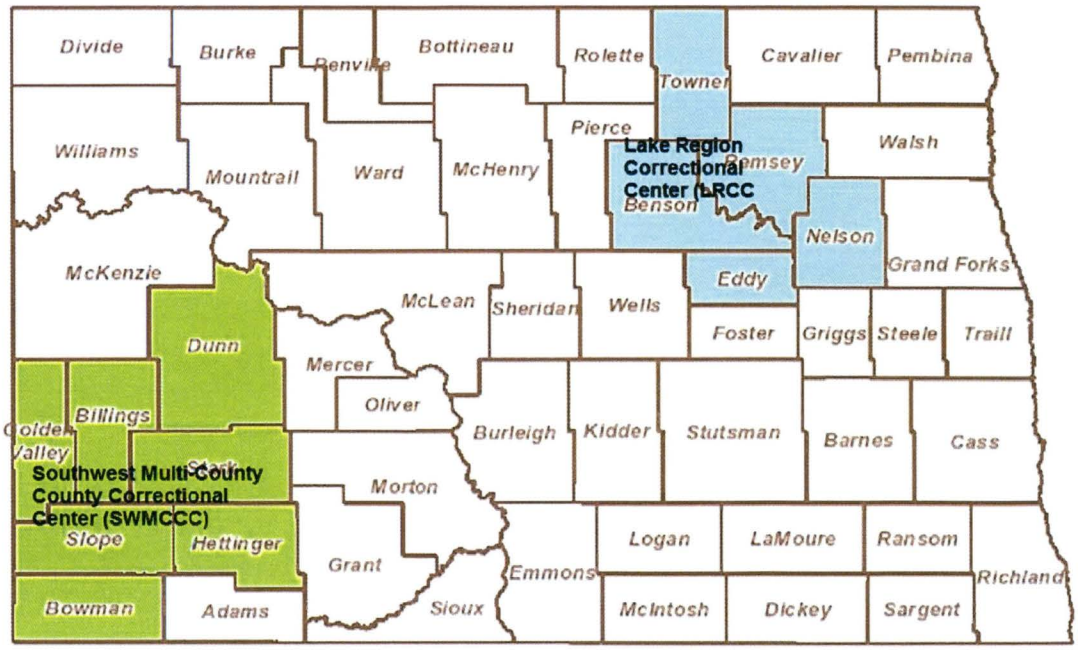
A Grade Four facility may hold an adult arrestee for not more than eight hours. These non-residential facilities are defined as court holding and police lockup facilities. These facilities are designed for the processing of arrestees prior to transfer to a Grade One or Two facilities or temporary holding during court proceedings. There are eight Grade Four facilities in North Dakota.

Counties with Single-County Operated Correctional Facilities and Counties without Correctional Facilities
(Location, Grade, and Capacity)

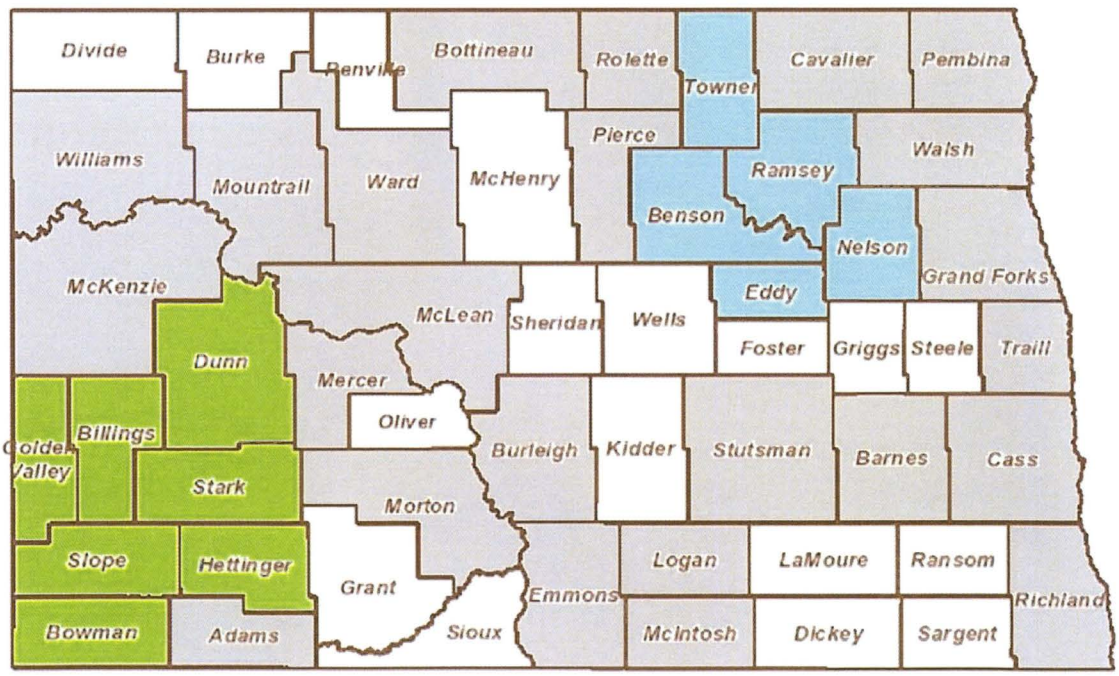


Regional Correctional Facilities

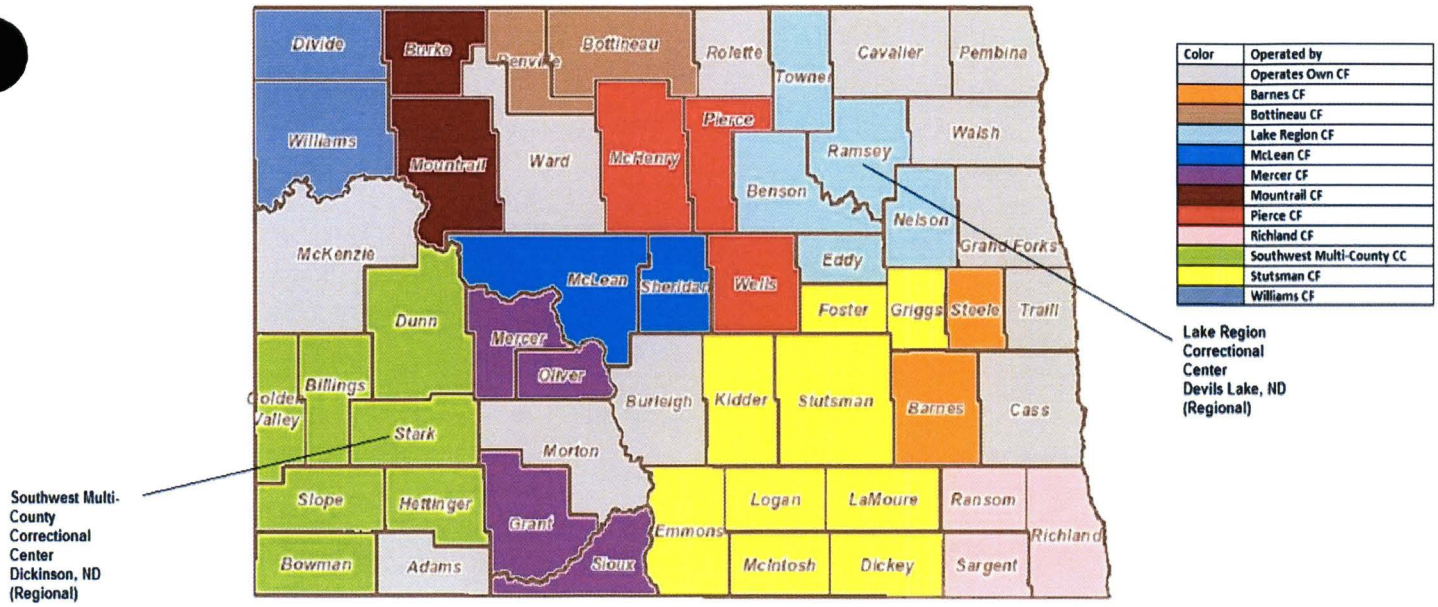
Multi-County Regional Correctional Facilites



Counties with Single-County Operated Facilities and Multi-County Regional Facilities



County-Operated Facilities, Multi-County Regional Facilities, and Counties Served by Contract



Total overnight bed capacity:

- Grade One
  - 1569 beds.
- Grade Two
  - 100 beds.
- Grade Three
  - 5 beds.
- Grade Four
  - No overnight capacity.
- Total adult bed space available statewide
  - 1674

Correctional facilities in North Dakota are experiencing increased populations and many are operating at or near capacity. Some sheriffs and administrators have developed alternatives to reduce this increased population. By utilizing electronic monitoring, diversion programs, and alternative housing many sheriffs and administrators have successfully dealt with this reality. County facilities currently under construction include Williams, Mountrail, Ward, McKenzie, Mercer, Bottineau, and Burleigh.

Prison Rape Elimination Act of 2003 (PREA):

In the 2015-2017 biennium, the DOCR achieved full compliance, both for the first and the second time, with the requirements of the Prison Rape Elimination Act of 2003 (PREA). Since being signed into law in 2003 the DOCR has prepared to be compliant with the law. The final rules were released in 2012 and the first round of audits began August 2013. Each facility must be audited every three years by a Department of Justice Certified Auditor and all audits of the first round were completed by August 20, 2016. The DOCR facilities, North Dakota Youth Correctional Center (YCC), the Missouri River Correctional Center (MRCC), the North Dakota State Penitentiary (NDSP), and the James River Correctional Center (JRCC) have completed PREA Audits and are in full compliance with the act. This will ensure that all DOCR facilities are in full compliance with PREA within the first two years of the three year cycle. Copies of the PREA audits for the MRCC

and YCC are available on the DOCR website. While the DOCR has experienced very few substantiated PREA allegation every allegation is thoroughly investigated and appropriate follow-up is provided. In addition, the DOCR facilities, North Dakota Youth Correctional Center (YCC), the Missouri River Correctional Center (MRCC), the North Dakota State Penitentiary (NDSP), and the James River Correctional Center (JRCC) have completed PREA Audits for the second three year audit cycle as well. All DOCR facilities continue to be in compliance with the act. The DOCR is committed to a policy of zero tolerance toward all forms of sexual abuse and sexual harassment on inmates and youth by other inmates, youth, staff contractors or volunteers.

Successes

The Staff Development and Facility Inspections division initiated use of the Developing A Curriculum (DACUM) model of task analysis to determine the content of job specific training. The DOCR applied for and was granted technical assistance through the National Institute of Corrections to have seven staff trained to facilitate the DACUM Panels. During this biennium the division has completed 7 DACUM panels and is working to incorporate the findings into training curriculum for those job positions.

Using the results of the DACUM for the Correctional Officer job tasks, the division has undertaken a re-design of the initial training. The new training model incorporates four phases; Orientation, Correctional Officer Basic, Field Training, and On-The-Job Training. As part of the re-design the division has been conducting complete content reviews for each class and is integrating experiential learning to enhance information retention.

The Staff Development and Facility Inspections Division worked with the National Institute of Corrections to get a DOCR specific Learn Center created. This allows staff to access over 300 e-learning courses developed by the National Institute of Corrections which cover a wide variety of topics from leadership, team building, writing and grammar, corrections topics, and many more. Division staff acts as administrators on this site and are able to download information on the training which has been completed and then upload that information to the agency training system.

The Division undertook research, development, and implementation of Leadership Development training during the 2015-2017 biennium. The training was presented several times and received positive reviews, however we have encountered difficulties in sustaining the program due to lack of personnel resources and have had to suspend the program.

The division has been working to improve the overall efficiency and effectiveness of the training delivered.

- We have been able to achieve a 200% increase in the number of web-based, training-on-demand type classes. These classes allow our staff to access training as their schedule allows either from their work environment or via the internet from any location.
- We have successfully launched a training model that integrates web-based, classroom, and experiential simulation-based training. This model has been specifically targeted for training staff working our high risk/high liability posts.
- We have consolidated the core curriculum for the Correctional Officer Basic Training and have implemented this core across the adult institutions.
- DOCR usage of National Institute of Corrections On-Line Training.
  - 2014: 51 users for a total of 206.5 hours of training
  - 2015: 581 users for a total of 1516 hours of training
  - 2016: 422 users for a total of 1337.5 hours of training

Concerns & Issues

Without doubt, the future will present challenges and concerns for the division. However it is through these challenges that this division has grown stronger and more creative in the past. While there is concern, there is optimism and commitment towards the endless pursuit to of delivering a quality product at a reasonable cost.

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DEPARTMENT OF CORRECTIONS & REHABILITATION – DIVISION OF JUVENILE SERVICES 2017-19 BUDGET DETAIL

Reporting Level:	**530-200-30-00-00-00**
Program:	**YOUTH CORRECTIONAL CENTER – YCC**

EXPLANATION OF PROGRAM COSTS

The Youth Correctional Center program includes costs for Administration, Operations, Education and Treatment. The tasks assigned include planning, leadership, records and program management, administrative services, food services, security/supervision, work programs, education and treatment.

BUDGET BY TRADITIONAL LINE ITEM

Description	2015-17 Adjusted Budget	2017-19 Senate Version	Percent of Total	Change from 15-17
Salary and Fringe	14,722,887	15,586,888	92%	864,001
Operating	1,260,547	1,324,568	8%	64,021
Capital	-	-	0%	-
Grants	-	-	0%	-
Total	**15,983,434**	**16,911,456**	**100%**	**928,022**
Funds				
General	14,190,049	15,032,649	89%	842,600
Other	1,793,385	1,878,806	11%	85,421
Total	**15,983,434**	**16,911,456**	**100%**	**928,022**
FTE	**85.87**	**95.87**	**-**	**10.00**

MATERIAL EXPENDITURES

Salary and Fringe - $15,586,888 – 92% of budget – 95.87 FTE
- Director of Juvenile Services – 0.5 FTE
- Quality Assurance Manager – 0.5 FTE
- YCC Director – 1.0 FTE
- Administration – 5.0 FTE
- Food Services – 4.0 FTE
- Security – 50.96 FTE
- Treatment – 16.0 FTE
- Education – 17.91 FTE

Professional Supplies/Materials - $168,687 – 1.0% of budget
- Treatment related supplies/resource materials and education textbooks/supplies and testing materials

Food and Clothing - $393,668 – 2.3% of budget
- Includes food supplies for kitchen, juvenile clothing, linens and safety clothing - The YCC kitchen staff plan, prepare and serve three nutritional meals and one evening snack every day of the year or a total of 73,189 meals, 24,589 evening snacks and fresh fruit and vegetable afternoon snacks per biennium.

Miscellaneous Supplies - $105,896 – 0.6% of budget
- For health, beauty, laundry, recreation, miscellaneous cottage supplies, miscellaneous tools and equipment

Professional Services - $171,377 – 1.0% of budget
- PBS dues, haircuts and mending, PREA audit, contracted psychologist, ReadRight recertification and consultants

SIGNIFICANT CHANGES

Salary and Fringe - $1,258,076
- 10.0 new FTE – PREA compliance

Employee health insurance premium increase

2015 – 2017 ADJUSTED BUDGET

As of February 28, 2017, 82.3% of this department budget has been expended.

YCC		2015-17 Biennium		Adjusted	2/28/2017	Remaining	2017-19
Description		Budget	Allotment	Budget	BTD Expend	Balance	Senate Version
SALARIES	511000	9,311,516	(32,000)	9,279,516	7,662,394	1,617,122	10,128,458
SALARY BUDGET ADJUSTMENT	511900			-	-	-	
SALARY INCREASE	599110			-	-	-	
SALARIES - OTHER	512000			-	-	-	
TEMP	513000	642,731	(19,819)	622,912	658,143	(35,231)	144,864
OVERTIME	514000	350,320	(40,500)	309,820	297,943	11,877	226,224
BENEFITS	516000	4,510,639		4,510,639	3,752,275	758,364	4,818,690
BENEFIT INCREASE	599160			-	-	-	268,652
TRAVEL	521000	40,900		40,900	31,976	8,924	48,900
IT-SOFTWARE/SUPPLIES	531000	60,325	(5,400)	54,925	19,285	35,640	68,488
PROFESSIONAL SUPPLIES & MAT	532000	133,317		133,317	72,001	61,316	168,687
FOOD & CLOTHING	533000	407,178		407,178	217,650	189,528	393,668
BLDG,GRNDS,VEHICLE MTCE S	534000	42,002		42,002	22,021	19,981	56,902
MISCELLANEOUS SUPPLIES	535000	89,331		89,331	63,296	26,035	105,896
OFFICE SUPPLIES	536000	59,450		59,450	41,124	18,326	59,550
POSTAGE	541000	11,000		11,000	5,078	5,922	9,000
PRINTING	542000	3,000		3,000	1,309	1,691	2,000
IT-EQUIP UNDER $5,000	551000	56,065	(30,000)	26,065	11,393	14,672	65,355
OTHER EQUIP - UNDER $5,000	552000	15,544		15,544	26,724	(11,180)	11,700
OFFICE EQUIP - UNDER $5,000	553000	33,286	(9,800)	23,486	15,568	7,918	31,986
UTILITIES	561000			-	-	-	
INSURANCE	571000	5,000		5,000	9,837	(4,837)	10,000
LEASE/RENT - EQUIPMENT	581000	3,692		3,692	5,711	(2,019)	5,773
LEASE/RENT - BLDG/LAND	582000			-	655	(655)	
REPAIRS	591000	10,808		10,808	17,397	(6,589)	10,056
IT-DATA PROCESSING	601000	102		102	-	102	
IT-TELEPHONE	602000			-	-	-	
IT-CONTRACTUAL SERVICES	603000	34,000		34,000	1,415	32,585	26,900
DUES & PROFESSIONAL DEV	611000	33,945	(5,000)	28,945	29,955	(1,010)	41,290
OPERATING FEES & SERVICES	621000	42,965		42,965	29,664	13,301	35,765
PROFESSIONAL SERVICES	623000	228,257		228,257	158,516	69,741	171,377
MEDICAL, DENTAL & OPTICAL	625000	580		580	576	4	1,275
LAND & BUILDINGS	682000			-	-	-	
OTHER CAPITAL PAYMENTS	683000			-	-	-	
EXTRAORDINARY REPAIRS	684000			-	-	-	
EQUIP - OVER $5,000	691000			-	-	-	
MOTOR VEHICLES	692000			-	-	-	
IT-EQUIP OVER $5,000	693000			-	-	-	
GRANTS, BENEFITS & CLAIMS	712000			-	-	-	
Total		**16,125,953**	**(142,519)**	**15,983,434**	**13,151,906**	**2,831,528**	**16,911,456**
General Funds		14,332,568	(142,519)	14,190,049	11,628,426	2,561,623	15,032,649
Other Funds		1,793,385	-	1,793,385	1,523,480	269,905	1,878,806
Total		**16,125,953**	**(142,519)**	**15,983,434**	**13,151,906**	**2,831,528**	**16,911,456**
FTE		**85.87**		**85.87**			**95.87**

Agency	Department of Corrections and Rehabilitation
Program	30 Youth Correctional Center - YCC
Reporting Level	01-530-200-30-00-00-00-00000000

1 Object/Revenue Description	Code	2 2015-17 First Year Expenditures	3 2015-17 Biennium Appropriation	4 2017-19 Total Changes	5 2017-19 Recommendation	6	7
EXPENDITURES							
Salaries - Permanent	511000	4,631,593	9,295,357	1,035,421	10,330,778	0	0
Salary Increase	511010	0	0	0	38,576	0	0
Benefit Increase	511011	0	0	0	7,698	0	0
Health Increase	511012	0	0	0	268,652	0	0
Temporary Salaries	513000	405,349	524,292	(379,428)	144,864	0	0
Overtime	514000	198,843	298,480	(72,256)	226,224	0	0
Fringe Benefits	516000	2,293,727	4,517,665	350,391	4,868,056	0	0
Travel	521000	27,500	40,900	8,000	48,900	0	0
Supplies - IT Software	531000	11,321	60,875	7,613	68,488	0	0
Supply/Material-Professional	532000	50,701	133,317	35,370	168,687	0	0
Food and Clothing	533000	134,148	390,180	3,488	393,668	0	0
Bldg, Ground, Maintenance	534000	17,006	42,002	14,900	56,902	0	0
Miscellaneous Supplies	535000	43,851	89,396	16,500	105,896	0	0
Office Supplies	536000	27,089	59,125	425	59,550	0	0
Postage	541000	3,200	11,000	(2,000)	9,000	0	0
Printing	542000	886	3,000	(1,000)	2,000	0	0
IT Equip Under $5,000	551000	0	35,000	30,355	65,355	0	0
Other Equip Under $5,000	552000	25,725	36,544	(24,844)	11,700	0	0
Office Equip & Furn Supplies	553000	11,803	33,286	(1,300)	31,986	0	0
Insurance	571000	4,919	5,000	5,000	10,000	0	0
Rentals/Leases-Equip & Other	581000	3,786	8,000	(2,227)	5,773	0	0
Repairs	591000	12,038	24,000	(13,944)	10,056	0	0
IT Contractual Srvcs and Rprs	603000	1,415	34,000	24,000	58,000	0	0
Professional Development	611000	20,185	33,100	8,190	41,290	0	0
Operating Fees and Services	621000	18,768	42,765	(7,000)	35,765	0	0
Fees - Professional Services	623000	108,916	266,657	(95,280)	171,377	0	0
Medical, Dental and Optical	625000	288	1,000	275	1,275	0	0
Operating Budget Adjustment	699000	0	0	(31,100)	(31,100)	0	0
Juvenile Services	**79**	**8,053,057**	**15,984,941**	**909,549**	**17,209,416**	**0**	**0**
TOTAL EXPENDITURES for 30 Youth Correctional Center - YCC		**8,053,057**	**15,984,941**	**909,549**	**17,209,416**	**0**	**0**

Agency	Department of Corrections and Rehabilitation
Program	30 Youth Correctional Center - YCC
Reporting Level	01-530-200-30-00-00-00-00000000

Description	Code	1 Object/Revenue	2 2015-17 First Year Expenditures	3 2015-17 Biennium Appropriation	4 2017-19 Total Changes	5 2017-19 Recommendation	6	7
MEANS OF FUNDING								
Institutional Care (Federal) - YCC	P022		174,684	241,916	(38,718)	207,443	0	0
Title I - YCC	P050		116,263	176,317	55,683	232,859	0	0
Adult Education - YCC	P053		63,000	65,382	29,674	96,282	0	0
School Lunch - YCC	P057		132,050	266,778	0	266,778	0	0
Voc Ed (Incarcerated) - YCC	P064		20,000	42,231	(2,231)	41,074	0	0
Voc Ed (Carl Perkins) - YCC	P082		9,924	13,818	4,080	17,898	0	0
OJJDP - Challenge Funds	P094		17,473	25,000	(25,000)	0	0	0
Federal Funds	**FED**		**533,394**	**831,442**	**23,488**	**862,334**	**0**	**0**
State General Fund	001		7,216,267	14,166,556	868,171	15,325,541	0	0
General Fund	**GEN**		**7,216,267**	**14,166,556**	**868,171**	**15,325,541**	**0**	**0**
Dept of Corrections Oper - 379	379		303,396	986,943	17,890	1,021,541	0	0
Special Funds	**SPEC**		**303,396**	**986,943**	**17,890**	**1,021,541**	**0**	**0**
TOTAL FUNDING for 30 Youth Correctional Center - YCC			**8,053,057**	**15,984,941**	**909,549**	**17,209,416**	**0**	**0**
AUTHORIZED EMPLOYEES								
FTE			85.87	85.87	(2.00)	83.87	0.00	0.00
Vacant			0.00	0.00	12.00	12.00	0.00	0.00
TOTAL AUTHORIZED EMPLOYEES for 30 Youth Correctional Center - YCC			85.87	85.87	10.00	95.87	0.00	0.00

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DEPARTMENT OF CORRECTIONS AND REHABILITATION – DIVISION OF JUVENILE SERVICES
2017-19 BUDGET DETAIL

Reporting Level:	**530-200-20-00-00-00**
Program:	**JUVENILE COMMUNITY SERVICES**

EXPLANATION OF PROGRAM COSTS

The Juvenile Community Administration Services budget includes costs related to the management of resources directed at juvenile community programming. The Juvenile Community program includes costs for the treatment and supervision programs. The treatment program accounts for the cost of community based services that provide supervision and advocacy for delinquent youth. The programming provides services that help youth and their families to remain in their local communities. The supervision program accounts for the costs related to the management of juveniles in a home setting with available community resources.

BUDGET BY TRADITIONAL LINE ITEM

Description	2015-17 Adjusted Budget	2017-19 Senate Version	Percent of Total	Change from 15-17
Salary and Fringe	5,138,409	5,087,727	56%	(50,682)
Operating	3,149,743	3,197,631	35%	47,888
Capital	-	-	0%	-
Grants	800,000	800,000	9%	-
Total	**9,088,152**	**9,085,358**	**100%**	**(2,794)**
Funds				
General	7,236,918	6,538,151	72%	(698,767)
Other	1,851,234	2,547,207	28%	695,973
Total	**9,088,152**	**9,085,358**	**100%**	**(2,794)**
FTE	**31.47**	**31.47**	-	-

MATERIAL EXPENDITURES

Salary and Fringe - $5,087,727 – 56% of budget – 31.47 FTE
- Director of Juvenile Services – 0.5 FTE
- Quality Assurance Manager – 0.5 FTE
- Deputy Director Juvenile Services – 1.0 FTE
- Juvenile Correctional Specialists – 19.47 FTE
- Juvenile Corrections Tech – 2.0 FTE
- Administrative Assistants – 8.0 FTE

Travel - $376,449 – 4% of budget
- Motor pool, employee travel expenses, family mileage reimbursements and juvenile transport expenses

Lease / Rent – Building - $332,469 – 4% of budget
- Regional office space – 8 locations

Operating Fees and Services - $2,084,891 – 23% of budget
- Redwood Toxicology,Electronic Monitoring, Day Treatment, Intensive In-Home, and Sheriff Transports

Professional Services - $172,054 – 2% of budget
- MMIS Payments, Consulting Fees & outside professional services (Juvenile Justice Specialist)

Grants, Benefits & Claims - $800,000 – 9% of budget
- Grant expenditures

SIGNIFICANT CHANGES

Elimination of oil patch premium pay and housing assistance

Employee health insurance premium increase

2015 – 2017 ADJUSTED BUDGET

As of February 28, 2017, 77.4% of this department budget has been expended.

Juvenile Community		2015-17 Biennium		Adjusted	2/28/2017	Remaining	2017-19
Description		Budget	Allotment	Budget	BTD Expend	Balance	Senate Version
SALARIES	511000	3,319,680		3,319,680	2,691,442	628,238	3,317,280
SALARY BUDGET ADJUSTMENT	511900			-	-	-	
SALARY INCREASE	599110			-	-	-	
SALARIES - OTHER	512000	132,317	(49,800)	82,517	48,207	34,311	
TEMP	513000	208,354		208,354	97,988	110,366	148,752
OVERTIME	514000	5,000		5,000	1,710	3,290	-
BENEFITS	516000	1,522,858		1,522,858	1,240,443	282,415	1,532,974
BENEFIT INCREASE	599160			-	-	-	88,721
TRAVEL	521000	447,436	(26,148)	421,288	277,189	144,099	376,449
IT-SOFTWARE/SUPPLIES	531000	19,500		19,500	47,996	(28,496)	26,000
PROFESSIONAL SUPPLIES & MAT	532000	2,575		2,575	260	2,315	1,325
FOOD & CLOTHING	533000	525		525	-	525	-
BLDG,GRNDS,VEHICLE MTCE S	534000	2,100		2,100	698	1,402	1,475
MISCELLANEOUS SUPPLIES	535000	4,150		4,150	1,866	2,284	3,450
OFFICE SUPPLIES	536000	21,831		21,831	8,487	13,344	14,471
POSTAGE	541000	42,546		42,546	28,969	13,577	40,228
PRINTING	542000	5,184		5,184	4,631	553	6,944
IT-EQUIP UNDER $5,000	551000	6,300		6,300	-	6,300	
OTHER EQUIP - UNDER $5,000	552000			-	2,154	(2,154)	-
OFFICE EQUIP - UNDER $5,000	553000			-	5,587	(5,587)	-
UTILITIES	561000			-	-	-	
INSURANCE	571000	3,450		3,450	3,572	(122)	3,600
LEASE/RENT - EQUIPMENT	581000	30,054		30,054	20,827	9,227	25,203
LEASE/RENT - BLDG/LAND	582000	315,219		315,219	262,058	53,161	332,469
REPAIRS	591000	9,195		9,195	6,199	2,996	9,128
IT-DATA PROCESSING	601000	1,500		1,500	-	1,500	-
IT-TELEPHONE	602000	84,785		84,785	40,484	44,301	67,255
IT-CONTRACTUAL SERVICES	603000			-	-	-	
DUES & PROFESSIONAL DEV	611000	30,133		30,133	32,108	(1,975)	31,470
OPERATING FEES & SERVICES	621000	2,087,226	(151,250)	1,935,976	1,499,212	436,764	2,084,891
PROFESSIONAL SERVICES	623000	210,543		210,543	110,693	99,850	172,054
MEDICAL, DENTAL & OPTICAL	625000	2,889		2,889	1,132	1,757	1,219
LAND & BUILDINGS	682000			-	-	-	
OTHER CAPITAL PAYMENTS	683000			-	-	-	
EXTRAORDINARY REPAIRS	684000			-	-	-	
EQUIP - OVER $5,000	691000			-	-	-	
MOTOR VEHICLES	692000			-	-	-	
IT-EQUIP OVER $5,000	693000			-	-	-	
GRANTS, BENEFITS & CLAIMS	712000	800,000		800,000	599,144	200,856	800,000
Total		**9,315,350**	**(227,198)**	**9,088,152**	**7,033,054**	**2,055,098**	**9,085,358**
General Funds		7,464,116	(227,198)	7,236,918	5,650,059	1,586,859	6,538,151
Other Funds		1,851,234	-	1,851,234	1,382,995	468,239	2,547,207
Total		**9,315,350**	**(227,198)**	**9,088,152**	**7,033,054**	**2,055,098**	**9,085,358**
FTE		**31.47**		**31.47**			**31.47**

Agency	Department of Corrections and Rehabilitation
Program	20 Juvenile Community Services
Reporting Level	01-530-200-20-00-00-00-00000000

1 Object/Revenue Description	Code	2 2015-17 First Year Expenditures	3 2015-17 Biennium Appropriation	4 2017-19 Total Changes	5 2017-19 Recommendation	6	7
EXPENDITURES							
Salaries - Permanent	511000	1,597,953	3,305,038	12,242	3,317,280	0	0
Salary Increase	511010	0	0	0	16,587	0	0
Benefit Increase	511011	0	0	0	3,299	0	0
Health Increase	511012	0	0	0	88,721	0	0
Salaries - Other	512000	48,207	48,207	(48,207)	0	0	0
Temporary Salaries	513000	75,162	264,288	(115,536)	148,752	0	0
Overtime	514000	208	6,000	(6,000)	0	0	0
Fringe Benefits	516000	752,637	1,573,664	(40,690)	1,532,974	0	0
Travel	521000	199,957	439,871	(63,422)	376,449	0	0
Supplies - IT Software	531000	30,792	60,000	(34,000)	26,000	0	0
Supply/Material-Professional	532000	112	2,300	(975)	1,325	0	0
Food and Clothing	533000	0	800	(800)	0	0	0
Bldg, Ground, Maintenance	534000	443	2,025	(550)	1,475	0	0
Miscellaneous Supplies	535000	1,539	4,150	(700)	3,450	0	0
Office Supplies	536000	5,484	21,831	(7,360)	14,471	0	0
Postage	541000	18,748	41,628	(1,400)	40,228	0	0
Printing	542000	2,682	4,625	2,319	6,944	0	0
Other Equip Under $5,000	552000	2,154	6,300	(6,300)	0	0	0
Office Equip & Furn Supplies	553000	5,587	6,500	(6,500)	0	0	0
Insurance	571000	1,786	3,400	200	3,600	0	0
Rentals/Leases-Equip & Other	581000	12,491	29,408	(4,205)	25,203	0	0
Rentals/Leases - Bldg/Land	582000	155,764	290,484	41,985	332,469	0	0
Repairs	591000	3,489	8,516	612	9,128	0	0
IT - Data Processing	601000	0	1,500	(1,500)	0	0	0
IT - Communications	602000	24,973	84,785	(17,530)	67,255	0	0
Professional Development	611000	16,505	29,870	1,600	31,470	0	0
Operating Fees and Services	621000	980,164	2,250,657	(165,766)	2,084,891	0	0
Fees - Professional Services	623000	68,455	322,554	(150,500)	172,054	0	0
Medical, Dental and Optical	625000	491	1,950	(731)	1,219	0	0
Grants, Benefits & Claims	712000	399,144	600,000	200,000	800,000	0	0
Juvenile Services	**79**	**4,404,927**	**9,410,351**	**(413,714)**	**9,105,244**	**0**	**0**

Agency	Department of Corrections and Rehabilitation
Program	20 Juvenile Community Services
Reporting Level	01-530-200-20-00-00-00-00000000

Description	Code	1 Object/Revenue	2 2015-17 First Year Expenditures	3 2015-17 Biennium Appropriation	4 2017-19 Total Changes	5 2017-19 Recommendation	6	7
TOTAL EXPENDITURES for 20 Juvenile Community Services			**4,404,927**	**9,410,351**	**(413,714)**	**9,105,244**	**0**	**0**
MEANS OF FUNDING								
OJJDP - Formula Funds	P026		399,144	600,000	200,000	800,000	0	0
Crime Victims Advocacy-DJS	P158		40,143	50,000	20,432	71,875	0	0
Title IV-E Reimbursements	P164		171,821	400,736	139,881	548,398	0	0
Title XIX	P270		0	0	592,421	604,435	0	0
Federal Funds	**FED**		**611,108**	**1,050,736**	**952,734**	**2,024,708**	**0**	**0**
State General Fund	001		3,537,964	7,584,117	(1,118,150)	6,553,336	0	0
General Fund	**GEN**		**3,537,964**	**7,584,117**	**(1,118,150)**	**6,553,336**	**0**	**0**
Dept of Corrections Oper - 379	379		255,855	775,498	(248,298)	527,200	0	0
Special Funds	**SPEC**		**255,855**	**775,498**	**(248,298)**	**527,200**	**0**	**0**
TOTAL FUNDING for 20 Juvenile Community Services			**4,404,927**	**9,410,351**	**(413,714)**	**9,105,244**	**0**	**0**
AUTHORIZED EMPLOYEES								
Vacant			0.00	0.00	1.00	1.00	0.00	0.00
FTE			31.47	31.47	(1.00)	30.47	0.00	0.00
TOTAL AUTHORIZED EMPLOYEES for 20 Juvenile Community Services			31.47	31.47	0.00	31.47	0.00	0.00

DOCR Juvenile Community 2017 - 2019 Budgeted Office Rents		
Office	**Est Ave Monthly Amt**	**2017-2019**
Minot	1,859	44,625
Bismarck	2,180	52,320
Williston	2,735	65,650
Dickinson	924	22,176
Fargo	1,961	47,058
Grand Forks	1,690	40,560
Devils Lake	1,508	36,200
Jamestown	995	23,880
	TOTAL	**332,469**

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DEPARTMENT OF CORRECTIONS & REHABILITATION – DIVISION OF JUVENILE SERVICES
2017-19 BUDGET DETAIL

Reporting Level:	**530-200-40-00-00-00**
Program:	**CENTRAL OFFICE – JUVENILE SERVICES**

EXPLANATION OF PROGRAM COSTS

The Central Office – Juvenile Services program includes cost for administration, training, technology, warehouse, medical, and plant services. The tasks assigned include planning, leadership, records and program management, administrative services, training services, technology services, medical services and plant services.

BUDGET BY TRADITIONAL LINE ITEM

Description	2015-17 Adjusted Budget	2017-19 Senate Version	Percent of Total	Change from 15-17
Salary and Fringe	2,785,242	2,517,914	48%	(267,328)
Operating	2,184,496	2,362,770	45%	178,274
Capital	763,701	419,237	8%	(344,464)
Grants	-	-	0%	-
Total	**5,733,439**	**5,299,921**	**100%**	**(433,518)**
Funds				
General	5,044,439	4,594,149	87%	(450,290)
Other	689,000	705,772	13%	16,772
Total	**5,733,439**	**5,299,921**	**100%**	**(433,518)**
FTE	**13.33**	**13.33**	-	-

MATERIAL EXPENDITURES

Salary and Fringe - $2,517,914 – 48% of budget – 13.33 FTE
- Administration / Human Resources – 2.08 FTE
- Information Technology – 1.12 FTE
- Fiscal Operations / Warehouse – 2.15 FTE
- Training – 1.12 FTE
- Medical Services / Pharmacy – 1.74 FTE
- Plant Services – 5.12 FTE

Building, Grounds, Vehicle Mtce - $190,214 – 3.6% of budget
- Includes plumbing, paint, electrical, repair parts-radios

Utilities and Repairs - $724,524 – 13.7% of budget
- Maintenance expenditures and utilities needed for the daily operations at the YCC facility

IT Data Processing and IT Communications - $723,369 – 13.6% of budget
- ITD payments

Professional Services - $105,362 – 2.0% of budget
- Medical payments and miscellaneous professional fees

Capital Payments - $419,237 – 7.9% of budget
- Bond Payments

SIGNIFICANT CHANGES

Central office allocation percentage (21% to 12%)

340B Pharmacy

Employee health insurance premium increase

2015 – 2017 ADJUSTED BUDGET

As of February 28, 2017, 68.7% of this department budget has been expended.

