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Deanna G. Bell
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10/30/03
Date

2003 HOUSE APPROPRIATIONS

HB 1016

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2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1016

House Appropriations Committee

Conference Committee

Hearing Date 01-07-03

Tape Number	Side A	Side B	Meter #
1	X	X	All of it

Committee Clerk Signature Chris J. Nyhus

Minutes:

Chairman Svedjan Called the meeting to order at 8:30 am. All representatives were present excluding Rep. Carlson and Rep. Bellew. All representatives present excluding Rep. Carlson and Rep. Bellew.

Elaine Little Director of Department of Corrections and Rehabilitation.

Chairman Svedjan Will you try to alleviate demands for prison beds?

Little Yes. There is more detail in the publications.

Chairman Svedjan Am I correct in saying that the reasons for incarceration in ND is different in ND than in other states?

Little Yes, drug offenders are the largest percentage of offenders. This is the first time that drug offenders are the largest group.

Drug and DUI offenders pose a problem, since their population in the prison system is growing.

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Rep. Wald What impact did the 1st time offender drug law have on prison population?

Little There is no way to know that information since courts are flooded, they already started doing what the 1st-time drug offenders law did.

Chairman Svedjan Is the length of sentences related to the type of rehabilitation that they receive?

Little A sentencing report is done, it includes how long it will take them to get through all types of treatment and when they will be seen by the parole board.

Rep. Skarphol Can you explain the discrepancy in numbers in the Average Sentence in Months by Calendar Year it says that 93 months is the average, and on the bottom it says 151 months.

Little The difference is that the 93 months is taken as an average and the 151 sex offender inmates is just a sample at a moment in time.

Vice Chair Timm Is there a life without parole sentence in North Dakota and is anyone sentenced to it?

Little Yes there is and there are between 4 to 6 people sentenced to it.

Vice Chair Timm And they never get out?

Little The only way that they get out is if they receive a pardon from the pardon advisory board. If that board changes their sentence by even a day, then the inmate gets to be heard by a parole board and that inmate may be eligible for parole, however that is an unlikely situation.

Rep. Delzer Do you take into account the civil sex offenders in Jamestown?

Little No, we don't, the discrepancy is because the year's average is skewed by inmates coming in or leaving with longer sentences.

Rep. Delzer How many inmates do you have that are 20 years or longer?

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Little We have quite a few, I'm not sure about the number, but I'll bring it to the division meeting.

Little Budget overview comments: The most important item in the budget is a women's prison. The reasons for it are legal, for safety, and to allow access to treatment to facilities and to meet their security classifications.

The decrease to the budget is a decrease in what was requested.

Chairman Svedjan Is access to the parole board by women actually a problem and is there a way it can be enhanced?

Little There is no treatment staff in the budget, and we have not requested it. Since women are located within the male facility and since the male population is so much bigger the result is the women do not have access to the addiction treatment that the males do. Having male and female facilities together is the problem. There are different kinds of issues that women need treatment for that males do not.

Chairman Svedjan Do you ever consider any other interagency coordination other than the state hospital as it relates to this issue? There is a human service center in Jamestown, do you ever look to contract with them so you can enhance your program and move inmates out quicker?

Little The reason we don't do a lot of contracting is dollars.

Chairman Svedjan It seems to me that you need to look at dollars at both ends of the spectrum.

Little By having the women located on the same floor as males in Jamestown, over 50% are minimum custody and we need to provide a minimum custody bed for them. The configuration of the building there inhibits the expansion of those beds from the current number of 14.

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Rep. Wald Have you ever explored the possibility of housing female prisoners at the New England facility?

Little We did respond to an inquiry to that and the reasons it wouldn't work is because we are looking for a facility to house the majority of women inmates. The New England facility only has 40 beds. And almost all of the women population comes from Burleigh and Cass County.

Rep. Wald To what extent do you use the Southwest Mollie County Facility? There were 40 beds available. Can we not more utilize these facilities?

Little We have been using the Dickinson correctional center. But total beds is not the issue, the women's population is.

Rep. Warnke The mental health community is a concern. Are there plans for the configuration of the mental health ward to be moved to the basement and if so how will the inmates fare?

Little That is not true, and Alex Schweitzer would be the one to answer those questions. Based on their plan in the LaHoug building will be the medical center. All of the patients will be moved to the children's center and the GM building.

Chairman Svedjan So it is not a combination of mental health patients and correctional facility inmates. They are not being combined, correct?

Little Correct. We have always made the commitment for keeping them separate. We will not mix patients that way.

Rep. Delzer What is the average cost per day in the prison system?

Little \$52.60

Rep. Delzer Who came up with section 4 of the bill?

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Little It was an OMB recommendation for our budget.

Rep. Delzer The Human Services has historically underfunded the salary line item by 3-3.5 million. I have serious concerns about putting something in a bill that says the next legislature must take care of a deficiency funding if the original funding does not come about.

Rep. Skarphol Due to an issue brought to my attention I have difficulty allotting funding for women's treatment specifically when the males are not getting treatment to begin with.

Little I would like to see the details on that specific instance first. Often times the reports that a family member gives is inaccurate as to what really happens.

Rep. Koppleman In Fargo there is a state of the art prison, and there has been discussion about using that space, but now I hear it is not going to happen.

Little They only have about 200 available beds and they have 190 inmates. They are basically full.

Rep. Koppleman That system is built for expansion on a pod system, and why can't they just expand them?

Little The real issue is we need to get women out of the same facility that the males are in. We can add prison space to a system and free up both male and female space.

Rep. Monson Why do we have to purchase a building?

Little We pay \$400,000 to the State hospital for the building, then they can make improvements. This is utilized by using the funds from the crime bill. This is for the LaHoug building, not the food service.

Rep. Monson What is in your budget to save on food and laundry?

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