

January 2006

## DEPARTMENT OF CORRECTIONS AND REHABILITATION STUDY STATUS - SUMMARY

Pursuant to Section 12 of 2005 Senate Bill No. 2015, the Budget Committee on Government Services has been assigned the responsibility to develop a legislative strategic plan for the Department of Corrections and Rehabilitation's incarceration and correctional facility needs. This memorandum lists the requirements of the study as included in Section 12 and summarizes under each requirement the information the committee has received to date:

1. **Receive information from the Department of Corrections and Rehabilitation, regional authorities with regional correction centers, counties with county jails, cities with city jails, corporations operating private corrections facilities, and others the committee considers necessary to develop a strategic plan for the state's incarceration and corrections facility needs for the next 20 years.**

CURRENT DEPARTMENT OF CORRECTIONS AND REHABILITATION PRISON FACILITIES			
Facility	State Penitentiary (Bismarck)	James River Correctional Center (Jamestown)	Missouri River Correctional Center (Bismarck)
<b>Type</b>	Maximum security facility for <b>male</b> inmates	Medium security facility for <b>male</b> inmates	Minimum security facility for <b>male</b> inmates
<b>Capacity</b>	550-bed capacity <ul style="list-style-type: none"> <li>• 43 temporary/vacant beds</li> <li>• 507 net beds available</li> </ul>	385-bed capacity <ul style="list-style-type: none"> <li>• 46 temporary/vacant beds</li> <li>• 339 net beds available</li> </ul>	150-bed capacity <ul style="list-style-type: none"> <li>• 5 temporary/vacant beds</li> <li>• 145 net beds available</li> </ul>
<b>Populations</b>	Actual average population (July 1, 2005, to November 27, 2005) - 508 inmates	Actual average population (July 1, 2005, to November 27, 2005) - 371 inmates	Actual average population (July 1, 2005, to November 27, 2005) - 143 inmates

CONTRACT HOUSING			
Facility	Dakota Women's Correctional and Rehabilitation Center (New England)	Private Prison Facilities (Corrections Corporation of America)	County/Regional Jail Facilities
<b>Type</b>	Minimum and medium security facility for <b>female</b> inmates		Classification of 26 jails <ul style="list-style-type: none"> <li>• 15 - <b>Grade 1</b> jails (up to one year) with a capacity of <b>971 beds</b></li> <li>• 8 - <b>Grade 2</b> jails (up to 30 days) with a capacity of <b>118 beds</b></li> <li>• 3 - <b>Grade 3</b> jails (up to 96 hours) with a capacity of <b>10 beds</b></li> </ul>
<b>Capacity</b>	126-bed capacity <ul style="list-style-type: none"> <li>• 70 minimum security beds</li> <li>• 40 medium security beds</li> <li>• 16 orientation beds</li> </ul>		Department of Corrections and Rehabilitation contracts with 10 Grade 1 facilities at a rate of \$50 per day to house male inmates
<b>Populations</b>	Average female inmate population for September 2005 - 111 inmates	Appleton, Minnesota - Housed an average 48 male inmates through November 27, 2005	North Dakota's 53 counties collectively operate 26 jails with a <b>total capacity of 1,099</b> adult prisoner beds  As of August 31, 2005, there were 959 prisoners in county jails. County jails were essentially full when considering the 140 vacant beds were spread throughout the state and factoring in classification requirements.  Department of Corrections and Rehabilitation actual average male inmate population at county jails (July 1, 2005, to November 27, 2005) - 47 inmates

2. **Consider using existing facilities; other available state facilities; and county, local, or private facilities**

### Department of Corrections and Rehabilitation facilities:

#### State Penitentiary

#### Security and safety issues

- The building design of the east cellhouse results in blind spots and is staff-intensive to supervise.
- The east cellhouse does not have a sprinkler system and does not meet current state fire codes.

- Not enough beds available for segregation, results in difficulty in managing inmates
- The infirmary lacks space, privacy, and disabled access.