JS Central Office		2015-17 Biennium		Adjusted	2/28/2017	Remaining	2017-19
Description		Budget	Allotment	Budget	BTD Expend	Balance	Senate Version
SALARIES	511000	1,871,748		1,871,748	1,359,878	511,870	1,640,600
SALARY BUDGET ADJUSTMENT	511900			-	-	-	
SALARY INCREASE	599110			-	-	-	
SALARIES - OTHER	512000			-	-	-	
TEMP	513000	94,000		94,000	79,309	14,691	89,868
OVERTIME	514000	11,700		11,700	9,386	2,314	10,872
BENEFITS	516000	807,794		807,794	584,202	223,592	735,708
BENEFIT INCREASE	599160			-	-	-	40,866
TRAVEL	521000	95,575	(13,500)	82,075	75,600	6,475	95,575
IT-SOFTWARE/SUPPLIES	531000	155,974		155,974	83,599	72,375	155,974
PROFESSIONAL SUPPLIES & MAT	532000	5,729		5,729	1,883	3,846	3,610
FOOD & CLOTHING	533000	2,165		2,165	4,104	(1,939)	2,165
BLDG,GRNDS,VEHICLE MTCE S	534000	190,204		190,204	119,203	71,001	190,214
MISCELLANEOUS SUPPLIES	535000	28,241		28,241	18,301	9,940	27,991
OFFICE SUPPLIES	536000	1,400		1,400	644	756	1,310
POSTAGE	541000	4,404		4,404	3,167	1,237	4,404
PRINTING	542000	2,410		2,410	2,113	297	3,794
IT-EQUIP UNDER $5,000	551000	79,543		79,543	19,968	59,575	69,543
OTHER EQUIP - UNDER $5,000	552000	18,000		18,000	6,663	11,337	18,000
OFFICE EQUIP - UNDER $5,000	553000	15,896		15,896	4,594	11,302	12,736
UTILITIES	561000	692,000	(200,000)	492,000	284,874	207,126	450,000
INSURANCE	571000	52,064		52,064	28,485	23,579	52,064
LEASE/RENT - EQUIPMENT	581000	9,573		9,573	3,164	6,409	7,349
LEASE/RENT - BLDG/LAND	582000			-	13	(13)	20
REPAIRS	591000	57,852		57,852	102,897	(45,045)	274,524
IT-DATA PROCESSING	601000	446,914		446,914	252,601	194,313	621,914
IT-TELEPHONE	602000	102,630		102,630	73,826	28,804	101,455
IT-CONTRACTUAL SERVICES	603000	1,785		1,785	153	1,632	1,785
DUES & PROFESSIONAL DEV	611000	56,666		56,666	43,299	13,367	56,786
OPERATING FEES & SERVICES	621000	23,940		23,940	10,304	13,636	18,865
PROFESSIONAL SERVICES	623000	157,484		157,484	79,753	77,731	105,362
MEDICAL, DENTAL & OPTICAL	625000	214,330	(16,783)	197,547	36,441	161,106	87,330
LAND & BUILDINGS	682000			-	-	-	
OTHER CAPITAL PAYMENTS	683000	542,301		542,301	524,570	17,731	419,237
EXTRAORDINARY REPAIRS	684000	360,000	(200,000)	160,000	80,371	79,629	
EQUIP - OVER $5,000	691000	61,400		61,400	43,695	17,705	
MOTOR VEHICLES	692000			-	-	-	
IT-EQUIP OVER $5,000	693000			-	720	(720)	
GRANTS, BENEFITS & CLAIMS	712000			-	-	-	
Total		**6,163,722**	**(430,283)**	**5,733,439**	**3,937,779**	**1,795,660**	**5,299,921**
General Funds		5,474,722	(430,283)	5,044,439	3,702,606	1,341,833	4,594,149
Other Funds		689,000	-	689,000	235,174	453,826	705,772
Total		**6,163,722**	**(430,283)**	**5,733,439**	**3,937,779**	**1,795,660**	**5,299,921**
FTE		**13.33**		**13.33**			**13.33**

Agency	Department of Corrections and Rehabilitation
Program	40 Central Office - Juvenile
Reporting Level	01-530-200-40-00-00-00-00000000

1 Object/Revenue Description	Code	2 2015-17 First Year Expenditures	3 2015-17 Biennium Appropriation	4 2017-19 Total Changes	5 2017-19 Recommendation	6	7
EXPENDITURES							
Salaries - Permanent	511000	829,984	1,862,161	(221,561)	1,640,600	0	0
Salary Increase	511010	0	0	0	8,203	0	0
Benefit Increase	511011	0	0	0	1,611	0	0
Health Increase	511012	0	0	0	40,866	0	0
Temporary Salaries	513000	47,224	114,504	(24,636)	89,868	0	0
Overtime	514000	5,983	6,000	4,872	10,872	0	0
Fringe Benefits	516000	356,467	808,892	(73,184)	735,708	0	0
Travel	521000	48,881	91,041	4,534	95,575	0	0
Supplies - IT Software	531000	43,462	155,856	118	155,974	0	0
Supply/Material-Professional	532000	1,572	4,207	(597)	3,610	0	0
Food and Clothing	533000	2,413	2,800	(635)	2,165	0	0
Bldg, Ground, Maintenance	534000	86,841	190,144	70	190,214	0	0
Miscellaneous Supplies	535000	13,743	26,786	1,205	27,991	0	0
Office Supplies	536000	521	1,850	(540)	1,310	0	0
Postage	541000	2,098	4,394	10	4,404	0	0
Printing	542000	1,920	2,480	1,314	3,794	0	0
IT Equip Under $5,000	551000	20,688	79,543	(10,000)	69,543	0	0
Other Equip Under $5,000	552000	2,548	18,000	0	18,000	0	0
Office Equip & Furn Supplies	553000	4,594	14,312	(1,576)	12,736	0	0
Utilities	561000	175,001	589,200	(139,200)	450,000	0	0
Insurance	571000	17,618	76,370	(24,306)	52,064	0	0
Rentals/Leases-Equip & Other	581000	1,402	9,573	(2,224)	7,349	0	0
Rentals/Leases - Bldg/Land	582000	0	0	20	20	0	0
Repairs	591000	85,757	196,000	78,524	274,524	0	0
IT - Data Processing	601000	170,741	449,814	172,100	621,914	0	0
IT - Communications	602000	44,417	102,630	(1,175)	101,455	0	0
IT Contractual Srvcs and Rprs	603000	112	1,785	0	1,785	0	0
Professional Development	611000	33,864	52,775	4,011	56,786	0	0
Operating Fees and Services	621000	7,415	18,018	847	18,865	0	0
Fees - Professional Services	623000	54,305	148,870	(43,508)	105,362	0	0
Medical, Dental and Optical	625000	30,755	214,330	(127,000)	87,330	0	0
Other Capital Payments	683000	265,078	542,301	(123,064)	419,237	0	0

Agency	Department of Corrections and Rehabilitation
Program	40 Central Office - Juvenile
Reporting Level	01-530-200-40-00-00-00-00000000

Description	Code	1 Object/Revenue	2 2015-17 First Year Expenditures	3 2015-17 Biennium Appropriation	4 2017-19 Total Changes	5 2017-19 Recommendation	6	7
Extraordinary Repairs	684000		11,036	324,000	(324,000)	0	0	0
Equipment Over $5000	691000		43,695	61,400	(61,400)	0	0	0
Juvenile Services	**79**		**2,410,135**	**6,170,036**	**(910,981)**	**5,309,735**	**0**	**0**
TOTAL EXPENDITURES for 40 Central Office - Juvenile			**2,410,135**	**6,170,036**	**(910,981)**	**5,309,735**	**0**	**0**
MEANS OF FUNDING								
State General Fund	001		2,257,033	5,481,036	(924,176)	4,603,121	0	0
General Fund	**GEN**		**2,257,033**	**5,481,036**	**(924,176)**	**4,603,121**	**0**	**0**
Dept of Corrections Oper - 379	379		153,102	689,000	13,195	706,614	0	0
Special Funds	**SPEC**		**153,102**	**689,000**	**13,195**	**706,614**	**0**	**0**
TOTAL FUNDING for 40 Central Office - Juvenile			**2,410,135**	**6,170,036**	**(910,981)**	**5,309,735**	**0**	**0**
AUTHORIZED EMPLOYEES								
FTE			13.33	13.33	(0.12)	13.21	0.00	0.00
Vacant			0.00	0.00	0.12	0.12	0.00	0.00
TOTAL AUTHORIZED EMPLOYEES for 40 Central Office - Juvenile			13.33	13.33	0.00	13.33	0.00	0.00

2017-2019 Appropriation						
Agency	General Fund	General Fund	Other Funds	Other Funds	Total	
Department of Corrections						
2003B/2012A - Penitentiary	$410,024.20		$0.00		$410,024.20	
98A/06A - Youth Correctional Center	$127,754.40		$0.00		$127,754.40	
00A/06A - Youth Correctional Center	$291,482.40		$0.00		$291,482.40	
2005A - Penitentiary	$329,417.83		$0.00		$329,417.83	
Total		$1,158,678.83		$0.00		$1,158,678.83
5/5/2016						

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Department of Corrections and Rehabilitation - Budget No. 530
Senate Bill No. 2015
Base Level Funding Changes

	Burgum Executive Budget Recommendation (Changes to Dalrymple Budget in Bold)				Senate Version				Senate Changes to Revised Executive Budget Increase (Decrease) - Executive Budget			
	FTE Positions	General Fund	Other Funds	Total	FTE Positions	General Fund	Other Funds	Total	FTE Positions	General Fund	Other Funds	Total
2017-19 Biennium Base Level	836.29	$203,044,020	$33,236,706	$236,280,726	836.29	$203,044,020	$33,236,706	$236,280,726	0.00	$0	$0	$0
2017-19 Ongoing Funding Changes												
Base payroll changes		$843,274	$1,296,984	$2,140,258		$843,274	$1,296,984	$2,140,258				$0
Salary increase				***0***				***0***				***0***
Health insurance increase		2,179,298	150,361	2,329,659		2,179,298	150,361	2,329,659				0
Employee portion of health insurance		***(1,141,642)***	***(78,768)***	***(1,220,410)***				***0***		***1,141,642***	***78,768***	***1,220,410***
Add new Youth Correctional Center FTE positions (PREA)	10.00	1,258,076		1,258,076	10.00	1,258,076		1,258,076				0
Restore funding for salaries and wages		461,935		461,935		461,935		461,935				0
Reduce funding for temporary employee operating expenses		(31,100)		(31,100)		(31,100)		(31,100)				0
Restore funding for contract housing and programs		4,715,073		4,715,073		4,715,073		4,715,073				0
Increase funding for contract housing and programs		105,441		105,441		105,441		105,441				0
Restore funding for the Dakota Women's Correctional and Rehabilitation Center contract		348,815		348,815		348,815		348,815				0
Adjust funding for various expenses, including food and clothing, medical, travel, utilities, repairs, maintenance, information technology, and professional services		2,971,046	(359,501)	2,611,545		2,971,046	(359,501)	2,611,545				0
Adjust funding for federal grant changes			3,017,597	3,017,597			3,017,597	3,017,597				0
Reduce funding for extraordinary repairs		(417,060)	(170,000)	(587,060)		(417,060)	(170,000)	(587,060)				0
Adjust funding for bond payments		(120,845)		(120,845)		(120,845)		(120,845)				0
Reduce funding for salaries and wages and contract housing and programming		***(7,000,000)***		***(7,000,000)***		***(7,000,000)***		***(7,000,000)***				***0***
Add funding for community behavioral health program				0	1.00	7,000,000		7,000,000	1.00	7,000,000		7,000,000
Total ongoing funding changes	10.00	$4,172,311	$3,856,673	$8,028,984	11.00	$12,313,953	$3,935,441	$16,249,394	1.00	$8,141,642	$78,768	$8,220,410
One-time funding items												
Add funding for equipment			$167,000	$167,000			$167,000	$167,000			$0	$0
Add funding for electronic medical records system			935,907	935,907			935,907	935,907			0	0
Total one-time funding changes	0.00	$0	$1,102,907	$1,102,907	0.00	$0	$1,102,907	$1,102,907	0.00	$0	$0	$0
Total Changes to Base Level Funding	10.00	$4,172,311	$4,959,580	$9,131,891	11.00	$12,313,953	$5,038,348	$17,352,301	1.00	$8,141,642	$78,768	$8,220,410
2017-19 Total Funding	846.29	$207,216,331	$38,196,286	$245,412,617	847.29	$215,357,973	$38,275,054	$253,633,027	1.00	$8,141,642	$78,768	$8,220,410
										3.9%	0.2%	3.3%

Other Sections in Department of Corrections and Rehabilitation - Budget No. 530

	Burgum Executive Budget Recommendation (Changes to Dalrymple Budget in Bold)	Senate Version
Appropriation - Department of Human Services		Section 3 provides an appropriation of $7 million from other funds and 6 FTE positions to the Department of Human Services for the community behavioral health program. The source of funds is the Department of Corrections and Rehabilitation.
Appropriation - Department of Human Services		Section 4 provides an appropriation of $500,000 from the general fund to the Department of Human Services to contract with a public or private entity to create, initiate, and facilitate the implementation of a strategic plan to increase the availability of behavioral health services in the state.
Special funds transfer - Strategic investment and improvements fund	Section 3 designates $935,907 from the strategic investment and improvements fund for an electronic medical records system.	Section 5 designates $935,907 from the strategic investment and improvements fund for an electronic medical records system.
Management of inmate population		Section 6 creates a new section to Chapter 12-44.1 relating to local management of inmate population.
Community behavioral health program		Section 7 creates a new section to Chapter 54-23.3 relating to a community behavioral health plan as a term of parole or an alternative to incarceration.
Prioritization of admission of inmates		Section 8 creates a new section to Chapter 54-23.3 relating to prioritization of admission of inmates.
Criminal justice behavioral health needs study		Section 9 provides for the continuation of the Legislative Management study of alternatives to incarceration, with a focus on the behavioral health needs of individuals in the criminal justice system.
Youth Correctional Center facilities study		Section 10 provides for a study of Youth Correctional Center facilities by the Department of Corrections and Rehabilitation, in consultation with the Department of Human Services, the Protection and Advocacy Project, and the Supreme Court.

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DOCR – DIVISION OF ADULT SERVICES
2017-19 BUDGET DETAIL

Reporting Level: 01-530-500-10-00-00	
Program: ADULT SERVICES ADMINISTRATION	

EXPLANATION OF PROGRAM COSTS

The division administration program accounts for the costs related to the management and administration of resources related to Adult Services.

BUDGET BY TRADITIONAL LINE ITEM

Description	2015-17 Adjusted Budget	2017-19 Senate Version	Percent of Total	Change from 15-17
Salary and Fringe	867,266	931,423	11%	64,157
Operating	278,500	360,086	4%	81,586
Capital	-	-	0%	-
Grants	4,747,277	7,564,874	85%	2,817,597
Total	**5,893,043**	**8,856,383**	**100%**	**2,963,340**
Funds				
General	1,503,321	1,618,034	18%	114,713
Other	4,389,722	7,238,349	82%	2,848,627
Total	**5,893,043**	**8,856,383**	**100%**	**2,963,340**
FTE	**4.00**	**4.00**	**-**	**-**

MATERIAL EXPENDITURES – (96% of budget)

Salary and Fringe – $931,423 – 11% of budget – 4.0 FTE
- Director of AS Administration – 1.0
- Crime Victims Grants Program Manager – 1.0
- Administrative Assistant – 1.0
- Deputy Compact Administrator – 1.0

Grants, Benefits & Claims - $7,564,874 – 85% of budget

Victim compensation payments – medical and death benefits and lost wages and grant funding to victim advocate programs and organizations

Federal and State Crime Victim Compensation - $1,364,874 which consists of $500,000 federal funds, $515,822 general funds, $349,052 special funds

VOCA – Victims of Crime Act - $6,200,000 which consists of $6,000,000 federal funds, $145,633 general funds, $54,367 special funds

SIGNIFICANT CHANGES

Travel - $102,637

Increased offender transports (adult interstate compact)

Grants - $2,817,597

Increase federal VOCA funding

Employee health insurance premium increase

2015 – 2017 BUDGET

As of 2/28/2017 – 89.3% of this department budget has been expended.

Adult Services Administration		2015-17 Biennium		Adjusted	2/28/2017	Remaining	2017-19
Description	Acct Code	Budget	Allotment	Budget	BTD Expend	Balance	Senate Version
SALARIES	511000	491,842	-	491,842	418,308	73,534	512,041
SALARY BUDGET ADJUSTMENT	511900		-	-	-	-	
SALARY INCREASE	599110		-	-	-	-	
SALARIES - OTHER	512000		-	-	-	-	
TEMP	513000	130,800	-	130,800	73,825	56,975	125,323
OVERTIME	514000	16,560	-	16,560	22,056	(5,496)	25,800
BENEFITS	516000	228,064	-	228,064	187,639	40,425	253,949
BENEFIT INCREASE	599160		-	-	-	-	14,310
TRAVEL	521000	198,500	-	198,500	143,348	55,152	301,137
IT-SOFTWARE/SUPPLIES	531000		-	-	-	-	-
PROFESSIONAL SUPPLIES & MAT	532000	5,000	-	5,000	-	5,000	-
FOOD & CLOTHING	533000		-	-	-	-	-
BLDG,GRNDS,VEHICLE MTCE S	534000		-	-	-	-	-
MISCELLANEOUS SUPPLIES	535000	500	-	500	-	500	-
OFFICE SUPPLIES	536000	2,000	-	2,000	495	1,505	676
POSTAGE	541000	4,000	-	4,000	-	4,000	-
PRINTING	542000	1,500	-	1,500	1,426	74	1,528
IT-EQUIP UNDER $5,000	551000		-	-	-	-	-
OTHER EQUIP - UNDER $5,000	552000		-	-	-	-	-
OFFICE EQUIP - UNDER $5,000	553000	1,000	-	1,000	-	1,000	-
UTILITIES	561000		-	-	-	-	-
INSURANCE	571000		-	-	-	-	-
LEASE/RENT - EQUIPMENT	581000	2,000	-	2,000	-	2,000	-
LEASE/RENT - BLDG/LAND	582000	1,000	-	1,000	-	1,000	-
REPAIRS	591000	500	-	500	40	460	80
IT-DATA PROCESSING	601000		-	-	-	-	-
IT-TELEPHONE	602000	8,500	-	8,500	4,621	3,879	5,252
IT-CONTRACTUAL SERVICES	603000		-	-	-	-	-
DUES & PROFESSIONAL DEV	611000	47,500	-	47,500	45,759	1,741	45,759
OPERATING FEES & SERVICES	621000	4,000	-	4,000	2,957	1,043	1,694
PROFESSIONAL SERVICES	623000	2,500	-	2,500	2,805	(305)	3,960
MEDICAL, DENTAL & OPTICAL	625000		-	-	-	-	-
LAND & BUILDINGS	682000		-	-	-	-	-
OTHER CAPITAL PAYMENTS	683000		-	-	-	-	-
EXTRAORDINARY REPAIRS	684000		-	-	-	-	-
EQUIP - OVER $5,000	691000		-	-	-	-	-
MOTOR VEHICLES	692000		-	-	-	-	-
IT-EQUIP OVER $5,000	693000		-	-	-	-	-
GRANTS, BENEFITS & CLAIMS	712000	4,747,277	-	4,747,277	4,361,693	385,584	7,564,874
Total		**5,893,043**	**-**	**5,893,043**	**5,264,973**	**628,070**	**8,856,383**
General Funds		1,503,321	-	1,503,321	1,116,962	386,359	1,618,034
Other Funds		4,389,722	-	4,389,722	4,148,011	241,711	7,238,349
Total		**5,893,043**	**-**	**5,893,043**	**5,264,973**	**628,070**	**8,856,383**
FTE		**4.00**		**4.00**			**4.00**

Agency	Department of Corrections and Rehabilitation
Program	10 Adult Services Administration
Reporting Level	01-530-500-10-00-00-00-00000000

1 Object/Revenue Description	Code	2 2015-17 First Year Expenditures	3 2015-17 Biennium Appropriation	4 2017-19 Total Changes	5 2017-19 Recommendation	6	7
EXPENDITURES							
Salaries - Permanent	511000	248,988	491,842	20,199	512,041	0	0
Salary Increase	511010	0	0	0	2,539	0	0
Benefit Increase	511011	0	0	0	506	0	0
Health Increase	511012	0	0	0	14,310	0	0
Temporary Salaries	513000	33,976	130,800	(5,477)	125,323	0	0
Overtime	514000	11,933	16,560	9,240	25,800	0	0
Fringe Benefits	516000	110,455	228,064	25,885	253,949	0	0
Travel	521000	76,734	198,500	102,637	301,137	0	0
Supply/Material-Professional	532000	0	5,000	(5,000)	0	0	0
Miscellaneous Supplies	535000	0	500	(500)	0	0	0
Office Supplies	536000	338	2,000	(1,324)	676	0	0
Postage	541000	0	4,000	(4,000)	0	0	0
Printing	542000	764	1,500	28	1,528	0	0
Office Equip & Furn Supplies	553000	0	1,000	(1,000)	0	0	0
Rentals/Leases-Equip & Other	581000	0	2,000	(2,000)	0	0	0
Rentals/Leases - Bldg/Land	582000	0	1,000	(1,000)	0	0	0
Repairs	591000	40	500	(420)	80	0	0
IT - Communications	602000	2,626	8,500	(3,248)	5,252	0	0
Professional Development	611000	22,879	47,500	(1,741)	45,759	0	0
Operating Fees and Services	621000	848	4,000	(2,306)	1,694	0	0
Fees - Professional Services	623000	2,013	2,500	1,460	3,960	0	0
Grants, Benefits & Claims	712000	2,746,198	4,747,277	2,817,597	7,564,874	0	0
Adult Services	**77**	**3,257,792**	**5,893,043**	**2,949,030**	**8,859,428**	**0**	**0**
TOTAL EXPENDITURES for 10 Adult Services Administration		**3,257,792**	**5,893,043**	**2,949,030**	**8,859,428**	**0**	**0**
MEANS OF FUNDING							
FY 01 Fed Voca Grant	P066	1,982,081	3,037,314	3,087,829	6,128,005	0	0
FY 2000 Federal Cvc Grant	P068	348,218	593,474	(93,474)	500,000	0	0
Federal Funds	**FED**	**2,330,299**	**3,630,788**	**2,994,355**	**6,628,005**	**0**	**0**

Agency	Department of Corrections and Rehabilitation
Program	10 Adult Services Administration
Reporting Level	01-530-500-10-00-00-00-00000000

1 Object/Revenue Description	Code	2 2015-17 First Year Expenditures	3 2015-17 Biennium Appropriation	4 2017-19 Total Changes	5 2017-19 Recommendation	6	7
State General Fund	001	653,055	1,503,321	103,265	1,621,079	0	0
General Fund	**GEN**	**653,055**	**1,503,321**	**103,265**	**1,621,079**	**0**	**0**
Probation Violation Transp - 321	321	103,982	303,900	(96,975)	206,925	0	0
Crime Victims Gift Fund - 372	372	71,517	200,000	(51,615)	148,385	0	0
Dept of Corrections Oper - 379	379	98,939	255,034	0	255,034	0	0
Special Funds	**SPEC**	**274,438**	**758,934**	**(148,590)**	**610,344**	**0**	**0**
TOTAL FUNDING for 10 Adult Services Administration		**3,257,792**	**5,893,043**	**2,949,030**	**8,859,428**	**0**	**0**
AUTHORIZED EMPLOYEES							
FTE		4.00	4.00	0.00	4.00	0.00	0.00
TOTAL AUTHORIZED EMPLOYEES for 10 Adult Services Administration		4.00	4.00	0.00	4.00	0.00	0.00

2017-19 Crime Victims Funding					
Grants Benefits and Claims	**17-19 Budget**	**General**	**Federal**	**372**	**379**
VOCA	6,000,000	-	6,000,000	-	-
CVA	200,000	145,633	-	-	54,367
Federal CVC	500,000	-	500,000	-	-
State CVC	864,874	515,822	-	148,385	200,667
Total	**7,564,874**	**661,455**	**6,500,000**	**148,385**	**255,034**

2015-2017 VOCA and CVA Subawards

AGENCY	Victims of Crime Act (VOCA)	Crime Victims Account (CVA)	**2015-2017 TOTALS**
ABUSE & RAPE CRISIS PGM CVIC - GRAND FORKS	$501,123	$17,783	$518,906
ABUSED ADULT RESOURCE CENTER - BISMARCK	$450,085	$25,824	$475,909
ABUSED PERSONS OUTREACH CENTER - VALLEY CITY	$110,048	$7,487	$117,535
DOMESTIC VIOLENCE & RAPE CRISIS CENTER - DICKINSON	$150,808	$8,396	$159,204
DV & ABUSE CENTER - GRAFTON	$101,052	$6,264	$107,316
FAMILY CRISIS SHELTER - WILLISTON	$111,550	$8,368	$119,918
ABUSE RESOURCE NETWORK - LISBON	$24,916	$2,576	$27,492
KEDISH HOUSE DV PGM - ELLENDALE	$96,834	$4,920	$101,754
MERCER CO WOMEN'S ACTION & RESOURCE CENTER - BEULAH	$84,087	$4,587	$88,674
RAPE & ABUSE CRISIS CENTER - FARGO	$451,182	$26,246	$477,428
S.A.F.E. SHELTER - JAMESTOWN	$109,649	$7,201	$116,850
SAFE ALTERNATIVES FOR ABUSED FAMILIES - DEVILS LAKE	$100,000	$7,165	$107,165
DOMESTIC VIOLENCE CRISIS CENTER - MINOT	$300,000	$14,794	$314,794
FT BERTHOLD COALITION AGAINST DOMESTIC VIOLENCE - NEW TOWN	$55,000	$3,497	$58,497
SPIRIT LAKE V/A PROGRAM - FORT TOTTEN	$50,000	Did not apply	$50,000
TURTLE MT BAND OF CHIPPEWA INDIANS – BELCOURT	$32,329	$3,786	$36,115
FAMILY CRISIS CENTER - BOTTINEAU	$65,000	$3,644	$68,644
DOMESTIC VIOLENCE PROGRAM – STANLEY	$115,555	$3,798	$119,353
THREE RIVERS CRISIS CENTER - WAHPETON	$60,000	$4,938	$64,938
MCLEAN FAMILY RESOURCE CENTER - WASHBURN	$79,924	$3,335	$83,259
CRIME V/W PROGRAM CVIC - GRAND FORKS	$268,112	$8,496	$276,608
STUTSMAN CO V/A PROGRAM - JAMESTOWN	$55,000	$7,608	$62,608
WALSH COUNTY V/A PROGRAM - GRAFTON	$30,000	$2,594	$32,594
WILLIAMS CO V/W ASSISTANCE PROGRAM - WILLISTON	$54,000	Did not apply	$54,000
BISMARCK/BURLEIGH COUNTY V/A PROGRAM - BISMARCK	$55,000	$7,853	$62,853
CASS CO V/W ASSISTANCE PROGRAM - FARGO	$30,381	Did not apply	$30,381
STARK CO VICTIM/WITNESS PROGRAM - DICKINSON	$123,704	$4,628	$128,332
MCHENRY COUNTY V/W PROGRAM - TOWNER	$10,000	Did not apply	$10,000
TRAILL CO V/W PROGRAM - HILLSBORO	$9,790	Did not apply	$9,790
PEMBINA-CAVALIER V/A PROGRAM - CAVALIER	$70,000	$2,430	$72,430
FAMILY CRISIS CENTER V/W - BOTTINEAU	$20,800	$1,782	$22,582
ND DOCR – ADULT BISMARCK	$59,421	Did not apply	$59,421
ND DOCR – JUVENILE BISMARCK	$55,718	Did not apply	$55,718
BARNES CO V/W PROGRAM - VALLEY CITY	$16,660	Did not apply	$16,660
DAKOTA CHILDREN'S ADVOCACY CENTER - BISMARCK	$30,000	Did not apply	$30,000
RED RIVER CHILDREN'S ADVOCACY CENTER - FARGO	$30,000	Did not apply	$30,000
NORTHERN PLAINS CAC - MINOT	$30,000	Did not apply	$30,000
ND SAVIN / CJIS	$50,000	Did not apply	$50,000
ND DEPT OF HUMAN SERVICES - AGING SERVICES	$30,000	Did not apply	$30,000
2015-2017 TOTALS (39 Agencies)	**$4,077,728**	**$200,000**	**$4,277,728**

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DOCR – DIVISION OF ADULT SERVICES
2017-19 BUDGET DETAIL

Reporting Level: 01-530-500-20-00-00	
Program: PAROLE AND PROBATION	

EXPLANATION OF PROGRAM COSTS

The Parole and Probation program provides for services related to the supervision of offenders in a community setting. The nature and intensity of the supervision is based on the needs and risks of the offender.

BUDGET BY TRADITIONAL LINE ITEM

Description	2015-17 Adjusted Budget	2017-19 Senate Version	Percent of Total	Change from 15-17
Salary and Fringe	19,389,053	19,504,301	85%	115,248
Operating	3,213,645	3,320,352	15%	106,707
Capital	-	-	0%	-
Grants	-	-	0%	-
Total	**22,602,698**	**22,824,653**	**100%**	**221,955**
Funds				
General	21,095,861	21,074,811	92%	(21,050)
Other	1,506,837	1,749,842	8%	243,005
Total	**22,602,698**	**22,824,653**	**100%**	**221,955**
FTE	**110.35**	**110.35**	-	-

MATERIAL EXPENDITURES – (97% of budget)

Salary and Fringe – $19,504,301 – 85% of budget

Parole & Probation Director – 1.0 FTE
Program Manager – 7.0 FTE
Parole Officer – 82.75 FTE

Community Corrections Agent – 15.8 FTE
Administrative Assistant – 1.8 FTE
Pre-Sentence Investigator – 2.0 FTE

Travel– $984,820 – 4.3% of budget
Employee travel which includes state motor pool expenses, meals and lodging (approx 80% motor pool charges)

Rental/Leases-Bldg/Land– $1,022,071 – 4.5% of budget
Regional office rent payments – estimated 2% annual increase

Operating Fees and Services - $708,503 – 3.1% of budget
Operating fees and services related to the offender population.
Community housing and programming (gps, low risk, faith based)
Drug court operating
Polygraphs

SIGNIFICANT CHANGES

Employee health insurance premium increase

2015 – 2017 BUDGET

As of 2/28/2017, 85% of this department budget has been expended.
2/28/2017 BTD expenditure amount includes $403,911 of DAPL expenditures

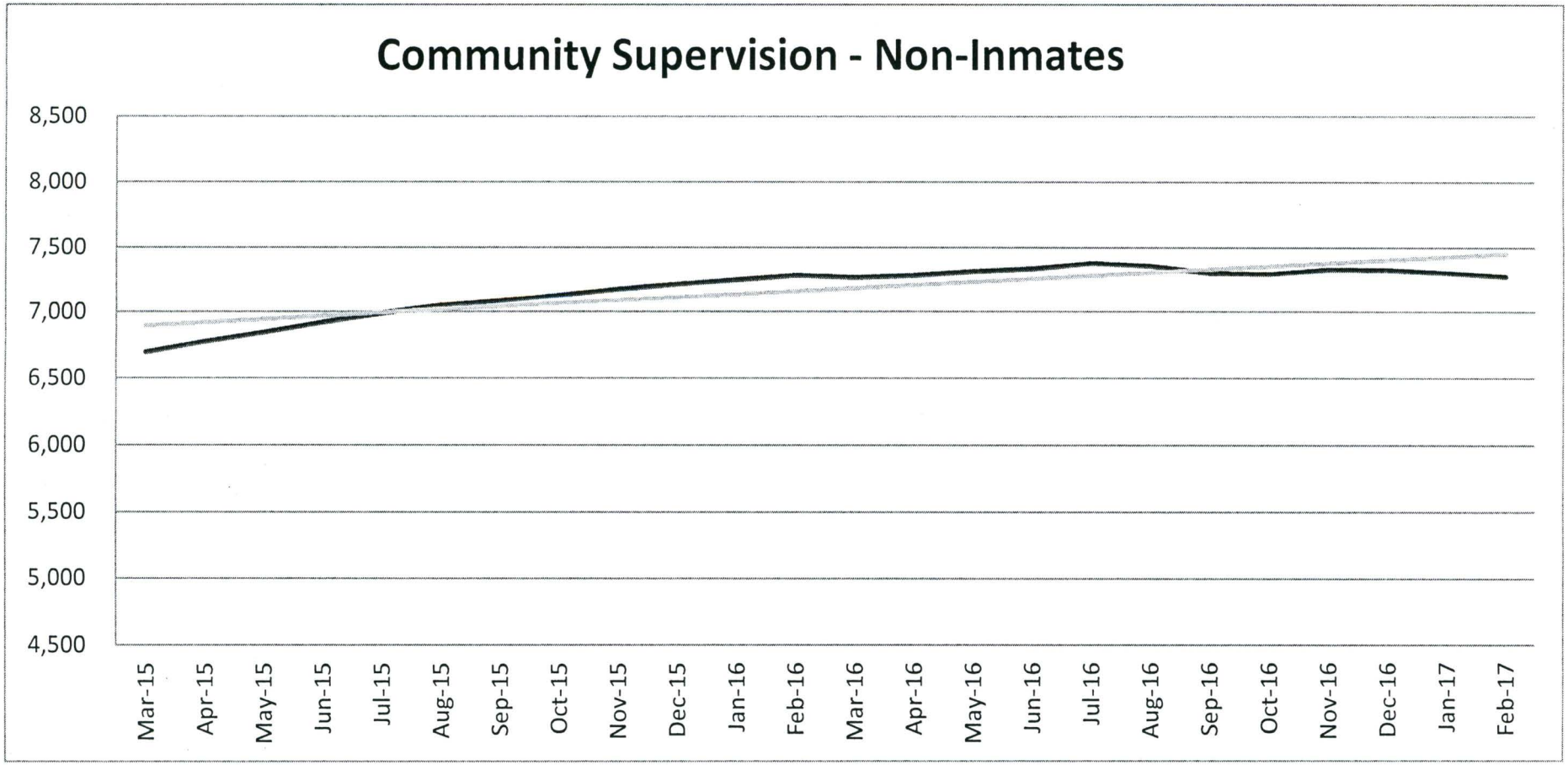
Parole and Probation		2015-17 Biennium		Adjusted	2/28/2017	Remaining	2017-19
Description		Budget	Allotment	Budget	BTD Expend	Balance	Senate Version
SALARIES	511000	12,786,203	-	12,786,203	10,330,928	2,455,275	12,893,904
SALARY BUDGET ADJUSTMENT	511900		-	-	-	-	
SALARY INCREASE	599110		-	-	-	-	
SALARIES - OTHER	512000	127,806	-	127,806	125,400	2,406	
TEMP	513000	390,792	-	390,792	303,335	87,457	447,432
OVERTIME	514000	128,040	-	128,040	371,140	(243,100)	128,040
BENEFITS	516000	5,956,212	-	5,956,212	4,503,480	1,452,732	5,731,556
BENEFIT INCREASE	599160		-	-	-	-	303,369
TRAVEL	521000	874,475	(6,856)	867,619	690,875	176,744	984,820
IT-SOFTWARE/SUPPLIES	531000	42,257	-	42,257	40,841	1,416	775
PROFESSIONAL SUPPLIES & MAT	532000	90,000	-	90,000	139,701	(49,701)	70,000
FOOD & CLOTHING	533000	50,800	-	50,800	27,790	23,010	18,845
BLDG,GRNDS,VEHICLE MTCE S	534000	20,000	-	20,000	12,631	7,369	16,000
MISCELLANEOUS SUPPLIES	535000	31,200	-	31,200	12,487	18,713	15,883
OFFICE SUPPLIES	536000	27,250	-	27,250	14,467	12,783	18,771
POSTAGE	541000	15,000	-	15,000	8,542	6,458	11,739
PRINTING	542000	11,000	-	11,000	9,478	1,522	12,318
IT-EQUIP UNDER $5,000	551000	62,043	-	62,043	261	61,782	
OTHER EQUIP - UNDER $5,000	552000	132,475	(233,725)	(101,250)	55	(101,305)	25,000
OFFICE EQUIP - UNDER $5,000	553000	50,000	-	50,000	36,467	13,533	7,750
UTILITIES	561000	7,000	-	7,000	3,354	3,646	5,000
INSURANCE	571000		-	-	-	-	
LEASE/RENT - EQUIPMENT	581000	26,000	-	26,000	21,880	4,120	26,743
LEASE/RENT - BLDG/LAND	582000	960,000	-	960,000	825,861	134,139	1,022,071
REPAIRS	591000	45,000	-	45,000	47,582	(2,582)	25,000
IT-DATA PROCESSING	601000	27,000	-	27,000	-	27,000	
IT-TELEPHONE	602000	219,200	-	219,200	200,946	18,254	239,343
IT-CONTRACTUAL SERVICES	603000	8,000	-	8,000	-	8,000	
DUES & PROFESSIONAL DEV	611000	30,000	-	30,000	13,006	16,994	13,842
OPERATING FEES & SERVICES	621000	1,103,147	(481,621)	621,526	550,347	71,179	708,503
PROFESSIONAL SERVICES	623000	62,000	-	62,000	75,548	(13,548)	97,949
MEDICAL, DENTAL & OPTICAL	625000	42,000	-	42,000	65	41,935	
LAND & BUILDINGS	682000		-	-	-	-	
OTHER CAPITAL PAYMENTS	683000		-	-	-	-	
EXTRAORDINARY REPAIRS	684000		-	-	-	-	
EQUIP - OVER $5,000	691000		-	-	-	-	
MOTOR VEHICLES	692000		-	-	-	-	
IT-EQUIP OVER $5,000	693000		-	-	-	-	
GRANTS, BENEFITS & CLAIMS	712000		-	-	-	-	
Total		**23,324,900**	**(722,202)**	**22,602,698**	**18,366,466**	**4,236,232**	**22,824,653**
General Funds		21,818,063	(722,202)	21,095,861	17,856,067	3,239,794	21,074,811
Other Funds		1,506,837					1,749,842
Total		**23,324,900**	**(722,202)**	**21,095,861**	**17,856,067**	**3,239,794**	**22,824,653**
FTE		**110.35**		**110.35**			**110.35**

Agency	Department of Corrections and Rehabilitation
Program	20 Parole and Probation
Reporting Level	01-530-500-20-00-00-00-00000000

1 Object/Revenue Description	Code	2 2015-17 First Year Expenditures	3 2015-17 Biennium Appropriation	4 2017-19 Total Changes	5 2017-19 Recommendation	6	7
EXPENDITURES							
Salaries - Permanent	511000	6,080,668	12,786,203	107,701	12,893,904	0	0
Salary Increase	511010	0	0	0	64,470	0	0
Benefit Increase	511011	0	0	0	12,849	0	0
Health Increase	511012	0	0	0	303,369	0	0
Salaries - Other	512000	125,400	127,806	(127,806)	0	0	0
Temporary Salaries	513000	188,434	390,792	56,640	447,432	0	0
Overtime	514000	2,140	128,040	0	128,040	0	0
Fringe Benefits	516000	2,657,568	5,956,212	(224,656)	5,731,556	0	0
Travel	521000	404,569	874,475	110,345	984,820	0	0
Supplies - IT Software	531000	39,644	42,257	(41,482)	775	0	0
Supply/Material-Professional	532000	54,822	90,000	(20,000)	70,000	0	0
Food and Clothing	533000	19,422	50,800	(31,955)	18,845	0	0
Bldg, Ground, Maintenance	534000	9,420	20,000	(4,000)	16,000	0	0
Miscellaneous Supplies	535000	7,943	31,200	(15,317)	15,883	0	0
Office Supplies	536000	9,386	27,250	(8,479)	18,771	0	0
Postage	541000	5,871	15,000	(3,261)	11,739	0	0
Printing	542000	6,160	11,000	1,318	12,318	0	0
IT Equip Under $5,000	551000	0	62,043	(62,043)	0	0	0
Other Equip Under $5,000	552000	55	132,475	(107,475)	25,000	0	0
Office Equip & Furn Supplies	553000	25,863	50,000	(42,250)	7,750	0	0
Utilities	561000	2,408	7,000	(2,000)	5,000	0	0
Rentals/Leases-Equip & Other	581000	13,371	26,000	743	26,743	0	0
Rentals/Leases - Bldg/Land	582000	476,318	960,000	62,071	1,022,071	0	0
Repairs	591000	37,370	45,000	(20,000)	25,000	0	0
IT - Data Processing	601000	0	27,000	(27,000)	0	0	0
IT - Communications	602000	119,671	219,200	20,143	239,343	0	0
IT Contractual Srvcs and Rprs	603000	0	8,000	(8,000)	0	0	0
Professional Development	611000	6,921	30,000	(16,158)	13,842	0	0
Operating Fees and Services	621000	321,628	1,103,147	(343,274)	759,873	0	0
Fees - Professional Services	623000	48,978	62,000	35,949	97,949	0	0
Medical, Dental and Optical	625000	65	42,000	(42,000)	0	0	0
Adult Services	**77**	**10,664,095**	**23,324,900**	**(752,246)**	**22,953,342**	**0**	**0**

Agency	Department of Corrections and Rehabilitation
Program	20 Parole and Probation
Reporting Level	01-530-500-20-00-00-00-00000000

Description	Code	1 Object/Revenue	2 2015-17 First Year Expenditures	3 2015-17 Biennium Appropriation	4 2017-19 Total Changes	5 2017-19 Recommendation	6	7
TOTAL EXPENDITURES for 20 Parole and Probation			**10,664,095**	**23,324,900**	**(752,246)**	**22,953,342**	**0**	**0**
MEANS OF FUNDING								
State General Fund	001		10,135,620	21,818,063	(983,787)	21,200,288	0	0
General Fund	**GEN**		**10,135,620**	**21,818,063**	**(983,787)**	**21,200,288**	**0**	**0**
Dept of Corrections Oper - 379	379		528,475	1,506,837	231,541	1,753,054	0	0
Special Funds	**SPEC**		**528,475**	**1,506,837**	**231,541**	**1,753,054**	**0**	**0**
TOTAL FUNDING for 20 Parole and Probation			**10,664,095**	**23,324,900**	**(752,246)**	**22,953,342**	**0**	**0**
AUTHORIZED EMPLOYEES								
Vacant			0.00	0.00	2.00	2.00	0.00	0.00
FTE			110.35	110.35	(2.00)	108.35	0.00	0.00
TOTAL AUTHORIZED EMPLOYEES for 20 Parole and Probation			110.35	110.35	0.00	110.35	0.00	0.00


Community Supervision - Non-Inmates
8,500
8,000
7,500
7,000
6,500
6,000
5,500
5,000
4,500
Mar-15
Apr-15
May-15
Jun-15
Jul-15
Aug-15
Sep-15
Oct-15
Nov-15
Dec-15
Jan-16
Feb-16
Mar-16
Apr-16
May-16
Jun-16
Jul-16
Aug-16
Sep-16
Oct-16
Nov-16
Dec-16
Jan-17
Feb-17

DOCR Parole and Probation 2017 - 2019 Budgeted Office Rents		
Office	**Est Ave Monthly Amt**	**2017-2019**
Bottineau	360.46	8,650.96
Dickinson	2,458.12	58,994.88
Minot	3,136.10	75,266.49
Williston	4,961.44	119,074.64
Jamestown	928.11	22,274.57
Bismarck	9,046.00	217,104.00
Oaks	309.06	7,417.44
Mandan	4,894.12	117,458.88
Washburn	103.02	2,472.48
Fargo	8,809.96	211,439.04
Grand Forks	4,652.14	111,651.26
Devils Lake	1,098.88	26,373.20
Rolla	850.18	20,404.39
Wahpeton	618.12	14,834.88
Beulah	360.57	8,653.68
	TOTAL	**1,022,071**

ND DOCR

17-19 Estimated Contract Housing and Programming

Program / Facility	17-19 Est Computed Average Daily Count	17-19 Estimated Average Daily Rate	17-19 Estimated Cost
BTC	93	63.04	4,274,418
BTC - Secure Female	30	84.38	1,866,172
Centre - Female Trans	64	70.14	3,297,949
Centre - Male Trans	58	73.18	3,114,201
Centre - 1/2 way	46	70.12	2,374,180
Centre - 1/4 way	-	-	-
DUI Treatment	7	66.98	340,442
Electronic Montioring	79	4.25	243,735
Low Risk	9	1.40	9,499
Faith Based	13	40.51	375,980
Lake Region Trans	11	58.20	476,140
SCRAM	58	4.07	173,490
Sex Offender	16	20.00	240,050
TRCC (106 total beds)	102	116.84	8,737,583
PH / County / BOP / Out State	17	75.00	940,099
MRCC Temp Housing	36	35.00	919,800
		2017-19 Estimated Total	**27,383,738**

ND PAROLE & PROBATION

Dave,

These are the Parole and Probation numbers based on the data from September 1, 2016. These numbers change daily, but are accurate for the listed date.

BISMARCK	OFFICERS	AVERAGE	W/0 NON-CLASSIFIED
• Heterogeneous	9	73.7	65.4
• Sex Offender	4	37.75	37.0
• Drug Court	1	19.0	19.0
• Parole Specialist	1	71.0	63.0
• Mental Health Spec.	1	74.0	68.0
DEVILS LAKE			
• Heterogeneous	2	111.0	90.5
• Re-Entry	1	60.0	57.0
DICKINSON			
• Heterogeneous	4	71.5	67.0
• Sex Offender Spec.	1	27.0	27.0
FARGO			
• Heterogeneous	8	84.4	68.5
• Sex Offender	2	42.0	41.0
• Drug Court	2	26.0	17.0
• Re-Entry	1	47.0	41.0
• Parole Specialist	2	57.5	48.0
• Mental Health Spec.	1	26.0	20.0
• One officer is assigned to Fugitive Task Force and not assigned a caseload			
GRAFTON			
• Heterogeneous	1	82.0	78.0
GRAND FORKS			
• Heterogeneous	7	71.6	67.7
• Sex Offender	1	38.0	38.0
• Drug Court	1	35.0	27.0
• Wade is assigned Re-entry but numbers included in heterogeneous.			
JAMESTOWN			
• Heterogeneous	3	77.3	63.3
• Sex Offender	1	56.0	47.0

MANDAN

• Heterogeneous	5	66.0	59.8
• Parole Specialist	2	68.0	61.0

MINOT

• Heterogeneous	7	72.6	70.6
• Sex Offender	1	40.0	40.0
• Drug Court	1	N/A	N/A

• Drug Court position currently mixed with heterogeneous caseload due to staff vacancy.

OAKES

• Heterogeneous	1	74.0	70.0

ROLLA

• Heterogeneous	1	89.0	72.0

BOTTINEAU

• Heterogeneous	1	79.0	71.0

WAHPETON

• Heterogeneous	1	73.0	66.0

WASHBURN

• Heterogeneous	1	73.0	65.0

WILLISTON

• Heterogeneous	5	56.2	54.3
• Sex Offender Spec.	1	38.0	29.0

BEULAH

• Heterogeneous	1	77.0	75.0

Heterogeneous	**57**
Sex Offender Specialists	**11**
Re-entry	**2**
Drug Court	**5**
Parole Specialists	**5**
Mental Health Specialists	**2**
Fugitive Task Force	**1**
Training Director	**1**
Program Managers	**7**
Director	**1**
	91 Sworn officers.

Interstate Compact supervised out-of-state by Region

Fargo	**214**
Bismarck/Mandan	**188**
Grand Forks	**128**
Dickinson	**301**

Total Offenders by District

Beulah	77
Bismarck	987
Devils Lake	296
Dickinson	387
Fargo	1214
Grafton	113
Grand Forks	675
Jamestown	323
Mandan	495
Minot	770
Oakes	74
Rolla	112
Bottineau	79
Wahpeton	108
Washburn	73
Williston	433

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North Dakota Department of Corrections and Rehabilitation *2015 - 2017 Community Supervision*			
Date	**Male**	**Female**	**Total**
July-15	5,142	1,849	6,990
August-15	5,186	1,860	7,047
September-15	5,221	1,865	7,085
October-15	5,252	1,878	7,130
November-15	5,284	1,893	7,177
December-15	5,306	1,911	7,217
January-16	5,339	1,914	7,252
February-16	5,392	1,893	7,286
March-16	5,390	1,880	7,270
April-16	5,410	1,874	7,284
May-16	5,441	1,874	7,315
June-16	5,463	1,872	7,335
July-16	5,484	1,895	7,379
August-16	5,477	1,881	7,358
September-16	5,444	1,859	7,303
October-16	5,455	1,842	7,297
November-16	5,494	1,838	7,331
December-16	5,488	1,841	7,329
January-17	5,455	1,851	7,305
February-17	5,444	1,836	7,279
March-17			
April-17			
May-17			
June-17			
2015-17 Ave Total	**5,378**	**1,870**	**7,248**

North Dakota Department of Corrections and Rehabilitation *2017 - 2019 Est. Community Supervision*			
Date	**Male**	**Female**	**Total**
July-17	5,616	1,997	7,613
August-17	5,641	2,007	7,648
September-17	5,666	2,016	7,682
October-17	5,691	2,026	7,718
November-17	5,716	2,036	7,752
December-17	5,741	2,046	7,787
January-18	5,767	2,055	7,822
February-18	5,791	2,065	7,855
March-18	5,815	2,074	7,889
April-18	5,840	2,084	7,923
May-18	5,865	2,093	7,958
June-18	5,890	2,103	7,992
July-18	5,914	2,113	8,027
August-18	5,940	2,122	8,062
September-18	5,964	2,132	8,096
October-18	5,990	2,142	8,131
November-18	6,015	2,151	8,166
December-18	6,040	2,161	8,200
January-19	6,065	2,171	8,236
February-19	6,089	2,180	8,269
March-19	6,113	2,189	8,302
April-19	6,138	2,199	8,337
May-19	6,163	2,209	8,372
June-19	6,188	2,218	8,406
2017-19 Estimated Ave Total	**5,902**	**2,108**	**8,010**

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DOCR – DIVISION OF ADULT SERVICES
2017-19 BUDGET DETAIL

Reporting Level: 01-530-500-30-00-00	
Program: TRANSITIONAL PLANNING	

EXPLANATION OF PROGRAM COSTS

The Transitional Planning program accounts for the costs related to the transition and placement of inmates both internally within the DOCR and externally to the DOCR contract facilities. Support is also provided to the Parole and Pardon Boards and various entities within the DOCR.

BUDGET BY TRADITIONAL LINE ITEM

Description	2015-17 Adjusted Budget	2017-19 Senate Version	Percent of Total	Change from 15-17
Salary and Fringe	2,252,321	2,529,476	75%	277,155
Operating	545,912	843,469	25%	297,557
Capital	-	-	0%	-
Grants	-	-	0%	-
Total	**2,798,233**	**3,372,945**	**100%**	**574,712**
Funds				
General	2,598,233	3,041,953	90%	443,720
Other	200,000	330,992	10%	130,992
Total	**2,798,233**	**3,372,945**	**100%**	**574,712**
FTE	**12.00**	**12.00**	-	-

MATERIAL EXPENDITURES – (98% of budget)

Salary and Fringe – $2,529,476 – 75% of budget
- Transitional Planning Director – 1.0 FTE
- Classification & Movement Director – 1.0 FTE
- Victim Services Coordinator – 1.0 FTE
- Corrections Agents – 4.0 FTE
- Correction Program Administrator – 1.0 FTE

Transitional Planning Coordinator – 1.0 FTE
Administrative Staff Officer – 1.0 FTE
Administrative Assistants – 2.0 FTE

Travel– $269,028 – 8.0% of budget

Travel expenditures which include transporting offenders and motor pool related expenses as well as meals and lodging for employees.

Fees and Professional Services - $523,213 – 15.5% of budget

Inmate / offender assessment services
Restorative justice programming

SIGNIFICANT CHANGES

Internal transfer of 2.0 FTE from NDSP administration (legal records)

Fees and professional services increase due to increasing admissions (contract assessment services)

Employee health insurance premium increase

2015 – 2017 BUDGET

As of 2/28/2017, 89% of this department budget has been expended.

2/28/2017 BTD expenditure amount includes $1,850 of DAPL expenditures

Transitional Planning		2015-17 Biennium		Adjusted	2/28/2017	Remaining	2017-19
Description		Budget	Allotment	Budget	BTD Expend	Balance	Senate Version
SALARIES	511000	1,390,219	-	1,390,219	1,163,109	227,110	1,449,192
SALARY BUDGET ADJUSTMENT	511900		-	-	-	-	
SALARY INCREASE	599110		-	-	-	-	
SALARIES - OTHER	512000		-	-	-	-	
TEMP	513000	192,720	-	192,720	239,942	(47,222)	358,536
OVERTIME	514000	25,000	-	25,000	18,510	6,490	27,096
BENEFITS	516000	644,382	-	644,382	536,134	108,248	660,309
BENEFIT INCREASE	599160		-	-	-	-	34,343
TRAVEL	521000	250,320	(73,908)	176,412	166,163	10,249	269,028
IT-SOFTWARE/SUPPLIES	531000		-	-	-	-	-
PROFESSIONAL SUPPLIES & MAT	532000	6,000	-	6,000	204	5,796	408
FOOD & CLOTHING	533000	900	-	900	403	497	742
BLDG,GRNDS,VEHICLE MTCE S	534000	100	-	100	-	100	
MISCELLANEOUS SUPPLIES	535000	2,000	-	2,000	679	1,321	698
OFFICE SUPPLIES	536000	3,000	-	3,000	540	2,460	730
POSTAGE	541000		-	-	-	-	-
PRINTING	542000	2,000	-	2,000	724	1,276	1,104
IT-EQUIP UNDER $5,000	551000		-	-	-	-	
OTHER EQUIP - UNDER $5,000	552000		-	-	-	-	
OFFICE EQUIP - UNDER $5,000	553000	7,500	-	7,500	5,188	2,312	10,376
UTILITIES	561000		-	-	-	-	
INSURANCE	571000		-	-	-	-	
LEASE/RENT - EQUIPMENT	581000	1,000	-	1,000	-	1,000	
LEASE/RENT - BLDG/LAND	582000	5,000	-	5,000	3,739	1,261	4,487
REPAIRS	591000	5,000	-	5,000	4,319	681	8,638
IT-DATA PROCESSING	601000		-	-	-	-	
IT-TELEPHONE	602000	10,500	-	10,500	8,580	1,920	9,536
IT-CONTRACTUAL SERVICES	603000	2,000	-	2,000	-	2,000	
DUES & PROFESSIONAL DEV	611000	3,000	-	3,000	625	2,375	730
OPERATING FEES & SERVICES	621000	10,000	-	10,000	8,699	1,301	13,779
PROFESSIONAL SERVICES	623000	311,500	-	311,500	333,528	(22,028)	523,213
MEDICAL, DENTAL & OPTICAL	625000		-	-	-	-	
LAND & BUILDINGS	682000		-	-	-	-	
OTHER CAPITAL PAYMENTS	683000		-	-	-	-	
EXTRAORDINARY REPAIRS	684000		-	-	-	-	
EQUIP - OVER $5,000	691000		-	-	-	-	
MOTOR VEHICLES	692000		-	-	-	-	
IT-EQUIP OVER $5,000	693000		-	-	-	-	
GRANTS, BENEFITS & CLAIMS	712000		-	-	-	-	
Total		**2,872,141**	**(73,908)**	**2,798,233**	**2,491,084**	**307,148**	**3,372,945**
General Funds		2,672,141	(73,908)	2,598,233	2,063,260	534,973	3,041,953
Other Funds		200,000	-	200,000	427,825	(227,825)	330,992
Total		**2,872,141**	**(73,908)**	**2,798,233**	**2,491,084**	**307,148**	**3,372,945**
FTE		**12.00**		**12.00**			**12.00**

Agency	Department of Corrections and Rehabilitation
Program	30 Transitional Planning
Reporting Level	01-530-500-30-00-00-00-00000000

1 Object/Revenue Description	Code	2 2015-17 First Year Expenditures	3 2015-17 Biennium Appropriation	4 2017-19 Total Changes	5 2017-19 Recommendation	6	7
EXPENDITURES							
Salaries - Permanent	511000	685,771	1,390,219	58,973	1,449,192	0	0
Salary Increase	511010	0	0	0	7,009	0	0
Benefit Increase	511011	0	0	0	1,396	0	0
Health Increase	511012	0	0	0	34,343	0	0
Temporary Salaries	513000	142,612	192,720	165,816	358,536	0	0
Overtime	514000	12,199	25,000	2,096	27,096	0	0
Fringe Benefits	516000	322,635	644,382	15,927	660,309	0	0
Travel	521000	107,204	250,320	18,708	269,028	0	0
Supply/Material-Professional	532000	204	6,000	(5,592)	408	0	0
Food and Clothing	533000	371	900	(158)	742	0	0
Bldg, Ground, Maintenance	534000	0	100	(100)	0	0	0
Miscellaneous Supplies	535000	349	2,000	(1,302)	698	0	0
Office Supplies	536000	365	3,000	(2,270)	730	0	0
Printing	542000	552	2,000	(896)	1,104	0	0
Office Equip & Furn Supplies	553000	5,188	7,500	2,876	10,376	0	0
Rentals/Leases-Equip & Other	581000	0	1,000	(1,000)	0	0	0
Rentals/Leases - Bldg/Land	582000	2,243	5,000	(513)	4,487	0	0
Repairs	591000	4,319	5,000	3,638	8,638	0	0
IT - Communications	602000	4,768	10,500	(964)	9,536	0	0
IT Contractual Srvcs and Rprs	603000	0	2,000	(2,000)	0	0	0
Professional Development	611000	365	3,000	(2,270)	730	0	0
Operating Fees and Services	621000	6,889	10,000	3,779	13,779	0	0
Fees - Professional Services	623000	209,939	311,500	211,713	523,213	0	0
Adult Services	**77**	**1,505,973**	**2,872,141**	**466,461**	**3,381,350**	**0**	**0**
TOTAL EXPENDITURES for 30 Transitional Planning		**1,505,973**	**2,872,141**	**466,461**	**3,381,350**	**0**	**0**
MEANS OF FUNDING							
FY 01 Fed Voca Grant	P066	50,000	50,000	128,560	181,510	0	0
Federal Funds	**FED**	**50,000**	**50,000**	**128,560**	**181,510**	**0**	**0**

Agency	Department of Corrections and Rehabilitation
Program	30 Transitional Planning
Reporting Level	01-530-500-30-00-00-00-00000000

1 Object/Revenue Description	Code	2 2015-17 First Year Expenditures	3 2015-17 Biennium Appropriation	4 2017-19 Total Changes	5 2017-19 Recommendation	6	7
State General Fund	001	1,368,328	2,672,141	337,901	3,049,840	0	0
General Fund	**GEN**	**1,368,328**	**2,672,141**	**337,901**	**3,049,840**	**0**	**0**
Dept of Corrections Oper - 379	379	87,645	150,000	0	150,000	0	0
Special Funds	**SPEC**	**87,645**	**150,000**	**0**	**150,000**	**0**	**0**
TOTAL FUNDING for 30 Transitional Planning		**1,505,973**	**2,872,141**	**466,461**	**3,381,350**	**0**	**0**
AUTHORIZED EMPLOYEES							
FTE		12.00	12.00	0.00	12.00	0.00	0.00
TOTAL AUTHORIZED EMPLOYEES for 30 Transitional Planning		12.00	12.00	0.00	12.00	0.00	0.00

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DOCR – DIVISION OF ADULT SERVICES
2017-19 BUDGET DETAIL

Reporting Level: 01-530-500-40-00-00	
Program: MAXIMUM SECURITY INST - NDSP	

EXPLANATION OF PROGRAM COSTS

The North Dakota State Penitentiary facility accounts for the costs related to the security, food services, administrative services, and work programs for the maximum security facility located in Bismarck ND.

BUDGET BY TRADITIONAL LINE ITEM

Description	2015-17 Adjusted Budget	2017-19 Senate Version	Percent of Total	Change from 15-17
Salary and Fringe	30,753,043	30,815,827	84%	62,784
Operating	5,069,451	5,739,963	16%	670,512
Capital	8,000	-	0%	(8,000)
Grants	-	-	0%	-
Total	**35,830,494**	**36,555,790**	**100%**	**725,296**
Funds				
General	35,640,494	36,365,790	99%	725,296
Other	190,000	190,000	1%	-
Total	**35,830,494**	**36,555,790**	**100%**	**725,296**
FTE	**208.95**	**208.95**	-	-

MATERIAL EXPENDITURES – (96% of budget)

Salary and Fringe – $30,815,827 – 84% of budget
- NDSP Warden – 1.0 FTE
- Deputy Warden – 2.0 FTE
- Chief of Security – 1.0 FTE
- Unit Manager – 3.0 FTE
- Correctional Case Manager– 12.0 FTE

Correctional Supervisor – 9.0 FTE
Correctional Officer – 168.0 FTE
Chaplain – 0.95 FTE
Safety Officer -1.0 FTE
Administrative/Office Assistant – 5.0 FTE
Food Service – 5.0 FTE
Electronics Technician – 1.0 FTE

Food and Clothing - $3,819,160 – 10.4% of budget
Food purchases – inmate and employee meals; inmate clothing; paper products; linens; officer uniforms

Operating Fees and Services - $561,786 – 1.5% of budget
Inmate wages; freight; service awards; etc

SIGNIFICANT CHANGES

Internal transfer of 2.0 FTE to Transitional Planning

Employee health insurance premium increase

2015 – 2017 BUDGET

As of 2/28/2017, 79% of this department budget has been expended.
2/28/2017 BTD expenditure amount includes $17,427 of DAPL expenditures

NDSP		2015-17 Biennium		Adjusted	2/28/2017	Remaining	2017-19
Description		Budget	Allotment	Budget	BTD Expend	Balance	Senate Version
SALARIES	511000	19,028,914	-	19,028,914	15,267,186	3,761,728	19,291,070
SALARY BUDGET ADJUSTMENT	511900		-	-	-	-	-
SALARY INCREASE	599110		-	-	-	-	-
SALARIES - OTHER	512000		-	-	-	-	-
TEMP	513000	867,360	-	867,360	182,287	685,073	132,312
OVERTIME	514000	753,960	-	753,960	1,188,993	(435,033)	1,298,026
BENEFITS	516000	10,102,809	-	10,102,809	7,394,752	2,708,057	9,553,644
BENEFIT INCREASE	599160		-	-	-	-	540,775
TRAVEL	521000	105,837	(14,861)	90,976	71,409	19,567	133,261
IT-SOFTWARE/SUPPLIES	531000	12,000	-	12,000	5,316	6,684	10,281
PROFESSIONAL SUPPLIES & MAT	532000	53,370	-	53,370	30,541	22,829	44,841
FOOD & CLOTHING	533000	4,077,485	(736,906)	3,340,579	2,657,346	683,233	3,819,160
BLDG,GRNDS,VEHICLE MTCE S	534000	335,000	-	335,000	459,457	(124,457)	450,000
MISCELLANEOUS SUPPLIES	535000	154,000	-	154,000	195,698	(41,698)	200,000
OFFICE SUPPLIES	536000	55,000	-	55,000	49,933	5,067	40,000
POSTAGE	541000	30,000	-	30,000	17,160	12,840	19,761
PRINTING	542000	25,000	-	25,000	20,759	4,241	22,118
IT-EQUIP UNDER $5,000	551000	15,000	-	15,000	3,500	11,500	18,500
OTHER EQUIP - UNDER $5,000	552000	66,176	-	66,176	20,230	45,946	57,826
OFFICE EQUIP - UNDER $5,000	553000	12,000	-	12,000	4,045	7,955	38,710
UTILITIES	561000		-	-	25	(25)	
INSURANCE	571000		-	-	-	-	
LEASE/RENT - EQUIPMENT	581000	14,000	-	14,000	7,252	6,748	9,000
LEASE/RENT - BLDG/LAND	582000		-	-	300	(300)	
REPAIRS	591000	200,000	-	200,000	132,480	67,520	200,000
IT-DATA PROCESSING	601000		-	-	1,161	(1,161)	
IT-TELEPHONE	602000	5,500	-	5,500	5,223	277	6,478
IT-CONTRACTUAL SERVICES	603000	5,000	-	5,000	-	5,000	
DUES & PROFESSIONAL DEV	611000	60,000	-	60,000	17,423	42,577	21,866
OPERATING FEES & SERVICES	621000	505,850	-	505,850	456,688	49,162	561,786
PROFESSIONAL SERVICES	623000	65,000	-	65,000	35,065	29,935	64,778
MEDICAL, DENTAL & OPTICAL	625000	25,000	-	25,000	15,908	9,092	21,597
LAND & BUILDINGS	682000		-	-	-	-	
OTHER CAPITAL PAYMENTS	683000		-	-	-	-	
EXTRAORDINARY REPAIRS	684000		-	-	-	-	
EQUIP - OVER $5,000	691000	8,000	-	8,000	11,370	(3,370)	
MOTOR VEHICLES	692000		-	-	-	-	
IT-EQUIP OVER $5,000	693000		-	-	-	-	
GRANTS, BENEFITS & CLAIMS	712000		-	-	-	-	
Total		**36,582,261**	**(751,767)**	**35,830,494**	**28,251,507**	**7,578,987**	**36,555,790**
General Funds		36,392,261	(751,767)	35,640,494	28,128,390	7,512,104	36,365,790
Other Funds		190,000	-	190,000	123,117	66,883	190,000
Total		**36,582,261**	**(751,767)**	**35,830,494**	**28,251,507**	**7,578,987**	**36,555,790**
FTE		**208.95**		**208.95**			**208.95**

Agency	Department of Corrections and Rehabilitation
Program	40 Maximum Security Inst - NDSP
Reporting Level	01-530-500-40-00-00-00-00000000

1 Object/Revenue Description	Code	2 2015-17 First Year Expenditures	3 2015-17 Biennium Appropriation	4 2017-19 Total Changes	5 2017-19 Recommendation	6	7
EXPENDITURES							
Salaries - Permanent	511000	9,008,897	19,028,914	262,156	19,291,070	0	0
Salary Increase	511010	0	0	0	96,464	0	0
Benefit Increase	511011	0	0	0	19,209	0	0
Health Increase	511012	0	0	0	540,775	0	0
Temporary Salaries	513000	62,600	867,360	(735,048)	132,312	0	0
Overtime	514000	687,444	753,960	544,066	1,298,026	0	0
Fringe Benefits	516000	4,418,796	10,102,809	(549,165)	9,553,644	0	0
Travel	521000	52,014	105,837	27,424	133,261	0	0
Supplies - IT Software	531000	5,140	12,000	(1,719)	10,281	0	0
Supply/Material-Professional	532000	25,791	53,370	(8,529)	44,841	0	0
Food and Clothing	533000	1,659,772	4,077,485	(323,818)	3,753,667	0	0
Bldg, Ground, Maintenance	534000	288,672	335,000	115,000	450,000	0	0
Miscellaneous Supplies	535000	121,695	154,000	46,000	200,000	0	0
Office Supplies	536000	31,307	55,000	(15,000)	40,000	0	0
Postage	541000	9,880	30,000	(10,239)	19,761	0	0
Printing	542000	11,059	25,000	(2,882)	22,118	0	0
IT Equip Under $5,000	551000	500	15,000	3,500	18,500	0	0
Other Equip Under $5,000	552000	14,303	66,176	(8,350)	57,826	0	0
Office Equip & Furn Supplies	553000	1,955	12,000	26,710	38,710	0	0
Rentals/Leases-Equip & Other	581000	4,501	14,000	(5,000)	9,000	0	0
Repairs	591000	91,089	200,000	0	200,000	0	0
IT - Communications	602000	3,239	5,500	978	6,478	0	0
IT Contractual Srvcs and Rprs	603000	0	5,000	(5,000)	0	0	0
Professional Development	611000	10,933	60,000	(38,134)	21,866	0	0
Operating Fees and Services	621000	266,150	505,850	55,936	561,786	0	0
Fees - Professional Services	623000	32,389	65,000	(222)	64,778	0	0
Medical, Dental and Optical	625000	10,798	25,000	(3,403)	21,597	0	0
Equipment Over $5000	691000	8,000	8,000	(8,000)	0	0	0
Adult Services	**77**	**16,826,924**	**36,582,261**	**(632,739)**	**36,605,970**	**0**	**0**
TOTAL EXPENDITURES for 40 Maximum Security Inst - NDSP		**16,826,924**	**36,582,261**	**(632,739)**	**36,605,970**	**0**	**0**

Agency	Department of Corrections and Rehabilitation
Program	40 Maximum Security Inst - NDSP
Reporting Level	01-530-500-40-00-00-00-00000000

1 Object/Revenue Description	Code	2 2015-17 First Year Expenditures	3 2015-17 Biennium Appropriation	4 2017-19 Total Changes	5 2017-19 Recommendation	6	7
MEANS OF FUNDING							
SCAAP-BJA	P133	14,324	14,324	0	14,324	0	0
Federal Funds	**FED**	**14,324**	**14,324**	**0**	**14,324**	**0**	**0**
State General Fund	001	16,723,720	36,392,261	(632,739)	36,415,970	0	0
General Fund	**GEN**	**16,723,720**	**36,392,261**	**(632,739)**	**36,415,970**	**0**	**0**
Dept of Corrections Oper - 379	379	88,880	175,676	0	175,676	0	0
Special Funds	**SPEC**	**88,880**	**175,676**	**0**	**175,676**	**0**	**0**
TOTAL FUNDING for 40 Maximum Security Inst - NDSP		**16,826,924**	**36,582,261**	**(632,739)**	**36,605,970**	**0**	**0**
AUTHORIZED EMPLOYEES							
FTE		208.95	208.95	(10.00)	198.95	0.00	0.00
Vacant		0.00	0.00	10.00	10.00	0.00	0.00
TOTAL AUTHORIZED EMPLOYEES for 40 Maximum Security Inst - NDSP		208.95	208.95	0.00	208.95	0.00	0.00

Acct. Codes		NDSP	MRCC	JRCC	Total
533020	Dry Goods	17,694	3,295	58,975	79,963
533025	Food Supplies	1,298,890	298,231	1,495,997	3,093,117
533030	Groceries	-	-	3,379	3,379
533050	Meat	-	-	-	-
Less NDSH Billed				526,990	526,990
	Total	**1,316,584**	**301,525**	**1,031,360**	**2,649,469**
Inventory - FY16 Closing Package		96,264	22,046	75,409	193,719
		1,412,847	**323,572**	**1,106,769**	**2,843,188**
7/1/2015 -6/30/16 Pfst BTD - Meals Served		887,476	188,566	628,942	1,704,983
7/1/2015 - 6/30/16 Pfst BTD Cost Per Meal		**1.59**	**1.72**	**1.76**	**1.67**
FY 2016 - 6/30/16 Pfst BTD - Meals Served					
Inmates		833,376	181,242	579,622	1,594,239
Staff		54,100	7,324	49,320	110,744
Total		**887,476**	**188,566**	**628,942**	**1,704,983**
7/1/15 - 6/30/16 Ave. Inmate Count		759	165	437	1,361
7/1/15 - 5/31/16 Ave. TRCC Count		-	-	94	94
7/1/15 - 5/31/16 Ave. Temp / Hosp		4	-	2	6
		755	165	529	1,449
Total # Inmate Meals Per Day		2,265	495	1,587	4,346
Total # Staff Meals Per Day		148	20	135	303
Total # Meals Per Day		2,413	515	1,721	4,649
7/1/15 - 6/30/16 Days		366	366	366	366
Gross 7/1/15 - 5/31/16 Meals		882,988	188,566	629,981	1,701,534
Prep / Waste Adjust		0.5%	0.5%	0.5%	0.5%
7/1/15 - 12/31/15 Meals		**887,476**	**189,524**	**633,183**	**1,710,183**
7/1/17 - 6/30/19 Est Ave Inmate Pop		796	187	437	1,420
7/1/17 - 6/30/19 Est Ave TRCC Pop		-	-	102	102
7/1/17 - 6/30/19 Ave Temp / Hosp		4	-	2	7
		791	187	537	1,515
Total # Inmate Meals Per Day		2,374	561	1,610	4,545
Total # Staff Meals Per Day		148	20	135	303
Total # Meals Per Day		2,521	581	1,745	4,847
7/1/17 - 6/30/19 Days		730	730	730	730
Gross 7/1/17 - 6/30/19 Meals		1,840,679	424,138	1,273,605	3,538,422
Prep / Waste Adjust		0.5%	0.5%	0.5%	0.5%
Total 6/1/17 - 6/30/19 Meals		**1,850,034**	**426,294**	**1,280,078**	**3,556,407**
FY 16 Food Cost Per Meal		1.59	1.72	1.76	1.67
Estimated Inflation FY18		1.96%	1.96%	1.96%	1.96%
Est FY18 Food Cost Per Meal		1.62	1.75	1.79	1.70
Estimated Inflation FY19		2.43%	2.43%	2.43%	2.43%
Est FY19 Food Cost Per Meal		1.66	1.79	1.84	1.74
2017-19 Est Ave Food Cost Per Meal		1.64	1.77	1.82	1.72
2017-19 Est Food Cost		3,039,288.89	754,865.73	2,324,536.88	6,118,691.50

Calculated Ave Cost Per Day

Fiscal Year E 0/16

Cost Per Day FY2016	NDSP	JRCC	MRCC	Total DOCR Facilities	Women Services	Contract Facilities
Housing Cost	19,450,749.50	13,836,185.37	3,957,929.07	**37,244,863.94**	5,585,861.66	12,121,876.47
2016 ADP	758.99	436.71	165.07	**1,360.77**	130.82	412.51
FY2016 Housing Cost Per Day	*70.02*	*86.57*	*65.51*	***74.78***	*116.66*	*80.29*
Medical Cost	5,180,667.23	2,318,056.77	401,665.48	**7,900,389.48**	242,127.47	218,142.57
2016 ADP	758.99	436.71	165.07	**1,360.77**	130.82	151.19
FY2016 Medical Cost Per Day	*18.65*	*14.50*	*6.65*	***15.86***	*5.06*	*3.94*
Education Cost	600,196.30	556,993.42	385,837.53	**1,543,027.25**		
2016 ADP	758.99	436.71	165.07	**1,360.77**		
FY2016 Education Cost Per Day	*2.16*	*3.48*	*6.39*	***3.10***		
Treatment Cost	2,669,556.92	1,088,781.90	287,904.46	**4,046,243.28**		
2016 ADP	758.99	436.71	165.07	**1,360.77**		
FY2016 Treatment Cost Per Day	*9.61*	*6.81*	*4.77*	***8.12***		
Allocated and Depreciation Costs	4,061,807.70	1,572,074.51	343,407.23	**5,977,289.44**	319,301.64	676,501.73
2016 ADP	758.99	436.71	165.07	**1,360.77**	130.82	412.51
FY2016 Allocated and Depre Cost Per Day	*14.62*	*9.84*	*5.68*	***12.00***	*6.67*	*4.48*
Total	**115.06**	**121.20**	**89.00**	**113.87**	**128.39**	88.71

Cost Per Day FY2016	P&P
Total P&P	10,719,609
Depreciation	-
Allocated	587,939
FY2016 Total Costs	**11,307,548**
FY2016 ADC	7,199
FY2016 Ave Cost Per Day	$ **4.29**

SB2015 03.21.2017 #1

PAID FEB 22 2017

MONTANA-DAKOTA UTILITIES CO.