#### Repair and improvement needs

- Construction of entry gatehouse and communications center (\$1.6 million)
- New parking lot (\$448,000)
- Duct cleaning (\$435,000)
- Warden's residence structural improvements (\$130,000)
- Extraordinary repairs for entire Prisons Division (\$2.8 million)

#### James River Correctional Center

- Additional beds - Kitchenettes on four floors are being converted into five-person dorms which will increase the facility's capacity by 20 beds in July 2006 when the project is expected to be completed.
- Repair and improvement needs - Laundry building roof replacement and tuckpointing (cost not provided)

#### Missouri River Correctional Center

##### Repair and improvement needs

- New kitchen/multipurpose facility (\$2.6 million)
- Demolition of old kitchen (\$18,000)
- Road repair and surfacing (\$150,000)
- Heat pump (\$25,000)

### Contract housing

#### Dakota Women's Correctional and Rehabilitation Center (New England)

Additional beds - Construction of **five** maximum security (administrative segregation and detention) cells is underway and anticipated to be completed in April 2006

#### Private prison facilities (Corrections Corporation of America)

Department of Corrections and Rehabilitation has moved the inmates housed in Appleton to another private prison in Burlington, Colorado

#### County/regional jail facilities

##### Proposed facility expansions

- Pierce County - New 129-bed regional jail to replace 8 beds
- Grand Forks County - New 228-bed county jail to replace 86 beds
- Cass County - 96-bed expansion to existing facility
- Barnes/southeast counties - New 80-bed regional jail to replace 30 beds
- Williams County - New 100-bed regional jail to replace 37 beds
- McLean County - New county jail to replace old jail
- Burleigh County - Considering adding bed capacity

#### Concerns

- As of September 2005 there was minimal existing capacity for expanded state contracts.
- The relatively low reimbursement rate offered by the state may discourage county jails from contracting with the Department of Corrections and Rehabilitation to house state inmates.

### 3. Consider any cost and benefits of replacing all or parts of the existing correctional facilities or other state property with a modern all-encompassing facility

#### Future prison options

Proposed State Penitentiary expansion and east cellhouse replacement - Two phases (two bienniums) with an estimated total cost of \$31.2 million for a net prison bed gain of 123 beds

- Phase I - Orientation unit, medical facilities, and guard tower - Estimated cost of \$20.45 million
- Phase II - Visitor's lobby, segregation unit, and laundry - Estimated cost of \$10.76 million
- Proposed new 2,000-bed prison facility to replace the current prison facilities - Total estimated cost of \$119 million

### Available land

The department owns 985 acres at the Missouri River Correctional Center consisting of:

- Irrigated alfalfa - 320 acres
- Swampland - 100 acres
- Woodland - 480 acres
- Facilities - 85 acres

The department believes that 420 acres consisting of the swampland and alfalfa land could be sold; however, the department believes the sale of any additional land would cause a breach in security at the facility. The 985 acres have been appraised at \$7.85 million "as is" and \$1.82 million with a riverbank stabilization easement.

#### 4. Consider state-operated facilities compared to contract-operated state facilities

The committee has not specifically addressed this item.

#### 5. Consider contracting with a private entity to provide all or part of the state's correctional and rehabilitation needs

The committee has not specifically addressed this item.

#### 6. Consider the impact to the Department of Corrections and Rehabilitation of changing sentencing guidelines, increasing fines as an alternative to incarceration for nonviolent or minor drug offenders, and utilizing alternatives to incarceration and treatment programs, including receiving information regarding the efficiency of treatment programs

The committee is receiving status reports on the activities of the interim Commission on Alternatives to Incarceration - Representative Joe Kroeber, Chairman

#### 7. Develop a strategic plan based on the information received by the committee

### OTHER INFORMATION

Inmate population projections (see Tables 1 through 3 below):

- Table 1 - Based on current annual growth rates - 17.1 percent for female inmates and 5.9 percent for male inmates
- Table 2 - Based on a set number of inmate increases per year - Increases of 20 female inmates per year and increases of 63 male inmates per year
- Table 3 - Based on annual growth rates projected by the Securities Response Technologies (SRT), Inc., study conducted during the 2001-02 interim - 5.3 percent for female inmates and 2.7 percent for male inmates

TABLE 1.