A Division of MDU Resources Group, Inc.

In the Community to Serve®

SERVICE FOR
ND STATE PENITENTIARY
3100 RAILROAD AV
BISMARCK, ND 58501

ACCOUNT NUMBER 472 271 1000 5

DATE DUE Mar 7, 2017 46140

BILL DATE Feb 13, 2017

AMOUNT DUE $41,615.36

www.montana-dakota.com

ACCOUNT SUMMARY

Previous Balance	$60,590.99
Payment Received 1/30/2017 Thank you	-60,590.99
Current Electric Charges	41,615.36
Amount Due on 3/7/17	**$41,615.36**

Any balance remaining after the due date is subject to a late payment charge of 1% per month.

OKNH 2.22.17

CUSTOMER SERVICE & EMERGENCY SERVICE

1-800-638-3278

Emergencies: 24 hours a day
Non-emergencies: Mon-Fri, 7 a.m. - 7 p.m.
Email: ***customerservice@mdu.com***
Mail: Montana-Dakota Utilities Co., Attn: Customer Service, PO Box 7608, Boise, ID 83707-1608. Please include your account number.

CALL BEFORE YOU DIG 811

March

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

Payment Due ▲
See "Ways to Pay Your Bill" on the back of this page.

Electric Charges

BILLING PERIOD 1/17/17 - 2/10/17 **DAYS** 25

METER NUMBER
011309372
011535375

METER READ DATE
1/20/17
2/10/17
Next scheduled read 3/16/17

RATE
30 - General Electric

USAGE HISTORY

Month	Kwh	Kw
Feb 17	543,600	1,218.0
Jan 17	818,400	1,257.0
Dec 16	666,600	1,217.4
Nov 16	549,000	1,190.4
Oct 16	544,200	1,081.2
Sep 16	745,800	1,509.0
Aug 16	926,400	1,612.8
Jul 16	743,400	1,573.8
Jun 16	737,400	1,491.0
May 16	582,000	1,396.2
Apr 16	570,000	1,194.6
Mar 16	698,400	1,218.0
Feb 16	594,000	1,274.4

CURRENT READING	PREVIOUS READING	DIFFERENCE	CONSTANT	TOTAL USED
5150	- 4990	= 160	x 600	= 96,000 Kwh
ESTIMATED	*ESTIMATED*			
746	- 0	= 746	x 600	= 447,600 Kwh
2.030			x 600	= 1,218.0 Kw
0.797			x 600	= 478.2 Kvar

METER EXCHANGED DURING BILLING PERIOD

Basic Service Charge	79.17
Energy 543,600 Kwh x $0.02296	12,481.06
Demand 1,218.0 Kw x $6.25 (prorated by 0.8333333)	6,343.75
Fuel & Purchased Power 326,160 Kwh x $0.02233	7,283.15
Fuel & Purchased Power 217,440 Kwh x $0.02261	4,916.32
TCA 543,600 Kwh x $0.00293	1,592.75
Environmental Cost Adjustment 543,600 Kwh x $0.00323	1,755.83
Generation Rider 1,218.0 Kw x $1.44 (prorated by 0.8333333)	1,461.60
~~Renewable Resource Adjustment 543,600 Kwh x $0.0069~~	~~3,750.84~~
Interim Adjustment 10.32% x $18,903.98	1,950.89
Total Charges	**$41,615.36**

7352-561015-FS20500-02=6826
2410 - 1 = 41,546.10

RECEIVED FEB 1 9 2017

PLEASE KEEP THIS PORTION FOR YOUR RECORDS.

PLEASE RETURN THIS PORTION WITH YOUR PAYMENT, MAKING SURE THE RETURN ADDRESS SHOWS IN THE ENVELOPE WINDOW.

MONTANA-DAKOTA UTILITIES CO.
A Division of MDU Resources Group, Inc.

ACCOUNT NUMBER
472 271 1000 5

DATE DUE
Mar 7, 2017

AMOUNT DUE
$41,615.36

UTE 41615.36

☐ **Has your mailing address or phone number changed?** Check here and provide details on back.

To donate to Energy Share of ND enter amount on line. (Tax Deductible)

+ $ _____
Energy Share of ND donation

ND STATE PENITENTIARY
PO BOX 1898
BISMARCK ND 58502-1898

187

158

PO BOX 5600
BISMARCK ND 58506-5600

Please enter amount enclosed if different than amount due.

$ _____

Write account number on check and make payable to MDU.

01472271100050004161536000000000

ENTERED FEB 22 2017

SB2015 03.21.2017 #2

Calculated A[illegible]ost Per Day
Fiscal Year Ended 6/30/15

Cost Per Day FY2015	NDSP	JRCC	MRCC	Total DOCR Facilities	Women Services	Contract Facilities
Housing Cost	20,193,494.25	12,944,180.11	3,366,950.26	**36,504,624.62**	4,594,826.40	8,608,651.58
2015 ADP	735.66	433.73	152.45	**1,321.84**	135.99	374.40
FY2015 Housing Cost Per Day	*75.20*	*81.76*	*60.51*	***75.66***	*92.57*	*63.00*
Medical Cost	5,574,711.65	2,339,826.21	527,850.24	**8,442,388.10**	383,884.04	239,697.32
2015 ADP	735.66	433.73	152.45	**1,321.84**	135.99	100.14
FY2015 Medical Cost Per Day	*20.76*	*14.78*	*9.49*	***17.50***	*7.73*	*6.56*
Education Cost	579,724.59	471,579.94	299,201.38	**1,350,505.91**		
2015 ADP	735.66	433.73	152.45	**1,321.84**		
FY2015 Education Cost Per Day	*2.16*	*2.98*	*5.38*	***2.80***		
Treatment Cost	1,620,086.94	940,637.12	329,138.52	**2,889,862.58**		
2015 ADP	735.66	433.73	152.45	**1,321.84**		
FY2015 Treatment Cost Per Day	*6.03*	*5.94*	*5.91*	***5.99***		
Allocated and Depreciation Costs	3,916,250.80	1,411,037.12	288,634.51	**5,615,922.44**	237,107.65	421,679.12
2015 ADP	735.66	433.73	152.45	**1,321.84**	135.99	374.40
FY2015 Allocated and Depre Cost Per Day	*14.58*	*8.91*	*5.19*	***11.64***	*4.78*	*3.09*
Total	**118.74**	**114.38**	**86.47**	**113.59**	**105.08**	**72.64**

Cost Per Day FY2015	P&P
Total P&P	9,685,430
Depreciation	-
Allocated	465,978
FY2015 Total Costs	**10,151,408**
FY2015 ADC	6,554
FY2015 Ave Cost Per Day	**$ 4.24**

SB2015
03.21.2017
#3

Testimony to ND House Appropriations (Human Resources Division) Committee

Department of Corrections - Engrossed Senate Bill 2015

Tasha Carvell, Executive Director of ThinkND

Chairman Pollert and members of the committee, thank you for the opportunity to testify before you today. My name is Tasha Carvell and I'm here in my capacity as the executive director of ThinkND, a nonpartisan North Dakota public policy nonprofit based here in Bismarck.

ThinkND is a relatively new organization, started about a year and half ago when a bipartisan group of small business owners, community leaders, and former state and local officials from across the state came together to try and understand the policy issues that were of interest and concern to the average North Dakotan.

We started out by conducting a survey of likely voters in North Dakota. The respondents of this survey mirrored the previous election's demographic in party representation, gender, geography, and age, to be sure that we were truly reflecting the average voter in our state.

The policy matters that garnered the greatest interest among the respondents all tended to group around a similar theme – the concern that the peace and security that North Dakotans once traditionally felt were being eroded by the effects of the substance abuse and the mental health crisis that our state has been undergoing in recent years. A rise in overdoses, lack of treatment facilities and/or mental health practitioners, particularly in our rural and western regions, and the resulting health problems, related crime, and overcrowding in our prisons all came up time and again.

In response, ThinkND convened a blue ribbon panel of behavioral health experts from around the state to think about long-term systemic changes that could be made in order to address these concerns. Our panel has leaders from law enforcement, corrections, the courts, social services, and the medical, housing, treatment, and consumer communities represented. This panel has established the following set of fundamentals by which it is conducting its work and making recommendations:

ThinkND Blue Ribbon Panel on Behavioral Health Fundamentals:

- Adverse experiences especially early in life have a lasting impact if left unattended to. Early identification and interventions have the greatest promise of success and consequently return on investment.
- Protective factors inoculate people (especially children) from the worst impacts of adverse experiences.
- Left unaddressed behavioral health problems permeate family life, community life, work life. When addressed early and effectively, human and economic costs associated with poor behavioral health are greatly mitigated.
- Without sufficient recovery services - from peer support to housing and employment - even the best early intervention and treatment services can be negated.
- Evidence based, data-driven approaches produce results

- Systems should treat actions that improve mental health the same as they do actions that improve physical health.
- Services need to be effective, accessible and available regardless of where you reside in the state. Infrastructure and workforce issues that prevent such need to be addressed.
- Policymakers, care providers, and all stakeholders in the area of behavioral health need to have a full understanding of and commitment to the continuum of care.

It is under this umbrella of fundamentals that ThinkND supports section 7 of DOCR's budget proposal. This reinvestment strategy checks so many of the boxes that we've struggled to over the last decade or so – cost efficiencies, workforce concerns, recidivism and overcrowding issues, how to improve coordination across critical stakeholder communities and increase community-based care, and, especially for the purposes of this committee, funding efforts that implement evidence-based practices and track results with performance-based metrics.

I won't spend any more of your time on the merits of this innovative and, in our view, imperative approach, as they've been well-documented by its sponsors and in the media over the last few days. I am here today to simply add the voice of a citizen-based public policy organization whose goal it is to determine the issues that matter most to the people of North Dakota and address those concerns in a thoughtful, deliberative manner. It is in keeping with that mission, that ThinkND endorses section 7 of DOCR's appropriations bill, and urges this committee to give it favorable consideration as well.

This concludes my testimony – I'd be happy to answer any questions you might have.

SB2015
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#1
Job 29514

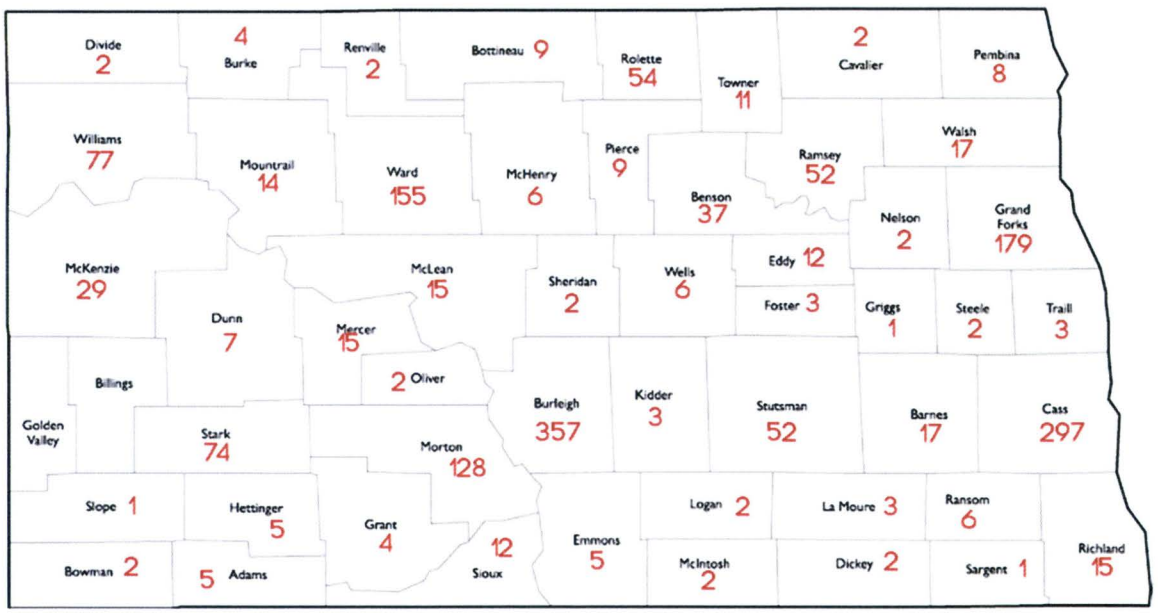
Senate Bill 2274 increases access to high-quality community behavioral health treatment that, when combined with effective supervision, is shown to reduce recidivism. The bill proposes funding to DOCR to partner with DHS, who will contract services with behavioral health providers in the state.

Participants will be identified by both the criminogenic risk (LSI-R) and behavioral health disorder (DSM 5 & Functional Status). Once identified, participants will be assessed for and provided access to the appropriate tiered service (Page 2).

The Level of Service Inventory–Revised™ (LSI-R™) is a quantitative survey of offender attributes and their situations relevant to level of supervision and treatment decisions. The LSI–R helps predict parole outcome, success in correctional halfway houses, institutional misconducts, and recidivism.

Total 30 LSI-R & SUD/SMI - 2059
(334 no county identified – 16%)

38% of the 2059 live in 2 urban areas of ND.



Variables include:

- # of participants
- # of participants per tier
- Rate ($) per tier
- Rate ($) per provider/location
- Reimbursement returned to state ($)

Considerations:

- Oversight and training are vital components to this proposal.
- Types and volume of service vary by need (individualized).
- There are 3 tiers of services provision proposed.
- Each tier would have a monthly rate.
- Rates will vary by tier but may also vary by location or provider.

North Dakota's Justice Reinvestment Approach

Behavioral Health Policy and Reinvestment Package

Expand Provider Workforce

Rationale: Lower correction costs and reduce recidivism by cultivating a network of community behavioral health providers to help meet treatment needs of people in the criminal justice system

Strengthen Para-Professional Workforce

Case Management: Providing assessment, case planning, referrals, care coordination and monitoring in collaboration with clinical services and probation or parole

Peer Support Specialists: People with lived experience of a mental illness or addiction in sustained recovery who are trained to support others

Create Strategic Plan

Establish committee to create a strategic plan to increase number of community behavioral health providers in the state, especially in rural areas

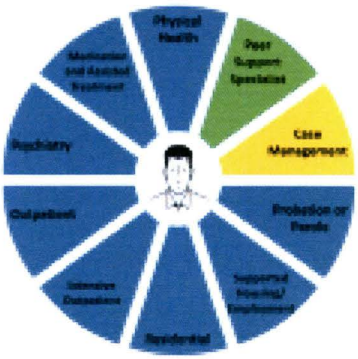
Fund and Implement Plan

Begin investing to implement strategic behavioral health workforce plans for items such as:

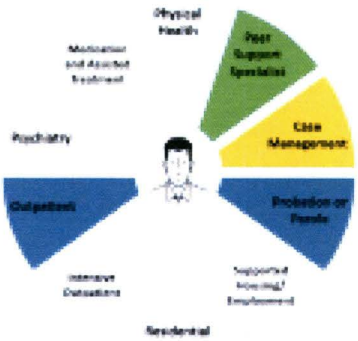
- Scholarships and loan forgiveness
- Outreach to develop interest in professions in rural areas
- Strengthening of "distance learning" opportunities
- Strengthening of behavioral health career ladders
- Supports for clinical supervision services
- Strategies for out of state recruitment and retention
- Psychiatric fellowships

Increase Access to Services

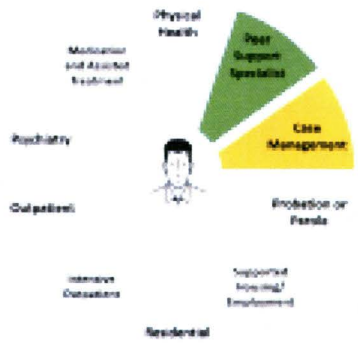
Rationale: Improve healthcare outcomes and reduce recidivism by 20 to 30 percent by delivering high-quality community behavioral health treatment with effective supervision *



Tier 1: Comprehensive and intensive services for target population to stabilize behavioral health conditions and reduce criminal justice involvement



Tier 2: Moderate array of services designed to help people sustain and strengthen their early recovery and reduce their risk for recidivism



Tier 3: Minimal services for people to help sustain full recovery, monitor for relapse and minimize additional justice involvement

* Washington State Institute for Public Policy, Evidence-Based Adult Corrections Programs: What Works and What Does Not, January 2006; D. A. Andrews and James Bonta, The Psychology of Criminal Conduct, 5th ed. (New Providence, NJ: Matthew and Bender & Company, Inc., 2010).

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DOCR – DIVISION OF ADULT SERVICES
2017-19 BUDGET DETAIL

Reporting Level: 01-530-500-50-00-00	
Program: MEDIUM SECURITY INST - JRCC	

EXPLANATION OF PROGRAM COSTS

The James River Correctional Center facility accounts for the costs related to security, food services, administrative services, and work programs for the medium security facility located in Jamestown ND as well as the preparation of meals and laundry services provided by JRCC employees for the ND State Hospital residents.

BUDGET BY TRADITIONAL LINE ITEM

Description	2015-17 Adjusted Budget	2017-19 Senate Version	Percent of Total	Change from 15-17
Salary and Fringe	22,121,067	23,441,498	81%	1,320,431
Operating	4,616,957	5,329,860	19%	712,903
Capital	72,500	-	0%	(72,500)
Grants	-	-	0%	-
Total	**26,810,524**	**28,771,358**	**100%**	**1,960,834**
Funds				
General	25,554,298	27,598,248	96%	2,043,950
Other	1,256,226	1,173,110	4%	(83,116)
Total	**26,810,524**	**28,771,358**	**100%**	**1,960,834**
FTE	**151.00**	**151.00**	-	-

MATERIAL EXPENDITURES – (95% of budget)

Salary and Fringe – $23,441,498 – 81% of budget
- JRCC Warden – 1.0 FTE
- Deputy Warden – 1.0 FTE
- Chief of Security – 1.0 FTE
- Correctional Case Manager– 5.0 FTE

Correctional Supervisor – 9.0 FTE
Correctional Officer – 124.0 FTE
Chaplain – 1.0 FTE
Safety Officer -1.0 FTE
Administrative/Office Assistant – 6.0 FTE
Food Service – 2.0 FTE

Food and Clothing - $3,745,006 – 13% of budget
Food and clothing purchases for the JRCC facility and food for the NDSH facility
NDSH food purchases - $1,168,984

SIGNIFICANT CHANGES

Employee health insurance premium increase

2015 – 2017 BUDGET

As of 2/28/2017, 83% of this department budget has been expended.

.

JRCC		2015-17 Biennium		Adjusted	2/28/2017	Remaining	2017-19
Description		Budget	Allotment	Budget	BTD Expend	Balance	Senate Version
SALARIES	511000	13,084,658	-	13,084,658	11,229,757	1,854,901	14,205,432
SALARY BUDGET ADJUSTMENT	511900		-	-	-	-	
SALARY INCREASE	599110		-	-	-	-	
SALARIES - OTHER	512000		-	-	-	-	
TEMP	513000	400,000	-	400,000	414,628	(14,628)	436,944
OVERTIME	514000	1,400,000	-	1,400,000	1,227,458	172,542	1,255,908
BENEFITS	516000	7,236,409	-	7,236,409	5,537,982	1,698,427	7,139,672
BENEFIT INCREASE	599160		-	-	-	-	403,542
TRAVEL	521000	215,420	(44,527)	170,893	127,986	42,907	233,044
IT-SOFTWARE/SUPPLIES	531000	4,000	-	4,000	1,796	2,204	3,592
PROFESSIONAL SUPPLIES & MAT	532000	45,800	-	45,800	24,282	21,518	33,200
FOOD & CLOTHING	533000	3,692,397	(392,078)	3,300,319	2,631,214	669,105	3,745,006
BLDG,GRNDS,VEHICLE MTCE S	534000	280,000	-	280,000	334,435	(54,435)	350,000
MISCELLANEOUS SUPPLIES	535000	89,500	-	89,500	101,709	(12,209)	89,500
OFFICE SUPPLIES	536000	40,000	-	40,000	27,395	12,605	39,943
POSTAGE	541000	3,500	-	3,500	2,237	1,263	3,059
PRINTING	542000	5,000	-	5,000	5,500	(500)	9,856
IT-EQUIP UNDER $5,000	551000	10,000	-	10,000	8,847	1,154	15,500
OTHER EQUIP - UNDER $5,000	552000	19,085	-	19,085	20,233	(1,148)	31,590
OFFICE EQUIP - UNDER $5,000	553000	5,000	-	5,000	2,462	2,538	3,700
UTILITIES	561000		-	-	-	-	
INSURANCE	571000	150	-	150	59	91	
LEASE/RENT - EQUIPMENT	581000	9,850	-	9,850	9,798	52	9,979
LEASE/RENT - BLDG/LAND	582000		-	-	-	-	
REPAIRS	591000	50,000	-	50,000	62,231	(12,231)	86,694
IT-DATA PROCESSING	601000		-	-	683	(683)	-
IT-TELEPHONE	602000	2,000	-	2,000	1,008	992	1,254
IT-CONTRACTUAL SERVICES	603000		-	-	-	-	
DUES & PROFESSIONAL DEV	611000	20,000	-	20,000	11,673	8,327	20,000
OPERATING FEES & SERVICES	621000	506,360	-	506,360	527,538	(21,178)	617,111
PROFESSIONAL SERVICES	623000	40,500	-	40,500	14,949	25,551	22,202
MEDICAL, DENTAL & OPTICAL	625000	15,000	-	15,000	8,608	6,392	14,630
LAND & BUILDINGS	682000		-	-	-	-	
OTHER CAPITAL PAYMENTS	683000		-	-	-	-	
EXTRAORDINARY REPAIRS	684000		-	-	-	-	
EQUIP - OVER $5,000	691000	72,500	-	72,500	-	72,500	
MOTOR VEHICLES	692000		-	-	-	-	
IT-EQUIP OVER $5,000	693000		-	-	-	-	
GRANTS, BENEFITS & CLAIMS	712000		-	-	-	-	
Total		**27,247,129**	**(436,605)**	**26,810,524**	**22,334,465**	**4,476,059**	**28,771,358**
General Funds		25,990,903	(436,605)	25,554,298	21,512,705	4,041,594	27,598,248
Other Funds		1,256,226	-	1,256,226	821,761	434,465	1,173,110
Total		**27,247,129**	**(436,605)**	**26,810,524**	**22,334,465**	**4,476,059**	**28,771,358**
FTE		**151.00**		**151.00**			**151.00**

Agency	Department of Corrections and Rehabilitation
Program	50 Medium Security Inst - JRCC
Reporting Level	01-530-500-50-00-00-00-00000000

1 Object/Revenue Description	Code	2 2015-17 First Year Expenditures	3 2015-17 Biennium Appropriation	4 2017-19 Total Changes	5 2017-19 Recommendation	6	7
EXPENDITURES							
Salaries - Permanent	511000	6,548,951	13,084,658	1,120,774	14,205,432	0	0
Salary Increase	511010	0	0	0	71,027	0	0
Benefit Increase	511011	0	0	0	14,152	0	0
Health Increase	511012	0	0	0	403,542	0	0
Temporary Salaries	513000	211,618	400,000	36,944	436,944	0	0
Overtime	514000	802,926	1,400,000	(144,092)	1,255,908	0	0
Fringe Benefits	516000	3,258,162	7,236,409	(96,737)	7,139,672	0	0
Travel	521000	87,122	215,420	17,624	233,044	0	0
Supplies - IT Software	531000	1,796	4,000	(408)	3,592	0	0
Supply/Material-Professional	532000	16,600	45,800	(12,600)	33,200	0	0
Food and Clothing	533000	1,719,787	3,692,397	52,609	3,745,006	0	0
Bldg, Ground, Maintenance	534000	207,396	280,000	70,000	350,000	0	0
Miscellaneous Supplies	535000	52,941	89,500	0	89,500	0	0
Office Supplies	536000	19,971	40,000	(57)	39,943	0	0
Postage	541000	1,529	3,500	(441)	3,059	0	0
Printing	542000	4,928	5,000	4,856	9,856	0	0
IT Equip Under $5,000	551000	8,847	10,000	5,500	15,500	0	0
Other Equip Under $5,000	552000	18,387	19,085	12,505	31,590	0	0
Office Equip & Furn Supplies	553000	1,192	5,000	(1,300)	3,700	0	0
Insurance	571000	59	150	(150)	0	0	0
Rentals/Leases-Equip & Other	581000	4,989	9,850	129	9,979	0	0
Repairs	591000	43,347	50,000	36,694	86,694	0	0
IT - Communications	602000	626	2,000	(746)	1,254	0	0
Professional Development	611000	11,150	20,000	0	20,000	0	0
Operating Fees and Services	621000	308,555	506,360	110,751	617,111	0	0
Fees - Professional Services	623000	11,101	40,500	(18,298)	22,202	0	0
Medical, Dental and Optical	625000	7,315	15,000	(370)	14,630	0	0
Equipment Over $5000	691000	0	72,500	(72,500)	0	0	0
Adult Services	**77**	**13,349,295**	**27,247,129**	**1,120,687**	**28,856,537**	**0**	**0**
TOTAL EXPENDITURES for 50 Medium Security Inst - JRCC		**13,349,295**	**27,247,129**	**1,120,687**	**28,856,537**	**0**	**0**

Agency	Department of Corrections and Rehabilitation
Program	50 Medium Security Inst - JRCC
Reporting Level	01-530-500-50-00-00-00-00000000

1 Object/Revenue Description	Code	2 2015-17 First Year Expenditures	3 2015-17 Biennium Appropriation	4 2017-19 Total Changes	5 2017-19 Recommendation	6	7
MEANS OF FUNDING							
Byrne Grant 204	P204	4,126	4,126	0	4,126	0	0
Federal Funds	**FED**	**4,126**	**4,126**	**0**	**4,126**	**0**	**0**
State General Fund	001	12,704,202	25,990,903	1,203,803	27,683,427	0	0
General Fund	**GEN**	**12,704,202**	**25,990,903**	**1,203,803**	**27,683,427**	**0**	**0**
Dept of Corrections Oper - 379	379	640,967	1,252,100	(83,116)	1,168,984	0	0
Special Funds	**SPEC**	**640,967**	**1,252,100**	**(83,116)**	**1,168,984**	**0**	**0**
TOTAL FUNDING for 50 Medium Security Inst - JRCC		**13,349,295**	**27,247,129**	**1,120,687**	**28,856,537**	**0**	**0**
AUTHORIZED EMPLOYEES							
Vacant		0.00	0.00	5.00	5.00	0.00	0.00
FTE		151.00	151.00	(5.00)	146.00	0.00	0.00
TOTAL AUTHORIZED EMPLOYEES for 50 Medium Security Inst - JRCC		151.00	151.00	0.00	151.00	0.00	0.00

Acct. Codes		NDSP	MRCC	JRCC	Total
533020	Dry Goods	17,694	3,295	58,975	79,963
533025	Food Supplies	1,298,890	298,231	1,495,997	3,093,117
533030	Groceries	-	-	3,379	3,379
533050	Meat	-	-	-	-
Less NDSH Billed				526,990	526,990
	Total	**1,316,584**	**301,525**	**1,031,360**	**2,649,469**
Inventory - FY16 Closing Package		96,264	22,046	75,409	193,719
		1,412,847	**323,572**	**1,106,769**	**2,843,188**
7/1/2015 -6/30/16 Pfst BTD - Meals Served		887,476	188,566	628,942	1,704,983
7/1/2015 - 6/30/16 Pfst BTD Cost Per Meal		**1.59**	**1.72**	**1.76**	**1.67**
FY 2016 - 6/30/16 Pfst BTD - Meals Served					
Inmates		833,376	181,242	579,622	1,594,239
Staff		54,100	7,324	49,320	110,744
Total		**887,476**	**188,566**	**628,942**	**1,704,983**
7/1/15 - 6/30/16 Ave. Inmate Count		759	165	437	1,361
7/1/15 - 5/31/16 Ave. TRCC Count		-	-	94	94
7/1/15 - 5/31/16 Ave. Temp / Hosp		4	-	2	6
		755	165	529	1,449
Total # Inmate Meals Per Day		2,265	495	1,587	4,346
Total # Staff Meals Per Day		148	20	135	303
Total # Meals Per Day		2,413	515	1,721	4,649
7/1/15 - 6/30/16 Days		366	366	366	366
Gross 7/1/15 - 5/31/16 Meals		882,988	188,566	629,981	1,701,534
Prep / Waste Adjust		0.5%	0.5%	0.5%	0.5%
7/1/15 - 12/31/15 Meals		**887,476**	**189,524**	**633,183**	**1,710,183**
7/1/17 - 6/30/19 Est Ave Inmate Pop		796	187	437	1,420
7/1/17 - 6/30/19 Est Ave TRCC Pop		-	-	102	102
7/1/17 - 6/30/19 Ave Temp / Hosp		4	-	2	7
		791	187	537	1,515
Total # Inmate Meals Per Day		2,374	561	1,610	4,545
Total # Staff Meals Per Day		148	20	135	303
Total # Meals Per Day		2,521	581	1,745	4,847
7/1/17 - 6/30/19 Days		730	730	730	730
Gross 7/1/17 - 6/30/19 Meals		1,840,679	424,138	1,273,605	3,538,422
Prep / Waste Adjust		0.5%	0.5%	0.5%	0.5%
Total 6/1/17 - 6/30/19 Meals		**1,850,034**	**426,294**	**1,280,078**	**3,556,407**
FY 16 Food Cost Per Meal		1.59	1.72	1.76	1.67
Estimated Inflation FY18		1.96%	1.96%	1.96%	1.96%
Est FY18 Food Cost Per Meal		1.62	1.75	1.79	1.70
Estimated Inflation FY19		2.43%	2.43%	2.43%	2.43%
Est FY19 Food Cost Per Meal		1.66	1.79	1.84	1.74
2017-19 Est Ave Food Cost Per Meal		1.64	1.77	1.82	1.72
2017-19 Est Food Cost		3,039,288.89	754,865.73	2,324,536.88	6,118,691.50

Meals							
Year	Inpatient			SOTEP			Total Cost of All Meals
	Total Cost of Inpatient Meals	Price/Meal	Total Meals Prepared	Total Cost of SOTEP Meals	Price/Meal	Total SOTEP Meals Prepared	
SFY18	$ 499,409	$ 4.56	109,599	$ 76,487	$ 1.73	44,212	$ 575,896
SFY19	$ 514,391	$ 4.69	109,599	$ 78,697	$ 1.78	44,212	$ 593,088
2017-2019 Biennium	$ 1,013,800	$ 4.63	109,599	$ 155,184	$ 1.76	44,212	$ 1,168,984

Calculated Ave Cost Per Day
Fiscal Year E /30/16

Cost Per Day FY2016	NDSP	JRCC	MRCC	Total DOCR Facilities	Women Services	Contract Facilities
Housing Cost	19,450,749.50	13,836,185.37	3,957,929.07	**37,244,863.94**	5,585,861.66	12,121,876.47
2016 ADP	758.99	436.71	165.07	**1,360.77**	130.82	412.51
FY2016 Housing Cost Per Day	*70.02*	*86.57*	*65.51*	***74.78***	*116.66*	*80.29*
Medical Cost	5,180,667.23	2,318,056.77	401,665.48	**7,900,389.48**	242,127.47	218,142.57
2016 ADP	758.99	436.71	165.07	**1,360.77**	130.82	151.19
FY2016 Medical Cost Per Day	*18.65*	*14.50*	*6.65*	***15.86***	*5.06*	*3.94*
Education Cost	600,196.30	556,993.42	385,837.53	**1,543,027.25**		
2016 ADP	758.99	436.71	165.07	**1,360.77**		
FY2016 Education Cost Per Day	*2.16*	*3.48*	*6.39*	***3.10***		
Treatment Cost	2,669,556.92	1,088,781.90	287,904.46	**4,046,243.28**		
2016 ADP	758.99	436.71	165.07	**1,360.77**		
FY2016 Treatment Cost Per Day	*9.61*	*6.81*	*4.77*	***8.12***		
Allocated and Depreciation Costs	4,061,807.70	1,572,074.51	343,407.23	**5,977,289.44**	319,301.64	676,501.73
2016 ADP	758.99	436.71	165.07	**1,360.77**	130.82	412.51
FY2016 Allocated and Depre Cost Per Day	*14.62*	*9.84*	*5.68*	***12.00***	*6.67*	*4.48*
Total	**115.06**	**121.20**	**89.00**	**113.87**	**128.39**	**88.71**

Cost Per Day FY2016	P&P
Total P&P	10,719,609
Depreciation	-
Allocated	587,939
FY2016 Total Costs	**11,307,548**
FY2016 ADC	7,199
FY2016 Ave Cost Per Day	**$ 4.29**

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DOCR – DIVISION OF ADULT SERVICES
2017-19 BUDGET DETAIL

Reporting Level: 01-530-500-60-00-00	
Program: TRANSITIONAL FACILITIES	

EXPLANATION OF PROGRAM COSTS

The Missouri River Correctional Center facility accounts for the costs related to the security, food, administrative services, and work programs for the minimum security facility located south of Bismarck ND. Other costs also include operating fees and services for housing offenders at transitional and treatment facilities and contract correctional facilities.

BUDGET BY TRADITIONAL LINE ITEM

Description	2015-17 Adjusted Budget	2017-19 Senate Version	Percent of Total	Change from 15-17
Salary and Fringe	6,146,149	6,467,738	19%	321,589
Operating	27,674,405	28,095,118	81%	420,712
Capital	13,000	-	0%	(13,000)
Grants	-	-	0%	-
Total	**33,833,554**	**34,562,856**	**100%**	**729,301**
Funds				
General	29,356,322	30,085,624	87%	729,302
Other	4,477,232	4,477,232	13%	-
Total	**33,833,554**	**34,562,856**	**100%**	**729,302**
FTE	**39.05**	**39.05**	-	-

MATERIAL EXPENDITURES – (99% of budget)

Salary and Fringe – $6,467,738 – 19% of budget

Transitional Facilities Warden – 1.0 FTE
MRCC Deputy Warden – 1.0 FTE

Program Manager – 2.0 FTE
Correctional Case Manager– 2.0 FTE
Correctional Supervisor – 4.0 FTE
Correctional Officer – 26.0 FTE
Administrative – 1.0 FTE
Food Service – 2.0 FTE
Chaplain - .05 FTE

Food and Clothing - $843,695 – 2.4% of budget
Food purchases – inmate and employee meals; inmate clothing; paper products; linens; officer uniforms

Lease / Rent Building - $844,000 – 2.4% of budget
MRCC 36 bed housing unit and office – above amount is the buyout amount (original budget amount of $919,800 was for continued rent of units, however owner has since offered to sell the units for $844,000)

Operating Fees and Services - $25,985,538 – 75% of budget
Community housing and programming (transition; half-way house; contract treatment; parole holds)

SIGNIFICANT CHANGES

Placement of 36 bed temporary housing unit at MRCC location – 7/1/17 purchase of units

Employee health insurance premium increase

2015 – 2017 BUDGET

As of 2/28/2017, 78% of this department budget has been expended.
2/28/2017 BTD expenditure amount includes $7,236 of DAPL expenditures

Transitional Facilities		2015-17 Biennium		Adjusted	2/28/2017	Remaining	2017-19
Description		Budget	Allotment	Budget	BTD Expend	Balance	Senate Version
SALARIES	511000	3,890,103	-	3,890,103	3,181,425	708,678	3,938,628
SALARY BUDGET ADJUSTMENT	511900		-	-	-	-	
SALARY INCREASE	599110		-	-	-	-	
SALARIES - OTHER	512000		-	-	-	-	
TEMP	513000	242,928	-	242,928	292,953	(50,025)	344,328
OVERTIME	514000	138,600	-	138,600	121,845	16,755	102,216
BENEFITS	516000	1,874,518	-	1,874,518	1,540,879	333,639	1,970,805
BENEFIT INCREASE	599160		-	-	-	-	111,761
TRAVEL	521000	124,000	(36,358)	87,642	93,004	(5,362)	157,011
IT-SOFTWARE/SUPPLIES	531000	500	-	500	715	(215)	
PROFESSIONAL SUPPLIES & MAT	532000	7,000	-	7,000	4,896	2,104	5,217
FOOD & CLOTHING	533000	641,778	139,910	781,688	544,445	237,243	843,695
BLDG,GRNDS,VEHICLE MTCE S	534000	80,000	-	80,000	79,721	279	100,000
MISCELLANEOUS SUPPLIES	535000	20,000	-	20,000	24,240	(4,240)	25,000
OFFICE SUPPLIES	536000	12,000	-	12,000	8,303	3,697	9,308
POSTAGE	541000	2,000	-	2,000	298	1,702	500
PRINTING	542000	1,500	-	1,500	2,129	(629)	2,306
IT-EQUIP UNDER $5,000	551000		-	-	-	-	10,000
OTHER EQUIP - UNDER $5,000	552000	15,000	-	15,000	295	14,705	2,500
OFFICE EQUIP - UNDER $5,000	553000	5,000	-	5,000	7,103	(2,103)	1,500
UTILITIES	561000		-	-	-	-	
INSURANCE	571000		-	-	-	-	
LEASE/RENT - EQUIPMENT	581000	5,000	-	5,000	1,846	3,154	5,000
LEASE/RENT - BLDG/LAND	582000	400,000	-	400,000	496,440	(96,440)	844,000
REPAIRS	591000	25,000	-	25,000	21,455	3,545	35,000
IT-DATA PROCESSING	601000		-	-	125	(125)	
IT-TELEPHONE	602000	12,500	-	12,500	7,196	5,304	8,630
IT-CONTRACTUAL SERVICES	603000		-	-	-	-	
DUES & PROFESSIONAL DEV	611000	6,500	-	6,500	4,259	2,242	6,945
OPERATING FEES & SERVICES	621000	30,192,778	(4,102,202)	26,090,576	19,732,396	6,358,180	25,985,538
PROFESSIONAL SERVICES	623000	120,000	-	120,000	63,239	56,761	50,000
MEDICAL, DENTAL & OPTICAL	625000	2,500	-	2,500	2,039	461	2,968
LAND & BUILDINGS	682000		-	-	-	-	
OTHER CAPITAL PAYMENTS	683000		-	-	-	-	
EXTRAORDINARY REPAIRS	684000		-	-	-	-	
EQUIP - OVER $5,000	691000	13,000	-	13,000	-	13,000	
MOTOR VEHICLES	692000		-	-	-	-	
IT-EQUIP OVER $5,000	693000		-	-	-	-	
GRANTS, BENEFITS & CLAIMS	712000		-	-	-	-	
Total		**37,832,205**	**(3,998,651)**	**33,833,554**	**26,231,245**	**7,602,310**	**34,562,856**
General Funds		33,354,973	(3,998,651)	29,356,322	24,928,706	4,427,617	30,085,624
Other Funds		4,477,232	-	4,477,232	1,302,539	3,174,693	4,477,232
Total		**37,832,205**	**(3,998,651)**	**33,833,554**	**26,231,245**	**7,602,310**	**34,562,856**
FTE		**39.05**		**39.05**			**39.05**

Agency	Department of Corrections and Rehabilitation
Program	60 Transitional Facilities
Reporting Level	01-530-500-60-00-00-00-00000000

1 Object/Revenue Description	Code	2 2015-17 First Year Expenditures	3 2015-17 Biennium Appropriation	4 2017-19 Total Changes	5 2017-19 Recommendation	6	7
EXPENDITURES							
Salaries - Permanent	511000	1,859,621	3,890,103	48,525	3,938,628	0	0
Salary Increase	511010	0	0	0	19,693	0	0
Benefit Increase	511011	0	0	0	3,921	0	0
Health Increase	511012	0	0	0	111,761	0	0
Temporary Salaries	513000	148,145	242,928	101,400	344,328	0	0
Overtime	514000	53,844	138,600	(36,384)	102,216	0	0
Fringe Benefits	516000	906,152	1,874,518	96,287	1,970,805	0	0
Travel	521000	54,531	124,000	33,011	157,011	0	0
Supplies - IT Software	531000	315	500	(500)	0	0	0
Supply/Material-Professional	532000	2,609	7,000	(1,783)	5,217	0	0
Food and Clothing	533000	331,959	641,778	201,917	843,695	0	0
Bldg, Ground, Maintenance	534000	53,034	80,000	20,000	100,000	0	0
Miscellaneous Supplies	535000	13,545	20,000	5,000	25,000	0	0
Office Supplies	536000	4,655	12,000	(2,692)	9,308	0	0
Postage	541000	201	2,000	(1,500)	500	0	0
Printing	542000	1,153	1,500	806	2,306	0	0
IT Equip Under $5,000	551000	0	0	10,000	10,000	0	0
Other Equip Under $5,000	552000	295	15,000	(12,500)	2,500	0	0
Office Equip & Furn Supplies	553000	2,674	5,000	(3,500)	1,500	0	0
Rentals/Leases-Equip & Other	581000	1,061	5,000	0	5,000	0	0
Rentals/Leases - Bldg/Land	582000	190,260	400,000	519,800	919,800	0	0
Repairs	591000	17,328	25,000	10,000	35,000	0	0
IT - Communications	602000	4,316	12,500	(3,870)	8,630	0	0
Professional Development	611000	3,473	6,500	445	6,945	0	0
Operating Fees and Services	621000	11,856,695	30,192,778	920,346	31,113,124	0	0
Fees - Professional Services	623000	62,310	120,000	(70,000)	50,000	0	0
Medical, Dental and Optical	625000	1,484	2,500	468	2,968	0	0
Equipment Over $5000	691000	0	13,000	(13,000)	0	0	0
Adult Services	**77**	**15,569,660**	**37,832,205**	**1,822,276**	**39,789,856**	**0**	**0**
TOTAL EXPENDITURES for 60 Transitional Facilities		**15,569,660**	**37,832,205**	**1,822,276**	**39,789,856**	**0**	**0**

Agency	Department of Corrections and Rehabilitation
Program	60 Transitional Facilities
Reporting Level	01-530-500-60-00-00-00-00000000

Description	1 Object/Revenue Code	2 2015-17 First Year Expenditures	3 2015-17 Biennium Appropriation	4 2017-19 Total Changes	5 2017-19 Recommendation	6	7
MEANS OF FUNDING							
Detention Services - Fed	P021	3,316	3,316	0	3,316	0	0
Federal Funds	**FED**	**3,316**	**3,316**	**0**	**3,316**	**0**	**0**
State General Fund	001	13,812,669	33,354,973	1,822,276	35,312,624	0	0
General Fund	**GEN**	**13,812,669**	**33,354,973**	**1,822,276**	**35,312,624**	**0**	**0**
Dept of Corrections Oper - 379	379	1,753,675	4,473,916	0	4,473,916	0	0
Special Funds	**SPEC**	**1,753,675**	**4,473,916**	**0**	**4,473,916**	**0**	**0**
TOTAL FUNDING for 60 Transitional Facilities		**15,569,660**	**37,832,205**	**1,822,276**	**39,789,856**	**0**	**0**
AUTHORIZED EMPLOYEES							
FTE		39.05	39.05	0.00	39.05	0.00	0.00
TOTAL AUTHORIZED EMPLOYEES for 60 Transitional Facilities		39.05	39.05	0.00	39.05	0.00	0.00

Acct. Codes		NDSP	MRCC	JRCC	Total
533020	Dry Goods	17,694	3,295	58,975	79,963
533025	Food Supplies	1,298,890	298,231	1,495,997	3,093,117
533030	Groceries	-	-	3,379	3,379
533050	Meat	-	-	-	-
Less NDSH Billed				526,990	526,990
	Total	**1,316,584**	**301,525**	**1,031,360**	**2,649,469**
Inventory - FY16 Closing Package		96,264	22,046	75,409	193,719
		1,412,847	**323,572**	**1,106,769**	**2,843,188**
7/1/2015 -6/30/16 Pfst BTD - Meals Served		887,476	188,566	628,942	1,704,983
7/1/2015 - 6/30/16 Pfst BTD Cost Per Meal		**1.59**	**1.72**	**1.76**	**1.67**
FY 2016 - 6/30/16 Pfst BTD - Meals Served					
Inmates		833,376	181,242	579,622	1,594,239
Staff		54,100	7,324	49,320	110,744
Total		**887,476**	**188,566**	**628,942**	**1,704,983**
7/1/15 - 6/30/16 Ave. Inmate Count		759	165	437	1,361
7/1/15 - 5/31/16 Ave. TRCC Count		-	-	94	94
7/1/15 - 5/31/16 Ave. Temp / Hosp		4	-	2	6
		755	165	529	1,449
Total # Inmate Meals Per Day		2,265	495	1,587	4,346
Total # Staff Meals Per Day		148	20	135	303
Total # Meals Per Day		2,413	515	1,721	4,649
7/1/15 - 6/30/16 Days		366	366	366	366
Gross 7/1/15 - 5/31/16 Meals		882,988	188,566	629,981	1,701,534
Prep / Waste Adjust		0.5%	0.5%	0.5%	0.5%
7/1/15 - 12/31/15 Meals		**887,476**	**189,524**	**633,183**	**1,710,183**
7/1/17 - 6/30/19 Est Ave Inmate Pop		796	187	437	1,420
7/1/17 - 6/30/19 Est Ave TRCC Pop		-	-	102	102
7/1/17 - 6/30/19 Ave Temp / Hosp		4	-	2	7
		791	187	537	1,515
Total # Inmate Meals Per Day		2,374	561	1,610	4,545
Total # Staff Meals Per Day		148	20	135	303
Total # Meals Per Day		2,521	581	1,745	4,847
7/1/17 - 6/30/19 Days		730	730	730	730
Gross 7/1/17 - 6/30/19 Meals		1,840,679	424,138	1,273,605	3,538,422
Prep / Waste Adjust		0.5%	0.5%	0.5%	0.5%
Total 6/1/17 - 6/30/19 Meals		**1,850,034**	**426,294**	**1,280,078**	**3,556,407**
FY 16 Food Cost Per Meal		1.59	1.72	1.76	1.67
Estimated Inflation FY18		1.96%	1.96%	1.96%	1.96%
Est FY18 Food Cost Per Meal		1.62	1.75	1.79	1.70
Estimated Inflation FY19		2.43%	2.43%	2.43%	2.43%
Est FY19 Food Cost Per Meal		1.66	1.79	1.84	1.74
2017-19 Est Ave Food Cost Per Meal		1.64	1.77	1.82	1.72
2017-19 Est Food Cost		3,039,288.89	754,865.73	2,324,536.88	6,118,691.50

Tompkins Salaries		
Acct Code	17-19 Bien	15-17 bien
511000	5,137,882	4,723,156
512000	150,720	102,240
513000	196,560	295,848
514000	90,816	218,400
516000	2,756,887	2,336,551
Total Salary	8,332,865	7,676,195
10% Administration	833,287	767,620
Grand Total	9,166,152	8,443,815

ND DOCR

17-19 Estimated Contract Housing and Programming

Program / Facility	17-19 Est Computed Average Daily Count	17-19 Estimated Average Daily Rate	17-19 Estimated Cost
BTC	93	63.04	4,274,418
BTC - Secure Female	30	84.38	1,866,172
Centre - Female Trans	64	70.14	3,297,949
Centre - Male Trans	58	73.18	3,114,201
Centre - 1/2 way	46	70.12	2,374,180
Centre - 1/4 way	-	-	-
DUI Treatment	7	66.98	340,442
Electronic Montioring	79	4.25	243,735
Low Risk	9	1.40	9,499
Faith Based	13	40.51	375,980
Lake Region Trans	11	58.20	476,140
SCRAM	58	4.07	173,490
Sex Offender	16	20.00	240,050
TRCC (106 total beds)	102	116.84	8,737,583
PH / County / BOP / Out State	17	75.00	940,099
MRCC Temp Housing	36	35.00	919,800
		2017-19 Estimated Total	27,383,738

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DOCR – DIVISION OF ADULT SERVICES
2017-19 BUDGET DETAIL

Reporting Level: 01-530-500-70-00-00	
Program: TREATMENT SERVICES	

EXPLANATION OF PROGRAM COSTS

The Treatment Services program accounts for the costs related to the treatment services for the three adult institutions, and the administration and management of the community sex offender treatment contract / program.
Included in the 2017-19 Senate Version is $7,000,000 and 1.0 FTE for the development and implementation of a community behavioral health program. The program is to developed and implemented in collaboration with the ND Department of Human Services.

BUDGET BY TRADITIONAL LINE ITEM

Description	2015-17 Adjusted Budget	2017-19 Senate Version	Percent of Total	Change from 15-17
Salary and Fringe	6,539,989	7,070,308	44%	530,319
Operating	2,088,013	8,844,421	56%	6,756,408
Capital	-	-	0%	-
Grants	-	-	0%	-
Total	**8,628,002**	**15,914,729**	**100%**	**7,286,727**
Funds				
General	8,628,002	15,914,729	100%	7,286,727
Other	-	-	0%	-
Total	**8,628,002**	**15,914,729**	**100%**	**7,286,727**
FTE	**39.00**	**40.00**	**-**	**1.00**

MATERIAL EXPENDITURES – (99% of budget)

Salary and Fringe – $7,070,308 – 44% of budget
- Treatment Director – 1.0 FTE
- Director of Correctional Practices – 1.0 FTE
- Psychologist – 3.0 FTE
- Clinical Supervisor – 2.0 FTE
- Licensed Addiction Counselor – 10.0 FTE
- Human Relations Counselor – 18.0 FTE
- Correctional Case Manager – 2.0 FTE
- Administrative Assistant – 2.0 FTE
- Community Behavioral Health – 1.0 FTE (new FTE)

Professional Services - $8,718,776 – 55% of budget
- Community sex offender treatment -$1,859,910
- Community behavioral health program - $6,809,900

SIGNIFICANT CHANGES

Community behavioral health program
- DOCR position – 1.0 FTE - $190,100
- Pass-thru to NDHS - (program development and implementation) - $6,809,900

Employee health insurance premium increase

2015 – 2017 BUDGET

As of 2/28/2017, 77% of this department budget has been expended.

Treatment and Programming		2015-17 Biennium		Adjusted	2/28/2017	Remaining	2017-19
Description		Budget	Allotment	Budget	BTD Expend	Balance	Senate Version
SALARIES	511000	4,315,787	-	4,315,787	3,433,891	881,896	4,533,528
SALARY BUDGET ADJUSTMENT	511900		-	-	-	-	183,100
SALARY INCREASE	599110		-	-	-	-	
SALARIES - OTHER	512000		-	-	-	-	
TEMP	513000	136,438	-	136,438	71,703	64,735	176,400
OVERTIME	514000	83,592	-	83,592	48,192	35,400	69,072
BENEFITS	516000	2,004,172	-	2,004,172	1,508,200	495,972	1,999,452
BENEFIT INCREASE	599160		-	-	-	-	108,756
TRAVEL	521000	61,800	(4,916)	56,884	15,884	40,999	25,410
IT-SOFTWARE/SUPPLIES	531000	1,200	-	1,200	675	525	1,200
PROFESSIONAL SUPPLIES & MAT	532000	15,000	-	15,000	2,436	12,564	3,500
FOOD & CLOTHING	533000	500	-	500	622	(122)	500
BLDG,GRNDS,VEHICLE MTCE S	534000	3,000	-	3,000	1,949	1,051	1,894
MISCELLANEOUS SUPPLIES	535000	3,500	-	3,500	101	3,400	
OFFICE SUPPLIES	536000	16,200	-	16,200	7,992	8,208	10,599
POSTAGE	541000		-	-	-	-	
PRINTING	542000	15,000	-	15,000	5,816	9,184	10,674
IT-EQUIP UNDER $5,000	551000	2,309	-	2,309	-	2,309	
OTHER EQUIP - UNDER $5,000	552000	1,500	-	1,500	-	1,500	
OFFICE EQUIP - UNDER $5,000	553000	5,500	-	5,500	445	5,055	1,000
UTILITIES	561000		-	-	-	-	
INSURANCE	571000		-	-	-	-	
LEASE/RENT - EQUIPMENT	581000	10,000	-	10,000	4,109	5,891	4,931
LEASE/RENT - BLDG/LAND	582000		-	-	-	-	
REPAIRS	591000	4,500	-	4,500	4,236	264	4,500
IT-DATA PROCESSING	601000	2,352	-	2,352	-	2,352	
IT-TELEPHONE	602000	4,192	-	4,192	404	3,788	547
IT-CONTRACTUAL SERVICES	603000	7,500	-	7,500	3,693	3,807	6,734
DUES & PROFESSIONAL DEV	611000	19,500	-	19,500	18,878	622	35,000
OPERATING FEES & SERVICES	621000	10,000	-	10,000	7,362	2,638	19,156
PROFESSIONAL SERVICES	623000	1,908,876	-	1,908,876	1,518,539	390,337	8,718,776
MEDICAL, DENTAL & OPTICAL	625000	500	-	500	192	308	
LAND & BUILDINGS	682000		-	-	-	-	
OTHER CAPITAL PAYMENTS	683000		-	-	-	-	
EXTRAORDINARY REPAIRS	684000		-	-	-	-	
EQUIP - OVER $5,000	691000		-	-	-	-	
MOTOR VEHICLES	692000		-	-	-	-	
IT-EQUIP OVER $5,000	693000		-	-	-	-	
GRANTS, BENEFITS & CLAIMS	712000	-	-	-	-	-	
Total		**8,632,918**	**(4,916)**	**8,628,002**	**6,655,316**	**1,972,685**	**15,914,729**
General Funds		8,632,918	(4,916)	8,628,002	6,655,316	1,972,686	15,914,729
Other Funds		-	-	-	-	-	-
Total		**8,632,918**	**(4,916)**	**8,628,002**	**6,655,316**	**1,972,686**	**15,914,729**
FTE		**39.00**		**39.00**			**40.00**

Agency	Department of Corrections and Rehabilitation
Program	70 AS Treatment and Programming
Reporting Level	01-530-500-70-00-00-00-00000000

1 Object/Revenue Description	Code	2 2015-17 First Year Expenditures	3 2015-17 Biennium Appropriation	4 2017-19 Total Changes	5 2017-19 Recommendation	6	7
EXPENDITURES							
Salaries - Permanent	511000	2,021,047	4,315,787	217,741	4,533,528	0	0
Salary Increase	511010	0	0	0	22,668	0	0
Benefit Increase	511011	0	0	0	4,523	0	0
Health Increase	511012	0	0	0	108,756	0	0
Temporary Salaries	513000	59,987	136,438	39,962	176,400	0	0
Overtime	514000	33,623	83,592	(14,520)	69,072	0	0
Fringe Benefits	516000	891,258	2,004,172	(4,720)	1,999,452	0	0
Travel	521000	13,471	61,800	(36,390)	25,410	0	0
Supplies - IT Software	531000	675	1,200	0	1,200	0	0
Supply/Material-Professional	532000	1,656	15,000	(11,500)	3,500	0	0
Food and Clothing	533000	400	500	0	500	0	0
Bldg, Ground, Maintenance	534000	947	3,000	(1,106)	1,894	0	0
Miscellaneous Supplies	535000	18	3,500	(3,500)	0	0	0
Office Supplies	536000	5,299	16,200	(5,601)	10,599	0	0
Printing	542000	5,338	15,000	(4,326)	10,674	0	0
IT Equip Under $5,000	551000	0	2,309	(2,309)	0	0	0
Other Equip Under $5,000	552000	0	1,500	(1,500)	0	0	0
Office Equip & Furn Supplies	553000	445	5,500	(4,500)	1,000	0	0
Rentals/Leases-Equip & Other	581000	2,465	10,000	(5,069)	4,931	0	0
Repairs	591000	2,556	4,500	0	4,500	0	0
IT - Data Processing	601000	0	2,352	(2,352)	0	0	0
IT - Communications	602000	273	4,192	(3,645)	547	0	0
IT Contractual Srvcs and Rprs	603000	3,367	7,500	(766)	6,734	0	0
Professional Development	611000	18,039	19,500	15,500	35,000	0	0
Operating Fees and Services	621000	6,078	10,000	2,156	12,156	0	0
Fees - Professional Services	623000	979,165	1,908,876	0	1,908,876	0	0
Medical, Dental and Optical	625000	136	500	(500)	0	0	0
Adult Services	**77**	**4,046,243**	**8,632,918**	**173,055**	**8,941,920**	**0**	**0**
TOTAL EXPENDITURES for 70 AS Treatment and Programming		**4,046,243**	**8,632,918**	**173,055**	**8,941,920**	**0**	**0**

Agency	Department of Corrections and Rehabilitation
Program	70 AS Treatment and Programming
Reporting Level	01-530-500-70-00-00-00-00000000

Description	Code	1 Object/Revenue	2 2015-17 First Year Expenditures	3 2015-17 Biennium Appropriation	4 2017-19 Total Changes	5 2017-19 Recommendation	6	7
MEANS OF FUNDING								
State General Fund	001		4,046,243	8,632,918	173,055	8,941,920	0	0
General Fund	**GEN**		**4,046,243**	**8,632,918**	**173,055**	**8,941,920**	**0**	**0**
TOTAL FUNDING for 70 AS Treatment and Programming			**4,046,243**	**8,632,918**	**173,055**	**8,941,920**	**0**	**0**
AUTHORIZED EMPLOYEES								
Vacant			0.00	0.00	5.00	5.00	0.00	0.00
FTE			39.00	39.00	(5.00)	34.00	0.00	0.00
TOTAL AUTHORIZED EMPLOYEES for 70 AS Treatment and Programming			39.00	39.00	0.00	39.00	0.00	0.00

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DOCR – DIVISION OF ADULT SERVICES
2017-19 BUDGET DETAIL

Reporting Level: 01-530-500-75-00-00	
Program: EDUCATION SERVICES	

EXPLANATION OF PROGRAM COSTS

The Education program provides for education services related to the inmate population.

BUDGET BY TRADITIONAL LINE ITEM

Description	2015-17 Adjusted Budget	2017-19 Senate Version	Percent of Total	Change from 15-17
Salary and Fringe	2,214,759	3,006,535	78%	791,776
Operating	597,623	851,124	22%	253,501
Capital	-	-	0%	-
Grants	-	-	0%	-
Total	**2,812,382**	**3,857,659**	**100%**	**1,045,277**
Funds				
General	2,183,769	3,048,164	79%	864,394
Other	628,613	809,495	21%	180,882
Total	**2,812,382**	**3,857,659**	**100%**	**1,045,276**
FTE	**10.10**	**10.10**	**-**	**-**

MATERIAL EXPENDITURES – (93 % of budget)

Salary and Fringe – $3,006,535 – 78% of budget
- Education Director – 0.5 FTE
- Education Program Manager – 0.38 FTE
- Instructors – 9.22 FTE
- Temp Instructors – 10.0

Professional Supplies & Materials - $189,226 – 4.9% of budget
GED testing, ReadRight supplies, textbook updates and classroom consumables

Fees and Professional Services - $392,670 – 10% of budget
Fees and professional services needed to operate the educational contracted services such as the welding and other technical education programs.

SIGNIFICANT CHANGES

Employee health insurance premium increase
Temp instructors employer paid health insurance premium

2015– 2017 BUDGET

As of 2/28/2017, 90% of this department budget has been expended.

Education		2015-17 Biennium		Adjusted	2/28/2017	Remaining	2017-19
Description		Budget	Allotment	Budget	BTD Expend	Balance	Senate Version
SALARIES	511000	1,165,816	-	1,165,816	955,913	209,903	1,308,980
SALARY BUDGET ADJUSTMENT	511900		-	-	-	-	
SALARY INCREASE	599110		-	-	-	-	
SALARIES - OTHER	512000		-	-	-	-	
TEMP	513000	506,676	-	506,676	584,297	(77,621)	873,600
OVERTIME	514000	1,500	-	1,500	961	539	6,720
BENEFITS	516000	540,767	-	540,767	498,980	41,787	765,346
BENEFIT INCREASE	599160		-	-	-	-	51,889
TRAVEL	521000	62,000	(1,796)	60,204	45,832	14,372	63,842
IT-SOFTWARE/SUPPLIES	531000	20,000	-	20,000	14,153	5,847	27,592
PROFESSIONAL SUPPLIES & MAT	532000	50,426	-	50,426	32,691	17,735	189,226
FOOD & CLOTHING	533000	4,000	-	4,000	3,145	855	3,790
BLDG,GRNDS,VEHICLE MTCE S	534000	15,000	-	15,000	17,241	(2,241)	22,613
MISCELLANEOUS SUPPLIES	535000	25,750	-	25,750	15,374	10,377	18,002
OFFICE SUPPLIES	536000	20,000	-	20,000	14,134	5,866	18,932
POSTAGE	541000		-	-	-	-	
PRINTING	542000	2,000	-	2,000	2,460	(460)	2,013
IT-EQUIP UNDER $5,000	551000	28,173	-	28,173	33,252	(5,079)	39,973
OTHER EQUIP - UNDER $5,000	552000	7,007	-	7,007	8,983	(1,976)	8,900
OFFICE EQUIP - UNDER $5,000	553000	3,000	-	3,000	2,401	599	18,680
UTILITIES	561000		-	-	-	-	
INSURANCE	571000		-	-	-	-	
LEASE/RENT - EQUIPMENT	581000	6,000	-	6,000	6,791	(791)	6,000
LEASE/RENT - BLDG/LAND	582000		-	-	-	-	
REPAIRS	591000	8,650	-	8,650	1,147	7,503	2,000
IT-DATA PROCESSING	601000	1,350	-	1,350	970	380	
IT-TELEPHONE	602000		-	-	-	-	
IT-CONTRACTUAL SERVICES	603000		-	-	-	-	
DUES & PROFESSIONAL DEV	611000	34,800	-	34,800	21,543	13,257	33,742
OPERATING FEES & SERVICES	621000	52,000	-	52,000	37,000	15,000	51,790
PROFESSIONAL SERVICES	623000	256,763	-	256,763	219,350	37,413	340,880
MEDICAL, DENTAL & OPTICAL	625000	2,500	-	2,500	2,434	66	3,149
LAND & BUILDINGS	682000		-	-	-	-	
OTHER CAPITAL PAYMENTS	683000		-	-	-	-	
EXTRAORDINARY REPAIRS	684000		-	-	-	-	
EQUIP - OVER $5,000	691000		-	-	-	-	
MOTOR VEHICLES	692000		-	-	-	-	
IT-EQUIP OVER $5,000	693000		-	-	-	-	
GRANTS, BENEFITS & CLAIMS	712000		-	-	-	-	
Total		**2,814,178**	**(1,796)**	**2,812,382**	**2,519,052**	**293,330**	**3,857,659**
General Funds		2,185,565	(1,796)	2,183,769	2,104,120	79,649	3,048,164
Other Funds		628,613	-	628,613	414,933	213,680	809,495
Total		**2,814,178**	**(1,796)**	**2,812,382**	**2,519,052**	**293,330**	**3,857,659**
FTE		**10.10**		**10.10**			**10.10**

Agency	Department of Corrections and Rehabilitation
Program	75 AS Education
Reporting Level	01-530-500-75-00-00-00-00000000

1 Object/Revenue Description	Code	2 2015-17 First Year Expenditures	3 2015-17 Biennium Appropriation	4 2017-19 Total Changes	5 2017-19 Recommendation	6	7
EXPENDITURES							
Salaries - Permanent	511000	554,597	1,165,816	280,274	1,446,090	0	0
Salary Increase	511010	0	0	0	2,285	0	0
Benefit Increase	511011	0	0	0	493	0	0
Health Increase	511012	0	0	0	51,889	0	0
Temporary Salaries	513000	355,250	506,676	668,364	1,175,040	0	0
Overtime	514000	713	1,500	5,220	6,720	0	0
Fringe Benefits	516000	271,823	540,767	403,666	944,433	0	0
Travel	521000	31,084	62,000	1,842	63,842	0	0
Supplies - IT Software	531000	13,796	20,000	7,592	27,592	0	0
Supply/Material-Professional	532000	24,996	50,426	138,800	189,226	0	0
Food and Clothing	533000	1,894	4,000	(210)	3,790	0	0
Bldg, Ground, Maintenance	534000	11,307	15,000	7,613	22,613	0	0
Miscellaneous Supplies	535000	9,000	25,750	(7,748)	18,002	0	0
Office Supplies	536000	9,466	20,000	(1,068)	18,932	0	0
Printing	542000	1,006	2,000	13	2,013	0	0
IT Equip Under $5,000	551000	28,173	28,173	11,800	39,973	0	0
Other Equip Under $5,000	552000	6,472	7,007	1,893	8,900	0	0
Office Equip & Furn Supplies	553000	2,401	3,000	15,680	18,680	0	0
Rentals/Leases-Equip & Other	581000	5,099	6,000	0	6,000	0	0
Repairs	591000	497	8,650	(6,650)	2,000	0	0
IT - Data Processing	601000	670	1,350	(1,350)	0	0	0
Professional Development	611000	16,870	34,800	(1,058)	33,742	0	0
Operating Fees and Services	621000	25,895	52,000	(210)	51,790	0	0
Fees - Professional Services	623000	170,440	256,763	84,117	340,880	0	0
Medical, Dental and Optical	625000	1,575	2,500	649	3,149	0	0
Adult Services	**77**	**1,543,024**	**2,814,178**	**1,609,229**	**4,478,074**	**0**	**0**
TOTAL EXPENDITURES for 75 AS Education		**1,543,024**	**2,814,178**	**1,609,229**	**4,478,074**	**0**	**0**
MEANS OF FUNDING							
Adult Educ/Pen	P043	108,688	115,451	143,511	263,702	0	0
Vocational/Tech Education	P070	22,149	22,149	31,647	54,780	0	0

Agency	Department of Corrections and Rehabilitation
Program	75 AS Education
Reporting Level	01-530-500-75-00-00-00-00000000

1 Object/Revenue Description	Code	2 2015-17 First Year Expenditures	3 2015-17 Biennium Appropriation	4 2017-19 Total Changes	5 2017-19 Recommendation	6	7
Federal Funds	**FED**	**130,837**	**137,600**	**175,158**	**318,482**	**0**	**0**
State General Fund	001	1,269,007	2,185,565	1,434,071	3,668,579	0	0
General Fund	**GEN**	**1,269,007**	**2,185,565**	**1,434,071**	**3,668,579**	**0**	**0**
Dept of Corrections Oper - 379	379	143,180	491,013	0	491,013	0	0
Special Funds	**SPEC**	**143,180**	**491,013**	**0**	**491,013**	**0**	**0**
TOTAL FUNDING for 75 AS Education		**1,543,024**	**2,814,178**	**1,609,229**	**4,478,074**	**0**	**0**
AUTHORIZED EMPLOYEES							
FTE		10.10	10.10	0.00	10.10	0.00	0.00
TOTAL AUTHORIZED EMPLOYEES for 75 AS Education		10.10	10.10	0.00	10.10	0.00	0.00

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DOCR – DIVISION OF ADULT SERVICES
2017-19 BUDGET DETAIL

Reporting Level: 01-530-500-80-00-00	
Program: WOMEN SERVICES	

EXPLANATION OF PROGRAM COSTS

The Women Services program accounts for the costs related to the contract for the DWCRC Facility as well as the management and administration of the women related services for the Division of Adult Services.

BUDGET BY TRADITIONAL LINE ITEM

Description	2015-17 Adjusted Budget	2017-19 Senate Version	Percent of Total	Change from 15-17
Salary and Fringe	216,710	220,814	2%	4,104
Operating	10,776,969	10,769,935	98%	(7,034)
Capital	-	-	0%	-
Grants	-	-	0%	-
Total	**10,993,679**	**10,990,749**	**100%**	**(2,930)**
Funds				
General	10,993,679	10,990,749	100%	(2,930)
Other	-	-	0%	-
Total	**10,993,679**	**10,990,749**	**100%**	**(2,930)**
FTE	**1.00**	**1.00**	-	-

MATERIAL EXPENDITURES – (100% of budget)

Salary and Fringe – $220,814 – 2% of budget
Director of Women's Services – 1.0 FTE

Operating Fees and Services - $10,761,951 – 98% of budget
DWCRC contract payment

SIGNIFICANT CHANGES

Employee health insurance premium increase

2015 – 2017 BUDGET

As of 2/28/2017, 84% of this department budget has been expended.

Women Services		2015-17 Biennium		Adjusted	2/28/2017	Remaining	2017-19
Description		Budget	Allotment	Budget	BTD Expend	Balance	Senate Version
SALARIES	511000	155,940	-	155,940	130,660	25,280	158,664
SALARY BUDGET ADJUSTMENT	511900		-	-	-	-	
SALARY INCREASE	599110		-	-	-	-	
SALARIES - OTHER	512000		-	-	-	-	
TEMP	513000		-	-	86	(86)	
OVERTIME	514000		-	-	587	(587)	
BENEFITS	516000	60,770	-	60,770	49,323	11,447	59,288
BENEFIT INCREASE	599160		-	-	-	-	2,862
TRAVEL	521000	5,525	(524)	5,001	2,929	2,072	4,562
IT-SOFTWARE/SUPPLIES	531000		-	-	-	-	
PROFESSIONAL SUPPLIES & MAT	532000		-	-	-	-	
FOOD & CLOTHING	533000		-	-	-	-	
BLDG,GRNDS,VEHICLE MTCE S	534000		-	-	-	-	
MISCELLANEOUS SUPPLIES	535000		-	-	-	-	
OFFICE SUPPLIES	536000	500	-	500	13	488	25
POSTAGE	541000		-	-	-	-	
PRINTING	542000	200	-	200	-	200	
IT-EQUIP UNDER $5,000	551000		-	-	-	-	
OTHER EQUIP - UNDER $5,000	552000		-	-	-	-	
OFFICE EQUIP - UNDER $5,000	553000		-	-	-	-	
UTILITIES	561000		-	-	-	-	
INSURANCE	571000		-	-	-	-	
LEASE/RENT - EQUIPMENT	581000	1,500	-	1,500	900	600	1,800
LEASE/RENT - BLDG/LAND	582000		-	-	-	-	
REPAIRS	591000		-	-	-	-	
IT-DATA PROCESSING	601000		-	-	-	-	
IT-TELEPHONE	602000	900	-	900	392	508	527
IT-CONTRACTUAL SERVICES	603000		-	-	-	-	
DUES & PROFESSIONAL DEV	611000	1,250	-	1,250	535	715	1,070
OPERATING FEES & SERVICES	621000	11,221,874	(454,256)	10,767,618	8,999,899	1,767,719	10,761,951
PROFESSIONAL SERVICES	623000		-	-	-	-	
MEDICAL, DENTAL & OPTICAL	625000		-	-	-	-	
LAND & BUILDINGS	682000		-	-	-	-	
OTHER CAPITAL PAYMENTS	683000		-	-	-	-	
EXTRAORDINARY REPAIRS	684000		-	-	-	-	
EQUIP - OVER $5,000	691000		-	-	-	-	
MOTOR VEHICLES	692000		-	-	-	-	
IT-EQUIP OVER $5,000	693000		-	-	-	-	
GRANTS, BENEFITS & CLAIMS	712000		-	-	-	-	
Total		**11,448,459**	**(454,780)**	**10,993,679**	**9,185,324**	**1,808,356**	**10,990,749**
General Funds		11,448,459	(454,780)	10,993,679	9,185,324	1,808,356	10,990,749
Other Funds		-	-	-	-	-	-
Total		**11,448,459**	**(454,780)**	**10,993,679**	**9,185,324**	**1,808,356**	**10,990,749**
FTE		**1.00**		**1.00**			**1.00**

Agency	Department of Corrections and Rehabilitation
Program	80 AS Women Services
Reporting Level	01-530-500-80-00-00-00-00000000

1 Object/Revenue Description	Code	2 2015-17 First Year Expenditures	3 2015-17 Biennium Appropriation	4 2017-19 Total Changes	5 2017-19 Recommendation	6	7
EXPENDITURES							
Salaries - Permanent	511000	77,772	155,940	2,724	158,664	0	0
Salary Increase	511010	0	0	0	793	0	0
Benefit Increase	511011	0	0	0	158	0	0
Health Increase	511012	0	0	0	2,862	0	0
Fringe Benefits	516000	29,505	60,770	(1,482)	59,288	0	0
Travel	521000	2,375	5,525	(963)	4,562	0	0
Office Supplies	536000	13	500	(475)	25	0	0
Printing	542000	0	200	(200)	0	0	0
Rentals/Leases-Equip & Other	581000	900	1,500	300	1,800	0	0
IT - Communications	602000	263	900	(373)	527	0	0
Professional Development	611000	535	1,250	(180)	1,070	0	0
Operating Fees and Services	621000	5,474,499	11,221,874	(111,111)	11,110,763	0	0
Adult Services	**77**	**5,585,862**	**11,448,459**	**(111,760)**	**11,340,512**	**0**	**0**
TOTAL EXPENDITURES for 80 AS Women Services		**5,585,862**	**11,448,459**	**(111,760)**	**11,340,512**	**0**	**0**
MEANS OF FUNDING							
State General Fund	001	5,585,862	11,448,459	(111,760)	11,340,512	0	0
General Fund	**GEN**	**5,585,862**	**11,448,459**	**(111,760)**	**11,340,512**	**0**	**0**
TOTAL FUNDING for 80 AS Women Services		**5,585,862**	**11,448,459**	**(111,760)**	**11,340,512**	**0**	**0**
AUTHORIZED EMPLOYEES							
FTE		1.00	1.00	0.00	1.00	0.00	0.00
TOTAL AUTHORIZED EMPLOYEES for 80 AS Women Services		1.00	1.00	0.00	1.00	0.00	0.00

Dakota Women's Correctional Rehab Center
2017 - 2019 Budget

	2017-2019 Requested Budget	2015-2017 Requested Budget	% of 2015-2017 Budget
Revenue			
Housing Income	11,600,443.63	12,216,204.16	94.96%
Industries/Miscellaneous	379,900.00	739,900.00	
Total Revenue	11,980,343.63	12,956,104.16	
Expenditures			
Payroll Expense	9,475,883.00	10,177,648.52	93.10%
Administrative/Computer Expense	262,363.54	313,805.13	83.61%
Building Expense/Facility Renovation	621,413.25	625,846.29	99.29%
Inmate Expense	224,275.00	215,758.13	103.95%
Education/Vocation Expense	102,755.42	123,375.00	83.29%
Treatment Expense	11,753.13	36,168.13	32.50%
Case Management	2,575.94	6,724.00	38.31%
Security Expenses	122,401.10	169,150.63	72.36%
Vehicle	81,837.18	133,627.53	61.24%
Food Expense	536,192.05	612,514.38	87.54%
Medical Fund	299,066.98	338,119.68	88.45%
Industry	239,827.06	219,454.38	109.28%
Debt Services	0.00	22,500.00	0.00%
Total Expenditures	11,980,343.63	12,994,691.80	92.19%
Total Revenue over (under) Expenditures	0.00	(38,587.64)	
DWCRC Request	11,600,443.63		
Less DOCR Request	(11,110,763.00)		
Shortfall	489,680.63		
Additional requests:			
Proposed 2% wage increase	167,443.98		
Haven Hall Heating/Air Conditioning	40,000.00		
Roof repair - mini gym	42,000.00		

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DOCR – DIVISION OF ADULT SERVICES
2017-19 BUDGET DETAIL

Reporting Level: 01-530-500-85-00-00	
Program: ROUGH RIDER INDUSTRIES	

EXPLANATION OF PROGRAM COSTS

The Industries program provides training and employment services for the inmate population.