CURRENT ANNUAL GROWTH RATE											
Fiscal Year	Female Inmates Current Annual Growth Rate = 17.1%					Male Inmates Current Annual Growth Rate = 5.9%					
	Gross Inmate Estimated Population	Estimated Additional Beds Needed by Custody Level			Total Additional Beds Needed	Gross Inmate Estimated Population	Estimated Additional Beds Needed by Custody Level			Total Additional Beds Needed	
		Medium and Maximum	Minimum	Treatment and Transition Beds			Maximum	Medium	Minimum		Treatment and Transition Beds
2006	151				0	1,260	39	27	11	13	90
2007	171	1	1	1	3	1,334	12	9	3	4	28
2008	201	9	14	8	31	1,413	40	28	11	14	93
2009	235	19	30	17	66	1,496	73	52	21	25	171
2010	275	30	47	27	104	1,584	108	76	31	37	252
2011	322	43	68	39	150	1,677	145	103	41	50	339
2012	377	59	93	53	205	1,776	184	131	53	63	431
2013	442	77	122	70	269	1,880	226	160	65	78	529
2014	518	98	155	89	342	1,990	270	191	77	93	631
2015	606	123	195	112	430	2,107	316	224	90	109	739
2016	710	152	241	138	531	2,231	366	259	105	125	855
2017	831	186	295	169	650	2,362	418	296	119	143	976

TABLE 2.

INMATE GROWTH RATE BASED ON A SET NUMBER OF INMATES											
Fiscal Year	Female Inmate Growth Rate Estimated at 20 Inmates Per Year					Male Inmate Growth Rate Estimated at 63 Inmates Per Year					
	Gross Inmate Estimated Population	Estimated Additional Beds Needed by Custody Level			Total Additional Beds Needed	Gross Inmate Estimated Population	Estimated Additional Beds Needed by Custody Level			Total Additional Beds Needed	
		Medium and Maximum	Minimum	Treatment and Transition Beds			Maximum	Medium	Minimum		Treatment and Transition Beds
2006	157				0	1,255	37	26	10	13	86
2007	177	2	4	2	8	1,321	7	5	2	2	16
2008	197	8	13	7	28	1,384	28	20	8	10	66
2009	217	14	22	12	48	1,447	53	38	15	18	124
2010	237	19	31	18	68	1,509	78	55	22	27	182
2011	258	25	40	23	88	1,572	103	73	29	35	240
2012	278	31	49	28	108	1,634	128	90	37	44	299
2013	298	36	58	33	127	1,697	153	108	44	52	357
2014	319	42	67	38	147	1,759	178	126	51	61	416
2015	339	48	76	43	167	1,822	202	143	58	69	472
2016	359	54	85	49	188	1,885	227	161	65	78	531
2017	379	59	94	54	207	1,947	252	179	72	87	590

TABLE 3.

SECURITY RESPONSE TECHNOLOGIES, INC., ANNUAL GROWTH RATE											
Fiscal Year	Female Inmate SRT Annual Growth Rate = 5.3%					Male Inmate SRT Annual Growth Rate = 2.7%					
	Gross Inmate Estimated Population	Estimated Additional Beds Needed By Custody Level			Total Additional Beds Needed	Gross Inmate Estimated Population	Estimated Additional Beds Needed by Custody Level			Total Additional Beds Needed	
		Medium and Maximum	Minimum	Treatment and Transition Beds			Maximum	Medium	Minimum		Treatment and Transition Beds
2006	145				0	1,248	34	24	10	12	80
2007	147				0	1,284					0
2008	155				0	1,319	2	1	0	1	4
2009	163				0	1,354	16	11	4	5	36
2010	172	1	1	1	3	1,391	30	21	9	10	70
2011	181	3	6	3	12	1,428	45	32	13	15	105
2012	190	6	10	6	22	1,467	60	43	17	21	141
2013	200	9	14	8	31	1,507	76	54	22	26	178
2014	211	12	19	11	42	1,547	92	65	26	32	215
2015	222	15	24	14	53	1,589	109	77	31	37	254
2016	234	18	29	17	64	1,632	126	89	36	43	294
2017	246	22	35	20	77	1,676	143	102	41	49	335