BUDGET BY TRADITIONAL LINE ITEM

Description	2015-17 Adjusted Budget	2017-19 Senate Version	Percent of Total	Change from 15-17
Salary and Fringe	4,885,739	4,872,625	33%	(13,114)
Operating	14,549,516	9,649,516	65%	(4,900,000)
Capital	476,000	247,000	2%	(229,000)
Grants	-	-	0%	-
Total	**19,911,255**	**14,769,141**	**100%**	**(5,142,114)**
Funds				
General	-	-	0%	-
Other	19,911,255	14,769,141	100%	(5,142,114)
Total	**19,911,255**	**14,769,141**	**100%**	**(5,142,114)**
FTE	**33.00**	**33.00**	-	-

MATERIAL EXPENDITURES – (91% of budget)

Salary and Fringe – $4,872,625 – 33% of budget
- Industries Director – 1.0 FTE
- Business Office Staff– 2.0 FTE
- IT Administrator– 1.0 FTE
- Purchasing Agent– 1.0 FTE
- Business Development– 1.0 FTE

Administrative & Sales Assistant– 2.0 FTE
Account Executive– 2.0 FTE
Industries & Operations Manager– 8.0 FTE
Industries Specialist– 11.0 FTE
Warehouse/Driver– 2.0 FTE
Commissary Operations Manager- 1.0 FTE

Bldg, Ground, Maintenance & Miscellaneous Supplies – $7,455,496 – 50% of budget
Raw materials used in production and products resold via commissary operations

Operating Fees and Services - $1,243,000 – 8% of budget
Production expenditures, raw material and finished product freight, inmate wages

SIGNIFICANT CHANGES

General issue of license plate completed – ($4.9 million)

Employee health insurance premium increase

2015 – 2017 BUDGET

As of 1/31/2017, 65% of this department budget has been expended.

Roughrider Industries		2015-17 Biennium		Adjusted	1/31/2017	Remaining	2017-19
Description		Budget	Allotment	Budget	BTD Expend	Balance	Senate Version
SALARIES	511000	3,123,187	-	3,123,187	2,303,023	820,164	3,138,096
SALARY BUDGET ADJUSTMENT	511900		-	-		-	
SALARY INCREASE	599110		-	-		-	
SALARIES - OTHER	512000		-	-		-	
TEMP	513000	49,920	-	49,920	-	49,920	49,920
OVERTIME	514000	39,960	-	39,960	20,467	19,493	39,961
BENEFITS	516000	1,672,672	-	1,672,672	1,061,959	610,713	1,555,925
BENEFIT INCREASE	599160		-	-		-	88,723
TRAVEL	521000	40,812	-	40,812	20,328	20,484	40,812
IT-SOFTWARE/SUPPLIES	531000	57,500	-	57,500	8,497	49,003	57,500
PROFESSIONAL SUPPLIES & MAT	532000		-	-	-	-	
FOOD & CLOTHING	533000	9,200	-	9,200	3,490	5,710	9,200
BLDG,GRNDS,VEHICLE MTCE S	534000	11,706,496	-	11,706,496	7,369,920	4,336,576	6,806,496
MISCELLANEOUS SUPPLIES	535000	649,000	-	649,000	593,214	55,786	649,000
OFFICE SUPPLIES	536000	27,000	-	27,000	9,207	17,793	27,000
POSTAGE	541000	18,300	-	18,300	5,102	13,198	18,300
PRINTING	542000	18,000	-	18,000	16,954	1,046	18,000
IT-EQUIP UNDER $5,000	551000	37,870	-	37,870	3,588	34,282	37,870
OTHER EQUIP - UNDER $5,000	552000	129,000	-	129,000	76,250	52,750	129,000
OFFICE EQUIP - UNDER $5,000	553000		-	-	-	-	
UTILITIES	561000	210,500	-	210,500	113,204	97,296	210,500
INSURANCE	571000	44,000	-	44,000	17,563	26,437	44,000
LEASE/RENT - EQUIPMENT	581000	20,000	-	20,000	6,608	13,392	20,000
LEASE/RENT - BLDG/LAND	582000		-	-	-	-	
REPAIRS	591000	166,000	-	166,000	117,728	48,272	166,000
IT-DATA PROCESSING	601000	41,538	-	41,538	26,993	14,545	41,538
IT-TELEPHONE	602000	17,000	-	17,000	12,688	4,312	17,000
IT-CONTRACTUAL SERVICES	603000	73,000	-	73,000	120,217	(47,217)	73,000
DUES & PROFESSIONAL DEV	611000	15,300	-	15,300	6,900	8,400	15,300
OPERATING FEES & SERVICES	621000	1,243,000	-	1,243,000	1,057,529	185,472	1,243,000
PROFESSIONAL SERVICES	623000	26,000	-	26,000	34,979	(8,979)	26,000
MEDICAL, DENTAL & OPTICAL	625000		-	-	-	-	
LAND & BUILDINGS	682000		-	-	-	-	
OTHER CAPITAL PAYMENTS	683000		-	-	-	-	
EXTRAORDINARY REPAIRS	684000	250,000	-	250,000	-	250,000	80,000
EQUIP - OVER $5,000	691000	226,000	-	226,000	34,868	191,132	167,000
MOTOR VEHICLES	692000		-	-	-	-	
IT-EQUIP OVER $5,000	693000		-	-	-	-	
GRANTS, BENEFITS & CLAIMS	712000		-	-	-	-	
Total		**19,911,255**	**-**	**19,911,255**	**13,041,277**	**6,869,978**	**14,769,141**
General Funds		-	-	-	-	-	
Other Funds		19,911,255	-	19,911,255	13,041,277	6,869,978	14,769,141
Total		**19,911,255**	**-**	**19,911,255**	**13,041,277**	**6,869,978**	**14,769,141**
FTE		**33.00**		**33.00**			**33.00**

Agency	Department of Corrections and Rehabilitation
Program	85 AS - RRI
Reporting Level	01-530-500-85-00-00-00-00000000

1 Object/Revenue Description	Code	2 2015-17 First Year Expenditures	3 2015-17 Biennium Appropriation	4 2017-19 Total Changes	5 2017-19 Recommendation	6	7
EXPENDITURES							
Salaries - Permanent	511000	1,455,326	3,123,187	14,909	3,138,096	0	0
Salary Increase	511010	0	0	0	15,691	0	0
Benefit Increase	511011	0	0	0	3,174	0	0
Health Increase	511012	0	0	0	88,723	0	0
Temporary Salaries	513000	0	49,920	0	49,920	0	0
Overtime	514000	18,965	39,960	1	39,961	0	0
Fringe Benefits	516000	667,898	1,672,672	(116,747)	1,555,925	0	0
Travel	521000	16,218	40,812	0	40,812	0	0
Supplies - IT Software	531000	6,172	57,500	0	57,500	0	0
Food and Clothing	533000	0	9,200	0	9,200	0	0
Bldg, Ground, Maintenance	534000	4,860,419	11,706,496	(4,900,000)	6,806,496	0	0
Miscellaneous Supplies	535000	561,059	649,000	0	649,000	0	0
Office Supplies	536000	5,319	27,000	0	27,000	0	0
Postage	541000	4,613	18,300	0	18,300	0	0
Printing	542000	13,182	18,000	0	18,000	0	0
IT Equip Under $5,000	551000	2,060	37,870	0	37,870	0	0
Other Equip Under $5,000	552000	56,101	129,000	0	129,000	0	0
Utilities	561000	74,133	210,500	0	210,500	0	0
Insurance	571000	30,272	44,000	0	44,000	0	0
Rentals/Leases-Equip & Other	581000	5,800	20,000	0	20,000	0	0
Repairs	591000	81,110	166,000	0	166,000	0	0
IT - Data Processing	601000	20,054	41,538	0	41,538	0	0
IT - Communications	602000	8,351	17,000	0	17,000	0	0
IT Contractual Srvcs and Rprs	603000	52,832	73,000	0	73,000	0	0
Professional Development	611000	6,440	15,300	0	15,300	0	0
Operating Fees and Services	621000	781,402	1,243,000	0	1,243,000	0	0
Fees - Professional Services	623000	21,903	26,000	0	26,000	0	0
Extraordinary Repairs	684000	0	250,000	(170,000)	80,000	0	0
Equipment Over $5000	691000	47,093	226,000	(59,000)	167,000	0	0
Adult Services	**77**	**8,796,722**	**19,911,255**	**(5,230,837)**	**14,788,006**	**0**	**0**
TOTAL EXPENDITURES for 85 AS - RRI		**8,796,722**	**19,911,255**	**(5,230,837)**	**14,788,006**	**0**	**0**

Agency	Department of Corrections and Rehabilitation
Program	85 AS - RRI
Reporting Level	01-530-500-85-00-00-00-00000000

1 Object/Revenue Description	Code	2 2015-17 First Year Expenditures	3 2015-17 Biennium Appropriation	4 2017-19 Total Changes	5 2017-19 Recommendation	6	7
MEANS OF FUNDING							
Penitentiary Industries - 365	365	8,796,722	19,911,255	(5,230,837)	14,788,006	0	0
Special Funds	**SPEC**	**8,796,722**	**19,911,255**	**(5,230,837)**	**14,788,006**	**0**	**0**
TOTAL FUNDING for 85 AS - RRI		**8,796,722**	**19,911,255**	**(5,230,837)**	**14,788,006**	**0**	**0**
AUTHORIZED EMPLOYEES							
FTE		33.00	33.00	(4.00)	29.00	0.00	0.00
Vacant		0.00	0.00	4.00	4.00	0.00	0.00
TOTAL AUTHORIZED EMPLOYEES for 85 AS - RRI		33.00	33.00	0.00	33.00	0.00	0.00

EQUIPMENT OVER $5,000

00530 Department of Corrections and Rehabilitation

Version: 2017R0200530

Description	Funding	2017-19 Request	2017-19 Optional Request	2017-19 Budget Recommendation
CNC Metal Plasma Cutting Table - RRI	General Fund	0	0	0
	Federal Funds	0	0	0
	Special Funds	30,000	0	30,000
Total CNC Metal Plasma Cutting Table - RRI		**30,000**	**0**	**30,000**
Corner Machine - RRI	General Fund	0	0	0
	Federal Funds	0	0	0
	Special Funds	12,000	0	12,000
Total Corner Machine - RRI		**12,000**	**0**	**12,000**
Furniture Cutoff Saw - RRI	General Fund	0	0	0
	Federal Funds	0	0	0
	Special Funds	20,000	0	20,000
Total Furniture Cutoff Saw - RRI		**20,000**	**0**	**20,000**
Furniture Tiger Stop Saw - RRI	General Fund	0	0	0
	Federal Funds	0	0	0
	Special Funds	15,000	0	15,000
Total Furniture Tiger Stop Saw - RRI		**15,000**	**0**	**15,000**
Heavy Duty Upholstery Sewing Machine - RRI	General Fund	0	0	0
	Federal Funds	0	0	0
	Special Funds	5,000	0	5,000
Total Heavy Duty Upholstery Sewing Machine - RRI		**5,000**	**0**	**5,000**
Metal Chop Saw - RRI	General Fund	0	0	0
	Federal Funds	0	0	0
	Special Funds	5,000	0	5,000
Total Metal Chop Saw - RRI		**5,000**	**0**	**5,000**
Saw Dust Collector - RRI	General Fund	0	0	0
	Federal Funds	0	0	0
	Special Funds	30,000	0	30,000
Total Saw Dust Collector - RRI		**30,000**	**0**	**30,000**

EQUIPMENT OVER $5,000

00530 Department of Corrections and Rehabilitation

Version: 2017R0200530

Description	Funding	2017-19 Request	2017-19 Optional Request	2017-19 Budget Recommendation
Sewing Digitizer - Plotter - RRI	General Fund	0	0	0
	Federal Funds	0	0	0
	Special Funds	30,000	0	30,000
Total Sewing Digitizer - Plotter - RRI		**30,000**	**0**	**30,000**
Sewing Pattern Machine - RRI	General Fund	0	0	0
	Federal Funds	0	0	0
	Special Funds	20,000	0	20,000
Total Sewing Pattern Machine - RRI		**20,000**	**0**	**20,000**
Agency Totals				
	General Fund	0	0	0
	Federal Funds	0	0	0
	Special Funds	167,000	0	167,000
	Agency Total	**167,000**	**0**	**167,000**

EXTRAORDINARY REPAIRS

00530 Department of Corrections and Rehabilitation

Version: 2017R0200530

Description	Funding	2017-19 Request	2017-19 Optional Request	2017-19 Budget Recommendation
JRCC Extraordinary Repairs - Base Request	General Fund	406,000	0	406,000
	Federal Funds	0	0	0
	Special Funds	0	0	0
Total JRCC Extraordinary Repairs - Base Request		**406,000**	**0**	**406,000**
NDSP Extraordinary Repairs - Base Request	General Fund	460,000	0	460,000
	Federal Funds	0	0	0
	Special Funds	0	0	0
Total NDSP Extraordinary Repairs - Base Request		**460,000**	**0**	**460,000**
RRI - JRCC Storage	General Fund	0	0	0
	Federal Funds	0	0	0
	Special Funds	80,000	0	80,000
Total RRI - JRCC Storage		**80,000**	**0**	**80,000**
Agency Totals				
	General Fund	866,000	0	866,000
	Federal Funds	0	0	0
	Special Funds	80,000	0	80,000
	Agency Total	**946,000**	**0**	**946,000**

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DOCR – DIVISION OF ADULT SERVICES
2017-19 BUDGET DETAIL

Reporting Level: 01-530-500-90-00-00	
Program: CENTRAL OFFICE - ADULT	

EXPLANATION OF PROGRAM COSTS

The Adult Services Central Office includes administration, human services, information technology, fiscal operations, training, medical services, and plant services.

BUDGET BY TRADITIONAL LINE ITEM

Description	2015-17 Adjusted Budget	2017-19 Senate Version	Percent of Total	Change from 15-17
Salary and Fringe	18,370,309	19,498,317	47%	1,128,008
Operating	20,606,989	20,019,771	48%	(587,218)
Capital	3,207,550	2,341,942	6%	(865,608)
Grants	-	-	0%	-
Total	**42,184,848**	**41,860,030**	**100%**	**(324,818)**
Funds				
General	40,715,646	39,454,921	94%	(1,260,725)
Other	1,469,202	2,405,109	6%	935,907
Total	**42,184,848**	**41,860,030**	**100%**	**(324,818)**
FTE	**97.17**	**97.17**	-	-

MATERIAL EXPENDITURES – (91% of budget)

Salary and Fringe – $19,498,317 – 47% of budget
- Administration/Human Resources – 10.04 FTE
- Information Technology – 4.88 FTE
- Fiscal Operations/Warehouse – 14.73 FTE
- Training – 4.88 FTE
- Plant Services – 20.88 FTE
- Medical Services/Pharmacy – 41.76 FTE

Bldgs, Grnds, & Mtce, Utilities, and Repairs – $5,529.773 - 13% of budget
Maintenance expenditures, utilities, and repairs needed for the daily operations at the DOCR facilities.

IT Data Processing & IT Communications - $1,852,223 – 4% of budget
ITD Payments

Professional Fees and Services - $6,784,611 – 16% of budget
Medical, plant, and administrative professional fees and services needed for the daily operations of the facilities.

Medical, Dental, and Optical - $3,571,061 – 9% of budget
Supplies needed by pharmacy, medical, dental, and optical services for the daily operations of the facilities. Budgeted amount reflects 340B pricing

Extraordinary Repairs - $866,000 – 2% of budget
NDSP
Repair & Relocate North Perimeter Fence - $250,000
Power lines / electrical repairs - $120,000
Miscellaneous building repairs - $90,000
JRCC
Elevator replacement – Administration Bldg. - $250,000
Mechanical and electrical improvements - $112,000
Exterior building repairs / improvements - $44,000

SIGNIFICANT CHANGES

Central office allocation percentage (79% to 88%)

340B Pharmacy

Electronic medical record system replacement

Employee health insurance premium increase

2013– 2015 Budget

As of 2/28/2017, 76% of this department budget has been expended.

AS Central Office		2015-17 Biennium		Adjusted	2/28/2017	Remaining	2017-19
Description		Budget	Allotment	Budget	BTD Expend	Balance	Senate Version
SALARIES	511000	12,595,735	(319,816)	12,275,919	10,160,518	2,115,401	12,696,447
SALARY BUDGET ADJUSTMENT	511900		-	-	-	-	-
SALARY INCREASE	599110		-	-	-	-	-
SALARIES - OTHER	512000		-	-	-	-	-
TEMP	513000	501,420	-	501,420	640,548	(139,128)	871,596
OVERTIME	514000	362,784	-	362,784	342,718	20,066	364,512
BENEFITS	516000	5,230,186	-	5,230,186	4,233,021	997,165	5,294,672
BENEFIT INCREASE	599160		-	-	-	-	271,090
TRAVEL	521000	296,471	(46,598)	249,873	142,966	106,907	233,541
IT-SOFTWARE/SUPPLIES	531000	465,429	-	465,429	282,148	183,281	177,533
PROFESSIONAL SUPPLIES & MAT	532000	117,000	-	117,000	53,496	63,504	81,070
FOOD & CLOTHING	533000	200,000	-	200,000	142,022	57,978	268,271
BLDG,GRNDS,VEHICLE MTCE S	534000	1,091,093	-	1,091,093	788,638	302,455	894,427
MISCELLANEOUS SUPPLIES	535000	549,450	-	549,450	(5,152)	554,602	27,115
OFFICE SUPPLIES	536000	38,205	-	38,205	25,402	12,803	35,001
POSTAGE	541000	23,999	-	23,999	31,654	(7,655)	37,590
PRINTING	542000	36,204	-	36,204	21,447	14,757	25,383
IT-EQUIP UNDER $5,000	551000	321,104	-	321,104	242,875	78,229	348,034
OTHER EQUIP - UNDER $5,000	552000	35,635	-	35,635	43,117	(7,482)	60,546
OFFICE EQUIP - UNDER $5,000	553000	15,000	-	15,000	4,715	10,286	8,015
UTILITIES	561000	3,918,966	(400,000)	3,518,966	2,554,706	964,260	3,600,000
INSURANCE	571000	300,000	-	300,000	205,109	94,891	195,243
LEASE/RENT - EQUIPMENT	581000	29,000	-	29,000	41,980	(12,980)	41,322
LEASE/RENT - BLDG/LAND	582000	1,000	-	1,000	247	753	406
REPAIRS	591000	988,924	-	988,924	698,401	290,523	1,035,346
IT-DATA PROCESSING	601000	1,713,699	-	1,713,699	1,180,737	532,962	1,602,326
IT-TELEPHONE	602000	310,000	-	310,000	210,076	99,924	249,897
IT-CONTRACTUAL SERVICES	603000	6,715	-	6,715	7,219	(504)	436,446
DUES & PROFESSIONAL DEV	611000	90,500	-	90,500	66,642	23,858	101,123
OPERATING FEES & SERVICES	621000	180,000	-	180,000	175,493	4,507	205,464
PROFESSIONAL SERVICES	623000	7,053,217	(807,719)	6,245,498	5,313,401	932,097	6,784,611
MEDICAL, DENTAL & OPTICAL	625000	5,065,849	(986,154)	4,079,695	1,740,446	2,339,249	3,571,061
LAND & BUILDINGS	682000	202,500	-	202,500	-	202,500	-
OTHER CAPITAL PAYMENTS	683000	737,223	-	737,223	746,285	(9,062)	739,442
EXTRAORDINARY REPAIRS	684000	2,484,327	(606,000)	1,878,327	1,771,038	107,289	866,000
EQUIP - OVER $5,000	691000	89,500	-	89,500	90,520	(1,020)	-
MOTOR VEHICLES	692000		-	-	-	-	-
IT-EQUIP OVER $5,000	693000	766,144	(466,144)	300,000	257,539	42,461	736,500
GRANTS, BENEFITS & CLAIMS	712000	-	-	-	-	-	-
Total		**45,817,279**	**(3,632,431)**	**42,184,848**	**32,209,972**	**9,974,876**	**41,860,030**
General Funds		44,348,077	(3,632,431)	40,715,646	31,870,162	8,845,484	39,454,921
Other Funds		1,469,202	-	1,469,202	339,811	1,129,392	2,405,109
Total		**45,817,279**	**(3,632,431)**	**42,184,848**	**32,209,972**	**9,974,876**	**41,860,030**
FTE		**97.17**		**97.17**			**97.17**

Agency	Department of Corrections and Rehabilitation
Program	90 Central Office - Adult
Reporting Level	01-530-500-90-00-00-00-00000000

1 Object/Revenue Description	Code	2 2015-17 First Year Expenditures	3 2015-17 Biennium Appropriation	4 2017-19 Total Changes	5 2017-19 Recommendation	6	7
EXPENDITURES							
Land and Buildings	682000	0	349,950	(349,950)	0	0	0
Capital Construction Carryover	**51**	**0**	**349,950**	**(349,950)**	**0**	**0**	**0**
Salaries - Permanent	511000	6,007,315	12,595,735	100,712	12,696,447	0	0
Salary Increase	511010	0	0	0	63,482	0	0
Benefit Increase	511011	0	0	0	12,049	0	0
Health Increase	511012	0	0	0	271,090	0	0
Temporary Salaries	513000	367,093	501,420	370,176	871,596	0	0
Overtime	514000	181,057	362,784	1,728	364,512	0	0
Fringe Benefits	516000	2,501,186	5,230,186	64,486	5,294,672	0	0
Travel	521000	88,414	296,471	(62,930)	233,541	0	0
Supplies - IT Software	531000	204,930	465,429	(287,896)	177,533	0	0
Supply/Material-Professional	532000	40,535	117,000	(35,930)	81,070	0	0
Food and Clothing	533000	108,389	200,000	68,271	268,271	0	0
Bldg, Ground, Maintenance	534000	421,388	1,091,093	(196,666)	894,427	0	0
Miscellaneous Supplies	535000	5,682	549,450	(522,335)	27,115	0	0
Office Supplies	536000	10,987	38,205	(3,204)	35,001	0	0
Postage	541000	18,819	23,999	13,591	37,590	0	0
Printing	542000	9,392	36,204	(10,821)	25,383	0	0
IT Equip Under $5,000	551000	146,618	321,104	26,930	348,034	0	0
Other Equip Under $5,000	552000	30,272	35,635	24,911	60,546	0	0
Office Equip & Furn Supplies	553000	3,908	15,000	(6,985)	8,015	0	0
Utilities	561000	1,596,252	3,918,966	(318,966)	3,600,000	0	0
Insurance	571000	97,601	300,000	(104,757)	195,243	0	0
Rentals/Leases-Equip & Other	581000	20,134	29,000	12,322	41,322	0	0
Rentals/Leases - Bldg/Land	582000	203	1,000	(594)	406	0	0
Repairs	591000	465,063	988,924	46,422	1,035,346	0	0
IT - Data Processing	601000	717,545	1,713,699	(111,373)	1,602,326	0	0
IT - Communications	602000	125,041	310,000	(60,103)	249,897	0	0
IT Contractual Srvcs and Rprs	603000	6,715	6,715	429,731	436,446	0	0
Professional Development	611000	35,658	90,500	10,623	101,123	0	0
Operating Fees and Services	621000	102,638	180,000	25,464	205,464	0	0

Agency	Department of Corrections and Rehabilitation
Program	90 Central Office - Adult
Reporting Level	01-530-500-90-00-00-00-00000000

Description	Code	1 Object/Revenue	2 2015-17 First Year Expenditures	3 2015-17 Biennium Appropriation	4 2017-19 Total Changes	5 2017-19 Recommendation	6	7
Fees - Professional Services	623000		2,837,360	7,053,217	197,233	7,250,450	0	0
Medical, Dental and Optical	625000		976,828	5,065,849	(1,368,026)	3,697,823	0	0
Land and Buildings	682000		0	202,500	(202,500)	0	0	0
Other Capital Payments	683000		389,764	737,223	2,219	739,442	0	0
Extraordinary Repairs	684000		582,868	2,484,327	(1,618,327)	866,000	0	0
Equipment Over $5000	691000		56,540	89,500	(89,500)	0	0	0
IT Equip/Sftware Over $5000	693000		81,599	766,144	(29,644)	736,500	0	0
Adult Services	**77**		**18,237,794**	**45,817,279**	**(3,635,738)**	**42,528,162**	**0**	**0**
TOTAL EXPENDITURES for 90 Central Office - Adult			**18,237,794**	**46,167,229**	**(3,985,688)**	**42,528,162**	**0**	**0**
MEANS OF FUNDING								
Byrne Grant 204	P204		10,994	10,994	0	10,994	0	0
Federal Funds	**FED**		**10,994**	**10,994**	**0**	**10,994**	**0**	**0**
State General Fund	001		18,117,023	44,698,027	(4,921,595)	40,123,053	0	0
General Fund	**GEN**		**18,117,023**	**44,698,027**	**(4,921,595)**	**40,123,053**	**0**	**0**
Pen.- Land Replacement - 366	366		87,148	600,000	(600,000)	0	0	0
Dept of Corrections Oper - 379	379		22,629	858,208	600,000	1,458,208	0	0
Strategic inv & imprv fund	493		0	0	935,907	935,907	0	0
Special Funds	**SPEC**		**109,777**	**1,458,208**	**935,907**	**2,394,115**	**0**	**0**
TOTAL FUNDING for 90 Central Office - Adult			**18,237,794**	**46,167,229**	**(3,985,688)**	**42,528,162**	**0**	**0**
AUTHORIZED EMPLOYEES								
FTE			97.17	97.17	(3.88)	93.29	0.00	0.00
Vacant			0.00	0.00	3.88	3.88	0.00	0.00
TOTAL AUTHORIZED EMPLOYEES for 90 Central Office - Adult			97.17	97.17	0.00	97.17	0.00	0.00

EXTRAORDINARY REPAIRS

00530 Department of Corrections and Rehabilitation

Version: 2017R0200530

Description	Funding	2017-19 Request	2017-19 Optional Request	2017-19 Budget Recommendation
JRCC Extraordinary Repairs - Base Request	General Fund	406,000	0	406,000
	Federal Funds	0	0	0
	Special Funds	0	0	0
Total JRCC Extraordinary Repairs - Base Request		**406,000**	**0**	**406,000**
NDSP Extraordinary Repairs - Base Request	General Fund	460,000	0	460,000
	Federal Funds	0	0	0
	Special Funds	0	0	0
Total NDSP Extraordinary Repairs - Base Request		**460,000**	**0**	**460,000**
RRI - JRCC Storage	General Fund	0	0	0
	Federal Funds	0	0	0
	Special Funds	80,000	0	80,000
Total RRI - JRCC Storage		**80,000**	**0**	**80,000**
Agency Totals				
	General Fund	866,000	0	866,000
	Federal Funds	0	0	0
	Special Funds	80,000	0	80,000
	Agency Total	**946,000**	**0**	**946,000**

Inmate Population Medically Responsible			
	Drugs and Supplies thru 6/30/16	FY16 Average Inmate Count Med Responsible	Average Cost Per Inmate Per Year
NDSP	462,993		
JRCC	325,440		
MRCC	39,802		
DWCRC	50,303		
Less Hep C Drugs	275,393		
	603,146	1,793	**$ 336**
2015-17	$ 336		
Est FY17 Inflation	0%		
Est FY17 Cost Per Inmate	336.33		
Est FY18 Inflation	14%		
Est FY18 Cost Per Inmate	383.08		
Est FY19 Inflation	14%		
Est FY19 Cost Per Inmate	436.33		
FY18 Est Inmate Med Pop	1,860		
FY19 Est Inmate Med Pop	1,865		
2017-19 Estimated Cost Non Hep C	**$ 1,526,424**		
2017-19 Hep C (Treat 18 per year)	**$ 1,827,270**	**($50,758 per treatment)**	
Total 17-19 Estimated Drug Cost	***$ 3,353,694***		

2017 - 2019 Estimate MMIS

	Male	Female	Total
FY2018 Estimated Inmate Population	1,636	224	1,860
15-17 - % Pop Billed Per Day (CBPD/CAPPD)	0.30%	0.30%	0.30%
Est # of Billings Per Day	4.88	0.67	5.55
# of days FY2018	365	365	365
Est # of Billings FY2018	1,781	244	2,025
As of 9/3/16 Ave Cost Per Inmate	$ 1,275	$ 1,275	$ 1,275
Estimated FY 15 Inflationary Increase	0.00%	0.00%	0.00%
Estimated FY15 Cost Per Inmate	1,275	1,275	1,275
Estimated FY16 Inflationary Increase	6.50%	6.50%	6.50%
Estimated FY16 Cost Per Inmate	$ 1,358	$ 1,358	$ 1,358
Revised Estimated FY18 MMIS Cost	**2,418,814**	**331,382**	**2,750,195**
FY2019 Estimated Inmate Population	1,641	224	1,865
15-17 - % Pop Billed Per Day (CBPD/CAPPD)	0.30%	0.30%	0.30%
Est # of Billings Per Day	4.89	0.67	5.56
# of days FY2019	365	365	365
Est # of Billings 2015-17	1,786	244	2,029
Estimated FY16 Cost Per Inmate	$ 1,358	$ 1,358	$ 1,358
Estimated FY 19 Inflationary Increase	6.50%	6.50%	6.50%
Estimated FY19 Cost Per Inmate	$ 1,446	$ 1,446	$ 1,446
Revised Estimated FY19 MMIS Cost	**$ 2,582,651**	**$ 352,534**	**$ 2,935,185**
Total Estimate 17-19 MMIS Cost	**$ 5,001,464**	**$ 683,916**	**$ 5,685,381**

Large IT Projects Narrative

00530 Department of Corrections and Rehabilitation **Date:** 03/17/2017
Version 2017R0200530 **Time:** 14:47:57
Project Electronic Medical Record System Replacement

Anticipated Benefits

As prison inmate healthcare and treatment is a fundamental responsibility of the DOCR, this project aligns to not only strategic/business goals, but also t core business operations. his project will allow DOCR to continue core business operations on an electronic basis. If this project does not proceed, DOCR will immediately need to begin transitioning to an all paper based chart solution. Costs in necessary staff will spike rapidly through overtime needs, and staffing FTE levels will increase immediately. This project intends to add considerable efficiency to an already electronic business process.

Detailed Project Description

This project will procure and implement a replacement for the DOCR Electronic Medical Record system. The current system is past useful life, and beginning to fail in certain modules. The vendor has left the EMR industry, and dissolved its operations supporting the product. There is no possibility of maintaining the system, including no updates, no security patches, and no fixes for currently failing modules. The system is currently in a closed hosting setup, with no administrative or maintenance oversight possible. The replacing system will fulfill all needs of DOCR in regard to creation, access, maintenance of consistent medical records and healthcare environment. Pharmacy operations will not be included in the scope of the replacing system, as a stand-alone pharmacy software program will be in place before this replacing system has been implemented. However, the replacing system must communicate, transmit data, and ensure data integrity between the pharmacy software program and replacing EMR system.

Project Risks

The replacement of a system that serves a core responsibility and function of DOCR contains a high level of risk. As the current EMR's vendor has dissolved operations in the industry, there will be no assistance in transition (specific to data conversion, records, etc.). Risk exists in human resources being available to build requirements, guide implementation, testing, and training. As this system will connect to various interfaces, risk exists in proper data configuration/ compatibility. Most paramount is the integrity of data and historical record; these are key health records, used by providers to make critical healthcare decisions. Inaccuracy of data risks lives of patients, and exposes DOCR to the highest possible level of risk.

Proposed Solution

Procurement through RFP (or other appropriate procurement) of a replacement Electronic Health Record System. The replacing system will be connecte via interfaces to an Offender Management System, pharmacy software system, lab provider, and other necessary input/outputs.

2017-2019

Electronic Health Record System Replacement

ND Dept of Corrections & Rehabilitation

Budget Estimate	Costs
Vendor	$ 736,500
ITD Services	
Project Management Services	$ 77,960
Business Analysis Services	
Software Development	
Hosting/Database Licensing	$ 41,880
Hardware/Equipment	
Data Conversion	$ 35,000
Risk	$ 44,567
Add or Remove categories as needed	
Add or Remove categories as needed	
Total Project Budget Estimate	**$ 935,907**

Funding source for proposed project	Amount
General Funds	$ 935,907
Federal Funds	
Special Funds	
Total Funding	**$ 935,907**

2017-2019 Appropriation						
Agency	General Fund	General Fund	Other Funds	Other Funds	Total	
Department of Corrections						
2003B/2012A - Penitentiary	$410,024.20		$0.00		$410,024.20	
98A/06A - Youth Correctional Center	$127,754.40		$0.00		$127,754.40	
00A/06A - Youth Correctional Center	$291,482.40		$0.00		$291,482.40	
2005A - Penitentiary	$329,417.83		$0.00		$329,417.83	
Total		$1,158,678.83		$0.00		$1,158,678.83
5/5/2016						

NDSP Extraordinary Repairs 68400- 2450

Relocate North Perimeter Fence $250,000

The north perimeter fence is in need of repair from water erosion. The project consists of moving the outer fence 15 feet to the north on a flat surface and controlling water run-off from RRI building "A". Moving the fence 15 feet will extend the "no man's land" area which allows for better access of equipment and maintenance of the fence. The new fence will be erected along with the water and erosion control before the old fence is removed.

Bury High voltage overhead power lines $50,000

This is a shared expense with MDU to bury the high voltage overhead power lines that run through the wetlands area at the NW corner of the facility. These poles are showing signs of deterioration and are leaning to the point of a possible failure in a high wind or ice storm. Burring the high voltage power lines will eliminate any future risk of downed power lines from wind or ice storms.

Electrical Improvements $70,000

On-going updates of electrical equipment such as breaker panels, motor control centers, electronic equipment and lighting upgrades that are or will become obsolete in the near future.

Building Improvements $90,000

This is a prioritized list of building improvements that include carpet replacement, roof repairs, window, door and lock replacements that are dated and in need of upgrading or replacing.

JRCC Extraordinary projects-684000, ID 2550

Administration Building Elevator Repair. ***$250,000.00***

The elevator located in the JRCC administration building is in need of a major overhaul and has been shut down for safety reasons. The age and the availability of repair parts have rendered the elevator inoperable. The upper floors of the administration building are only accessible by stairs.

Mechanical Improvements	**$52,000**
Cooling Tower Panel Replacement	$30,000
Steam Condensate Pump Replacement (4)	$12,000
Replace Steam Isolation Valves	$10,000
Exterior Building Improvement and Repairs	**$44,000**
Roof replacement for visiting hallway roof	$18,000
Roof repair to Amusement Hall	$12,000
SAU roof repair	$14,000
Electrical Improvements	**$60,000**
Update old Knob and Tube wiring in Gym	$15,000
Replace outdated electrical panels	$10,000
Lighting improvement and upgrade	$30,000
Replace underground conduit to kitchen	$5,000

SB2015
03.23.2017
#1

Dakota Women's Correctional Rehab Center

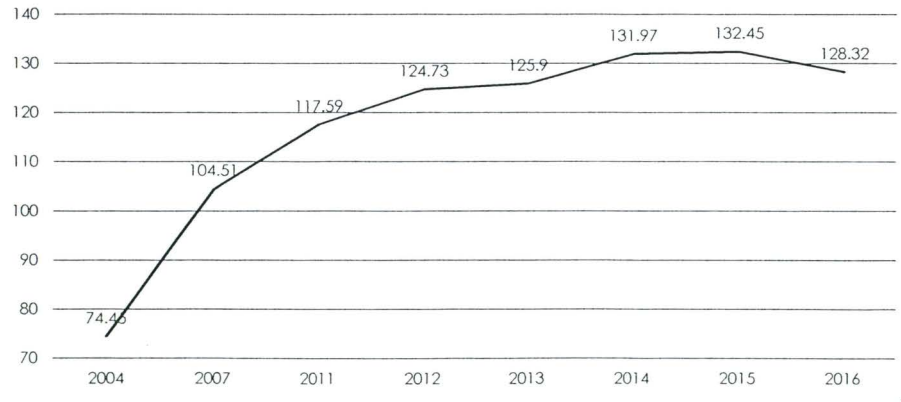
Owned and Operated by Southwest Multi-County Correction Center

	% of Ownership
Billings County	2.14%
Bowman County	8.62%
Dunn County	9.67%
Golden Valley County (DADC only)	4.60%
Hettinger County	6.78%
Slope County	1.99%
Stark County	66.20%

ND Department Of Corrections Contract

- Current Capacity = 126 beds
  - 70 Minimum Security
    - 4, 5-bed dorms
    - 5, 10-bed dorms
  - 40 Medium Security
    - 4, 10-bed dorms
  - 16 Orientation
    - 1, 16-bed dorm
- 5 High Security (Special Management Unit)
  - 5, single bed cells

Average Daily Inmate Count



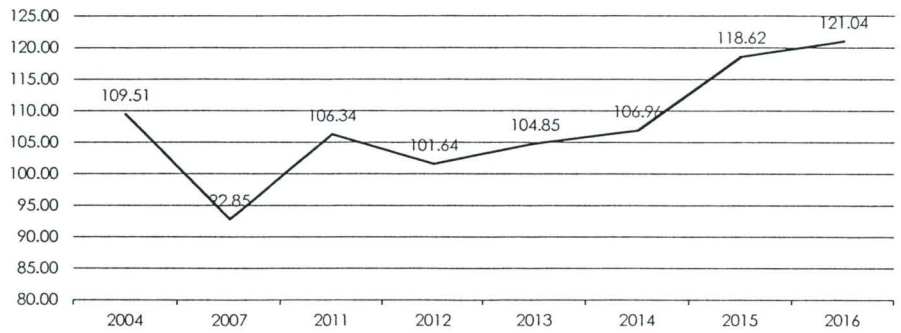
Housing Challenges

- December 10, 2014, all time high inmate count of 147
- March 30, 2015, DWCRC was forced to put up cots in the medium security gym.
- March 2016, - 30+ orientation inmates on one single day (16 beds available)

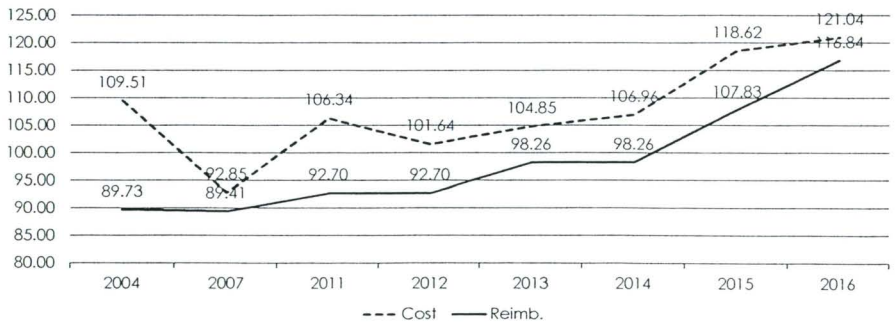
Housing Challenges

- In order to house additional female offenders, DWCRC has added the following beds (above and beyond 126):
  - 1, 8-bed dorm in minimum custody (chapel)
  - 1, 4-bed dorm in medium custody (honor dorm dayroom)
  - 1 single bed room in medium custody
- These additional beds have not been added to the DOCR contract. It is their wish to not add any additional prison beds at DWCRC for female inmates.
- No additional funding from DOCR.

Average Daily Cost Per Inmate



Average Daily Cost Per Inmate vs. Reimbursement

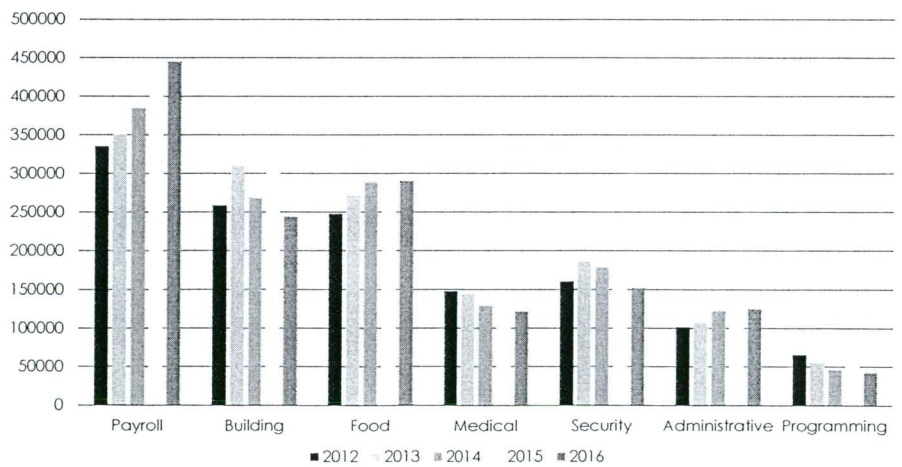


Operating Profit/Loss

Biennium	DOCR Reimbursements	DWCRC Expenses	Other Revenue	Profit/(Loss)
2003 - 2005	$3,997,195	$4,818,298	$130,459	($690,644)
2005 - 2007	$7,477,115	$7,223,756	$386,720	$640,079
2007 - 2009	$7,889,424	$7,505,837	$475,187	$858,774
2009 - 2011	$8,458,683	$9,714,067	$501,929	($753,455)
2011 - 2013	$8,458,683	$9,221,794	$813,515	$50,404
2013 - 2015	$8,966,204	$10,436,281	$797,156	($672,921)
2015 - 2016	$8,999,467*	$9,433,024*	$402,224*	$(31,333)*
Total	$54,246,771	$58,353,057	$3,507,190	($599,096)

* through 2/28/2017

Cost of Operations



STAFFING

	December, 2011		March, 2017	
	FT	PT	FT	PT
Administration	1	1	1	1
Business Office		4		4
Case Management	2		2	
Education	1	1	2	1
Food Services	1	1		
Industries	3	3	2	3
Medical	7	1	8	1
Plant Services	2		2	
Security	35	6	35	6
Treatment	2	1	4	3
Total	54	18	56	19

Appropriations History

Biennium	Total Expenses	Requested	Approved	Difference
2007 - 2009	$7,955,877	$7,955,877	$7,955,877	$0
2009 - 2011	$8,788,023	$8,458,683	$8,458,683	$0
2011 - 2013	$9,164,419	$8,858,683	$8,458,683	($400,000)
2013 - 2015	$10,237,287	$9,660,183	$8,966,204	($693,979)
2015 - 2017	$12,994,692	$12,216,204	$10,761,952*	($1,454,252)
2017 – 2019	$11,980,344	$11,600,444	$11,110,763**	($489,681)

* After 4.05% allotment decrease
** DOCR request to OMB

2017 – 2019 Appropriations Request

DWCRC Total Operating Budget	$ 12,147,788
Less BOD approved 2% wage increase *	$ (167,444)
	$ 11,980,344
Less Other Revenue	$ (379,900)
Request Submitted to DOCR	$ 11,600,444
DOCR's Request for DWCRC	$ 11,110,763
Shortfall	$ 489,681
* Additional Loss - 2 % wage increase	$ 167,444
Potential Shortfall (with 2% wage increase)	$ 657,125

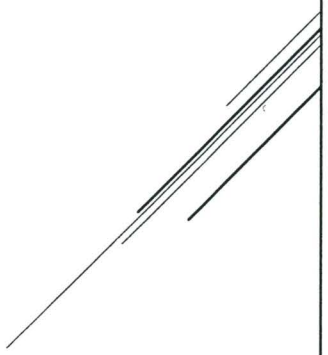
2017 – 2019 DWCRC Budget

	2017-2019 *	2015-2017	
Payroll	$ 9,475,883	$ 10,177,649	93.10%
Administrative/Computer	$ 262,364	$ 313,805	83.61%
Building Expense/Facility Renovations	$ 621,413	$ 625,846	99.29%
Inmate	$ 224,275	$ 215,758	103.95%
Education/Vocation	$ 102,756	$ 123,375	83.29%
Treatment	$ 11,753	$ 29,168	40.29%
Case Management	$ 2,576	$ 6,724	38.31%
Security	$ 122,401	$ 176,151	69.49%
Vehicle	$ 81,837	$ 133,628	61.24%
Food	$ 536,192	$ 612,514	87.54%
Medical	$ 299,067	$ 338,120	88.45%
Industries	$ 239,827	$ 219,454	109.28%
Debt Services	$ 0	$ 22,500	0.00%
Total	$ 11,980,344	$ 12,994,692	92.19%

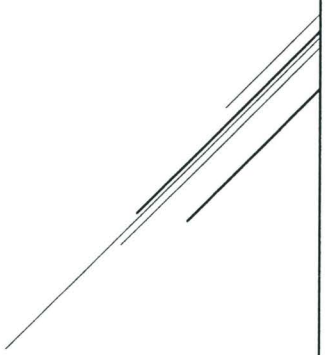
* Excludes 2% wage increase

Future Challenges

- Continued Funding Shortfalls
- Capital Improvements



Questions



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BUILDING	BUILT	2018 AGE	VALUE
DEPT OF CORRECTIONS & REHABILITATION 530			
JRCC - ADMIN BUILDING	1921	97	$5,983,859
JRCC - KITCHEN/DINING/PROGRAMS	1966	52	10,429,455
JRCC - LAUNDRY BUILDING	1938	80	2,327,554
JRCC - MAINTENANCE BUILDING	1915	103	57,519
JRCC - AMUSEMENT HALL	1924	94	2,289,545
JRCC - ET BUILDING	1998	20	20,194,623
JRCC - FORENSIC UNIT	1981	37	6,800,955
JRCC-MANUFACTURING BUILDING	1999	19	1,194,103
JRCC-SECURITY CHECK POINT BUILDING	1998	20	282,424
JRCC - CENTRAL RECEIVING & DISTRIBUTION (Transferred from State Hospital)	1987	31	3,824,353
JRCC-UTILITY BUILDING	1999	19	78,108
Total JRCC	11		$53,462,498
MRCC - AUTO MECHANIC CLASSROOM	1969	49	$136,697
MRCC - CARPENTER SHOP	1940	78	14,519
MRCC - DORM STYLE LIVING UNIT	1991	27	3,252,476
MRCC - EQUIPMENT REPAIR SHOP	1984	34	26,881
MRCC - LIBRARY	1940	78	68,382
MRCC - MAINTENANCE/KITCHEN/DINING/REC/TREATMENT 1984	1982	36	1,453,894
MRCC - MANAGER'S GARAGE	1943	75	6,295
MRCC - MANAGER'S RESIDENCE	1943	75	186,401
MRCC - MANAGER'S STORAGE BLDG.	1991	27	33,361
MRCC - PUMP HOUSE	1974	44	48,202
MRCC - REC/EQUIPMENT STORAGE BUILDING	1975	43	2,601
MRCC - STORAGE BUILDING	1981	37	32,848
MRCC - STORAGE/WELDING SHED	1962	56	1,806
MRCC - VOCATIONAL EDUCATION BUILDING	1950	68	100,641
MRCC-RRI MANUFACTURE	1998	20	672,992
Total MRCC	15		$6,037,996
PEN - SOUTH TOWER	2011	7	$674,251
PEN - WAREHOUSE BUILDING	2011	7	1,756,100
PEN - CHILLER BUILDING	1987	31	856,062
PEN - DAIRY BARN	1928	90	224,856
PEN - DEPUTY WARDEN'S GARAGE	1983	35	22,831
PEN - DOCR CENTRAL OFFICE	2012	6	16,868,397
PEN - EAST TOWER	1983	35	369,752
PEN - EDUCATION BUILDING	1990	28	1,561,054
PEN - FOOD SERVICE BUILDING	1991	27	4,871,840
PEN - GRANARY-SUNNY FARM	1945	73	7,351
PEN - INDUSTRIES OFFICE & WAREHOUSE	1980	38	656,110
PEN - LAUNDRY/SHOWER CORRIDOR/TRAFFIC	1982	36	2,331,554
PEN - LIFT STATION	1982	36	297,987
PEN - MACHINE STORAGE POLE BARN	1955	63	10,869
PEN - MEDICAL & HOUSING UNITS	2013	5	41,777,814
PEN - MEN'S SOUTH UNIT	1986	32	4,584,761
PEN - NORTH UNIT	1987	31	7,514,690
PEN - POWER PLANT	1983	35	8,506,396
PEN - PRESSING ROOM - LAUNDRY SERVICE	1983	35	534,273
PEN - PROGRAM BUILDING	1992	26	4,190,526
PEN - RECREATION BUILDING	1974	44	4,584,761
PEN - SUNNY FARM BARN	1945	73	378,365
PEN - TREATMENT HOUSING UNIT	1983	35	2,506,718
PEN - VISITING CENTER	1983	35	354,711
PEN - WARDEN'S DOUBLE GARAGE	1983	35	22,831
PEN - WEST CELL HOUSE/CORRIDOR	1957	61	8,081,755
Total PEN	26		$113,546,615
RRI - ROOM A-SIGN SHOP, ROUGH RIDER INDUSTRIES	1980	38	$4,223,240
RRI - ROOM B-FURNITURE SHOP, ROUGH RIDER INDUSTRIES	1982	36	1,310,416
RRI - ROOM C-UPHOLSTRY SHOP, ROUGH RIDER INDUSTRIES	1959	59	740,969
Total RRI	3		$6,274,625
YCC - ADMINISTRATION SCHOOL BUILDING	1960	58	$6,099,231
YCC - BROWN COTTAGE	1963	55	891,912
YCC - BUS GARAGE	1946	72	28,466
YCC - CARPENTRY/ELECTRICAL SHOP	1964	54	189,193
YCC - CHAPEL	1964	54	703,716

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☐ Div ☐ Proj ☐ City ☐ Hwy

PROJECT NO.

ORIGIN Finance DATE 5/2/14

ITEM # Fleet Budget Guidelines

TO: Bonnie Herman
FROM: Lynn Doll LD
DATE: May 2, 2014
SUBJECT: Fleet Services Budget Guidelines

Following are the Fleet Service Budget Guidelines for the 2015 - 2017 biennium. Robin Rehborg has concurred with these guidelines. This supersedes the March 27, 2012 guidelines.

NORTH DAKOTA DEPARTMENT OF TRANSPORTATION
STATE FLEET SERVICE
2015 - 2017 BIENNIUM

ASSIGNED VEHICLE BUDGET GUIDELINES

DESCRIPTION	GROUP No.	OPER RATE	REPLCMNT RATE	MILE/HOUR RATE	DEPREC/ MONTH
Mini Pass. Van	1	0.41	0.02	0.43	225.00
Sedan/Wagon	2	0.29	0.04	0.33	158.00
Light Pickup/Cargo Van/Full-Size Utility	3	0.50	0.06	0.56	177.00
Heavy Pickup/Van/Full-Size Utility	4	0.63	0.04	0.67	213.00
Highway Patrol	7	0.46	0.08	0.54	401.00
Game Enforcement/Special	9	0.41	0.07	0.48	324.00
Facility Service Vehicle	12	1.20	0.08	1.28	101.00
Compact Utility/All	13	0.42	0.05	0.47	215.00
Miscellaneous Truck/Mid-Size Bus	18	37.10	8.00	45.10	244.00
Distributor Truck	19	41.25	5.00	46.25	289.00
Sign Truck/Garbage Truck	20	34.00	22.00	56.00	464.00
Tandem Axle Truck/All	22	62.00	15.00	77.00	563.00
Truck Tractor	23	47.00	11.00	58.00	251.00
Water Commission Truck	27	51.00		51.00	1,229.00
Lineworker Truck	29	21.00		21.00	194.00
Shuttle Bus	30	30.00	1.00	31.00	519.00
Fuel Truck	31	6.00	8.00	14.00	443.00
Drill Truck	32	41.00	20.00	61.00	814.00

FLEET _MOTOR POOL_ VEHICLE BUDGET GUIDELINES

DESCRIPTION	GROUP No.	OPER & DEPR RATE	REPLCMNT RATE	MILE/HOUR RATE
Mini Pass. Van	1	0.69	0.02	0.71
Sedan/Wagon	2	0.45	0.04	0.49
Light Pickup/Cargo Van/Full-Size Utility	3	0.71	0.06	0.77
Heavy Pickup/Van/Full-Size Utility	4	0.88	0.04	0.92
Highway Patrol	7	0.72	0.08	0.80
Game Enforcement/Special	9	0.59	0.07	0.66
Facility Service Vehicle	12	1.76	0.08	1.84
Compact Utility/All	13	0.65	0.05	0.70
Miscellaneous Truck/Mid-Size Bus	18	53.00	8.00	61.00
Rotary Snowplow	24	206.00		206.00
Medical Simulator Trucks	25	42.00		42.00

NORTH DAKOTA DEPARTMENT OF TRANSPORTATION
STATE FLEET SERVICE
2017 - 2019 BIENNIUM

(APRIL 2016)

ASSIGNED VEHICLE BUDGET GUIDELINES

DESCRIPTION	GROUP No.	OPER RATE	REPLCMNT RATE	MILE/HOUR RATE	DEPREC/ MONTH
Mini Pass. Van	1	0.34	0.02	0.36	191.00
Sedan/Wagon	2	0.25	0.08	0.33	157.00
Light Pickup/Cargo Van/Full-Size Utility	3	0.43	0.06	0.49	177.00
Heavy Pickup/Van/Full-Size Utility	4	0.52	0.02	0.54	202.00
Highway Patrol	7	0.40	0.08	0.48	400.00
Game Enforcement/Special	9	0.33	0.12	0.45	288.00
Facility Service Vehicle	12	0.95	0.12	1.07	104.00
Compact Utility/All	13	0.32	0.05	0.37	205.00
Miscellaneous Truck/Mid-Size Bus	18	34.00	9.00	43.00	300.00
Distributor Truck	19	39.00	5.00	44.00	292.00
Sign Truck/Garbage Truck	20	27.00	25.00	52.00	570.00
Tandem Axle Truck/All	22	61.00	15.00	76.00	650.00
Truck Tractor	23	41.00	11.00	52.00	252.00
Water Commission Truck	27	50.00	0.00	50.00	1,250.00
Shuttle Bus	30	36.00	1.00	37.00	519.00
Drill Truck	32	57.00	15.00	72.00	710.00

FLEET *MOTOR POOL* VEHICLE BUDGET GUIDELINES

DESCRIPTION	GROUP No.	OPER & DEPR RATE	REPLCMNT RATE	MILE/HOUR RATE
Mini Pass. Van	1	0.61	0.02	0.63
Sedan/Wagon	2	0.42	0.08	0.50
Light Pickup/Cargo Van/Full-Size Utility	3	0.67	0.06	0.73
Heavy Pickup/Van/Full-Size Utility	4	0.76	0.02	0.78
Highway Patrol	7	0.66	0.08	0.74
Game Enforcement/Special	9	0.47	0.12	0.59
Facility Service Vehicle	12	1.51	0.12	1.63
Compact Utility/All	13	0.54	0.05	0.59
Miscellaneous Truck/Mid-Size Bus	18	49.00	9.00	58.00
Rotary Snowplow	24	300.00		300.00
Medical Simulator Trucks	25	62.00		62.00
Bridge Aerial Lift	28	18.00		18.00
Lineworker Truck	29	20.00	10.00	30.00
Fuel Truck	31	28.00	7.00	35.00

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	A 6/30/16 BTD Expend	B Less 6/30/16 BTD Motor Pool	C Net Travel Amt	D = (C/12)*24 Est 17-19 Net Travel	E Est 17-19 Motor Pool	F = D+E 17-19 Est Travel Budget
Adult Services Administration	148,944	81,671	67,272	134,545	166,592	301,137
Parole and Probation	384,924	298,593	86,331	172,663	812,157	984,820
Transitional Planning	121,616	72,840	48,776	97,552	171,476	269,028
NDSP	52,014	24,397	27,617	55,234	78,027	133,261
JRCC	87,122	50,342	36,780	73,560	159,484	233,044
Transitional Facilities	54,531	42,776	11,755	23,510	133,501	157,011
Treatment	13,471	5,236	8,235	16,471	8,939	25,410
Education	31,085	8,225	22,860	45,720	18,122	63,842
Women Services	2,375	789	1,586	3,171	1,391	4,562
AS - Central Office	88,616	66,688	21,928	43,857	189,684	233,541

	Adult					
Central Office	Vehicle Type	Est 17-19 Miles	# Vehicles	Per Mile Rate	Deprec	Est Total
Administration	2	16,249	3	0.33	157	16,666
Training	9	26,797	1	0.45	288	18,971
Technology	1	33,471		0.36		12,050
Facility Admin	2	11,336		0.33		3,741
Warehouse	2	12,470		0.33		4,115
Warehouse	12	3,048	9	1.07	104	25,725
Warehouse	18	168	2	43	300	21,624
Medical	2	30,292		0.33		9,996
Plant	2	2,032		0.33		671
Plant	4	42,748	3	0.54	202	37,628
Plant	12	31,638		1.07		33,853
Plant	18	108		43		4,644
AS Admin						-
Admin	2	1,952	1	0.33	157	4,412
IC Transport	1	42,148	1	0.36		15,173
P&P	2	1,387,772	94	0.33	157	812,157
Trans Planning						-
Admin	2	5,334	2	0.33	157	9,296
Transports	4	345,040	1	0.45	288	162,180
NDSP						-
Administration	2	4,172	2	0.33	157	8,913
	9		0			-
Security	4	92,078	4	0.54	202	69,114
JRCC						-
Administration	2	15,716	5	0.33	157	24,026
Security	4	232,892	2	0.54	202	135,458
Trans Facility						-
Administration	2	29,410	3	0.33	157	21,009
Security	4	172,406	4	0.54	202	112,491
Treatment	2	27,088		0.33		8,939
Education	2	43,496	1	0.33	157	18,122
Womens Services	2	4,214		0.33		1,391

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North Dakota Department Of Corrections And Rehabilitation
Inmate Recidivism Rates Using The ASCA PBMS Measures
(Last Update 1/20/2017)

YEAR	PERIOD	PERIOD	COHORT GROUP	RETURNED FOR A NEW CONVICTION	NEW CONVICTION RATE	TECHNICAL VIOLATION ONLY	TECHNICAL VIOLATION RATE
2013	Year One	(0-365 days)	BOTH GENDERS	56	5.3%	182	17.3%
2013	Year Two	(366-730 days)		56	5.3%	65	6.2%
2013	Year Three	(731-1095 days)		38	3.6%	22	2.1%
2013	**Total**	**(0-1095 days)**	**1052**	**150**	**14.3%**	**269**	**25.6%**

YEAR	PERIOD	PERIOD	COHORT GROUP	RETURNED FOR A NEW CONVICTION	NEW CONVICTION RATE	TECHNICAL VIOLATION ONLY	TECHNICAL VIOLATION RATE
2013	Year One	(0-365 days)	MALE ONLY	49	5.7%	157	18.2%
2013	Year Two	(366-730 days)		51	5.9%	50	5.8%
2013	Year Three	(731-1095 days)		34	3.9%	14	1.6%
2013	**Total**	**(0-1095 days)**	**862**	**134**	**15.5%**	**221**	**25.6%**

YEAR	PERIOD	PERIOD	COHORT GROUP	RETURNED FOR A NEW CONVICTION	NEW CONVICTION RATE	TECHNICAL VIOLATION ONLY	TECHNICAL VIOLATION RATE
2013	Year One	(0-365 days)	FEMALE ONLY	7	3.7%	25	13.2%
2013	Year Two	(366-730 days)		5	a	15	7.9%
2013	Year Three	(731-1095 days)		4	2.1%	8	4.2%
2013	**Total**	**(0-1095 days)**	**190**	**16**	**8.4%**	**48**	**25.3%**

Please see the Association of State Correctional Administrators (ASCA) manual on the Performance Based Measurement System (PBMS) for the definition and description of recidivism.

North Dakota Department Of Corrections And Rehabilitation
Inmate Recidivism Rates Using The ASCA PBMS Measures
(Last Update 1/20/2017)

YEAR	PERIOD	PERIOD	COHORT GROUP	RETURNED FOR A NEW CONVICTION	NEW CONVICTION RATE	TECHNICAL VIOLATION ONLY	TECHNICAL VIOLATION RATE
2014	Year One	(0-365 days)	BOTH GENDERS	72	6.4%	217	19.4%
2014	Year Two	(366-730 days)		74	6.6%	71	6.3%
2014	Year Three	(731-1095 days)		0	0.0%	0	0.0%
2014	**Total**	**(0-1095 days)**	**1119**	**146**	**13.0%**	**288**	**25.7%**

YEAR	PERIOD	PERIOD	COHORT GROUP	RETURNED FOR A NEW CONVICTION	NEW CONVICTION RATE	TECHNICAL VIOLATION ONLY	TECHNICAL VIOLATION RATE
2014	Year One	(0-365 days)	MALE ONLY	62	6.6%	187	19.8%
2014	Year Two	(366-730 days)		68	7.2%	63	6.7%
2014	Year Three	(731-1095 days)		0	0.0%	0	0.0%
2014	**Total**	**(0-1095 days)**	**946**	**130**	**13.7%**	**250**	**26.4%**

YEAR	PERIOD	PERIOD	COHORT GROUP	RETURNED FOR A NEW CONVICTION	NEW CONVICTION RATE	TECHNICAL VIOLATION ONLY	TECHNICAL VIOLATION RATE
2014	Year One	(0-365 days)	FEMALE ONLY	10	5.8%	30	17.3%
2014	Year Two	(366-730 days)		6	3.5%	8	4.6%
2014	Year Three	(731-1095 days)		0	0.0%	0	0.0%
2014	**Total**	**(0-1095 days)**	**173**	**16**	**9.2%**	**38**	**22.0%**

Please see the Association of State Correctional Administrators (ASCA) manual on the Performance Based Measurement System (PBMS) for the definition and description of recidivism.

North Dakota Department Of Corrections And Rehabilitation
Inmate Recidivism Rates Using The ASCA PBMS Measures
(Last Update 1/20/2017)

YEAR	PERIOD	PERIOD	COHORT GROUP	RETURNED FOR A NEW CONVICTION	NEW CONVICTION RATE	TECHNICAL VIOLATION ONLY	TECHNICAL VIOLATION RATE
2015	Year One	(0-365 days)	BOTH GENDERS	74	5.5%	234	17.3%
2015	Year Two	(366-730 days)		0	0.0%	0	0.0%
2015	Year Three	(731-1095 days)		0	0.0%	0	0.0%
2015	**Total**	**(0-1095 days)**	**1350**	**74**	**5.5%**	**234**	**17.3%**

YEAR	PERIOD	PERIOD	COHORT GROUP	RETURNED FOR A NEW CONVICTION	NEW CONVICTION RATE	TECHNICAL VIOLATION ONLY	TECHNICAL VIOLATION RATE
2015	Year One	(0-365 days)	MALE ONLY	65	5.9%	181	16.5%
2015	Year Two	(366-730 days)		0	0.0%	0	0.0%
2015	Year Three	(731-1095 days)		0	0.0%	0	0.0%
2015	**Total**	**(0-1095 days)**	**1097**	**65**	**5.9%**	**181**	**16.5%**

YEAR	PERIOD	PERIOD	COHORT GROUP	RETURNED FOR A NEW CONVICTION	NEW CONVICTION RATE	TECHNICAL VIOLATION ONLY	TECHNICAL VIOLATION RATE
2015	Year One	(0-365 days)	FEMALE ONLY	9	3.6%	53	20.9%
2015	Year Two	(366-730 days)		0	0.0%	0	0.0%
2015	Year Three	(731-1095 days)		0	0.0%	0	0.0%
2015	**Total**	**(0-1095 days)**	**253**	**9**	**3.6%**	**53**	**20.9%**

Please see the Association of State Correctional Administrators (ASCA) manual on the Performance Based Measurement System (PBMS) for the definition and description of recidivism.

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DOCR Adult Services Inmate Population Information

Inmate Population on December 31, 2016 (Male and Female)

TOTAL COUNT: 1791

NDSP **753**, JRCC **439**, MRCC **187**, DWCRC **113**, Non Traditional Beds **299**

Non-Traditional Bed Breakdown:

Correctional Centers (Jails) **18**, Interstate Compact **21**, TRCC **102**, BTC **83**, GFC **18**, MTPFAR **23**, MTPMDN **5**, FTPFAR **18**, FTPMDN **7**, LRRP **4**

Year	2011	2012	2013	2014	2015	2016
Admissions - Calendar Year	960	1181	1231	1399	1603	1624
Releases - Calendar Year	1025	1085	1191	1257	1526	1628
Inmate Count on December 31	1440	1536	1576	1718	1795	1791

Inmate Count on December 31 (Crime Type)

Offense	2011	2012	2013	2014	2015	2016
Violent Offenders (Excluding Sexual)	470	507	536	569	567	594
Sex Offenders	275	282	274	298	294	303
Property and Other Public Order Offenders	336	354	351	349	386	329
Drug & Alcohol Offenders	359	393	415	502	548	565
Drug - Deliver, Manufacture or Intent	234	256	247	258	294	316
Drug - Possession Only	100	109	136	171	200	220
Alcohol - DUI, APC	25	28	32	73	55	29

Inmate Count on December 31 (Minimum Mandatory)

Offense	2011	2012	2013	2014	2015	2016
Breaking/Unlawful Entry Into a Motor Vehicle	0	0	0	1	1	2
DUI/Actual Physical Control	21	24	10	2	0	11
Driving Under Suspension	0	0	0	0	0	0
Refusing to Submit to Chemical Testing	0	0	0	0	0	1
Drug Offenses (Not Alcohol)	35	37	31	26	22	25
Reckless Endangerment	2	0	0	3	1	2
Assault	15	11	9	5	3	6
Burglary With Weapon	0	0	0	0	1	3
Felonious Restraint	0	0	0	0	0	1
Kidnapping	1	1	1	0	0	0
Sex Offense	9	8	10	11	9	21
Terrorizing	8	10	14	6	1	11
Robbery	6	5	9	11	11	14
Criminal Vehicular Injury	0	0	0	0	0	1
Negligent Homicide/Criminal Vehicular Homicide	2	1	1	1	1	2
Manslaughter	1	0	0	0	0	0
Murder *	13	14	14	16	17	19
Felon in Possession of a Firearm	1	0	0	0	1	0
Offender Registration Violation	3	3	0	0	0	2
Total	117	114	99	82	68	121

* There are **73** males and **1** female with a Life sentence (not all are minimum mandatory sentences)

6.76% of the inmate population on December 31, 2016 had a minimum mandatory sentence.

Inmate Count on December 31 (85% Truth-In-Sentencing)

	2011	2012	2013	2014	2015	2016
Number of Inmates Having 85% TIS	274	280	308	318	304	299
Average Sentence In Months (excludes Life)	99	111	101	100	121	126

DOCR Adult Services Inmate Population Information (Male and Female)						
Average Inmate Population, Admissions, Releases by Fiscal Year						
	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
Average Daily Population	1477.26	1459.68	1528.65	1567.87	1696.26	1781.65
Admissions	1005	1061	1206	1291	1531	1657
Releases	1036	1048	1141	1228	1389	1612
Fiscal Year Admissions Of 85% Truth-In-Sentencing Inmates						
	FY 2011	FY 2012	FY 2013	FY2014	FY2015	FY 2016
Number of Inmates	96	85	112	101	112	95
Average Sentence In Months	43.59	55.32	39.25	51.62	46.09	57.44
Average Sentence Does Not Include Inmates With Life Sentences						
Number Of Fiscal Year Admissions by Crime Type						
	FY 2011	FY 2012	FY 2013	FY 2014	FY2015	FY 2016
All Inmates	1005	1061	1206	1291	1531	1657
Violent Offenders (Non-Sexual)	238	241	305	277	327	325
Sex Offenders	81	85	81	83	83	74
Drug & Alcohol Offenders	336	351	413	522	708	775
Property and Other Public Order Offenders	350	384	407	409	413	483
Average Sentence Imposed By Court (Fiscal Year, Crime Type, In Months, Excludes Life Sentences)						
	FY 2011	FY 2012	FY 2013	FY 2014	FY2015	FY 2016
All Inmates	33.55	31.74	31.26	34.35	32.74	30.37
Violent (Non-Sexual)	42.34	34.73	29.45	43.56	35.04	37.57
Sex Offenders	67.91	64.08	81.88	75.29	72.60	66.67
Drug & Alcohol Offenders	31.30	31.09	28.96	29.68	29.35	27.52
Property and Other Public Order Offenders	21.93	23.48	25.06	25.85	28.15	24.55
Number Of Fiscal Year Admissions By Length Of Court Imposed Sentence						
	FY 2011	FY 2012	FY 2013	FY 2014	FY2015	FY 2016
Less Than One Year	50	57	39	23	33	41
One Year to Less Than Five Years	826	891	1038	1114	1294	1453
Five Years to Less Than Ten years	91	78	93	105	144	122
Ten Years to Less Than Twenty Years	23	23	16	27	35	27
Twenty Years or More	15	12	20	22	25	14

NOTE: The average sentence is that sentence imposed by the court. It does not take into account such things as good time, credit for time served, parole relief or any other method of shortening the sentence except Pardon Advisory Board recommendations adopted by the Governor (which can actually change the sentence). The average sentence is reported in months to two decimal points.

Data is based on the "controlling sentence" for offenders who are admitted for multiple crimes. Controlling sentence is the longest sentence ordered by the court that has not expired.

NDSP - North Dakota State Penitentiary. **JRCC** - James River Correctional Center. **MRCC** - Missouri River Correctional Center. DWCRC - Dakota Women's Correctional Rehabilitation Center (New England), TRCC - Tompkins Rehabilitation Correctional Center (Jamestown). BTC - Bismarck Transition Center. MTP - Male Transition Program (Fargo & Mandan). FTP - Female Transition Program (Fargo & Mandan). GFC - Grand Forks Centre. LRRP - Lake Region Re-entry Program (Devils Lake).

DOCR Adult Services Inmate Population Information

Inmate Population on December 31, 2016 (Female Only)

TOTAL COUNT: 213

NDSP **0**, JRCC **0**, MRCC **0**, DWCRC **113**, Non Traditional Beds **100**

Non-Traditional Bed Breakdown:

Correctional Centers (Jails) **5**, TRCC **30** BTC **39**, FTPFAR **18**, FTPMDN **7**, LRRP **1**

Year	2011	2012	2013	2014	2015	2016
Admissions - Calendar Year	147	216	195	252	299	326
Releases - Calendar Year	178	193	209	205	295	321
Inmate Count on December 31	148	171	157	204	208	213

Inmate Count on December 31 (Crime Type)

Offense	2011	2012	2013	2014	2015	2016
Violent Offenders (Excluding Sexual)	47	48	42	53	54	59
Sex Offenders	4	5	6	8	8	6
Property and Other Public Order Offenders	41	56	43	41	51	42
Drug & Alcohol Offenders	56	62	66	102	95	106
Drug - Deliver, Manufacture or Intent	32	34	37	44	46	50
Drug - Possession Only	23	25	27	51	46	54
Alcohol - DUI, APC	1	3	2	7	3	2

Inmate Count on December 31 (Minimum Mandatory)

Offense	2011	2012	2013	2014	2015	2016
Breaking/Unlawful Entry Into a Motor Vehicle	0	0	0	0	0	0
DUI/Actual Physical Control	1	3	1	1	0	0
Driving Under Suspension	0	0	0	0	0	0
Refusing to Submit to Chemical Testing	0	0	0	0	0	0
Drug Offenses (Not Alcohol)	4	5	6	5	3	5
Reckless Endangerment	0	0	0	0	0	0
Assault	2	2	1	0	0	1
Burglary With Weapon	0	0	0	0	0	0
Felonious Restraint	0	0	0	0	0	0
Kidnapping	0	0	0	0	0	0
Sex Offense	0	0	0	0	0	0
Terrorizing	0	0	0	0	0	1
Robbery	0	0	1	1	1	1
Criminal Vehicular Injury	0	0	0	0	0	1
Negligent Homicide/Criminal Vehicular Homicide	0	0	0	0	0	0
Manslaughter	1	0	0	0	0	0
Murder *	0	0	0	0	0	0
Felon in Possession of a Firearm	0	0	0	0	0	0
Offender Registration Violation	0	0	0	0	0	0
Total	8	10	9	7	4	9

* There is **1** female with a Life sentence (not a minimum mandatory sentence)

4.23% of the female inmate population on December 31, 2016 had a minimum mandatory sentence.

Inmate Count on December 31 (85% Truth-In-Sentencing)

	2011	2012	2013	2014	2015	2016
Number of Inmates Having 85% TIS	18	20	16	21	22	21
Average Sentence In Months (excludes Life)	96	93	102	100	119	127

DOCR Prisons Adult Services Inmate Population Information (Female Only)						
Average Inmate Population, Admissions, Releases by Fiscal Year						
	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
Average Daily Population	171.54	154.33	172.55	170.15	199.17	219.45
Admissions	167	176	212	214	287	332
Releases	186	167	199	216	252	313
Fiscal Year Admissions Of 85% Truth-In-Sentencing Inmates						
	FY 2011	FY 2012	FY 2013	2014	FY 2015	FY 2016
Number of Inmates	8	4	11	8	10	7
Average Sentence In Months	27.50	126.00	24.00	33.38	60.28	70.86
Average Sentence Does Not Include Inmates With Life Sentences						
Number Of Fiscal Year Admissions by Crime Type						
	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
All Inmates	167	176	212	214	287	332
Violent Offenders (Non-Sexual)	45	27	53	38	55	52
Sex Offenders	3	1	4	1	2	2
Drug & Alcohol Offenders	56	80	88	114	159	199
Property and Other Public Order Offenders	63	68	67	61	71	79
Average Sentence Imposed By Court (Fiscal Year, Crime Type, In Months, Excludes Life Sentences)						
	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
All Inmates	24.22	30.66	26.55	24.80	30.73	24.89
Violent (Non-Sexual)	24.80	34.79	28.49	27.29	32.58	28.21
Sex Offenders	42.00	36.00	93.00	60.00	37.56	60.00
Drug & Alcohol Offenders	26.52	34.97	26.65	25.11	31.06	22.81
Property and Other Public Order Offenders	20.92	23.87	20.79	22.07	28.38	24.52
Number Of Fiscal Year Admissions By Length Of Court Imposed Sentence						
	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
Less Than One Year	9	7	5	5	4	6
One Year to Less Than Five Years	150	148	198	198	259	315
Five Years to Less Than Ten years	7	16	7	10	16	10
Ten Years to Less Than Twenty Years	1	3	0	1	5	0
Twenty Years or More	0	2	2	0	3	1

NOTE: The average sentence is that sentence imposed by the court. It does not take into account such things as good time, credit for time served, parole relief or any other method of shortening the sentence except Pardon Advisory Board recommendations adopted by the Governor (which can actually change the sentence). The average sentence is reported in months to two decimal points.

Data is based on the "controlling sentence" for offenders who are admitted for multiple crimes. Controlling sentence is the longest sentence ordered by the court that has not expired.

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DOCR Adult Services Inmate Population Information

Inmate Population on December 31, 2016 (Male Only)

TOTAL COUNT: 1578

NDSP **753**, JRCC **439**, MRCC **187**, DWCRC **0**, Non Traditional Beds **199**

Non-Traditional Bed Breakdown:

Correctional Centers (Jails) **13**, Interstate Compact **21**, TRCC **72**, BTC **44**, GFC **18**, MTPFAR **23**, MTPMDN **5**, LRRP **3**

Year	2011	2012	2013	2014	2015	2016
Admissions - Calendar Year	813	965	1036	1147	1304	1298
Releases - Calendar Year	847	892	982	1052	1231	1307
Inmate Count on December 31	1292	1365	1419	1514	1587	1578

Inmate Count on December 31 (Crime Type)

Offense	2011	2012	2013	2014	2015	2016
Violent Offenders (Excluding Sexual)	423	459	494	516	513	535
Sex Offenders	271	277	268	290	286	297
Property and Other Public Order Offenders	295	298	308	308	335	287
Drug & Alcohol Offenders	303	331	349	400	453	459
Drug - Deliver, Manufacture or Intent	202	222	210	214	248	266
Drug - Possession Only	77	84	109	120	154	166
Alcohol - DUI, APC	24	25	30	66	52	27

Inmate Count on December 31 (Minimum Mandatory)

Offense	2011	2012	2013	2014	2015	2016
Breaking/Unlawful Entry Into a Motor Vehicle	0	0	0	1	1	2
DUI/Actual Physical Control	20	21	9	1	0	11
Driving Under Suspension	0	0	0	0	0	0
Refusing to Submit to Chemical Testing	0	0	0	0	0	1
Drug Offenses (Not Alcohol)	31	32	25	21	19	20
Reckless Endangerment	2	0	0	3	1	2
Assault	13	9	8	5	3	5
Burglary With Weapon	0	0	0	0	1	3
Felonious Restraint	0	0	0	0	0	1
Kidnapping	1	1	1	0	0	0
Sex Offense	9	8	10	11	9	21
Terrorizing	8	10	14	6	1	10
Robbery	6	5	8	10	10	13
Criminal Vehicular Injury	0	0	0	0	0	0
Negligent Homicide/Criminal Vehicular Homicide	2	1	1	1	1	2
Manslaughter	0	0	0	0	0	0
Murder *	13	14	14	16	17	19
Felon in Possession of a Firearm	1	0	0	0	1	0
Offender Registration Violation	3	3	0	0	0	2
Total	109	104	90	75	64	112

* There are **73** males with a Life sentence (not all are minimum mandatory sentences)

7.1% of the male inmate population on December 31, 2016 had a minimum mandatory sentence.

Inmate Count on December 31 (85% Truth-In-Sentencing)

	2011	2012	2013	2014	2015	2016
Number of Inmates Having 85% TIS	256	260	292	297	282	278
Average Sentence In Months (excludes Life)	100	112	101	99	123	126

DOCR Adult Services Inmate Population Information (Male Only)						
Average Inmate Population, Admissions, Releases by Fiscal Year						
	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
Average Daily Population	1305.72	1305.35	1356.10	1397.72	1497.09	1562.20
Admissions	838	885	994	1077	1244	1325
Releases	850	881	942	1012	1137	1299
Fiscal Year Admissions Of 85% Truth-In-Sentencing Inmates						
	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
Number of Inmates	88	81	101	93	102	88
Average Sentence In Months	45.07	51.83	40.91	53.19	44.70	56.38
Average Sentence Does Not Include Inmates With Life Sentences						
Number Of Fiscal Year Admissions by Crime Type						
	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
All Inmates	838	885	994	1077	1244	1325
Violent Offenders (Non-Sexual)	193	214	252	239	272	273
Sex Offenders	78	84	77	82	81	72
Drug & Alcohol Offenders	280	271	325	408	549	576
Property and Other Public Order Offenders	287	316	340	348	342	404
Average Sentence Imposed By Court (Fiscal Year, Crime Type, In Months, Excludes Life Sentences)						
	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
All Inmates	35.42	31.96	32.27	36.25	33.20	31.74
Violent (Non-Sexual)	46.48	34.73	29.65	46.16	35.54	38.72
Sex Offenders	68.92	64.42	81.30	75.48	73.46	67.29
Drug & Alcohol Offenders	32.26	29.95	29.57	30.96	28.86	29.14
Property and Other Public Order Offenders	22.15	23.39	26.20	26.51	28.11	24.55
Number Of Fiscal Year Admissions By Length Of Court Imposed Sentence						
	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
Less Than One Year	41	50	34	18	29	35
One Year to Less Than Five Years	676	743	840	916	1035	1138
Five Years to Less Than Ten Years	84	62	86	95	128	112
Ten Years to Less Than Twenty Years	22	20	16	26	30	27
Twenty Years or More	15	10	18	22	22	13

NOTE: The average sentence is that sentence imposed by the court. It does not take into account such things as good time, credit for time served, parole relief or any other method of shortening the sentence except Pardon Advisory Board recommendations adopted by the Governor (which can actually change the sentence). The average sentence is reported in months to two decimal points.

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#6

DOCR Parole and Probation
2017 - 2019 Budgeted Office Rents

Office	Est Ave Monthly Amt	Sq Ft	$ / Sq Ft	2017-2019
Bottineau	360.46	131	33.02	8,650.96
Dickinson	2,458.12	2,165	13.62	58,994.88
Minot	3,136.10	3,163	11.90	75,266.49
Williston	4,961.44	2,752	21.63	119,074.64
Jamestown	928.11	1,800	6.19	22,274.57
Bismarck	9,046.00	7,133	15.22	217,104.00
Oaks	309.06	361	10.27	7,417.44
Mandan	4,894.12	3,789	15.50	117,458.88
Washburn	103.02	378	3.27	2,472.48
Fargo	8,809.96	7,291	14.50	211,439.04
Grand Forks	4,652.14	4,110	13.58	111,651.26
Devils Lake	1,098.88	1,600	8.24	26,373.20
Rolla	850.18	885	11.53	20,404.39
Wahpeton	618.12	750	9.89	14,834.88
Beulah	360.57	840	5.15	8,653.68
			TOTAL	**1,022,071**

DOCR Juvenile Community 2017 - 2019 Budgeted Office Rents				
Office	**Est Ave Monthly Amt**	**Sq Ft**	**$ / Sq Ft**	**2017-2019**
Minot	1,859	1,250	17.85	44,625
Bismarck	2,180	1,779	14.70	52,320
Williston	2,735	1,300	25.25	65,650
Dickinson	924	700	15.84	22,176
Fargo	1,961	1,518	15.50	47,058
Grand Forks	1,690	1,450	13.99	40,560
Devils Lake	1,508	2,000	9.05	36,200
Jamestown	995	1,012	11.80	23,880
			TOTAL	**332,469**

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#7

Central Office - Adult IT Contractual Services	
ELITE software maintenance and support	85,192
ELITE DRRT module	70,000
Pharmacy software maintenance and support	43,898
Site improve maintenance license	6,292
Bio metric vistor tracking annual support	11,000
Security NDSP Accurate Control maintenance support	23,957
Security JRCC Accurate Control maintenance support	10,532
Bosch SMA maintenance support	28,048
EMR Project	157,527
Total	**436,446**

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IT - Data Processing					
Description	**Quantity**	**Amt**	**Total**	**Adult**	**Juvenile**
Records Management Fee	24.00	450.00	17,928.00	10,800.00	7,128.00
Application Support	60.00	99.00	5,940.00	4,455.00	1,485.00
Analyst	50.00	76.00	3,800.00	2,660.00	1,140.00
Miscellaneous				1,500.00	1,500.00
IBM Enterprise Server					
Disk Storage	120.00	0.001	0.12	0.11	0.01
Network					
Technology Fee	581.00	64.00	892,416.00	785,326.08	107,089.92
VPN Client	144.00	5.00	720.00	720.00	
WAN Acess - Bismarck NDSP	1.00	850.00	20,400.00	20,400.00	
WAN Acess - MRCC	1.00	850.00	20,400.00	20,400.00	
WAN Acess - JRCC shared	1.00	725.00	17,400.00	17,400.00	
WAN Acess - Grand Forks shared	1.00	410.00	9,840.00	9,840.00	
WAN Acess - Bismarck P&P shared	1.00	425.00	10,200.00	10,200.00	
WAN Acess - Devils Lake P&P shared	1.00	480.00	11,520.00	11,520.00	
WAN Acess - Dickinson P&P shared	1.00	250.00	6,000.00	6,000.00	
WAN Acess - Fargo P&P shared	1.00	478.00	11,472.00	11,472.00	
WAN Acess - Minot P&P shared	1.00	95.00	2,280.00	2,280.00	
WAN Acess - Williston P&P shared	1.00	165.00	3,960.00	3,960.00	
WAN Acess - Grafton P&P shared	1.00	490.00	11,760.00	11,760.00	
WAN Acess - Washburn P&P shared	1.00	490.00	11,760.00	11,760.00	
WAN Acess - Fargo DJS shared	1.00	425.00	10,200.00		10,200.00
WAN Acess - Devils Lake DJS	1.00	850.00	20,400.00		20,400.00
WAN Acess - Dickinson DJS shared	1.00	425.00	10,200.00		10,200.00
DSL/Cable Access - P&P - Bottineau	1.00	229.95	5,518.80	5,518.80	
DSL/Cable Access - P&P - Beulah	1.00	214.95	5,158.80	5,158.80	
DSL/Cable Access - P&P - Jamestown	1.00	317.95	7,630.80	7,630.80	
DSL/Cable Access - P&P - Williston	1.00	260.00	6,240.00	6,240.00	
DSL/Cable Access - P&P - Rolla	1.00	229.95	5,518.80	5,518.80	
DSL/Cable Access - P&P - Wahepton	1.00	315.00	7,560.00	7,560.00	
DSL/Cable Access - P&P - Oakes	1.00	231.27	5,550.48	5,550.48	
DSL/Cable Access - P&P - Mandan	1.00	260.00	6,240.00	6,240.00	
DSL/Cable Access - DJS - Minot	1.00	219.95	5,278.80		5,278.80
DSL/Cable Access - DJS - Bismarck	1.00	260.00	6,240.00		6,240.00
DSL/Cable Access - DJS - Williston	1.00	316.67	7,600.08		7,600.08
DSL/Cable Access - DJS - Jamestown	1.00	317.95	7,630.80		7,630.80
Hosting Services					
EDMS User Fee	190.00	30.75	140,220.00	123,393.60	16,826.40
EDMS ILINX Data Capture	48.00	91.50	4,392.00	3,864.96	527.04
Share Point WSS Fee	192.00	15.80	3,033.60	2,669.57	364.03
Shared File & Print User Fee	535.00	4.25	54,570.00	48,021.60	6,548.40
Active Directory User Fee	786.00	1.35	1,061.10	933.77	127.33
Oracle Application Hosting	1.00	1,385.00	33,240.00	29,251.20	3,988.80
Websphere Application Hosting	1.00	44.00	1,056.00	929.28	126.72
SQL Application Hosting	2.00	125.00	6,000.00	5,280.00	720.00
Dedicated Intel Physical Server Hosting	9.00	400.56	86,520.00	63,004.80	23,515.20
Misc App Hosting	2.00	172.50	8,280.00	7,286.40	993.60
Web Hosting	2.00	50.00	2,400.00	2,112.00	288.00
Connect ND Hosting	1.00	11,329.00	271,896.00	239,268.48	32,627.52
Disk Storage - Premium (on demand)	1,621.65	0.40	18,870.24	13,699.70	8,472.94
Disk Storage - Basic (on demand)	0.04	0.30	0.29	0.25	0.03
Disk Storage - File Share (dedicated)	1,104.65	0.20	5,302.32	4,666.04	636.28
TSM Disk Backup	6,709.14	0.12	20,834.32	17,003.64	3,830.68
Ethernet Swith Connections	53.00	125.00	6,625.00	5,830.00	795.00
Managed Firewall Service	24.00	60.00	1,440.00	1,267.20	172.80
DJS Filenet			175,000.00	-	175,000.00
EMR Project (Hosting / Licensing)			41,880.00	41,880.00	
	Total IT Data Processing		**2,057,384.35**	**1,602,233.36**	**461,453.39**

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03.24.2017
#9

SECTION ___. LEGISLATIVE MANAGEMENT STUDY – TRANSFER OF TOMPKINS REHABILITATION CENTER. During the 2017-2019 biennium, legislative management shall consider studying the operation, management, conditions, caseload, and physical plant of the Tompkins rehabilitation center at the North Dakota state hospital and the transition of the Tompkins rehabilitation center, including the transfer of the building, employees, and supervision and management of all operations and caseload of the Tompkins rehabilitation center, from the department of human services and the North Dakota state hospital to the North Dakota department of corrections and rehabilitation. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-sixth legislative assembly.

SB2015 03.24.2017 #10

Salary Budget

00530 Department of Corrections and Rehabilitation

Version: 2017R0200530

Program: 4-75 AS Education | **Reporting Level :** 01-530-500-75-00-00-00-00000000

Position Number	Name	FTE	New FTE	Rpt Lvl%	Funding Dist Gen	Fed	Spec	Monthly Base	Proposed Salary	Proposed Fringes	Total Proposed	Lump Sum	Salary Adjustment
Salaries													
00001386-1	Veit-Hetletved, Penny Lee	0.50		50 %	100.00	0.00	0.00	8,048.00	97,058.88	34,593.36	131,652.23	0.00	579.02
00001443-1	Tesky,Zachary Thomas			12.5 %	100.00	0.00	0.00	4,944.09	7,416.13	3,718.15	11,134.28	0.00	0.00
00001443-1	Tesky,Zachary Thomas	0.10		12.5 %	100.00	0.00	0.00	5,007.41	7,511.12	3,741.33	11,252.45	0.00	0.00
00001446-1	Pfaff,Michelle L	0.38		38 %	100.00	0.00	0.00	6,324.00	57,963.25	23,144.88	81,108.13	0.00	345.79
00001453-1	Holkup,Megan K			12.5 %	100.00	0.00	0.00	5,285.66	7,928.50	3,843.16	11,771.66	0.00	0.00
00001453-1	Holkup,Megan K	0.12		12.5 %	100.00	0.00	0.00	5,428.92	8,143.37	3,895.60	12,038.97	0.00	0.00
00005679-1	Miller,Bryan D	1.00		100 %	100.00	0.00	0.00	~~5,337.00~~ 4571	128,088.00	61,791.34	189,879.34	0.00	0.00
00005863-1	Schauer Jr,Stanley E	1.00		100 %	100.00	0.00	0.00	~~5,379.00~~ 4,201	129,741.48	26,382.10	156,123.58	0.00	773.97
00005864-1	Berg,Emma B	1.00		100 %	100.00	0.00	0.00	~~5,176.00~~ 4,270	124,224.00	60,848.46	185,072.46	0.00	0.00
00005866-1	Candy,Michelle J	1.00		100 %	100.00	0.00	0.00	~~7,239.00~~ 4,285	174,604.68	43,154.11	217,758.79	0.00	1,080.66
00005867-1	Tesky,Zachary Thomas	1.00		100 %	100.00	0.00	0.00	~~4,285.00~~ 4,201	102,840.00	51,013.26	153,853.26	0.00	0.00
00005884-1	Kreitinger,Rose	1.00		100 %	100.00	0.00	0.00	~~6,573.00~~ 6,025	157,752.00	69,029.36	226,781.36	0.00	0.00
00027040-1	Riddle,Mona J	1.00		100 %	100.00	0.00	0.00	~~7,239.00~~ 4,205	173,736.00	72,929.46	246,665.46	0.00	0.00
00027041-1	Cronrath,Blaine L	1.00		100 %	100.00	0.00	0.00	~~5,176.00~~ 5,076	124,224.00	60,848.45	185,072.45	0.00	0.00
00028524-1	Kuehn,Stephanie Lynn	1.00		100 %	100.00	0.00	0.00	6,131.00	147,144.00	59,834.19	206,978.19	0.00	0.00
SubTotal									**1,448,375.41**	**578,767.20**	**2,027,142.62**	**0.00**	**2,779.45**

Temporary and Other Pay Types

Salary Bu

00530 Department of Corrections and Rehabilitation

Version: 2017R0200530

Program: 4-75 AS Education | **Reporting Level :** 01-530-500-75-00-00-00-00000000

Position Number	Name	FTE	New FTE	Rpt Lvl%	Funding Dist Gen	Fed	Spec	Monthly Base	Proposed Salary	Proposed Fringes	Total Proposed	Lump Sum	Salary Adjustment
EDOVERTIME-1	OVERTIME-1	0.00		100 %	100.00	0.00	0.00	280.00	6,720.00	672.00	7,392.00	0.00	0.00
JRCCLIBRARIAN-1	TEMP POSITION	0.00		100 %	100.00	0.00	0.00	~~4,896.00~~ 3,640	117,504.00	41,737.68	159,241.68	0.00	0.00
JRCCTEACHER1-1	TEMP POSITION	0.00		100 %	0.00	100.00	0.00	~~4,896.00~~ 3,640	117,504.00	41,737.68	159,241.68	0.00	0.00
JRCCTEACHER2-1	TEMP POSITION	0.00		100 %	100.00	0.00	0.00	~~4,896.00~~ 3,640	117,504.00	41,737.68	159,241.68	0.00	0.00
JRCCTEACHER3-1	TEMP POSITION	0.00		100 %	100.00	0.00	0.00	~~4,896.00~~ 3,640	117,504.00	41,737.68	159,241.68	0.00	0.00
JRCCTEACHER4-1	TEMP POSITION	0.00		100 %	100.00	0.00	0.00	~~4,896.00~~ 3,640	117,504.00	41,737.68	159,241.68	0.00	0.00
NDSPLIBRARIAN-1	TEMP POSITION	0.00		100 %	100.00	0.00	0.00	~~4,896.00~~ 3,640	117,504.00	41,737.68	159,241.68	0.00	0.00
NDSPTEACHER1-1	TEMP POSITION	0.00		100 %	0.00	100.00	0.00	~~4,896.00~~ 3,640	117,504.00	41,737.68	159,241.68	0.00	0.00
NDSPTEACHER2-1	TEMP POSITION	0.00		100 %	100.00	0.00	0.00	~~4,896.00~~ 3,640	117,504.00	41,737.68	159,241.68	0.00	0.00
NDSPTEACHER3-1	TEMP POSITION	0.00		100 %	100.00	0.00	0.00	~~4,896.00~~ 3,640	117,504.00	41,737.68	159,241.68	0.00	0.00
NDSPTEACHER4-1	TEMP POSITION	0.00		100 %	100.00	0.00	0.00	~~4,896.00~~ 3,640	117,504.00	41,737.68	159,241.68	0.00	0.00
SubTotal									~~1,181,760.00~~	~~418,048.80~~	~~1,599,808.80~~	0.00	0.00
Total		10.10							~~2,630,135.41~~	~~996,816.00~~	~~3,626,951.42~~	0.00	2,779.45

Reporting Level General Fund	~~2,395,127.41~~	~~913,340.64~~	~~3,308,468.06~~	0.00	2,779.45
Reporting Level Federal Fund	~~235,008.00~~	~~83,475.36~~	~~318,483.36~~	0.00	0.00
Reporting Level Special Fund	0.00	0.00	0.00	0.00	0.00
Total Reporting Level Funding	~~2,630,135.41~~	~~996,816.00~~	~~3,626,951.42~~	0.00	2,779.45

Agency General Fund	2,395,127.41	913,340.64	3,308,468.06	0.00	2,779.45

Salary Bu[redacted]

00530 Department of Corrections and Rehabilitation

Version: 2017R0200530

Program: 4-75 AS Education | **Reporting Level :** 01-530-500-75-00-00-00-00000000

Position Number	Name	FTE	New FTE	Rpt Lvl%	Funding Dist Gen	Fed	Spec	Monthly Base	Proposed Salary	Proposed Fringes	Total Proposed	Lump Sum	Salary Adjustment
								Agency Federal Fund	235,008.00	83,475.36	318,483.36	0.00	0.00
								Agency Special Fund	0.00	0.00	0.00	0.00	0.00
		FTE 10.10						Total Agency Funding	2,630,135.41	996,816.00	3,626,951.42	0.00	2,779.45

SB2015
03.29.2017
#1

Prepared by the Legislative Council staff
for House Approps - Human Resources
March 29, 2017

SENATE BILL NO. 2015
LISTING OF PROPOSED CHANGES TO ENGROSSED VERSION

Department - Department of Corrections and Rehabilitation

Proposed funding changes:

	Description	FTE	General Fund	Special Funds	Total
1	Reduce funding for health insurance premium adjustments: Adult Services - ($139,937) Youth Services - ($28,853)		($157,896)	($10,894)	($168,790)
2	Provide special funds authority for CSG judicial reinvestment grant		$0	$500,000	$500,000
3	Reduce funding for youth services IT data processing		($160,461)	$0	($160,461)
4			$0	$0	$0
5			$0	$0	$0
	Total proposed funding changes		($318,357)	$489,106	$170,749

Other proposed changes:

1 Consider legislative intent language to allow DOCR to purchase 36-bed housing unit (man camp).

2 On Page 3, Line 26, replace ", including:" with ". Potential alternatives to physical custody include:"

3 Add section identifying amount included in appropriation for health insurance increase.

4

SB2015
03.31.2017
#1

Department of Corrections and Rehabilitation - Budget No. 530
Senate Bill No. 2015
Base Level Funding Changes

	Senate Version				House Version				House Changes to Senate Version			
									Increase (Decrease) - Senate Version			
	FTE Positions	General Fund	Other Funds	Total	FTE Positions	General Fund	Other Funds	Total	FTE Positions	General Fund	Other Funds	Total
2017-19 Biennium Base Level	836.29	$203,044,020	$33,236,706	$236,280,726	836.29	$203,044,020	$33,236,706	$236,280,726	0.00	$0	$0	$0
2017-19 Ongoing Funding Changes												
Base payroll changes		$843,274	$1,296,984	$2,140,258		$843,274	$1,296,984	$2,140,258				$0
Salary increase				***0***				***0***				***0***
Health insurance increase		2,179,298	150,361	2,329,659		2,010,808	139,467	2,150,275		(168,490)	(10,894)	(179,384)
Employee portion of health insurance				***0***				***0***				***0***
Add new Youth Correctional Center FTE positions (PREA)	10.00	1,258,076		1,258,076	6.00	754,846		754,846	(4.00)	(503,230)		(503,230)
Restore funding for salaries and wages		461,935		461,935		461,935		461,935				0
Reduce funding for temporary employee operating expenses		(31,100)		(31,100)		(31,100)		(31,100)				0
Restore funding for contract housing and programs		4,715,073		4,715,073		4,715,073		4,715,073				0
Increase funding for contract housing and programs		105,441		105,441		105,441		105,441				0
Restore funding for the Dakota Women's Correctional and Rehabilitation Center contract		348,815		348,815		348,815		348,815				0
Adjust funding for various expenses, including food and clothing, medical, travel, utilities, repairs, maintenance, information technology, and professional services		2,971,046	(359,501)	2,611,545		2,971,046	(359,501)	2,611,545				0
Adjust funding for federal grant changes			3,017,597	3,017,597			3,017,597	3,017,597				0
Reduce funding for extraordinary repairs		(417,060)	(170,000)	(587,060)		(417,060)	(170,000)	(587,060)				0
Adjust funding for bond payments		(120,845)		(120,845)		(120,845)		(120,845)				0
Reduce funding for salaries and wages and contract housing and programming		***(7,000,000)***		***(7,000,000)***		***(7,000,000)***		***(7,000,000)***				***0***
Add funding for community behavioral health program	1.00	7,000,000		7,000,000	1.00	7,000,000		7,000,000				0
Reduce funding for operating expenses				0		(606,461)		(606,461)		(606,461)		(606,461)
Total ongoing funding changes	11.00	$12,313,953	$3,935,441	$16,249,394	7.00	$11,035,772	$3,924,547	$14,960,319	(4.00)	($1,278,181)	($10,894)	($1,289,075)
One-time funding items												
Add funding for equipment			$167,000	$167,000			$167,000	$167,000				$0
Add funding for electronic medical records system			935,907	935,907			935,907	935,907				0
Add funding for justice reinvestment				0			500,000	500,000			500,000	500,000
Total one-time funding changes	0.00	$0	$1,102,907	$1,102,907	0.00	$0	$1,602,907	$1,602,907	0.00	$0	$500,000	$500,000
Total Changes to Base Level Funding	11.00	$12,313,953	$5,038,348	$17,352,301	7.00	$11,035,772	$5,527,454	$16,563,226	(4.00)	($1,278,181)	$489,106	($789,075)
2017-19 Total Funding	847.29	$215,357,973	$38,275,054	$253,633,027	843.29	$214,079,792	$38,764,160	$252,843,952	(4.00)	($1,278,181)	$489,106	($789,075)

Other Sections in Department of Corrections and Rehabilitation - Budget No. 530

	Senate Version	House Version
Health insurance increase		Section 2 identifies the amount included in Section 1 of the bill for employee health insurance premium increases.
Appropriation - Department of Human Services	Section 3 provides an appropriation of $7 million from other funds and 6 FTE positions to the Department of Human Services for the community behavioral health program. The source of funds is the Department of Corrections and Rehabilitation.	Section 4 provides an appropriation of $7 million from other funds and 6 FTE positions to the Department of Human Services for the community behavioral health program. The source of funds is the Department of Corrections and Rehabilitation.
Appropriation - Department of Human Services	Section 4 provides an appropriation of $500,000 from the general fund to the Department of Human Services to contract with a public or private entity to create, initiate, and facilitate the implementation of a strategic plan to increase the availability of behavioral health services in the state.	Section 5 provides an appropriation of $500,000 from the general fund to the Department of Human Services to contract with a public or private entity to create, initiate, and facilitate the implementation of a strategic plan to increase the availability of behavioral health services in the state.
Special funds transfer - Strategic investment and improvements fund	Section 5 designates $935,907 from the strategic investment and improvements fund for an electronic medical records system.	Section 6 designates $935,907 from the strategic investment and improvements fund for an electronic medical records system.
Missouri River Correctional Center - Housing unit purchase		Section 7 designates $844,000 for the purchase of a 36-bed housing unit at the Missouri River Correctional Center.
Management of inmate population	Section 6 creates a new section to Chapter 12-44.1 relating to local management of inmate population.	Section 8 creates a new section to Chapter 12-44.1 relating to local management of inmate population.
Community behavioral health program	Section 7 creates a new section to Chapter 54-23.3 relating to a community behavioral health plan as a term of parole or an alternative to incarceration.	Section 9 creates a new section to Chapter 54-23.3 relating to a community behavioral health plan as a term of parole or an alternative to incarceration.
Prioritization of admission of inmates	Section 8 creates a new section to Chapter 54-23.3 relating to prioritization of admission of inmates.	Section 10 creates a new section to Chapter 54-23.3 relating to prioritization of admission of inmates.
Criminal justice behavioral health needs study	Section 9 provides for the continuation of the Legislative Management study of alternatives to incarceration, with a focus on the behavioral health needs of individuals in the criminal justice system.	Section 11 provides for the continuation of the Legislative Management study of alternatives to incarceration, with a focus on the behavioral health needs of individuals in the criminal justice system.
Tompkins Rehabilitation Center study		Section 12 provides for a Legislative Management study of the Tompkins Rehabilitation Center.
Youth Correctional Center facilities study	Section 10 provides for a study of Youth Correctional Center facilities by the Department of Corrections and Rehabilitation, in consultation with the Department of Human Services, the Protection and Advocacy Project, and the Supreme Court.	Section 13 provides for a study of Youth Correctional Center facilities by the Department of Corrections and Rehabilitation, in consultation with the Department of Human Services, the Protection and Advocacy Project, and the Supreme Court.

SB 2015 Conf Comm
4-10-17 #1 p1

Department of Corrections and Rehabilitation - Budget No. 530
Senate Bill No. 2015
Base Level Funding Changes

	Senate Version				House Version				House Changes to Senate Version Increase (Decrease) - Senate Version			
	FTE Positions	General Fund	Other Funds	Total	FTE Positions	General Fund	Other Funds	Total	FTE Positions	General Fund	Other Funds	Total
2017-19 Biennium Base Level	836.29	$203,044,020	$33,236,706	$236,280,726	836.29	$203,044,020	$33,236,706	$236,280,726	0.00	$0	$0	$0
2017-19 Ongoing Funding Changes												
Base payroll changes		$843,274	$1,296,984	$2,140,258		$843,274	$1,296,984	$2,140,258				$0
Health insurance increase		2,179,298	150,361	2,329,659		2,010,808	139,467	2,150,275		(168,490)	(10,894)	(179,384)
Add new Youth Correctional Center FTE positions (PREA)	10.00	1,258,076		1,258,076	6.00	754,846		754,846	(4.00)	(503,230)		(503,230)
Restore funding for salaries and wages		461,935		461,935		461,935		461,935				0
Reduce funding for temporary employee operating expenses		(31,100)		(31,100)		(31,100)		(31,100)				0
Restore funding for contract housing and programs		4,715,073		4,715,073		4,715,073		4,715,073				0
Increase funding for contract housing and programs		105,441		105,441		105,441		105,441				0
Restore funding for the Dakota Women's Correctional and Rehabilitation Center contract		348,815		348,815		348,815		348,815				0
Adjust funding for various expenses, including food and clothing, medical, travel, utilities, repairs, maintenance, information technology, and professional services		2,971,046	(359,501)	2,611,545		2,971,046	(359,501)	2,611,545				0
Adjust funding for federal grant changes			3,017,597	3,017,597			3,017,597	3,017,597				0
Reduce funding for extraordinary repairs		(417,060)	(170,000)	(587,060)		(417,060)	(170,000)	(587,060)				0
Adjust funding for bond payments		(120,845)		(120,845)		(120,845)		(120,845)				0
Reduce funding for salaries and wages and contract housing and programming		***(7,000,000)***		***(7,000,000)***		***(7,000,000)***		***(7,000,000)***				***0***
Add funding for community behavioral health program	1.00	7,000,000		7,000,000	1.00	7,000,000		7,000,000				0
Reduce funding for operating expenses				0		(606,461)		(606,461)		(606,461)		(606,461)
Total ongoing funding changes	11.00	$12,313,953	$3,935,441	$16,249,394	7.00	$11,035,772	$3,924,547	$14,960,319	(4.00)	($1,278,181)	($10,894)	($1,289,075)
One-time funding items												
Add funding for equipment			$167,000	$167,000			$167,000	$167,000				$0
Add funding for electronic medical records system			935,907	935,907			935,907	935,907				0
Add funding for justice reinvestment				0			500,000	500,000			500,000	500,000
Total one-time funding changes	0.00	$0	$1,102,907	$1,102,907	0.00	$0	$1,602,907	$1,602,907	0.00	$0	$500,000	$500,000
Total Changes to Base Level Funding	11.00	$12,313,953	$5,038,348	$17,352,301	7.00	$11,035,772	$5,527,454	$16,563,226	(4.00)	($1,278,181)	$489,106	($789,075)
2017-19 Total Funding	847.29	$215,357,973	$38,275,054	$253,633,027	843.29	$214,079,792	$38,764,160	$252,843,952	(4.00)	($1,278,181)	$489,106	($789,075)

#1
p 2

Other Sections in Department of Corrections and Rehabilitation - Budget No. 530

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4-11-17 Conf. comm. HB 1015 #1 p1

Department of Corrections and Rehabiliation

Biennial Cost of YCC PREA Position

	FTE Status	Temp Status
Salary ($3,352 / month)	$ 80,448	$ 80,448
Fringe:		
FICA	4,988	-
Retirement	9,863	-
Unemployment	120	-
Workers Comp	2,053	-
Medicaid	1,167	-
Life Insurance	7	-
Employee Assistance Prog	37	-
Health Insurance ($1,241 / month)	29,784	29,784
Standard Fringe	-	8,045
Total Salary and Fringe	**$ 128,466**	**$ 118,277**

SB 2017 4-13-17 Conf Comm

17.0523.02002
Title.

Prepared by the Legislative Council staff for
Representative J. Nelson
April 13, 2017

#1
P1

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2015

That the House recede from its amendments as printed on pages 1203-1205 of the Senate Journal and page 1342-1344 and of the House Journal and that Engrossed Senate Bill No. 2015 be amended as follows:

Page 1, line 6, after the semicolon insert "to provide for a legislative management justice reinvestment oversight committee;"

Page 6, after line 2, insert:

"**SECTION 9. JUSTICE REINVESTMENT OVERSIGHT COMMITTEE - REPORT TO THE LEGISLATIVE MANAGEMENT.**

1. During the 2017-18 interim, the justice reinvestment oversight committee is created and composed of eight members as follows:
   a. The governor's general counsel;
   b. The director of the department of human services;
   c. The director of behavioral health of the department of human services;
   d. The director of the department of corrections and rehabilitation;
   e. The chief justice of the supreme court, or a designee of the chief justice;
   f. The attorney general, or a designee of the attorney general;
   g. One member of the house of representatives, appointed by the majority leader of the house of representatives; and
   h. One member of the senate, appointed by the majority leader of the senate.
2. The committee shall study the implementation of justice reinvestment policies in the state and periodically report to the legislative management. The office of the governor shall provide staff services to the committee.
3. Before July 1, 2018, the committee shall report its findings and recommendations, together with any legislation required to implement those recommendations, to the legislative management."

Renumber accordingly